



SURREY
COUNTY COUNCIL

To: Planning & Regulatory Committee

Date: 27 November 2020

By: Planning Development Manager

District(s) Waverley Borough Council

Electoral Division(s):
Waverley Eastern Villages
Mrs Young

Purpose: For Decision

Case Officer:

David Maxwell

Grid Ref: 501773 137324

Title: Minerals and Waste Application WA/2019/0796

Summary Report

Loxley Well Site - Land South of Dunsfold Road and East of High Loxley Road, Dunsfold, Surrey

The construction, operation and decommissioning of a well site for the exploration and appraisal of hydrocarbon minerals from one exploratory borehole (Loxley-1) and one side-track borehole (Loxley - 1z) for a temporary period of three years involving the siting of plant and equipment, the construction of a new access track, a new highway junction with High Loxley Road, highway improvements at the junction of High Loxley Road and Dunsfold Road and the erection of a boundary fence and entrance gates with restoration to agriculture.

A report on this application (Annex 1) and an accompanying update sheet (Annex 2) were considered by the Planning and Regulatory Committee (P&R Committee) at their meeting on 29 June 2020 (Item 7). Members resolved to refuse planning permission on the grounds that it had not been demonstrated to them that there was a need for the development nor that the adverse impacts in respect of highways, noise, lighting and air quality would not be significant contrary to policies MC12, MC14 and MC15 of the Surrey Minerals Plan 2011.

Following the meeting, the Monitoring Officer received numerous complaints alleging that there were procedural irregularities that invalidated the result. As a consequence, Counsel was instructed to view the recording of the meeting and, first, to consider whether there were in fact any such irregularities and, secondly, what should be done to rectify them.

Counsel identified a number of issues encountered during the P&R Committee meeting and advised that there was a significant likelihood that these would render the resolution to refuse invalid and any notice of refusal invalid. In addition, there were a number of other issues raised in the complaints that could combine to further undermine the County's position on any legal challenge.

In view of these considerations, Counsel advised that the appropriate and fairest course of action would be to take the application back to P&R Committee for it to be determined afresh,

with members of the public and the applicant able to make or remake their statements and with full provision for debate by Members. Counsel also advised that so long as the redetermination is undertaken properly and lawfully, any legal errors in the earlier resolution should not then be open to judicial review. Counsel reminded the authority that Committee Members would need to consider the matter afresh and with an open mind.

Following consideration of Counsel advice, a decision was reached on 30 July 2020 where it was agreed that the resolution was unlawful, any notice of refusal would be unlawful, a decision notice should not be issued, the application be referred back to P&R Committee afresh, and that there will be full entitlement for public speakers, the applicant and the local Member to make or remake their statements orally with full provision for debate by members.

Following the decision, the applicant submitted a final statement in August 2020 which sought to positively respond to the deliberations of the P&R Committee on 29 June 2020. The statement focuses particularly on highways, traffic and access issues and proposes 8 new and amended planning conditions for consideration. It also includes 17 statements of clarification.

In considering the merits of the proposed new and amended conditions, Officers have had particular regard to Government policy contained in paragraph 55 of the National Planning Policy Framework (NPPF). This requires that planning conditions are kept to a minimum, only imposed where they are necessary, relevant to planning and the development being permitted, enforceable, precise and reasonable in all other respects. In view of these policy requirements, Officers do not accept the applicant's proposals for new conditions in relation to 'local procurement and local economic growth' and 'air quality monitoring'.

The County Highway Authority (CHA) has been consulted on the final statement in respect of issues relating to transport. Reflecting the advice provided by the CHA, Officers do not consider the need for any additional planning conditions in relation to highways, traffic and access. However the applicant's suggested change to proposed Condition 12 (renumbered as Condition 13 in this addendum report) to restrict the hours of operation for Heavy Goods Vehicles (HGVs) is accepted. This prohibits all HGV movements outside the hours of 0900-1700 Monday to Thursday and 0900-1300 on Friday and Saturday. To provide greater clarity, Officers have also recommended two minor changes to proposed Conditions 8 and 9 in response to the applicant's proposal to include two new planning conditions regarding HGV Track and Trace and the restoration of the highway and highway verge.

A new proposed air quality condition is not considered to be justified. This is because the County Air Quality Consultant's response advises that the effects on air quality are not considered to be significant and the advice does not recommend the need to impose any conditions in relation to air quality. Offices are also mindful that the Environmental Permit contains conditions in relation to odour and emissions to water, air and land. A proposed new condition on local procurement and local economic growth is not considered necessary by Officers in order to make the application acceptable. This is because Officers are satisfied that the need for the development, including the economic benefits of the proposal, has been demonstrated.

With regard to the transport related clarifying statements submitted by the applicant, the CHA has explained the 'Unsuitable for HGVs' signage' at the junction of the A281 and Dunsfold Road does not mean that all of the route between the A281 and the A3100 is unsuitable for HGVs due to the road being too narrow. Material to the consideration of this application is the CHA's advice that the section between the A281 and the application site has a suitable width to allow the safe passing of HGVs.

The CHA has also clarified that the reason for the installation of chevrons signage and high friction surfacing at two bends on Dunsfold Road is due to car drivers approaching these bends at inappropriate speeds, braking too late and then losing control of their vehicle. The CHA states that HGV movements generated by the proposed development would have no material impact on highway safety at these locations. In relation to a statement by the applicant concerning Section 278 Highway Agreements, the CHA has pointed out a factual error contained within this

statement and advised that although it is normal practice for these agreements to be drafted after planning permission has been granted, it is not correct to say that these can only be made once a planning consent has been issued.

In terms of those statements relating to non-transport issues, most of the issues referred to have been covered in the Officer report attached at Annex 1. Officers have no other observations on any of the points raised except in relation to landscape. In this respect, Officers do not accept the applicant's suggestion that any weight can be given in policy terms to the work undertaken to date on the review of the boundary of the Surrey Hills Area of Outstanding Natural Beauty (AONB). This is because this work only represents the findings of landscape consultants. Although this will be used as evidence to inform the review, the review itself to be undertaken by Natural England has yet to commence.

In addition, in respect of the Surrey Hills AONB Planning Adviser's advice that the proposal would be a seriously incongruous feature in the Area of Great Landscape Value (AGLV), Officers have clarified how they have reached the conclusion that the development would not have a significant adverse landscape impact. This is due to the temporary nature of the development, the amount of time the rig or crane would be deployed on site, the County Landscape Consultant's advice that the adverse visual impact of the rig and crane are unlikely to be significant and the Surrey Hills Planning Adviser's advice acknowledging that the harm to the AONB and the AGLV will need to form part of the balancing act undertaken by the CPA in determining the application.

Further responses have been received from the Environment Agency (EA), the Hascombe Estate, Dunsfold Parish Council and Hambledon Parish Council. The EA's response seeks to address concerns expressed by the local Gypsy, Romany and Traveller (GRT) community that the Environmental Permit issued in June 2019 failed to take their situation and views into account. The Hascombe Estate's response disputes a claim made in a representation received from the landowner of the well site host field in relation to the quality of their previous work when farming on the Hascombe Estate. Dunsfold Parish Council confirm their continuing objection to the application and suggest three specific grounds for objecting to the proposed development concerning the climate emergency, the Paris Agreement and energy security. Hambledon Parish Council has resubmitted their response dated 24 June 2020 to ensure that their comments are taken into consideration when the application is re-determined by P&R Committee.

At the time of writing, a further 37 representations and one petition have been submitted, with 3 representations being made in support of the application and 34 against. Most of the issues raised have been covered in the Officer report attached at Annex 1. Some additional issues have been raised in relation to a suggested conflict with Surrey County Council's (SCC) Environmental Sustainability Plan, the impact of hydrogen sulphide gas, odour, and noise specifically on the GRT community, the lack of consultation with the GRT community as well as a suggestion that the Lydia Park extension has been overlooked during the assessment.

Officers have reviewed the additional responses and representations received and are satisfied that none of the issues raised have any bearing on the conclusions and recommendation made in the Officer report to P&R Committee on 29 June 2020 attached at Annex 1. Officers are also content that there have been no policy changes during this time that are material to the determination of the application and warranting of further consideration.

Taking into account the need for the development in the context of national policy and other relevant policy tests, the advice provided by consultees providing advice on technical matters and the mitigation measures proposed by the applicant, Officers conclude that the proposed development accords with the relevant development plan policy requirements, and recommend that the application be permitted subject to appropriate conditions to protect the environment and local amenity.

The recommendation is to PERMIT subject to conditions.

Application details

Applicant

UKOG (234) Ltd

Date application valid

28 May 2019

Period for Determination

27 August 2019 (Extension of time agreed until 04 December 2020)

Amending Documents

- Letter dated 10 June 2019 entitled, "Clarification Statement in Response to the Written Statement of Secretary of State for the Ministry of Housing, Communities and Local Government 23rd May 2019";
- Email dated 25 July 2019 entitled, "Loxley Well Site - Responding to Consultee Responses";
- Email dated 23 October 2019 entitled, "Re: Loxley - Impact of Vibration (on Listed Buildings) and Noise (on the Gate House)";
- Email dated 23 October 2019 entitled, "RE: Loxley - Impact of Vibration (on Listed Buildings) and Noise (on the Gate House)";
- Email dated 30 October 2019 entitled, "Loxley Well Site - Wild Bird Seed Mixture";
- Wild Bird Seed Mixtures Advisory Sheet England submitted on 30 October 2019;
- Email dated 1 November 2019 entitled, "Loxley Well Site Application 2019/0072 - E-mail 1 of 8";
- Email dated 1 November 2019 entitled, "Loxley Well Site Application 2019/0072 - E-mail 2 of 8 - LANDSCAPE & VISUAL IMPACT";
- Letter dated 31 October 2019 in response to issues raised by Landscaping, Surrey Hills Area of Outstanding Natural Beauty Management Board and Waverley Borough Council including Appendix A (Photoviewpoint Imagery);
- Email dated 1 November 2019 entitled, "Loxley Well Site Application 2019/0072 - E-mail 2 of 8 - LANDSCAPE & VISUAL IMPACT" containing link to "high-resolution" renditions";
- Email dated 1 November 2019 entitled, "Loxley Well Site Application 2019/0072 - E-mail 3 of 8 - ECOLOGY";
- Letter dated 31 October 2019 in response to issues raised by Natural England, Surrey Wildlife Trust, Surrey Hills Area of Outstanding Natural Beauty Management Board, The Woodland Trust, Surrey County Arboriculturalist, Surrey County Ecologist and Waverley Borough Council including Appendix A: Outline Landscape, Environment and Biodiversity Restoration and Enhancement Plan dated October 2019 and Appendix B: Loxley Wells Site Addendum to the Arboricultural Impact Assessment dated October 2019;
- Email dated 1 November 2019 entitled, "Loxley Well Site Application 2019/0072 - E-mail 4 of 8 - AIR QUALITY IMPACT";
- Letter dated 31 October 2019 in response to issues raised by the Environmental Health Officer;
- Email dated 1 November 2019 entitled, "Loxley Well Site Application 2019/0072 - E-mail 5 of 8 - GEOTECHNICAL & DESIGN";
- Letter dated 31 October 2019 in response to issues raised by the County Geological / Geotechnical Consultant, Restoration and Enhancement Team, the Environment Agency and the Lead Local Flood Authority including Appendix A: Updated Loxley Well Site Planning Statement & Environmental Report; Appendix 1: Design Statement - Appendix 3 NAUE Geogrid Design dated 19 September 2019 and Appendix B: Extract from the Loxley Well Site Planning Statement & Environmental Report; Appendix 1 Design Statement Appendix 1: Site Investigations (Borehole Location Plan and accompanying logs);
- Email dated 1 November 2019 entitled, "Loxley Well Site Application 2019/0072 - E-mail 6 of 8 - HIGHWAYS";

- Letter dated 31 October 2019 in response to issues raised by the County Highway Authority including Appendix A: Loxley Well Site Supplementary Transport Statement dated September 2019 and Appendix B: Loxley Well Site Framework Construction Traffic Management Plan dated September 2019;
- Email dated 1 November 2019 entitled, “Loxley Well Site Application 2019/0072 - E-mail 7 of 8 - LIGHTING IMPACTS”;
- Letter dated 31 October 2019 in response to issues raised by the County Lighting Consultant including Appendix A: Exploratory Well Site, Dunsfold, Surrey Lighting Assessment dated November 2019;
- Email dated 1 November 2019 entitled, “Loxley Well Site Application 2019/0072 - E-mail 8 of 8 - NOISE IMPACTS”;
- Letter dated 31 October 2019 in response to issues raised in relation to noise including Appendix A: Addendum to Noise Impact Assessment for hydrocarbon exploration, testing and appraisal accounting for the clear felling of the Burchetts, Thatchedhouse Planted Piece, The Moor and High Loxley Furze dated 6 September 2019 submitted 22 December 2019;
- Clarifying email dated 19 November 2019 entitled, “RE: Loxley Well Site Application 2019/0072 - E-mail 2 of 8 – LANDSCAPE & VISUAL IMPACT”;
- Further clarifying email dated 19 November 2019 entitled, “RE: Loxley Well Site Application 2019/0072 - E-mail 2 of 8 – LANDSCAPE & VISUAL IMPACT”;
- Drawing No. ZG-UKOG-L1-PA-08 Rev 1 Proposed Construction Layout Plan 1 of 4 (Well Site) dated December 2019;
- Drawing No. ZG-UKOG-L1-PA-09 Rev 1 Proposed Construction Layout Plan 2 of 4 (Well Site to Burchetts SW Corner) dated December 2019;
- Drawing No. ZG-UKOG-L1-PA-12 Rev 1 Proposed Construction Sections Plan dated December 2019;
- Drawing No. ZG-UKOG-L1-PA-15 Rev 1 Drilling Mode Layout Plan dated December 2019;
- Drawing No. ZG-UKOG-L1-PA-16 Rev 1 Section Through Drilling Mode Layout Plan (BDF Rig 28 - Height 37M) dated December 2019;
- Drawing No. ZG-UKOG-L1-PA-19 Rev 1 Initial Flow Testing Mode Layout Plan dated December 2019;
- Drawing No. ZG-UKOG-L1-PA-20 Rev 1 Section Through Initial Flow Testing Mode Layout Plan dated December 2019;
- Drawing No. ZG-UKOG-L1-PA-23 Rev 1 Extended Well Testing Mode Layout Plan (With Temporary Noise Mitigation) dated December 2019;
- Drawing No. ZG-UKOG-L1-PA-24 Rev 1 Section Through Extended Well Testing Mode Layout Plan dated December 2019;
- Drawing No. ZG-UKOG-L1-PA-25 Rev 1 Retention Mode Layout Plan dated December 2019;
- Drawing No. ZG-UKOG-L1-PA-26 Rev 1 Section Through Retention Mode Layout Plan dated December 2019;
- Drawing No. ZG-UKOG-L1-PA-27 Rev 1 Proposed Well Site Fencing & Gates Section Plan dated December 2019;
- Groundwater Risk Assessment, Thatched House Farm, Envireau Water dated December 2019.
- Clarifying Email dated 9 January 2020 entitled, “RE: Loxley Well Site: Landscape Consultant Site Visit”.
- Email dated 14 January 2020 entitled, “Application SCC Ref: 2019/0072 - Additional Information Consultee Responses 1 - SCC Highways Call for Additional Swept Path Analysis”;
- Drawing No. LTP/3134/00/02.01 Rev A 16.5m Articulated Vehicle Swept Path Analysis Sheet 1 of 3 dated 7 January 2020;
- Drawing No. LTP/3134/00/02.02 Rev A 16.5m Articulated Vehicle Swept Path Analysis Sheet 2 of 3 dated 7 January 2020;
- Drawing No. LTP/3134/00/02.03 Rev A 16.5m Articulated Vehicle Swept Path Analysis Sheet 2 of 3 dated 7 January 2020;
- Drawing No. LTP/3134/00/03.01 Rev A 4 Axle Tipper Swept Path Analysis Sheet 1 of 3 dated 7 January 2020;

- Drawing No. LTP/3134/00/03.02 Rev A 4 Axle Tipper Swept Path Analysis Sheet 2 of 3 dated 7 January 2020;
 - Drawing No. LTP/3134/00/03.03 Rev A 4 Axle Tipper Swept Path Analysis Sheet 3 of 3 dated 7 January 2020;
 - Email dated 17 January 2020 entitled, “RE. Application SCC Ref 2019/0072 - Additional Information Consultee Responses 1”;
 - Email dated 23 January 2020 entitled, “FW: Loxley Utility Infrastructure: Electricity”;
 - Email dated 14 February 2020 entitled, “Loxley Well Site - SCC Ref: 2019/0072 - Planning Matters”;
 - Email dated 19 February 2020 entitled, “Loxley Well Site - SCC Ref: 2019/0072 - Planning Matters”;
 - Email dated 24 February 2020 entitled, “RE: Loxley: Three further Questions attaching Photo of Southern Boundary of Well Site Host Field and High Billingham Farm and Well Site Profile Slides”;
 - Email dated 4 March 2020 entitled, “RE: Loxley: Three Further Questions”;
 - Email dated 16 March 2020 entitled, “RE: Query re Ash Trees Along Northern Boundary”;
 - Letter dated 6 May 2020 responding to queries regarding the submitted Transport Statement;
 - Email dated 8 May 2020 entitled, “RE: Highways Matters and Pre-Commencement Conditions”; and
 - Letter dated 19 August 2020 comprising new and amended planning conditions for consideration and 17 clarifying statements.
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Summary of Planning Issues

This section identifies and summarises the main planning issues in the report. The full text should be considered before the meeting.

	Is this aspect of the proposal in accordance with the development plan?	Paragraphs in the report where this has been discussed
Need for the Development	Yes	21-26
Environmental Considerations	Yes	31-34
Air Quality	Yes	35-41
Procedural Matters (including points of clarification on issues raised during the debate at the 29 June 2020 meeting and after the meeting including assessment of proposed new and amended planning conditions	Yes	42-135

Illustrative material

Site Plan

Plan 1 - Site Location and Application Site Area

Plan 2 - Proposed Construction Layout Plan (Well Site)

Aerial Photographs

Aerial 1 - Loxley Well Site, Dunsfold

Aerial 2 - Loxley Well Site, Dunsfold

Site Photographs

Figure 1 - Well Site Host Field Looking North East

Figure 2 - Vehicular Entrance to Well Site Compound Looking North East

- Figure 3 - Western Boundary of Well Site Compound Looking South
- Figure 4 - Western Boundary of Burchetts Woodland Block Looking North
- Figure 5 - View Looking East from High Loxley Road along Route of Proposed New Access
- Figure 6 - View Looking North along Eastern Boundary of Well Site Host Field
- Figure 7 - View Looking West along Northern Boundary of Well Site Host Field
- Figure 8 - View Looking West along Track to the North of the Well Site Compound Host Field
- Figure 9 - View Looking South from Southern Boundary of Well Site Host Field towards High Billingham Farm
- Figure 10 - View Looking South along High Loxley Road with Site Entrance on the Left
- Figure 11 - View Looking East from High Loxley Road towards Thatched House Farm
- Figure 12 - View Looking North along High Loxley Road from Proposed Entrance Point
- Figure 13 - View Looking West towards Sharp Corner on Dunsfold Road from Junction with High Loxley Road
- Figure 14 - View Looking East along Dunsfold Road from Junction with High Loxley Road
- Figure 15 - View Looking South towards High Loxley Road and its junction with Dunsfold Road
- Figure 16 - View Looking West along Dunsfold Road with Vegetation Screening on the Left

Background

1. A report on this application (Annex 1) together with an accompanying update sheet (Annex 2) were considered by the Planning and Regulatory Committee (P&R Committee) at their meeting on 29 June 2020 (Item 7). Members resolved to refuse planning permission on the grounds that it had not been demonstrated to them that there was a need for the development nor that the adverse impacts in respect of highways, noise, lighting and air quality would not be significant contrary to policies MC12, MC14 and MC15 of the Surrey Minerals Plan 2011.
2. Following the meeting of the P&R Committee, the Monitoring Officer received in excess of 100 complaints alleging that there were procedural irregularities that invalidated the result. Counsel was instructed to view the recording of the meeting and, first, to consider whether there were in fact any such irregularities and, secondly, what should be done to rectify them.
3. Counsel identified a number of issues encountered during the P&R Committee meeting. Therefore, Counsel advised that there was a significant likelihood that the irregularities arising from difficulties at the meeting would render the resolution to refuse invalid and any notice of refusal invalid. In addition, there were a number of other issues raised in the complaints that could combine to further undermine the County's position on any legal challenge.
4. In view of these considerations, Counsel advised that the appropriate and fairest course of action would be to take the application back to P&R Committee for it to be determined afresh, with members of the public and the applicant able to make or remake their statements and with full provision for debate by Members. Counsel also advised that so long as the redetermination is undertaken properly and lawfully, any legal errors in the earlier resolution should not then be open to judicial review. Counsel reminded the authority that Committee Members would need to consider the matter afresh and with an open mind.
5. The matter was subsequently considered by the P&R Committee Chairman, the Monitoring Officer, Planning Group Manager, Principal Solicitor and Senior Lawyer. Following these deliberations, the Monitoring Officer and Planning Group Manager reached a decision on 30 July 2020 and the recommended approach was endorsed by the P&R Committee Chairman.
6. The decision reached was to agree that: the resolution to refuse the application was unlawful; any notice of refusal would be unlawful; a decision notice for the refusal of the application shall not be issued; the application will be referred back to P&R Committee for

determination afresh; and there will be full entitlement for public speakers, the applicant and the local Member to make or remake their statements orally with full provision for debate by Members.

7. Following the decision, the applicant submitted a final statement in August 2020 in response to the deliberations of the P&R Committee at their meeting on 29 June 2020. This proposes the imposition of five new planning conditions and one amended condition in relation to highways, traffic and access issues, one new condition regarding local procurement and local economic growth and one further new condition concerning air quality. The submission also includes 17 clarifying statements covering issues in relation to highways, traffic and access, night-time working, climate change, need, landscape and visual impact, flaring activity and the method of extraction.
8. This addendum report includes a summary of the further consultee responses and written representations received on this application, assesses any new issues that have been raised and considers whether there have been any new policy changes material to the determination of the application. The report sets out the clarifying information submitted by the applicant in their final statement and includes comments from Officers. It also considers the merits of the new and amended planning conditions submitted by the applicant and includes a full list of the revised recommended conditions. It should be read in conjunction with the Officers report to P&R Committee on 29 June 2020 attached at Annex 1 and the accompanying Update Sheet attached at Annex 2.

Consultations and Publicity

Further Consultee Responses

9. The Environment Agency (EA) has submitted a letter in response to concerns expressed on behalf of the local Gypsy, Romany and Traveller (GRT) community about the failure of the Environmental Permit to take their situation and views into account. The EA's response sets out the types of activities that are authorised by the Permit, how the impact on the GRT community was taken into account and how the Permit takes concerns relating to hydrogen sulphide, odour, emissions, noise and vibration into consideration.
10. The County Highway Authority (CHA) has been consulted on the final statement submitted by the applicant in respect of the issues concerning highways, traffic and access. In terms of the clarifying information provided by the applicant, the CHA has considered the points made in relation to cumulative vehicle flows within High Loxley Road, three-point-turns in the highway, convoys, use of banksmen, 'unsuitable for Heavy Goods Vehicle (HGV)' signage, chevrons on Dunsfold Road, changes to traffic management arrangements and "Section 278 Highway Agreements should not be retrospective".
11. The CHA's response does not raise any concerns in relation to any of these clarifying statements apart from correcting a factual error made by the applicant in relation to the process for the drafting of Section 278 Highway Agreements. The response includes some additional clarifying information in respects of the applicant's two statements concerning 'unsuitable for Heavy Goods Vehicle (HGV)' signage and chevrons on Dunsfold Road. The CHA has confirmed that the issues referred to in the transport related statements would either: not have an unacceptable or a material impact on highway safety; would not prevent safe and suitable access for all vehicles being provided, including HGVs and abnormal load deliveries; or, would be suitably addressed as part of the details required by the Transport Management Plan (TMP). This is required under proposed Condition 9 to be submitted for written approval prior to the commencement of the development. In relation to the statement concerning traffic management arrangements, the CHA has advised that they have no observations to make.
12. With regard to the five new planning conditions proposed by the applicant in relation to highways, traffic and access, the CHA does not consider that any of these should be included as they consider that the issues to which they relate are already sufficiently

addressed by the existing conditions proposed by Officers. However, with regard to the applicant's proposal for two new conditions in relation to HGV Track and Trace and Highway and Highway Verge Restoration and Improvement, the CHA has recommended revisions to the wording of Condition 8 and clauses (f) and (g) of Condition 9, with these two clauses being merged together to form a new clause (f) to provide greater clarity. In respect of the applicant's proposed amendment to the wording of Condition 12 (now renumbered as Condition 13 in this addendum report) in relation to the HGV hours of operation, the CHA has advised that they support this change.

13. The Hascombe Estate has commented on a representation summarised in the section below on '*Further Publicity Undertaken and Summary of Key Issues Raised by the Public*'. The representation in question was received in support of the application by the landowner of the well site host field. The Hascombe Estate has advised that they strongly disagree with the quality of the landowner's work when farming on the Hascombe Estate as well as the suggestion that the landowner's record is a good one.
14. Dunsfold Parish Council has submitted a further consultee response confirming their continuing objection to the application for the reasons set out in their previous correspondence (as summarised in paragraph 110 of the Officer Report attached at Annex 1). In light of the P&R Committee's discussions at their meeting on 29 June, the Parish Council wishes to draw attention to the following high level grounds for objecting to this application:
 - (i) The Climate Emergency: known hydrocarbon reserves exceed the quantum of such fuels that can be consumed without harming the climate; the resolution passed by the County Council; and its policies acknowledging this climate emergency;
 - (ii) The Paris Climate Agreement: the Court of Appeal decision that a third runway at Heathrow would be illegal due to the impact on the UK's climate change commitments and the applicant failing to demonstrate that the proposal will assist the UK in complying with its treaty obligations; and
 - (iii) Energy Security - the cancellation of the moratorium on onshore wind farms will enable energy security to be enhanced by renewable and other zero carbon forms of UK sourced energy. The Government has also committed the UK to ensuring that by 2030 all electricity supplied to UK residential users will be generated by off-shore wind farms. A refusal would show support for these initiatives.
15. Hambledon Parish Council has resubmitted their previous response dated 24 June 2020 to ensure that their comments are considered when the application is re-determined by P&R Committee. These are already summarised on page 3 of the Update Sheet attached at Annex 2 albeit being attributed to Hascombe Parish Council in error. These comments have previously been assessed and taken into consideration by Officers. For the avoidance of doubt, the two references to "Hascombe Parish Council" contained on page 3 of the Update Sheet attached at Annex 2 should actually read "Hambledon Parish Council".

Further Publicity Undertaken and Summary of Key Issues Raised by the Public

16. No formal publicity has been undertaken on the final statement submitted by the applicant as the submission, in the Officers view, provides clarification and does not propose any changes to the nature of the development itself. However, the statement has been published on the County Council's website and sent to the Borough Council to place on the planning register.
17. The following provides a summary of the key issues raised by the public in the further representations that have been received on the application since the meeting of the P&R Committee on 29 June. This comprises those representations that were received after 12

noon on 26 June, this being the deadline for the submission of representations for reporting to the June meeting of the P&R Committee. The summary includes the views expressed in representations made by the Guildford Labour Party, two residents representing the local GRT Community and a letter from a planning consultancy on behalf of local residents. Matters raised that are not relevant to the consideration of the merits of the application as submitted have not been referred to in this report.

18. A further 37 written representations and one petition have been received to date. In terms of the additional written representations received, 3 have been made in support of the application and 34 against. The main reasons given in support of the application are as follows:

Local Plan Policy: the application complies with the Surrey Minerals Plan Core Strategy Development Plan Document 2011 (SMP CS DPD) with the site selection being environmentally responsible, allowing for an efficient design and giving rise to no significant adverse impacts on the community in compliance with Policy MC12 and MC14; it complies with all other SMP CS DPD policies engaged by the proposal with no material conflict identified; and the proposal complies with the vision, objectives and policies contained within the Waverley Borough Local Plan: Part 1 2018 and the 'saved policies' contained within the Waverley Borough Local Plan 2002.

Other Material Considerations: the application supports the other material considerations engaged, most notably the policies of the National Planning Policy Framework 2019 (NPPF); the proposed development is "sustainable development" (*NPPF, paragraph 7*) engaging the NPPF's "presumption in favour of sustainable development" (*NPPF, paragraph 10*); applying the presumption means the scales of the planning balance do not start from an even keel, and that they are tilted significantly in favour of sustainable development and tilted further when the benefits unique to hydrocarbon development are factored in, namely the "crucial" and "critical role" gas will play in keeping the lights on and the economy working (*Gas Generation Strategy: Department of Energy & Climate Change, paragraphs 2 and 4.2*), and the "great weight" attributed to the economic benefits of mineral extraction (*NPPF, paragraph 205*); and Government policies are clear that hydrocarbons "make an essential contribution to the country's prosperity and quality of life" (*National Planning Practice Guidance, Minerals, paragraph 001*), they are "central to ensuring that the UK remains an attractive place to live and do business" (*The Energy Security Strategy 2012: Ministerial Forward, para 10*), and they are "vital to economic prosperity and social well-being" (*Overarching National Policy Statement for Energy (EN-1) (July 2011) paragraph 2.2.23*).

Economy: there are potential positive economic benefits, including job opportunities, which would benefit the county especially in these COVID-19 times; having worked with UKOG for nearly 3 years, they will introduce significant and much needed new spending into the Dunsfold/Alfold economy targeting the local supply chain and its service providers; the proposal has no statutory objection and I am not aware of any evidence to substantiate the claims that it would harm the rural economy; the proposal will provide much needed support to a rural economy as it recovers from the effects of Covid-19 and for anyone to claim otherwise is unfathomable and without sound reason; national and local planning policies are designed to enable the sustainable growth of all types of business to develop and diversify our agricultural and land-based rural economy in response to the many threats to the rural economy and the countryside upon which it relies; the countryside must be allowed to adapt and change to meet new challenges, take advantage of new opportunities and maximise the benefits; in compliance with planning policies, Loxley Well Site will not threaten the rural economy or the farming business that would host the well site, it will diversify both and make both stronger; it will build on the local strengths of the area; and no other form of diversification has the potential to introduce up to £20 million of new investment and expenditure into the area and yet allow the land to keep being worked, maintaining the Surrey countryside to the high standard of stewardship it deserves.

Impact on Local Businesses: the proposal will help the land and livestock farming business on which the application site is situated to stay strong in the local economy and secure the vital food and fuel supplies that Surrey and the wider UK economy need; the farming sector is at the front edge of carbon reduction in the environment and faces the challenges of Brexit and cheap food imports; the business produces high quality beef and lambs from well managed green fodder crops which are then sold to major supermarkets, local butchers and private customers; it extends to over 300 hectares around Dunsfold and surrounding villages and is a cornerstone of the rural economy; farmers are encouraged to seek out new ways to diversify and adapt to the changing conditions without compromising the productive efficiency of the land or the food security of the nation; and the Loxley Well Site proposal is a perfect form of diversification, the land-take is minimal, the productive efficiency of the business is unharmed and it enables the farming of the Surrey countryside to the high standard of stewardship which it deserves.

Need: historic exploration in the area successfully identified the “*Godley Bridge Gas Discovery*” which justifies the “need” for further exploration in 2020 if the UK is to maximise the recovery of domestic reserves in compliance with national energy policy and emerging climate change mitigation policy; oil and gas are the dominant source of energy supply in the UK (*Digest of Energy Statistics (DUKES) (2018), Table 1.C: Fossil Fuel and low carbon dependencies 2015-2017*) with our transport networks being almost wholly dependent (*Overarching National Policy Statement for Energy (EN-1) (July 2011) paragraph 2.2.23*); and this means oil and gas are likely to play a significant role in the UK energy mix for some time to come.

Energy Security: the UK is a net-importer of energy and this “changes the way we need to view and tackle our energy security” (*Annual Energy Statement 2014, DECC, paragraph 9-12*); the importance of energy security to UK economic growth is “too great for us to take it for granted” (*The Energy Security Strategy 2012: Ministerial Forward, paragraph 1-2*); national energy policy promotes a “diverse mix of technologies and fuels” (*Overarching National Policy Statement for Energy (EN-1) (July 2011) paragraph 2.2.20*); should hydrocarbons be found, the proposed development will broaden the energy base, provide resilience against the vulnerability of import dependency, energy supply shocks and price fluctuations; we should explore any potential home-sourced energy resource that would provide energy for Britain, reduce our imported carbon dioxide (CO₂) emissions and achieve our net-zero ambitions and there is the potential to provide heat and power to tens of thousands of households per year; and sustainable growth is predicated upon energy security, and the need to reverse the adverse effects of climate change, through the transition to a low-carbon future and this has brought forward new investment in renewable technologies and new energy generating solutions, but not to the exclusion of investment in oil and gas.

Climate Change: UKOG are a modern and progressive company; UKOG’s contribution in providing the gas that the UK needs for a future hydrogen-based economy is precisely the kind of action called for by the Committee on Climate Change; we should encourage and embrace their role in reversing climate change and securing our energy supplies; the proposal has no statutory objection and I am not aware of any evidence to substantiate the claims that it would harm the efforts to reverse climate change; the proposal will help the UK achieve net-zero in 2050 and for anyone to claim otherwise is unfathomable and without sound reason; food security is indelibly linked to climate change mitigation and delivering both will require decision makers to make tough choices and have the vision to embrace change rather than fight it; refusing Loxley Well Site will not help reverse climate change, it will only hinder it; and we need UK gas for a future hydrogen economy and we need UK companies like UKOG to make carbon capture and storage work if we are to achieve net zero carbon emissions by 2050.

Environment: the site is to be well-hidden providing no significant impact on the environment; the EA has granted the scheme a full Environmental Permit; the proposal supports the farm on which the application site is situated, which is committed to the latest “Higher Tier” countryside stewardship scheme administered by Natural England (NE) and

the Department for Environment, Food & Rural Affairs (Defra), and it delivers enhanced soil fertility, creates new bio-diversity and protects groundwater and air quality as a result of this scheme and good farming practices; the land owner has a track record of increasing soil fertility and soil organic matter content having previously increased fertility by more than 3% on 180 hectares of land on the Hascombe Estate enabling the land to absorb an additional 250 tonnes of carbon per hectare; farming activity undertaken by the land owner has been done to meet the twin challenges of food security whilst transitioning to a low carbon future; UKOG face a similar challenge to cut emissions and make the economy greener without hammering the costs of living, making the public poorer and the UK economy less competitive; and UKOG have complied with every aspect of planning and environmental protection regulation.

Highways: the County's own highways officers support the application; I run HGV's along Dunsfold Road and High Loxley Road on a regular basis and the largest double-decker cattle transporters used are as big as any vehicle on the road and they move in and out of my farm with no adverse effects on highway free flow or safety; for several weeks in 2018, Dunsfold Road and High Loxley Road accommodated 20 HGV movements per day without any conflict or obstruction as I spread organic liquid fertiliser on my land from the Mitcham Bio-digester; High Loxley Road is currently unregulated; Waverley Borough Council failed to impose any highway controls upon Billingham Farm when approving its use as an events venue enabling it to attract 120 vehicle movements per event (HGV or otherwise) along Dunsfold Road and High Loxley Road in contrast to the 20 movements anticipated as a result of the well site; should the well site be approved, the conditions attached to a permission would be the only form of regulation available to manage traffic in the interest of free flow and highway safety, a benefit for all current users of the local highway network; as a user of Dunsfold Road and High Loxley Road, I can testify that both roads are suitable and capable of accommodating the very low flows required to operate the well site and testimony to the contrary is without foundation and has been dismissed by the CHA; and a refusal on highway grounds would be unsubstantiated, unreasonable and unfair.

Countryside Protection: having worked with UKOG, they have consistently embraced and supported my environmental and farming credentials; UKOG will: protect my soils, my drainage, my water supply and my access to the highway, all vital to the success of my farming business; enhance my current conservation efforts; and provide the investment necessary to seek out new conservation options and long-term gains that will improve the countryside fabric and character of the wider Surrey Borders and High Weald area.

Amenity: having worked with UKOG for nearly 3 years, they will work in partnership with my neighbours to protect their amenity.

General: the positive material considerations in terms of the economy, need, energy security, the environment and highways outweigh any negative objections; Loxley Well Site would not be the first in Surrey; it is important that any assessment of the proposal should be informed by the experience gained from other operational sites; experience of the Storrington Oil & Gas Well Site demonstrates that it operates unnoticed by everyone at Pulborough Rugby club and its clubhouse 30 metres along their driveway which hosts weddings, funerals, parties, charity ball events and is open to hundreds of supporters; there are no reasonable grounds to think that a Loxley Well Site would operate any differently; disappointed that objectors at the recent planning meeting passed a predetermined vote and that the recommendation of Planning Officers, who support the application, was ignored; and it is a credit to UKOG's management team that they have designed a site that meets the high standards set by Planning Officers and then attracts their recommendation for approval.

19. The main reasons given in the further representations submitted by those opposed to the application are as follows:

Economy: SCC has stated that health and a properly functioning natural environment are the foundation of economic and employment growth; claim that the proposal would benefit and diversify the local rural economy is grossly overstated; security staff and most sub-contractors at Horse Hill are external to the immediate Surrey area; and the adverse impact on the economy is contrary to paragraphs 80 to 84 of the NPPF and eight development plan policies including SMP CS DPD Policy MC14.

Impact on Local Businesses: concerns over the adverse effect on local businesses; a number of businesses will be impacted by the presence and operation of the proposal with the loss to local businesses estimated to be many millions; and the adverse impact on local businesses is contrary to NPPF paragraphs 80 to 84 and eight development plan policies including SMP CS DPD Policy MC14.

Need: the conclusions run too close to quashed NPPF paragraph 209a; UKOG's claims concerning the volume of gas likely to be present and the potential energy significance of success at Loxley are questionable and need to be independently verified; there is no shortage of supply on the international market as the world has too much oil and gas; disagree that the need for fossil fuels is justified and supported by National Policy Statements for Planning and Energy; the forthcoming Energy White Paper will aim to decarbonise the entire energy system, support green infrastructure, green jobs and green consumerism; exploration of carbon fuels is contrary to emerging and current policy; and the proposal is contrary to NPPF policy on sustainable development and eight policies contained in the development plan including SMP CS DPD Policy MC12.

Climate Change: the proposal will have a devastating effect on our planet and add to global warming; clean renewable energy supported by efficient battery storage will support a greener future and help to sustain the environment; SCC and Waverley Borough Council have both declared a climate emergency and the proposal is contrary to SCC's action plan; concerned about the impact on climate change; conflicts with the UK's 2050 zero carbon emissions target, the successful legal challenge to the expansion of Heathrow Airport and the UK's obligations under the Paris Climate Agreement; 80% of fossil-fuel reserves should be kept underground to avert catastrophic climate change; and the proposal goes against the government's plans to lower carbon emissions by moving away from fossil fuels.

Environment: the application is contrary to SCC's commitment to an environmental sustainability plan; concerned over the catastrophic damage and contamination caused to the environment including from the substances and equipment used, the harm to the health of our countryside and a naturally beautiful area; the proposal is beyond Surrey's environment and SCC's policy and action plan states that "we need to manage our impacts where they reach beyond Surrey's environment"; it would bring a more industrialised feel to the area; query whether UKOG will be held to account for any contamination caused; and the removal of toxic waste will increase potential for pollution.

Highways: access is extremely restricted and dangerous and via a narrow road 'unsuitable for HGVs'; entrance is already an accident site; surrounding rural roads are unsuitable for the level of HGV traffic which is detrimental to the rural environment and will increase road safety risks at a local blackspot for cyclists and horse riders; failing infrastructure and small local roads which are at capacity will not support the additional HGV traffic with other development taking place; car journeys to Godalming will become unbearable; concerned that HGV movements at Broadford Bridge (NB: this is a hydrocarbon well site situated near Billingshurst in West Sussex) were more than predicted and caused damage to roads; extra traffic will cause nuisance; lorries travelling through the village already cause enough grief; concern about the lack of clarity concerning the TMP procedures for safe access to the site into and out of High Loxley Road; HGVs will cross the centreline; 2018 Road Safety Audit (RSA) does not cover the revised traffic scheme; a revised TMP and new RSA should be published for consultation; temporary traffic light scheme will cause considerable nuisance and a highway safety hazard when not operational; temporary road signalling is prone to faults and breakdowns with repair and maintenance left to a

contractor that claims to be largely absent from the site; export of gas and toxic waste could increase pressure on roads; and level of disruption and highway safety hazard is against 'Policy 109' of the NPPF and three development plan policies including SMP CS DPD Policy MC15.

Landscape: the proposal will impact on the character and appearance of the landscape with the rig and base equipment being visible and established hedgerows being removed; concern over the landscape and visual impact which will be exacerbated by clear felling, the loss of countryside and the destruction of the Area of Outstanding Natural Beauty (AONB); the proposal is unsuitable in a rural area of natural beauty and will destroy protected green spaces; a telecommunications mast or similar structure of a similar height and scale would almost certainly be refused in this location despite the local community benefits being arguably much greater; and Officers have acknowledged that the site is in a sensitive landscape.

Ecology and Biodiversity: the proposal will have a devastating effect on biodiversity; will destroy natural habitat, local wildlife and trees and impact on lapwings and skylarks during the breeding season; noise and light pollution will impact on bats and badgers; Dunsfold is an area of natural ancient woodlands; the Surrey Wildlife Trust has raised objection; the loss of trees and hedgerows has not been fully assessed; nature of drilling operations is not fully clarified; leaching of chemicals into the watercourse may have considerable impacts; biodiversity net-gains have not been fully described and should be provided prior to determination and the management regime secured in a planning agreement; and animal routes and insect flight paths will be interrupted and irreparably damaged.

Noise: concern over the impact of noise on hundreds of local residents, businesses and the rural environment; concern given that there were noise complaints at Broadford Bridge; and there seems to have been no real attempt to assess the noise impact on the GRT community whose lives will be seriously affected by noise.

Air Quality: concern over the impact on air quality; will increase pollution which is detrimental to the rural environment; the impact of hydrogen sulphide has not been properly assessed; concerned that the Environmental Permit makes no reference to the need to monitor hydrogen sulphide gas which has a particularly foul smell; and odour will seriously affect the lives of the GRT community.

Water Quality: concern over the impact on water quality and increase in water pollution.

Lighting: concern over the impact of light pollution on hundreds of local residents; lighting will have a huge impact on this sensitive dark sky area; and lighting will cause an unacceptable nuisance to local residents and wildlife.

Residential Amenity: concern over the terrible social impact of the development and the massive adverse effect on local residents and the local community; proposal will encroach onto the Dunsfold travellers site and has the potential to impact on the established living conditions and viability of the site; and the proposal would have an adverse impact on the Borough Council's traveller's accommodation strategy.

Housing Delivery: the proposal will encroach onto the Dunsfold Aerodrome site with drilling occurring directly beneath Dunsfold Garden Village having the potential to impact on the deliverability and viability of the residential development which has been granted planning permission; and the poor neighbour activity would have an adverse impact on the Borough Council's strategic housing delivery strategy in conflict with NPPF paragraphs 59 to 79 and seven development plan policies.

Health: concern over the impact on health, mental health, wellbeing, and lives and the impact on our children; will have a devastating effect on the community; and SCC has stated that health and a properly functioning natural environment is the foundation of prospering communities and personal wellbeing.

Extraction Methodology: concern over the need for energy consuming and high risk stimulation techniques required to move to production; the application involves fracking which damages the environment; and drilling will produce significant quantities of toxic waste requiring specialist treatment.

Seismicity: concern over the potential to cause earthquakes and localised earthquakes felt at Gatwick.

Restoration: the proposal will have irreversible consequences on the land it will leave behind; and concerned over ability to restore the site if not commercially viable or if things go wrong.

Risk of Accidents: concern over possible risks and accidents and lack of adequate insurance.

Lack of Consultation: owners and residents of Lydia Park, New Acres and Hill Top should have been formally consulted on the application; a lack of consultation demonstrates that the GRT community is being ignored; and request that Surrey County Council contacts and consults the GRT community to discuss their concerns.

General: dismayed with the Officer recommendation given volume of objections; 80% of the local community have raised objection and the weight of public opinion is against fossil fuels; concerned over the validity of data provided by UKOG and their financial strength; concerned given the disruption and increased risk caused at Broadford Bridge; councillors should not reverse their decision; concerned that the Environmental Permit makes no reference to the GRT community and relies on an out of date plan of Lydia Park; ask that SCC requests the EA to review their Permit, particularly in relation to hydrogen sulphide gas, noise and to take into account the Lydia Park extension which has been overlooked; already face enormous pressure of Dunsfold Aerodrome being developed; and disappointment that the County Council has nullified the decision to refuse the application which was believed to be valid and justified.

Policy Changes

20. There are no recent policy changes that have taken place since the meeting of the P&R Committee on 29 June 2020 which Officers consider to have a material bearing on the consideration of the application and the conclusions and recommendation contained in the Officer report attached at Annex 1.

Need for the Development

21. In confirming their continuing objection to the application, Dunsfold Parish Council have cited recent changes in Government policy as grounds for objecting to the application. These comprise support for renewable energy generation from onshore wind farms and measures to enable electricity supplied to all UK homes by 2030 to be generated by off-shore wind farms.
22. The first point is in relation to a Government press release published on 2 March 2020 entitled, '*Millions more homes to be powered by renewables*'. This sets out measures to promote new renewable electricity generation projects including wind and solar, with proposals to include floating offshore wind.
23. The press release does not represent a new policy change since the completion of the Officer report and Update Sheet attached at Annex 1 and Annex 2 respectively. It was therefore within the knowledge of Officers when preparing the report attached at Annex 1. Officers acknowledge that the provision of new incentives to invest in the generation of renewable energy will help to support the balanced, low carbon and secure energy mix advocated by Government energy policy.

24. The second point regarding off-shore wind farms relates to a Government press release issued on 6 October 2020 concerning '*New plans to make UK world leader in green energy*'. This commits to providing new investment to enable the manufacture of the next-generation of offshore wind turbines to deliver clean energy to the UK. This is intended to enable off-shore wind to produce more than enough electricity to power every home in the country by 2030, based on current electricity usage, boosting the government's previous 30 gigawatts (GW) target to 40GW. This is aimed at supporting the green industrial revolution and facilitating progress towards the achievement of the net-zero greenhouse gas emissions target by 2050.
25. Acknowledging these announcements, Officers note that there has been no change in Government policy in relation to: the great weight that should be given to the benefits of mineral extraction including to the economy; that minerals resources make an essential contribution to the country's prosperity and quality of life; the need for energy supplies to come from a variety of sources including oil and gas; the promotion of the use of domestic gas resources to the maximum extent to support the transition to a low carbon economy; and providing a balanced approach towards securing a reduction in energy consumption, through husbanding domestic supplies to both reduce reliance on imports and contribute to energy security.
26. For these reasons, Officers are satisfied that the conclusion in relation to the 'need for the development' set out in paragraph 192 of the Officer report attached at Annex 1 remains sound. Officers therefore consider that there is a demonstrable need to maintain a stable and reliable supply of indigenous energy sources, including onshore oil and gas, into the future and that significant weight should be attributed to this aspect of the proposal.

Officer Consideration of New Issues

27. A number of issues raised in the representations received cross refer to the 'saved' policies contained within the Waverley Borough Local Plan 2002 (WBLP) and the policies included within the Waverley Borough Local Plan Part 1: Strategic Policies and Sites 2018 (LPP1). Where relevant, these have been taken into consideration by Officers in the conclusions reached on the various subject matters assessed as these policies continue to form part of the statutory development plan. Waverley Borough Council's consultee response sets out those local plan policies which they consider to be relevant to the determination of this application.
28. The weight to be attributed to these policies is considered to be influenced by a number of factors. An important consideration is that the only adopted development plan policies that specifically relate to minerals extraction, and more specifically the exploration and appraisal of hydrocarbons, are contained within the Surrey Minerals Plan 2011. Bearing this in mind, the adopted LPP1 policies can otherwise be attributed very substantial weight as these policies are the most up to date. Whilst they were adopted prior to the most recent statement of government planning policy contained within the NPPF 2019, as the NPPF was first published in 2012, they can be expected to be largely in accordance with national planning policy.
29. The weight that can be attributed to the 'saved' WBLP policies is likely to be less given the age of the WBLP which was adopted over 18¹/₂ years ago. It is also worth noting that the evidence base used to inform the preparation of these 'saved' policies is likely to date from a few years prior to 2002. Again, the weight will also be influenced by the extent to which the 'saved' policies accord with the NPPF.
30. Most of the issues raised in the further representations received have already been covered in the report to P&R Committee on 29 June 2020 attached at Annex 1 and the accompanying Update Sheet attached at Annex 2. The new issues that have been subsequently raised are considered below.

Environmental Considerations

31. It has been suggested that the application is contrary to SCC's commitment to an environmental sustainability plan and that the proposal is beyond Surrey's environment. Paragraph 016 of the 'Determining a Planning Application' chapter of the national Planning Practice Guidance (nPPG) states that, "Where members take decisions on planning applications they must do so in accordance with the development plan unless material considerations indicate otherwise. Members must only take into account material planning considerations, which can include public views where they relate to relevant planning matters. Local opposition or support for a proposal is not in itself a ground for refusing or granting planning permission, unless it is founded upon valid material planning reasons." Officers have assessed the application and found it to be in accordance with the development plan.
32. It is acknowledged that SCC's *Environmental Sustainability Policy 2017* (ESP) is a material consideration. Officers consider that it carries only limited weight as unlike the Surrey Minerals Plan 2011, it was not devised for the purpose of determining planning applications. The ESP contains five policy objectives, three of which may be considered relevant. These comprise:
- Embedded sustainability: we will include environmental considerations in decision making across council services;
 - Climate resilience: we will work with partners to build the resilience of our communities and estate to climate impacts; and
 - Air quality: we will reduce emissions from transport and improve air quality across the county through sustainable transport options.
33. Officers are satisfied that environmental considerations including climate resilience and air quality have been adequately assessed as part of the application. These matters have all been found to be in accordance with relevant national and development plan policies in this respect. The ESP recognises that in addition to the five objectives, the council delivers an extensive range of environmental services, for which a range of strategies are already in place. These are summarised in Appendix II of the ESP which directly refers to the Surrey Minerals Plan explaining that it seeks to ensure a sustainable supply of minerals through the allocation of sites and policies.
34. The ESP also acknowledges the need for the efficient use of minerals and is intended to take account of the Council's strategic goals which include economic prosperity to ensure Surrey's economy remain strong and sustainable. In this respect, the need for the development has already been established and Officers attribute significant weight to this aspect of the proposal. Officers do not accept the suggestion that the application is in conflict with the ESP or that the proposal 'is beyond Surrey's environment'. On the contrary, the preparation of the ESP acknowledges and takes account of the Surrey Minerals Plan, whose policies the application has been found by Officers to be in accordance with. Officers are therefore satisfied that the conclusions reached in the Officer report attached at Annex 1 in relation to environmental considerations remain sound.

Air Quality

35. The EA was made aware by the County Planning Authority (CPA) of concerns raised about the potential presence of hydrogen sulphide. This matter was considered in paragraphs 143, 145, 398 and 399 of the Officer Report to P&R Committee on 29 June 2020 attached at Annex 1. It is claimed that the Environmental Permit issued by the EA on 26 June 2020 makes no reference to the need to monitor hydrogen sulphide gas. However, Officers note that the Permit does specifically include monitoring conditions requiring the operator to calculate the emissions to air of a number of substances including oxides of sulphur (expressed in the Permit as SO₂).

36. In response to concerns raised on behalf of the GRT community that SCC should ask the EA to review the Environmental Permit, the EA has advised that the Permit application was supported by an environmental risk assessment which included air quality amongst other matters. The EA state that they are satisfied that the permitted activity will not cause pollution.
37. In terms of hydrogen sulphide gas, the EA's response explains that as part of the initial drilling of the well, the operator will gather data on the local geology, which will indicate whether hydrogen sulphide is present. The operator is also required, through Condition 3.5.7 of the Permit to sample and analyse the flare feed gas for a number of compounds including sulphur containing compounds. If the data gathered shows that hydrogen sulphide is present, then the operator will have to ensure that the appropriate measures are in place to prevent pollution.
38. The EA has also advised that the operator has produced an Odour Management Plan (OMP), which states that a scrubber will be in place on site should hydrogen sulphide be present in the gas being flared. The OMP is incorporated into the Permit as part of Condition 2.3.1. In addition, the Permit under Condition 3.2, requires the operator to control emissions to prevent pollution, even where no emission limits have been set. Any breach of these conditions would be addressed through the EA's enforcement procedures.
39. The EA has also stated that the Permit also controls the storage and handling of liquid hydrocarbons, such as oil and condensate and specifies that it is only valid if these liquid hydrocarbons contain less than 10 parts per million (ppm) of hydrogen sulphide. If higher levels of hydrogen sulphide are present, this will be a breach of the Permit and again, the EA will take enforcement action in accordance with their enforcement procedures.
40. In relation to odour, the County Air Quality Consultant did not advise that there was a need to impose any planning conditions in relation to air quality. Officers acknowledge in paragraph 402 of the Officer report attached at Annex 1 that odour is covered under the environmental permitting process. Therefore, in relation to air quality, Officers are satisfied that no new air quality issues have been raised that require any changes to the conclusion reached as set out in paragraph 422 of the Officer report attached at Annex 1.
41. Further, the EA has advised that the Permit requires the company to operate to an agreed OMP. The EA has reviewed the OMP submitted to them and are satisfied that the measures proposed are appropriate. The EA explain that they carefully consider potential odour emissions from the activity during the determination of the Permit. They point out that Permit Condition 3.3 requires that emissions from the activities shall be free from odour at levels likely to cause pollution outside the site. The EA do not consider that the activity will give rise to significant levels of odour. However, they have specified that the operator must comply with the OMP which is specified in table S1.2 of the Permit.

Procedural Matters

Lack of Consultation

42. As explained in paragraph 715 of the Officer report attached at Annex 1, the application has been made publicly available since 14 June 2019 allowing ample time for any interested persons to submit representations on the proposal and make their views known. In accordance with the Statement of Community Involvement, methods used to publicise planning applications include newspaper adverts, site notice(s) and letters to neighbours generally within 90 metres of the application site boundary. Whilst the distance of 90 metres is not statutory, it is applied as a general minimum and increased at the discretion of the case officer if the proposed development has the potential to affect the wider area.
43. In this case, the application was publicised by the posting of 4 site notices, an advert was placed in the local newspaper and a total of 14 owner/occupiers of neighbouring properties were directly notified by letter. One of the site notices was placed on bridleway 280 at its

junction with Stovolds Hill. This location is approximately 495 metres to the south of the entrance to Lydia Park and 330 metres to the south of the entrance to New Acres. Further, representations submitted on the application have stated that this bridleway is heavily used and enjoyed by local residents and visitors.

44. The GRT community living at Lydia Park and New Acres were not notified of the application by letter as it was considered that they would not be significantly impacted by the proposal. This decision took into account the access route to the site which does not involve the use of Stovolds Hill, the small number of HGV movements generated by the proposal, the extent of the separation distance between the application site and residents of Lydia Park and New Acres, and the amount of woodland screening situated between the proposed well site and the local GRT community that does not form part of the clear fell licence granted to the Hascombe Estate and will therefore remain in place. A further round of publicity was undertaken in November 2019 and all those who had responded previously were also notified.
45. Further, all of the concerns that have been raised by the GRT community and on their behalf have been fully considered and addressed in the Officer report attached at Annex 1. In particular, the impacts relating to landscape and visual impacts are considered in paragraphs 346 and 350, the air quality impact is considered in paragraph 384; the noise impacts are considered in paragraphs 434, 439, 441, 445, 450, 451, 458 and 462 and the impact in terms of lighting is considered in paragraphs 479 and 481. In relation to highways, traffic and access, the Officer view is that the application would have a negligible impact on the local GRT community.
46. With regard to concerns expressed by the GRT community in relation to the Environment Permit, SCC does not have the authority to request the EA to review the Permit. However, the CPA wrote to the EA on 19 October 2020 in order to bring the concerns raised by the GRT community in relation to the Environmental Permit to their attention. For the reasons set out above, Officers are satisfied that adequate consultation has been carried out on the application. Further the suggestion that the GRT community are being ignored is not accepted.
47. In response to the CPA's correspondence, the EA submitted a response dated 5 November 2020 to provide an overview of the Permit and address the issues and concerns raised by the GRT community. Their response explains that the Permit authorises certain activities at the proposed oil and gas site. It includes the management of extractive waste from drilling, the incineration of waste gas in a flare, and the storage and handling of crude oil. Further, if the project does progress to either further prospecting activities and/or full scale production and/or mineral exploitation (including any pre-production development), a variation of the Permit will be required. This would take into account any changes in the nature and management of extractive wastes and also any changes in the manner and/or scale of operation. If a Permit variation is applied for, this will need to be accompanied by an amended Waste Management Plan (WMP) which will be carefully reviewed. Any such application will be determined in accordance with the EA's normal procedures, including consultation.
48. The EA's response clarifies that the mobile home and caravan park was included in the environmental risk assessments made during the Permit application, including for odour, noise and air quality. The EA reviewed the information provided by the operator as part of their application and are satisfied that the permitted activity will not cause pollution. This included the careful consideration of noise and vibration and Permit Condition 3.4 requires that emissions from the activities shall be free of noise and vibration at levels likely to cause pollution outside the site. Permit Condition 3.4.2 has also been included to specifically enable the EA to require the operator to submit a specific Noise and Vibration Management Plan, should noise and vibration become a problem.
49. Should such a Plan be required in the future, then once the EA has assessed this Plan as being suitable, it would form part of the Permit and the operator would be required to carry

out the activity in accordance with the approved techniques. Whilst the submitted noise assessment was accepted as satisfactory, the EA point out that this does not cover all noise associated with the site such as traffic and construction noise for example.

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50. The EA has also advised that the environmental risk assessments completed as part of the Permit application consider impacts to properties as close as 250 metres from the site. As such the EA state that the GRT community, which is slightly further from the site, should not be significantly affected by the permitted operations. Should any issues arise with respect to odour, noise, vibration or emissions, the EA explain that they can require the operator to review site activities and implement a management plan which minimises risks of these types of pollution.
 51. Finally, the EA state that they have issued the Permit because they believe that the operator has demonstrated that environmental impacts will be controlled and will not cause an issue to either the environment or to nearby residents. The application includes an assessment of air quality, noise, vibration and odour as well as protection for ground and surface water. The permitted activities will be regulated by the EA in order to ensure that the Permit conditions are complied with and that emissions and impacts are minimised.

Impact on Local Businesses

52. Informative 20 (now renumbered as Informative 21 in this addendum report) advises the applicant to have particular regard for the residents and businesses that neighbour the site by liaising with neighbours to ensure the impacts of the development are minimised and maintained at acceptable levels. The applicant has confirmed their willingness to abide by this advice. In this respect, Officers note that this year's annual Trew Fields Cancer Festival at Thatched House Farm has been postponed until the weekend of Friday 2 to Sunday 4 July 2021.

Statements of Clarification Provided by the Applicant

53. Following the decision that the P&R Committee's resolution on 29 June 2020 was unlawful and that the application should be determined afresh, the applicant submitted a final statement in August 2020 in response to the Committee's deliberations on 29 June. The submission comprises the following 17 clarifying statements set out below which are noted by Officers as an attempt to address the concerns raised by the P&R Committee. The view of Officers is set out below each statement.

1. Cumulative Vehicle Flows within High Loxley Road

54. The applicant states that having assessed the proposal on highway safety and capacity grounds, the County Highway Authority (CHA) finds no objection to the development. In addition, the following considerations are material:
 - existing flows within High Loxley Road are 3 vehicles per hour;
 - High Billingham Farm is a venue for 50 events per year with no controls over the predicted 120 two-way vehicular movements per day within High Loxley Road; and
 - Loxley would introduce up to 20 two-way HGV movements per day outside peak hours.
55. In recognition of activity at the events venue, the applicant adds that they recommend an amendment to Condition 12 (now renumbered as Condition 13 in this addendum report) to stop HGV operations at 1300 hours on a Friday as well as on Saturdays. Further information is provided below in the section below on *New and Amended Planning Conditions Proposed by the Applicant*.

Officer Comment

56. The CHA has reviewed this statement. They have advised that the traffic management strategy for the proposed development demonstrates to the satisfaction of the CHA that the cumulative traffic impact on High Loxley Road would not have an unacceptable impact on highway safety. This view takes into account the applicant's commitment to stop HGV traffic movements at those times when traffic associated with events at High Billingham Farm would be at its peak.

2. *Three-Point-Turns in the Highway*

57. The applicant has clarified that this manoeuvre would only be needed for abnormal load deliveries using a low-loader trailer. There would be two movements during Phase 2: Drilling, (i.e. rig-in and rig-out) and possibly two more should the operator decide to side-track drill the main well. Having delivered a rig, the low-loader would concertina to the size of a standard HGV for exit.

Officer Comment

58. The CHA has considered this statement and advised that they are satisfied that abnormal load deliveries would be able to access the site without having an unacceptable impact on highway safety, subject to the necessary highway works at the High Loxley junction with Dunsfold Road and the implementation of the transport management plan (TMP).

3. *Convoys*

59. The applicant has explained that HGV flows would be constantly tracked, traced and monitored by virtue of a standard communication strategy with the appointed haulier subject to prior CHA approval. This strategy has been implemented at the Horse Hill well site, to time arrivals and avoid convoys. The applicant states that a similar strategy for Loxley can be secured by condition as set out in the section below on *New and Amended Planning Conditions Proposed by the Applicant*. With this additional mitigation, there are no reasonable grounds to anticipate anything other than the same acceptable outcome.

Officer Comment

60. The CHA has reviewed this statement and advised that they are satisfied that the details required by proposed Condition 9 provide the County Council with a suitably robust way (such as using a HGV 'Track and Trace' system) to ensure that the arrival of HGVs in convoy is avoided.

4. *Use of Banksman*

61. The applicant has stated that HGV flows will be 5 per day for approximately 50% of the time and there will be further periods when HGV movements will be lower or none at all. During these times of relative inactivity, HGV flows can be controlled by banksman alone without the need to deploy temporary traffic signals. Banksman have been successfully deployed at the Horse Hill well site since 2014 to manage HGV flows in compliance with planning conditions. With this mitigation at Loxley, there are no reasonable grounds to anticipate anything other than the same acceptable outcome.

Officer Comment

62. The CHA has reviewed this statement. They have advised that the traffic control measures comprising the use of a mixture of traffic signals and banksman would be applied flexibly and tailored to the specific requirements of each phase of the development, depending on the type / size of HGV requiring access and the number of HGV movements on any one day across each phase of the proposed operation. The exact details will be submitted prior to commencement of the development for approval by the CHA as part of the final TMP to be submitted pursuant to proposed Condition 9, once the final HGV delivery schedule is known.

5. "Unsuitable for HGV" Signage

63. The applicant has clarified that this signage is advisory and not mandatory and is normally used to deter hauliers from an opportunistic "rat-run" or from being misdirected by sat-nav guidance. If roads are unsuitable for HGV use, mandatory signage introduces vehicle weight limits. This has not been done on Dunsfold Road and traffic surveys find 779 HGVs passing through Pratts Corner (Mon-Fri) with a further 155 HGVs on a Saturday. Loxley would introduce up to 20 HGV movements per day outside peak hours with no movements on Friday pm, Saturday pm, Sunday or Bank Holiday.

Officer Comment

64. The CHA has advised that the 'Unsuitable for HGVs' signage has been installed by the Highway Authority. They have been located at a strategic position at the junction of the A281 and the B2130 Dunsfold Road to alert HGV drivers that the route between the A281 at Cranleigh and the A3100 at Godalming is unsuitable for HGVs, because it includes rural roads / lanes which are narrow in some places barely more than single track in width.
65. The CHA has also advised that this does not however mean that all of the route is unsuitable for HGVs. With regard to the route between the A281 and the application site, this stretch of the B2130 has a suitable width to allow the safe passing of two HGVs. Although there are relatively tight bends on this section, again they are of sufficient width and geometry for a HGV to safely negotiate. The traffic data collected on this section of the B2130 shows that 779 HGVs use this section of road between Monday and Friday, and in this context it is considered that an additional 20 two-way HGV movements associated with the proposed development (outside of peak hours) would not have a material impact on highway safety, compared to the existing situation.

6. Chevrons on Dunsfold Road

66. The applicant has explained that chevrons are installed at the Painshill Farm (Bend-1) and at the junction of Dunsfold Road / Stovolds Hill (Bend-2). In the previous 5-year period (2013-2018), there have been 2 collisions at Bend-1 and 6 collisions at Bend-2. All of these have been non-fatal with none involving HGVs. Accordingly, the CHA find the HGV activity generated by Loxley would not prejudice highway safety. The applicant states that the risk of collision would be further reduced by their proposed HGV routing condition, as outlined in the section below on *New and Amended Planning Conditions Proposed by the Applicant*.

Officer Comment

67. The CHA has advised that chevrons signage and high friction surfacing is installed at the Painshill Farm bend in the road and the bend in the road at the Dunsfold Road junction with Stovolds Hill. These have been deemed necessary due to the pattern of personal injury accidents at these bends that involve car drivers approaching these bends at inappropriate speeds, braking too late and then losing control of their vehicle. No personal injury accidents involving HGVs have been recorded at these bends, and given the number of HGV movements already recorded using the stretch of the B2130, the CHA considers that the number of HGV movements generated by the proposed development per day is minimal, and would have no material impact on highway safety at these locations.

7. Complete and Accurate Traffic Management Plan

68. The applicant has assessed traffic and transport effects based on worst case modelling and swept path analysis of the largest vehicles available and finds the proposed development can be accessed safely within the carrying capacity of the local highway network. Once a haulier has been appointed, a Traffic Management Plan (TMP) would be

tailored to meet the bespoke transport needs of the rig and other key components (the final selection of which is subject to availability and the procurement process).

69. The applicant has also commented that the CHA finds the assessment to be accurate and as-complete as can reasonably be required at this stage in the development process. Council control would increase with the imposition of the 6 proposed new and amended highway, traffic and access conditions as set out in the section below. This approach has been successfully used to control similar exploration activity at the Horse Hill well site and there are no reasonable grounds to anticipate anything other than the same acceptable outcome at Loxley.

Officer Comment

70. The CHA considers that the submitted technical information provides a realistic and robust assessment, such that the Highway Authority is satisfied, subject to the recommended highway, traffic and access conditions and informatives being imposed on any permission granted, that safe and suitable access for all vehicles, including HGVs and abnormal load deliveries, can be provided.

8. Night-Time Working

71. The applicant states that drilling needs to be a 24-hour operation to prevent the well from closing or becoming blocked. In addition, the applicant points out that the following considerations are material:
- Duration: 24-hour operations limit the duration of drilling and minimise the scope for adverse effects; this drilling method has been acceptably adopted at other Surrey and UK exploratory well sites as the most sustainable form of development;
 - Environmental effects: the proposal complies with Surrey County Council (SCC) noise planning guidelines; the County Lighting Consultant and Air Quality Consultant have no objections;
 - Environmental protection: EA Permit EPR/VP3305PT confirms that environmental protection measures (including night-time measures) to be acceptable; and
 - Horse Hill well site: the well site has been operational since 2014 during which time 4 wells have been installed with 24-hour drilling and night time working subject to the same planning conditions and regulatory controls as proposed at Loxley, without any breach or report of night-time nuisance.
72. The efficient operations at Horse Hill saw drilling completed in 41 days (i.e. just under 6 weeks). The same scheduling and drilling techniques would be deployed at Loxley giving rise to the very real prospect of drilling completion well within the 12-week period proposed within the application. With this additional mitigation, there are no reasonable grounds to anticipate the proposal would have any unacceptable residual night-time effects.

Officer Comment

73. Officers have no observations to make on this statement as night-time working has been addressed in the Officer report attached at Annex 1 in the sections covering 'noise and vibration' and 'lighting'.

9. Climate Change Benefits have not been Demonstrated

74. The applicant has clarified that this claim is unsubstantiated, and it misrepresents local and national climate change mitigation policy. SCC's Climate Change Strategy is not predicated upon restricting hydrocarbon exploration. The strategy target is a 60% reduction in carbon emission by 2035 but it is silent as to how this is will be delivered in a sustainable way consistent with national planning and energy policies. The Climate Change Actions, commit to "begin the review of the County's Minerals Planning Policy" by

2022 but this has yet to happen and the adopted Surrey Minerals Plan remains the dominant policy document.

75. The applicant goes on to say that similarly, the Committee on Climate Change (CCC) “net-zero” 2050 emissions target is not predicated upon restricting hydrocarbon exploration. It advocates a “diverse energy mix” inclusive of an efficient and sustainable use of indigenous hydrocarbons to “provide a hedge against price volatility and the associated risk of damaging economic impacts”. The transition to a low-carbon economy should reduce the UK’s reliance on “imported fossil fuels” and “enhance the UK’s energy sovereignty” but the CCC stress that these outcomes rely upon:
- Domestic oil and gas production: UK demand in 2050 will be 65 million tonnes of oil equivalent (Mtoe) and at least 30% will need to come from UK production;
 - Carbon capture, use & storage (CCUS): this technology is critical for “net-zero” and it’s the hydrocarbon sector that’s driving the research and development needed; and a
 - Low-carbon hydrogen-based economy: this is integral to next phase of decarbonisation and electrification of the UK economy. The CCC assumes hydrogen production will use UK gas.
76. The applicant advises that indigenous exploration will not lead to an increase in hydrocarbon use but it will ensure that the reserves the UK needs can be sustainably sourced in the interests of climate change mitigation:
- allowing the UK to retain control over carbon emissions;
 - developing new technologies that avoid, capture or minimise carbon emissions; and
 - avoiding emissions generated by the international shipping of imported oil and gas.
77. The applicant explains that Surrey is uniquely placed given its proximity to the gas-bearing Portland sandstone of the Weald Basin. Developments such as Loxley represent the most sensible, sustainable and efficient use of resources. Refusing Loxley represents short-term thinking that is illusory and dangerous; bestowing a sense of having dealt with the problem when all that has been achieved is that hydrocarbon production is driven offshore to countries with less scrutiny. Put simply, refusing Loxley won’t do anything to reduce carbon emissions but it is likely to make “net-zero” harder to achieve by 2050. True sustainable thinking requires decision makers to stay engaged and take responsibility.
78. The applicant points out that in contrast to the Council’s application of policy, the appeal decision of the Planning Inspectorate at Lodge Farm, Scunthorpe in January 2020 (Annex 2) states:
- “... It is no part of national policy to attempt to reduce emissions by restricting the production of hydrocarbons in the UK, as was implied or stated by some objectors. Nor was such an approach suggested by the Committee on Climate Change when dealing with the net zero 2050 position – and there is no policy which provides that a net zero carbon economy in 2050 would be hydrocarbon-free.”*
79. *With that background and given the continuing role of fossil fuels in providing for UK energy needs during the transition to a low carbon economy, the proposed extraction of hydrocarbons is consistent with national energy policy. Furthermore, in that context a domestic supply has obvious security advantages and reduces the need for imported gas and oil.”*
80. The applicant states that accordingly, hydrocarbon extraction is consistent with local climate change mitigation policy, CCC recommendations for “net-zero” and national climate change mitigation policy as applied by the Planning Inspectorate. Any reasonable counter claim that disputes this interpretation would need to demonstrate a foundation in policy and guidance.

Officer Comment

81. Officers have no observations to make on this statement as climate change has been addressed in the Officer report attached at Annex 1 primarily in the sections covering 'need for the development' and 'climate change'.

10. The Need for the Development has not been Demonstrated

82. The applicant points out that Loxley targets the gas-bearing Portland sandstone and oil-bearing Kimmeridge limestone of the Weald Basin, which is one of only two locations in southern England where trapping structures within the Jurassic rocks allow for the accumulation of commercial hydrocarbon deposits. It is close to the basin centre where the strata are at their thickest and most thermally mature (i.e. conditions most likely to support hydrocarbon reserves). Historic exploration at Godley Bridge and Alford was successful in identifying a prime prospective area (or "sweet spot") known as the *Godley Bridge Gas Discovery*.
83. The applicant explains that Loxley will test the *Godley Bridge Gas Discovery*, in a more optimal geological location (compared to historic locations) whilst simultaneously testing deeper oil & gas potential (the same strategy as Horse Hill). Recovery techniques are constantly evolving and reducing the environmental effects of exploration and a constant downward pressure on the duration of drilling make it feasible to re-visit areas of known potential.
84. The applicant states that these considerations justify a need for exploration consistent with *SMP CS DPD Policy MC14: Protecting Communities and the Environment*. At a national level, oil & gas exploration meets the needs of the UK's *Energy Security Strategy*, *Gas Generation Strategy* and *National Policy Statements for Planning & Energy* which find domestic hydrocarbons to be "essential" (NPPF para 203) for the country's needs and likely to play a "significant role for some time to come... during the transition to a low carbon economy". Any reasonable counter claim that disputes these policies and guidance would need to be based on verifiable evidence as opposed to personal opinion.

Officer Comment

85. Officers have no observations to make on this statement as this matter has been addressed in the Officer report attached at Annex 1 in the section covering 'need for the development'.

11. Area of Great Landscape Value (AGLV) Planning Policy

86. The applicant has clarified that the AGLV (a designation of local importance) should not be treated the same as an *Area of Outstanding Natural Beauty* (AONB) (a designation of national importance) and the Council would misapply policy if, as stated, it considers the "bar is higher" for this part of the AGLV.
87. The applicant states that the appropriate planning policy to apply derives from the review of the AGLV / AONB boundary which commenced with the Surrey Hills AGLV Review (June 2007). This was completed with the Surrey County Council Landscape Character Assessment (October 2013) recommending that land west of High Loxley Road be considered for AONB inclusion but not land to the east (within which Loxley resides).
88. The applicant explains that taking account of this recommendation, *Waverley Borough Local Plan Part 1*, retained the AGLV on the basis that it holds less weight than the AONB in policy terms and that "once the AONB review is completed any remaining parts of the AGLV not included in the AONB will have less status...". This designation hierarchy is traced through into *Local Plan Policy RE3: Landscape Character* (criterion i and ii). When deciding upon the acceptability of the proposed development within its landscape setting, the applicant states that the following considerations (based on the Officer Report attached at Annex 1) are also material:

- *Paragraph 334* - the “County Landscape Consultant, Natural England and the Surrey Hills AONB Planning Adviser have not objected to the proposal due to the impact on the AONB”; and
- *Paragraph 340* - even if the AGLV were treated as AONB, Loxley would still be acceptable and comply with *Surrey Mineral Plan Policy MC2: Protection of Key Environmental Interests*.

Officer Comment

89. The view of Officers is that the ‘review of the AGLV / AONB boundary’ referred to by the applicant cannot be regarded as policy. This is because it only represents the findings of landscape consultants, Hankinson Duckett Associates, who conducted a search for candidate areas that might be considered for re-designation as AONB. This will be used as evidence to inform a future review of the Surrey Hills AONB by Natural England.
90. As part of their review, Natural England will need to undertake a number of practical steps as part of their assessment to determine whether any areas outside the AONB boundary meet the statutory criteria of an AONB. This will include a review of all of the available evidence, relevant stakeholder engagement and consultation. The final decision will rest with the Secretary of State for Environment, Food and Rural Affairs. As a consequence, the view of Officers is that no weight can be given in policy terms to the landscape attributes of the areas identified, or otherwise, as candidate areas by consultants for future inclusion within the Surrey Hills AONB.
91. For the avoidance of doubt, this has no bearing on the conclusion reached in paragraph 370 of the Officer report attached at Annex 1 which states that Officers are satisfied that the development would not have a significant adverse impact on landscape and visual amenity and therefore complies with development plan requirements in this respect.

12. “Seriously Incongruous Feature”

92. The applicant states that this is the opinion of the Surrey Hills AONB Planning Adviser when assessing the effect of the proposed development upon the AGLV and not the opinion of SCC Planning Officers. The following considerations (based on the Officer Report attached at Annex 1) are also considered to be material by the applicant:
- *Paragraph 334* - Surrey Hills AONB Planning Adviser has “not objected to the proposal due to the impact on the AONB”; and
 - *Paragraph 327* - the County Landscape Consultant finds the effects of the proposed development would not be significant “especially given the change is for a relatively short period of time”.

Officer Comment

93. Officers note the contents of this statement. Having reflected on the advice provided by the Surrey Hills AONB Planning Adviser, Officers consider that the effect is not significant given the temporary nature of the development and the length of time the rig / crane will be required to be deployed on site during this period. Officers are also guided by the advice received from the County Landscape Consultant who has not raised any objection to the application and has commented that the adverse visual impact of the rig and crane are unlikely to be significant. Officers are also mindful that the Surrey Hills AONB Planning Adviser’s response acknowledges that the harm to the AONB and the AGLV will need to form part of the balancing act undertaken by the CPA in determining the application. In this respect, Officers are satisfied that the development would not have a significant adverse landscape impact and consider that the adverse impacts would be outweighed by other wider public benefits.

13. Civil Aviation Authority & Flaring Activity

- 94. The applicant points out that the Council considered that flaring activity could take place without proper notification of the relevant aviation authorities. Informative 18 (now renumbered as Informative 19 in this addendum report) notifies the applicant of the need to contact the *Civil Aviation Authority's Operations Team* and the *Military Low Flying Cell* once operational dates for the site are established and before site activity takes place (which would include flaring).

Officer Comment

- 95. Officers have no observations to make on this statement as the matter has been covered in the Officer report attached at Annex 1 in the section on 'Airport Safeguarding',

14. Changes to Traffic Management Arrangements

- 96. The applicant explains that the changes were made to accommodate the CHA's revised proposals resulting in a "*simpler arrangement*". The timing of the change was outside the control of applicant.

Officer Comment

- 97. The CHA were consulted on this statement and advised that they had no observations to make. Officers note that this matter is covered in the Officer report attached at Annex 1 in the section on 'highways, traffic and access'.

15. "Section. 278 Highway Agreements should not be Retrospective

- 98. The applicant has stated that Highways Act 1980 (S.278) agreements can only be made once a planning consent has been issued. Should the Council seek an outline agreement it could be exposed to the charge of pre-determination.

Officer Comment

- 99. The CHA were consulted on this statement and have advised that it is incorrect. They have explained that it is not the normal practice to draft Section 278 agreements until after planning permission has been granted and have pointed out that the granting of planning permission does not rely on it. Further, the Section 278 Agreement is used to discharge the relevant condition or Section 106 obligation on a planning consent. It is not required as part of the consent itself.

16. Proximity of High Billingham Farm

- 100. The applicant sets out that during the Council deliberations, it was stated "*a wedding reception with a flare 50 metres away from you is preposterous*". For clarification, High Billingham Farm House is 390 metres distant from the centre of the well site and the events venue is 435 metres using this same measure. Taking account of this separation distance, the Officer report (attached at Annex 1) concludes, "*Officers are satisfied that the development would not have a significant adverse impact on landscape and visual amenity*" which includes the amenity experienced at High Billingham Farm.

Officer Comment

- 101. Officers have no observations to make on this statement as the Officer report attached at Annex 1 includes a number of references to High Billingham Farm House being located 390 metres away from the centre of the application site and the events venue being situated close to the main house.

17. Unconventional Extraction

102. The applicant has pointed out that the Council would misdirect itself if, as stated, it considers the method of extraction proposed to be unconventional. *The summary of the Officer report (attached at Annex 1) (front page, paragraph 3) states, "The proposed development is concerned with the exploration and appraisal stages of hydrocarbon development using conventional methods and does not involve hydraulic fracturing".*

Officer Comment

103. Officers have no observations to make on this statement other than to confirm that it correctly cross refers to the relevant section in the Officer report attached at Annex 1.

New and Amended Planning Conditions Proposed by the Applicant

104. In response to the deliberations at P&R Committee on 29 June 2020, the applicant's final statement sets out proposals for seven new planning conditions and one amended condition for consideration. These comprise the imposition of five new planning conditions and one amended condition in relation to highways, traffic and access issues, one new condition regarding local procurement and local economic growth and one further new condition concerning air quality.
105. In considering the need for the proposed new and amended conditions, Officers are mindful of the requirements of Government planning policy set out in Paragraph 55 of the NPPF which states that, "*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.*" The proposed new and amended conditions are set out below together with the views of Officers.

A: New Condition: HGV Routeing

106. The applicant states that the Council considered HGVs and highway free-flow west of Pratts Corner. In response, the applicant proposes the following condition:

"All HGV's shall enter and exit High Loxley Road to/from the east via the B2130 alone and no other highway."

Officer Comment

107. The CHA has been consulted on this proposed new planning condition. In response, the CHA has advised that they consider that proposed Condition 9 already adequately covers the routeing of HGVs between the site and the A281. The proposed condition is therefore not accepted as Officers consider that its inclusion would be contrary to Government policy which requires planning conditions to be kept to a minimum and only imposed where they are necessary. Further, routeing conditions are likely to be very difficult to enforce effectively.

B: New Condition: HGV Tracking and Tracing

108. The applicant states that the Council considered HGV monitoring and in response proposes the following condition:

"Prior to the commencement of the development hereby permitted, details of a system to track and trace HGVs shall be submitted to and approved in writing by the County Planning Authority. The agreed system shall be implemented during the development and the site operator shall maintain accurate records of HGV activity daily and shall make these available to the County Planning Authority on request."

Officer Comment

109. The CHA has been consulted on this proposed new planning condition. In response, the CHA has advised that proposed Condition 9 already requires the submission of details of HGV deliveries and hours of operation and details of HGV routeing (under clauses 'f' and 'g' respectively of Condition 9 as worded in the Officer report attached at Annex 1). The CHA expect that when the applicant submits the TMP for approval, the use of a 'track and trace' type measure will be provided as a means of enforcing the use of only the approved route to the site by HGVs and that HGVs only arrive / depart during the approved hours of operation. Therefore, the CHA do not consider that this suggested condition is necessary. However, they suggest merging clauses (f) and (g) into a single clause and amending the wording of this new clause (f) to read as follows: "Measures to manage and enforce HGV deliveries during permitted hours of operation and HGV routeing".
110. The proposed condition is therefore not accepted as Officers consider that its inclusion would be contrary to Government policy which requires planning conditions to be kept to a minimum and only imposed where they are necessary. However, the CHA's suggested amendment to Condition 9 is supported. This would provide greater clarification. It would also allude more clearly to the need for details of a system of 'track and trace' to be incorporated as part of the TMP to be submitted prior to the commencement of the development.

C: New Condition: Local Procurement and Local Economic Growth

111. The applicant has stated that they have operated the Horse Hill well site within the rural setting of Hookwood in Horley, since 2014 with no adverse effects on the local economy. The capital invested to date amounts to approximately £20 million, with the majority of civil engineering, haulage, construction, materials, well maintenance and hospitality contracts awarded to local, Surrey or SE England firms.
112. The applicant anticipates the investment at Loxley will be approximately £6 million with significant expenditure retained in the local or Surrey-based economy. In addition, the applicant believes that the income derived from farm diversification will secure the long-term viability of the supporting agricultural business, keeping it active within the rural economy and allowing the farmer who is the Loxley site landowner to continue a long tradition of sustainable countryside management.
113. In terms of the need to build a strong and competitive economy in accordance with the intentions of the NPPF, the applicant states that there have been 20 oil and gas discoveries in the south of England with 14 producing fields spread across Surrey, Sussex, Hampshire and Dorset. Hydrocarbons were first discovered in the region in 1896 and since this date, the combined economic force of the sector has sustained high-value jobs and businesses in the engineering, technology and manufacturing sector. In 1973, Wytch Farm in Dorset became Europe's largest onshore oil field supplying just under 10% of the UK's daily needs, at its peak, from within an AONB. Today the sector is worth £24 billion (1.2% of UK Gross Domestic Product) supporting 270,000 jobs. Moving forward, the CCC pathway to "Net-zero" by 2050 is predicated upon:
- No evidence has been submitted to substantiate the claim that the proposal would have an adverse effect on the local economy;
 - No evidence has been submitted to counter or dispute the assessment of economic benefits performed by the applicant when demonstrating compliance with SMP CS DPD Policy MC14: *Protecting Communities and the Environment*; and
 - No evidence has been submitted to counter or dispute the raft of national policy and guidance which is consistent in finding the oil & gas sector "*one of the most productive in the UK economy*", bestowing "*crucial*" benefits that make an "*essential contribution to the country's prosperity and quality of life*". National planning policy requires decision makers to attribute "*great weight*" to the benefits of mineral extraction, "*including to the economy*".

114. To ensure the proposal operates with maximum participation of local and rural businesses, the applicant proposes the following condition for consideration:

“Prior to the commencement of the development hereby permitted, a Local Content (Waverley and Surrey Area) Procurement Plan shall be submitted to and approved in writing by the County Planning Authority. The plan shall cover all phases of the development and include:

- a) measures to identify local suppliers and service providers; and
- b) a procurement strategy to maximise the participation of local businesses in the provision of goods and services without compromising the overall quality or viability of the development.”

115. The applicant adds that taking account of the potential for sustainable economic growth and the additional mitigation provided by the above condition, there are no reasonable grounds to anticipate that the proposal would have anything other than a beneficial effect upon the local and rural economy.

Officer Comment

116. Although the intentions behind this proposed condition are considered laudable, Officers are satisfied that the need for the development, including the economic benefits of the proposal, has already been demonstrated. Therefore the imposition of this condition is not considered necessary in order to make the application acceptable. Officers also have some concerns in relation to how such a condition could be enforced. For these reasons, the proposed condition is not accepted as Officers consider that its inclusion would be contrary to Government policy which requires planning conditions to be kept to a minimum, only imposed where they are necessary and enforceable.

D: New Condition: Air Quality Monitoring

117. The applicant points out that the Council considered the release of hydrogen sulphide (H₂S). For clarification, the applicant explains that monitoring and management of air quality is governed by regulations that empower the EA to secure appropriate protection measures. The applicant states that during drilling, no hydrocarbons can reach the surface due to the pressure of drilling fluids exceeding underground pressures. During testing, samples of produced gas will be constantly monitored to determine its composition, including any H₂S content. If H₂S is found, a bespoke removal system (a ‘scrubber’) would be installed or the flaring of gas would destroy any H₂S.

118. The applicant also states that the EA issued an *Environmental Permit (ref: EPR/VP3305PT*, dated 26 June 2020) confirming the proposed environmental protection measures to be acceptable. The EA will secure the same industry standard air quality monitoring techniques that are successfully employed at many other UK well sites. National planning policy requires decision makers to focus on the “*acceptable use of land rather than the control of processes of ... separate pollution control regimes*”. However, taking account of Council deliberations, the applicant proposes the following condition for consideration.

“Prior to the commencement of the development hereby permitted an Air Quality Monitoring Plan, shall be submitted to and approved in writing by the County Planning Authority. The objective of the plan shall be to avoid or mitigate emissions and shall include:

- a) a list of sensitive local receptors;
- b) a methodology for undertaking baseline air quality surveys with the results reported to the County Planning Authority;
- c) a monitoring methodology, the equipment to be used and a programme of monitoring activity by phase; and

- d) details of any mitigation measures engaged to avoid or mitigate residual emissions to acceptable levels.

The approved plan shall be implemented and retained in place for the duration of the development in a condition that ensures the objectives of the plan are met.”

119. The applicant adds that with the additional mitigation derived from the EA Permit and the condition, there are no reasonable grounds to anticipate that the proposal would have any unacceptable residual effects.

Officer Comment

120. Officers acknowledge that the air quality impacts of the proposal have given rise to a lot of concern. However, Officers are conscious that the County Air Quality Consultant (AQC) has advised that the air quality impacts have been assessed by the applicant using an appropriate methodology and that the effects are not considered to be significant. Further the County AQC has not recommended the need to impose any conditions on the proposed development in respect of air quality. Officers therefore consider that there is no justification for the imposition of the proposed condition.
121. For these reasons, the proposed condition is not accepted as Officers believe that its inclusion would be contrary to Government policy which requires planning conditions to be kept to a minimum, only imposed where they are necessary and reasonable in all other respects. This view is reinforced by the knowledge that an Environmental Permit has already been issued for the proposed development by the EA. This contains conditions in relation to emissions to water, air and land and odour. It also includes 8 separate monitoring conditions as well as conditions requiring the submission of various reports and notifications to the EA.

E: New Condition: Highway and Highway Verge Monitoring and Repair

122. The applicant states that the Council considered the integrity of the highway and highway verges. In response, the applicant recommends that Condition 9(i) [now renumbered as Condition 9(h) in this addendum report] be replaced with the following condition:

“Prior to the commencement of the development hereby permitted, a Highway and Highway Verge Monitoring and Repair Plan shall be submitted to and approved in writing by the County Planning Authority. The plan shall cover all phases of the development and include:

- a) a commitment to fund all reasonable repair works;
- b) Pre’ construction condition survey of the highway and highway verge to be attended by the County Planning Authority;
- c) ‘Post’ construction condition surveys of the highway and highway verge to be attended by the County Planning Authority and undertaken once every 6 months after the development has commenced between:
 - i. the site entrance on High Loxley Road and the High Loxley Road / Dunsfold Road junction;
 - ii. the section of Dunsfold Road 50 metres either side of the High Loxley Road / Dunsfold Road junction;
- d) measures to repair any damage caused by the development within 14 days along with measures to enable ‘Post’ repair inspection and verification by the County Planning Authority;
- e) Construction Method Statement for the proposed works.

Only the approved details shall be implemented as part of the development.”

Officer Comment

123. The CHA has been consulted on this proposed new planning condition. In response, the CHA has advised that proposed Condition 9 clause (i) [now renumbered as clause (h) in this report] is already sufficient to cover the issue of any damage caused to the highway resulting from the movement of HGVs associated with the proposal. The CHA has also commented that the wording also distinguishes between highway and highway verge, which over-complicates matters. This is because proposed Condition 9 clause (i) [renumbered as clause (h) in this report] refers to 'highway', which encompasses both the carriageway and the verge and there is no need to separately identify the two.
124. The CHA are unclear why there is a need for a '14 day' period as referred to above in clause (d) of this proposed new condition. Proposed Condition 9 clause (i) [renumbered as clause (h) in this report] already requires surveys every 6 months, and if any defects are identified, then the CHA can use existing powers under the Highways Act to rectify any defects that present a highway safety concern. The CHA therefore do not consider that this condition is required.
125. In view of the advice received from the CHA, Officers do not consider that the proposed condition is necessary. For these reasons, the proposed condition is not accepted as Officers believe that its inclusion would be contrary to Government policy which requires planning conditions to be kept to a minimum, only imposed where they are necessary and reasonable in all other respects.

F: Amended Condition: HGV Hours of Operation

126. The applicant states that the Council considered the free-flow of traffic generated by the events venue at High Billingham Farm on a Friday (pm) and the potential for the "exceptional circumstances" clause of Condition 12 (now renumbered as Condition 13 in this addendum report) to be abused. In response, the applicant recommends that this condition be amended to read as follows:

There shall be:

- a) no more than 20 two-way (10 in - 10 out) HGV movements to or from the site in any one day. The site operator shall maintain accurate records of the number of HGV's accessing and egressing the site daily and shall make these available to the County Planning Authority on request; and
- b) no HGV movements to or from the site taking place outside of the hours of:
 - i. ~~07:00-19:00 Monday-Thursday~~ - 09:00-17:00 Monday-Thursday;
 - ii. 09:00-13:00 on a Friday and Saturday; and
 - iii. No movements on Sundays and Bank Holidays.

~~HGV movements outside these time limits will only be allowed in exceptional circumstance (i.e. Phase transition or rig mobilisation/demobilisation). The County Planning Authority shall be given 14 days prior written notification of the time, date and duration of any such HGV movements.~~

Officer Comment

127. The CHA has been consulted on the proposed amendment to this planning condition. In response, the CHA has advised that given the applicant's willingness to have a condition imposed restricting HGV movements outside of 09:00-13:00 hours on a Friday and a Saturday, and that this would therefore provide the County Council with greater certainty that traffic associated with the proposed development would not be using High Loxley Road at those times when traffic associated with events at High Billingham Farm is at its peak, the CHA support this amended condition.

128. Having considered the consultee response received from the CHA and Government policy on the imposition of planning conditions, Officers are satisfied that the proposed amendment to this condition is reasonable and therefore accept the revision proposed by the applicant subject to minor changes in terms of formatting including those outlined in the Update Sheet attached at Annex 2.

G: New Condition Wheel Washing and Highway Surfacing Improvements

129. The applicant states that the Council considered road conditions. In response, the applicant recommends that Condition 9 clause (h) and Condition 10 (now renumbered as Condition 9 clause (g) and Condition 11 in this addendum report) be replaced with the following condition:

“Prior to the commencement of the development hereby permitted, a scheme to prevent dangerous conditions for road users on the public highway shall be submitted to and approved in writing by the County Planning Authority. The plan shall include:

- a) measures to prevent the deposit of materials on the highway; and
- b) details of the high friction highway surface to be installed on Dunsfold Road and Dunsfold Common Road either side of the High Loxley Road / Dunsfold Road junction.

Only the approved details shall be implemented as part of the development.”

Officer Comment

130. As opposed to applications for sand and gravel extraction, landfill and aggregates recycling for example, development relating to the exploration, appraisal and production of hydrocarbons do not have a tendency to result in the deposit of extraneous matter on the public highway. This is partly due to hydrocarbon well sites being developed on a hard clean concrete surface as well as the nature of the materials they handle. Further the risk of any material being deposited on the highway is significantly limited by the extent of the internal access track which would be approximately 1 km in length. In the event that any material was picked up by any vehicles on-site, then this would be very likely to fall off vehicles whilst manoeuvring along the access track.
131. The CHA has been consulted on the proposed amendment to this planning condition. In response, the CHA has advised that the need to keep the highway clean of debris etc. is already adequately covered by proposed condition 10 (now renumbered as Condition 11 in this addendum report). The CHA has also advised that the nature of the high friction surfacing at Pratts Corner will form part of the details of the improvements required at this junction under proposed Condition 7. A Section 278 Agreement will be required to deliver the works required to facilitate access to the site which will include the provision of high friction surfacing.
132. In view of the above considerations including the advice provided by the CHA, Officers do not consider that the proposed condition is necessary. Further it is therefore considered that its inclusion would be contrary to Government policy which requires planning conditions to be kept to a minimum, only imposed where they are necessary and reasonable in all other respects.

H: New Condition: Highway and Highway Verge Restoration and Improvement

133. The applicant states that the Council considered the restoration of the highway and highway verges. In response, the applicant recommends the inclusion of the following condition.

“Within 12 months of the implementation of this permission or prior to well site decommissioning (whichever is the sooner) a Highway and Highway Verge Restoration

and Improvement Plan shall be submitted to and approved in writing by the County Planning Authority. The plan shall include:

- a) a commitment to fund all restoration and improvement of the highway and highway verges between:
 - i. the site entrance on High Loxley Road and the High Loxley Road / Dunsfold Road junction;
 - ii. the section of Dunsfold Road 50 metres either side of the High Loxley Road / Dunsfold Road junction; and a
- b) construction Method Statement for the proposed works.

Only the approved details shall be implemented as part of the development.”

Officer Comment

134. The CHA has been consulted on the proposed amendment to this planning condition. In response, the CHA has advised that they do not consider the proposed new condition to be necessary. This is because proposed Condition 8 already covers the reinstatement of the highway to its original condition prior to the commencement of the development including any associated highway works. As a Section 278 Agreement will be required once operations on site have ceased in order to gain approval for the detailed design of the highway reinstatement works, the CHA has recommended the addition of the wording “in accordance with a scheme to be submitted to and approved in writing by the County Planning Authority” to the end of this condition.
135. The proposed condition is therefore not accepted as Officers consider that its inclusion would be contrary to Government policy which requires planning conditions to be kept to a minimum and only imposed where they are necessary. However, the CHA’s suggested amendment to Condition 8 is supported as this would provide greater clarification and point towards the need for a scheme to be submitted.

Human Rights Implications

136. The Human Rights Act Guidance for Interpretation, contained in the Preamble to the Agenda is expressly incorporated into this report and must be read in conjunction with paragraphs 723 to 724 of the Officer report attached at Annex A.

Conclusion

137. This addendum report reviews the further responses and representations received on the application, considers any new issues that have been raised, considers whether any policy changes have taken place material to the determination of the application since it was considered by P&R Committee on 29 June 2020 and contains an assessment of the final statement submitted by the applicant in August 2020.
138. Since the application was previously considered by P&R Committee in June, further responses have been received from the EA, the Hascombe Estate, Dunsfold Parish Council and Hambledon Parish Council. An additional 37 written representations and one petition have been submitted, with 3 representations in support of the application and 34 opposed.
139. The response from the EA addresses concerns raised on behalf of the local GRT community that the Environmental Permit fails to take their situation and views into account. The Hascombe Estate has disputed a specific point made in a representation received from the landowner of the well site host field, explaining that they strongly disagree with the quality of the landowner’s work when previously farming on the Hascombe Estate. Dunsfold Parish Council has confirmed their objection to the application and suggested that the climate emergency, the Paris Climate Agreement and energy

security comprise 3 reasons for objecting to the application. Hambledon Parish Council has resubmitted their previous response dated 24 June 2020.

140. Most of the issues raised in the further letters of representation have already been covered in the Officer report attached at Annex 1. The new issues raised relate to a suggested conflict with SCC's Environmental Sustainability Plan, the impact of hydrogen sulphide gas, odour, and noise specifically on the GRT community, the lack of consultation with the GRT community and the Lydia Park extension having been overlooked as part of the assessment process.
141. Having reviewed the further responses and representations received, Officers are satisfied that these do not change the conclusions and recommendation contained in the Officer report attached at Annex 1. Officers also consider that there have been no further policy changes that are material to the determination of the application.
142. The applicant's final statement is intended to respond positively to the concerns raised during the consideration of the application at P&R Committee in June. Taking into account advice provided by the CHA and Government planning policy contained in paragraph 55 of the NPPF in relation to the imposition of planning conditions, Officers do not see that any additional planning conditions are justified or necessary.
143. However, Officers do support a proposed amendment to Condition 12 (renumbered as Condition 13 in this addendum report). This restricts the hours of operation for HGV movements to provide greater certainty that traffic associated with the proposed development would not be using High Loxley Road at those times when traffic associated with the events venue at High Billingham Farm is at its peak. To provide greater clarity, Officers also recommend minor revisions to Conditions 8 and 9 in response to the applicant's proposals for two new conditions in relation to HGV Track and Trace and the restoration of the highway and highway verge.
144. Officers note the 17 statements of clarification provided by the applicant and do not have any concerns with the points made apart from an issue in relation to both Section 278 Highway Agreements and landscape. In terms of Section 278 Agreements, the CHA has pointed out that it is not correct to say that these can only be made once a planning consent has been issued. With regard to landscape, Officers do not accept that any weight can be given in policy terms to the work undertaken to date on the review of the boundary of the Surrey Hills AONB.
145. Officers note the applicant's statement challenging the Surrey Hills AONB Planning Adviser's advice that the proposal would represent a seriously incongruous feature. Having reflected on Surrey Hills AONB Planning Adviser's advice, Officers consider that the effect is not significant given the temporary nature of the development and the length of time that the rig / crane will be deployed on site. Officers are also guided by the County Landscape Consultant's advice which raises no objection and comments that the adverse visual impact of the rig and crane are unlikely to be significant. Officers are also mindful that the Surrey Hills AONB Planning Adviser's response acknowledges that the harm to the AONB and the AGLV will need to form part of the balancing act undertaken by the CPA in determining the application. In this respect, Officers are therefore satisfied that the development would not have a significant adverse landscape impact and consider that the adverse impacts would be outweighed by other wider public benefits.
146. In view of the findings of this addendum report, and the Officer report attached at Annex 1, on the basis of the specialist advice received from consultees on technical matters, the assessment of both relevant national and local development plan policies and the demonstrable need for the development which is considered to be in the national and wider public interest, Officers conclude that on balance, with proposed mitigation measures in place and the imposition of a number of planning conditions, the proposed development would not give rise to any significant adverse environmental or amenity

impacts and meets the relevant development plan policy requirements. For these reasons, the planning application may therefore be permitted.

Recommendation

The recommendation is to PERMIT application WA/2019/0796 subject to the following conditions:

IMPORTANT - CONDITION NOs 9, 10, 14, 15, 23, 26, 28, 31 and 32 MUST BE DISCHARGED PRIOR TO THE COMMENCEMENT OF THE DEVELOPMENT

THERE ARE OTHER CONDITIONS REQUIRING SCHEMES TO BE APPROVED PRIOR TO THE COMMENCEMENT OF CERTAIN OPERATIONS

CONDITIONS:

Approved Plans and Drawings

- The development hereby permitted shall be carried out in all respects in accordance with the following plans/drawings:

Drawing No	Rev	Title	Date
ZG-UKOG-L1-PA-01	0	Site Location Plan	March 2019
ZG-UKOG-L1-PA-02	0	Location Plan	March 2019
ZG-UKOG-L1-PA-03	0	Existing Site Plan (Composite)	March 2019
ZG-UKOG-L1-PA-04	0	Existing Site Plan 1 of 3 (Well Site to Burchetts SW Corner)	March 2019
ZG-UKOG-L1-PA-05	0	Existing Site Plan 2 of 3 (Burchetts SW Corner to Burchetts NW Corner)	March 2019
ZG-UKOG-L1-PA-06	0	Existing Site Plan 3 of 3 (Burchetts NW Corner to High Loxley Road)	March 2019
ZG-UKOG-L1-PA-07	0	Existing Sections Plan (Well Site)	March 2019
ZG-UKOG-L1-PA-08	1	Proposed Construction Layout Plan 1 of 4 (Well Site)	December 2019
ZG-UKOG-L1-PA-09	1	Proposed Construction Layout Plan 2 of 4 (Well Site to Burchetts SW Corner)	December 2019
ZG-UKOG-L1-PA-10	0	Proposed Construction Layout Plan 3 of 4 (Burchetts SW Corner to Burchetts NW Corner)	March 2019
ZG-UKOG-L1-PA-11	0	Proposed Construction Layout Plan 4 of 4 (Burchetts NW Corner to High Loxley Road)	March 2019
ZG-UKOG-L1-PA-12	1	Proposed Construction Sections Plan	December 2019
ZG-UKOG-L1-PA-13	0	Proposed Access Layout Plan - High Loxley Road	March 2019
ZG-UKOG-L1-PA-14	0	Proposed Access Layout Plan - Pratts Corner	March 2019
ZG-UKOG-L1-PA-15	1	Drilling Mode Layout Plan	December 2019
ZG-UKOG-L1-PA-16	1	Section Through Drilling Mode Layout Plan (BDF Rig 28 - Height 37m)	December 2019
ZG-UKOG-L1-PA-17	0	Section Through BDF Rig 28 Drilling Rig (Height 37m)	March 2019
ZG-UKOG-L1-PA-	0	Section Through BDF Rig 51 Drilling Rig (Height	March

Drawing No	Rev	Title	Date
18		38m)	2019
ZG-UKOG-L1-PA-19	1	Initial Flow Testing Mode Layout Plan	December 2019
ZG-UKOG-L1-PA-20	1	Section Through Initial Flow Testing Mode Layout Plan	December 2019
ZG-UKOG-L1-PA-21	1	Section Through PWWS MOOR 475 Workover Rig (Height 35m)	May 2019
ZG-UKOG-L1-PA-22	0	Section Through PWWS IDECO BIR H35 Workover Rig (Height 34m)	March 2019
ZG-UKOG-L1-PA-23	1	Extended Well Testing Mode Layout Plan (with Temporary Noise Mitigation)	December 2019
ZG-UKOG-L1-PA-24	1	Section Through Extended Well Testing Mode Layout Plan	December 2019
ZG-UKOG-L1-PA-25	1	Retention Mode Layout Plan	December 2019
ZG-UKOG-L1-PA-26	1	Section Through Retention Mode Layout Plan	December 2019
ZG-UKOG-L1-PA-27	1	Proposed Well Site Fencing & Gates Section Plan	December 2019
ZG-UKOG-L1-PA-28	0	Proposed Entrance Fencing, Gates & Security Cabin Section Plan	March 2019
ZG-UKOG-L1-PA-29	0	Proposed Restoration Layout Plan 1 of 5 (Well Site)	March 2019
ZG-UKOG-L1-PA-30	0	Proposed Restoration Layout Plan 2 of 5 (Well Site to Burchetts SW Corner)	March 2019
ZG-UKOG-L1-PA-31	0	Proposed Restoration Layout Plan 3 of 5 (Burchetts SW Corner to Burchetts NW Corner)	March 2019
ZG-UKOG-L1-PA-32	0	Proposed Restoration Layout Plan 4 of 5 (Burchetts NW Corner to High Loxley Road)	March 2019
ZG-UKOG-L1-PA-33	0	Proposed Restoration Sections Plan 5 of 5 (Well Site)	March 2019
6033.504	A	Wellsite Construction Details Sheet 2	13 February 2019
SK-04	B	Post-mitigation Scheme of Lighting Layout	1 November 2019

- From the date that any works commence in association with the development hereby permitted until the cessation of the development/completion of the operations to which it refers, a copy of this permission including all documents hereby approved and any documents subsequently approved in accordance with this permission, shall be available to the site manager, and shall be made available to any person(s) given the responsibility for the management or control of operations.

Commencement

- The development hereby permitted shall be implemented before the expiration of 3 years from the date of this permission. The developer shall notify the County Planning Authority in writing within seven working days of the commencement of the implementation of the planning permission.

Time Limits

- The development hereby permitted shall be for a limited period only, expiring 3 years from the date of the implementation of the planning permission referred to in Condition 3. By

this date, 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 reinstated in accordance with the restoration details set out in Condition 33. Notwithstanding this, any plant or equipment required to make the site safe in accordance with the Oil & Gas Authority general arrangement requirements at the time and agreed with the County Planning Authority may remain in position.

5. Prior written notification of the date of commencement for each phase of development works hereby permitted (Phases 1-4 as described at Section 3 of the Planning Statement and Environmental Report dated 19 April 2019, including workovers and side-tracks) shall be sent in writing to the County Planning Authority not less than seven days before such commencement.

Hours of Operation

6. With the exception of drilling, workovers, extended well tests and short-term testing, no lights shall be illuminated nor shall any operations or activities authorised or required by this permission, take place other than during the hours of:

07:00 to 19:00 hours on Monday to Friday;
09:00 to 13:00 hours on Saturday.

Apart from the exceptions referred to above, there shall be no working at any time on Sundays, Bank Holidays, Public or National Holidays.

Highways, Traffic and Access

7. No operations associated with the well site compound shall take place unless and until the proposed access road within the site including its junction with High Loxley Road, any highways works at the junction of High Loxley Road and Dunsfold Road and any carriageway widening works on High Loxley Road between the site access and the junction of High Loxley Road and Dunsfold Road have been constructed. The junction of the site and High Loxley Road shall be provided with 2.4m x 70m visibility splays in both the leading and trailing traffic directions in accordance with Drawing No LTP/3134/03/05.01 Rev B dated 10 October 2018 and, thereafter, the visibility splays shall be kept permanently clear of any obstruction above 0.6m high. No other development shall begin before the junction works and the new access road within the site have been completed.
8. Within 3 months of the well site decommissioning, the site access onto High Loxley Road shall be permanently closed, any kerbs and verges fully reinstated, the highway works at the junction of High Loxley Road and Dunsfold Road and any carriageway widening works on High Loxley Road between the site access and the junction of High Loxley Road and Dunsfold Road shall be removed and the highway fully reinstated, in accordance with a scheme to be submitted to and approved in writing by the County Planning Authority.
9. **Prior to the commencement of the development** hereby permitted, a Transport Management Plan, in accordance with the submitted Framework Construction Transport Management Plan (dated September 2019), shall be submitted to and approved in writing by the County Planning Authority. The plan shall cover all phases of the development and include:
 - (a) Parking for vehicles of site personnel, operatives and visitors;
 - (b) Loading and unloading of plant and materials;
 - (c) Storage of plant and materials;

- (d) Programme of works for each phase;
- (e) Provision of boundary hoarding behind any visibility zones;
- (f) Measures to manage and enforce HGV deliveries during permitted hours of operation and HGV routeing;
- (g) Measures to prevent the deposit of materials on the highway;
- (h) The carrying out of a 'Pre' construction condition survey of the highway with subsequent 'Post' construction condition surveys to be undertaken once every 6 months after the development has commenced: i) between the site entrance on High Loxley Road and the junction between High Loxley Road and Dunsfold Road; and ii) the section of Dunsfold Road situated 50 metres either side of the junction between High Loxley Road and Dunsfold Road;
- (i) On-site turning for construction vehicles;
- (j) Abnormal Load Traffic Management Plan;
- (k) Having consulted with High Billingham Farm the submission of traffic management measures, by phase, for the cumulative traffic flows generated by the development hereby permitted and High Billingham Farm during an 'event' (as defined by Waverley Borough Council Decision Notice WA/2020/0220 dated 26th March 2020). The measures shall be designed to minimise the use of traffic signals or optimise signal operation in the interests of the free flow of traffic within High Loxley Road;
- (l) Measures for traffic management by phase at the High Loxley Road/Dunsfold Common Road/Dunsfold Road junctions;
- (m) Measures for traffic management by phase at the junction of the site access track and High Loxley Road; and
- (n) Final details of the placement, specification and design of all road traffic signage by phase. Only the approved details shall thereafter be implemented, retained and used by each phase whenever operations are undertaken.

Only the approved details shall be implemented as part of the development.

10. **Prior to the commencement of the development** hereby permitted a speed limit reduction to 40 mph shall be implemented at the following locations:

- (a) High Loxley Road for a distance of 275m from its junction with Dunsfold Road;
- (b) Dunsfold Common Road for a distance of 360m from its junction with Dunsfold Road;
- (c) Dunsfold Road for a distance of 195m to the west of its junction with Dunsfold Common Road;
- (d) Dunsfold Road for a distance of 399m to the east of its junction with High Loxley Road.

The speed limit reduction shall be implemented and thereafter maintained throughout all phases of the proposed development"

11. No operations involving the bulk movement of materials to or from the development site shall commence unless and until facilities have been provided in accordance with a scheme to be submitted to and approved in writing by the County Planning Authority so far

as is reasonably practicable to prevent the creation of dangerous conditions for road users on the public highway. The approved scheme shall thereafter be implemented, retained and used whenever the said operations are undertaken.

- 7
12. The development hereby permitted shall not be first brought into use unless and until space has been laid out within the site in accordance with a scheme to be submitted to and approved in writing by the County Planning Authority for HGV parking, loading, unloading and on-site turning (so that they may enter and leave the site in a forward gear). Thereafter the parking, loading, unloading and turning areas shall be retained and maintained for the designated purposes.
 13. There shall be:
 - (a) no more than 20 two-way (10 in - 10 out) HGV movements to or from the site in any one day. The site operator shall maintain accurate records of the number of HGVs accessing and egressing the site daily and shall make these available to the County Planning Authority on request; and
 - (b) no HGV movements to or from the site taking place outside of the hours of 09:00-17:00 Monday-Thursday, 09:00-13:00 on a Friday and a Saturday and all day on Sundays, Bank Holidays, Public or National Holidays.

Noise and Vibration

14. **Prior to the commencement of the development** hereby permitted, a scheme of noise mitigation shall be submitted to and approved in writing by the County Planning Authority. The mitigation measures will ensure that the noise levels set out in Conditions 16 and 17 are met. Mitigation shall be put in place prior to any operations taking place and shall be retained and maintained for the duration of the works.
15. **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, taking into account the noise limits set out in Conditions 16 and 17. The NMP shall include a methodology for undertaking noise surveys, with the results of the monitoring reported to the County Planning Authority within 14 days of monitoring. Should the site fail to comply with the noise limits, within 14 days of notification of any breach of the noise limits, the applicant shall submit a scheme for the approval in writing by the County Planning Authority to attenuate noise levels to the required level which shall be implemented within 7 days of the County Planning Authority issuing approval for the scheme, or the source of noise shall cease until such a scheme is in place. Noise monitoring shall only be undertaken by those competent to do so (i.e. Member of Associate grade of the Institute of Acoustics).
16. For temporary operations such as site preparation and reinstatement, the level of noise arising from any operation, plant or machinery on the site, when measured at, or recalculated as at, a height of 1.2 metres above ground level and 3.5 metres from the façade of a residential property or other noise sensitive building that faces the site shall not exceed 65 dB LAeq during any 30 minute period between the hours of 0700 to 1900 Monday to Friday and 0900 to 1300 hours on a Saturday and at no other time. No temporary work causing audible noise at any noise sensitive receptor is permitted at any other time including Sunday, Bank Holiday or National Holiday.
17. For operations other than temporary, including drilling, testing and appraisal, maintenance workover and flaring, the daytime and evening noise levels (0700 hours to 2200 hours Monday to Friday and 0900 hours to 1300 hours Saturdays) shall not exceed 48 dB LAeq, 30 minutes. At all other times, the noise levels shall not exceed 42 dB LAeq, 30 minutes. These noise limits apply 3.5 metres from the façade of any affected property.

18. Between the hours of 19:00 to 07:00 inclusive, no tripping shall be undertaken, nor shall casing be cemented except in cases of emergency.
19. All plant and machinery shall be adequately maintained and silenced in accordance with the manufacturer's recommendations at all times.

Lighting

20. The development hereby permitted shall be undertaken in accordance with the measures for mitigating the impact of lighting outlined in Section 7.1 of the submitted Lighting Assessment dated November 2019.
21. Operational lighting shall be installed in accordance with Drawing No SK-04 Rev B Post-mitigation Scheme of Lighting Layout dated 1st November 2019. All lighting required for operations and maintenance will be locally switched and manually operated on an 'as required' basis and luminaires over the cabins/stores doors will be controlled by 'presence detection' with a manual override.
22. Obstacle lights shall be placed as close as possible to the top of the drilling rig and workover rig (and any crane deployed in workover activity outside of daylight hours). These obstacle lights must be steady red lights with a minimum intensity of 200 candelas. Lights must be visible from all directions and illuminated at all times. Unserviceable lamps must be replaced as soon as possible after failure and in any event within 24 hours.

Water Environment

23. **Prior to the commencement of the development** hereby permitted, details of the design of a surface water drainage scheme shall be submitted to and approved in writing by the County Planning Authority. The design must satisfy the SuDS Hierarchy and be compliant with the national Non-Statutory Technical Standards for SuDS, National Planning Policy Framework and Ministerial Statement on SuDS. The required drainage details shall include:
 - (a) Detailed drainage design drawings and calculations to include: a finalised drainage layout detailing the location of drainage elements, pipe diameters, levels, and long and cross sections of each element including details of any flow restrictions and maintenance/risk reducing features including the proposed High Density Polyethylene membrane to be incorporated into the construction of the well site, silt traps and inspection chambers;
 - (b) Details of how the drainage system will be protected during construction and how run-off (including any pollutants) from the development site will be managed before the drainage system is operational;
 - (c) Details of how surface water levels within the well site will be monitored and how operations will be managed during periods of saturation;
 - (d) Details of drainage management responsibilities and maintenance regimes for the drainage system; and
 - (e) A plan showing exceedance flows (i.e. during rainfall greater than design events or during blockage) and how property on and off-site will be protected.
24. Prior to the commencement of drilling, testing and appraisal, a verification report carried out by a qualified drainage engineer must be submitted to and approved in writing by the County Planning Authority. This must demonstrate that the drainage system has been constructed as per the agreed scheme (or detail any minor variations), provide the details of any management company and state the national grid reference of any key drainage

elements including surface water attenuation devices/areas, flow restriction devices and outfalls.

Geotechnical Issues

25. The 'Area of hardstanding for access, cabins and car parking' shown on Drawing No: ZG-UKOG-L1-PA-08 Rev 1 Proposed Construction Layout Plan 1 of 4 (Well Site) dated December 2019, shall be retained and maintained for these designated purposes and no HGV parking or storage of consumables, fuel, process chemicals and/or mechanical/electrical plant is permitted in this area.
26. **Prior to the commencement of the development** hereby permitted, a Construction Environment Management Plan (CEMP) shall be submitted to and approved in writing by the County Planning Authority. The plan shall include:
- (a) Soil Conservation and Management Plan, for the protection and conservation of excavated material supported by design methodology inclusive of the means of extraction, methods of storage and maintenance of soils in accordance with guidance provided by the Defra 'Code of practice for the sustainable use of soils on construction sites' and the measures adopted for reinstatement and restoration;
 - (b) Slope Stability Assurance Plan, for the level working platform and the integrity of the impermeable membrane liner supported by methodology inclusive of a timed programme of ground investigations to inform the geotechnical and hydrogeological parameters used in the final design and construction of the proposed earthworks;
 - (c) Construction Quality Assurance Plan, for the construction of retaining structures (i.e. perimeter bunding and earthworks) and containing structures (i.e. perimeter ditches and the impermeable membrane) inclusive of final design details and methods of membrane sealing (i.e. with drilling cellars, 'rathole' or 'mousehole', pavements, floor slabs and foundations) supported by design methodology and details of any further geotechnical assessments to be performed; and
 - (d) Construction Quality Monitoring Plan, for the testing, inspection and maintenance of retaining and containing structures together with details of the placement and design of any groundwater monitoring wells to be installed.
27. Prior to the commencement of drilling, testing and appraisal, a Construction Environment Management Plan (CEMP) Verification Report shall be submitted to and approved in writing by the County Planning Authority. The verification report should include:
- (a) Details that demonstrate compliance with the CEMP;
 - (b) Justification for any changes or deviations from the agreed CEMP;
 - (c) The results and location plans of all field and laboratory testing, including certificates of compliance, and inspection records;
 - (d) Post-construction load testing to demonstrate the stability of retaining structures, containing structures and earthworks;
 - (e) Any other site-specific information considered relevant to proving the integrity of the construction works; and
 - (f) Provision of details of any changes including 'as-built' plans and sections of the approved CEMP, as identified under (b) above
28. **Prior to the commencement of the development** hereby permitted, a Pre-development Baseline Geochemical Testing Report shall be submitted to and approved in writing by the

County Planning Authority. The testing methodology shall comprise as a minimum the following:

- (a) The collection of soil samples on the exposed soil formation after the well site and access track have been excavated to the final formation level. Sampling of the well site compound will adopt a grid pattern (not greater than 20m spacing) and sampling shall be carried out prior to the laying of the membrane and placement of any crushed rock hardstanding, slabs or foundations;
 - (b) The locations and elevations of the sampling locations shall be recorded accurately;
 - (c) The methodology shall set out the range of potential contaminants to be tested for, relevant to the proposed works, test methods, and limits of detection; and
 - (d) Details of the testing laboratory to be used and the accreditation status for each test.
29. Prior to the commencement of restoration works a Post-Development Geochemical Inspection and Testing Report shall be submitted to and approved in writing by the County Planning Authority. The report shall present details of:
- (a) The results of geochemical analysis of soil samples collected from the exposed soil formations adjacent to the sampling point locations adopted for the Pre-Development Baseline Geochemical Testing Report approved pursuant to Condition 28 after removal of the infrastructure and before the replacement of any restoration soils to allow for independent verification and site inspection prior to restoration if necessary;
 - (b) Comparison of the laboratory results for the 'Pre' and 'Post' development phases; and
 - (c) If contamination is identified, a Contaminated Land Risk Assessment Report inclusive of a strategy for the design and implementation of any remediation required.
30. All excavated topsoil and subsoil shall be permanently retained on the site for subsequent use in restoration. No soils or soil making material for use in the restoration shall be brought onto the site, unless required by an approved site remediation scheme.

Ecology and Biodiversity

31. **Prior to the commencement of the development** hereby permitted, an initial Landscape, Environment and Biodiversity Restoration and Enhancement Plan shall be submitted to and approved in writing by the County Planning Authority. The plan shall include:
- (a) Year 1: Environmental Reinstatement and Enhancement Plan, as recorded within the Loxley Well Site Landscape, Environment and Biodiversity Restoration and Enhancement Plan (Section 2, EDP Report 4788_r002c dated October 2019) inclusive of the replacement of trees and hedgerows removed during construction works, a programme to retain and protect existing trees and hedgerows and a timed programme for the planting of new trees and hedgerows and the creation of new biodiversity habitat; and
 - (b) Precautionary Method Working Statements for great crested newts and reptiles, as recorded within the Loxley Well Site Ecological Impact Assessment (Chapter 6: Mitigation, Aecom Project No. 60555556 dated December 2018).

The approved plan shall be implemented in full and those protection measures that are required to be retained shall be maintained in a functional condition for the duration of the development and any agreed aftercare period.

Archaeology and Heritage

32. **Prior to the commencement of the development** hereby permitted, a programme of archaeological work in accordance with a Written Scheme of Investigation shall be submitted to and approved in writing by the County Planning Authority.

Restoration

33. Within 12 months of the implementation of this permission or prior to well site decommissioning (whichever is the sooner) a Final Landscape, Environment and Biodiversity Restoration and Enhancement Plan shall be submitted to the County Planning Authority for approval in writing. The plan shall include:
- (a) Year 3: Landscape Restoration, Biodiversity and Environmental Enhancement, as recorded within the Loxley Well Site Landscape, Environment and Biodiversity Restoration and Enhancement Plan (Section 2, EDP Report 4788_r002c dated October 2019) designed to deliver biodiversity and wider environmental net-gain making use of native species and reflecting the historic use of the site as worked agricultural land and forestry;
 - (b) The ecological surveys performed to support the Loxley Well Site Ecological Impact Assessment (Aecom Project No. 60555556 dated December 2018) shall be repeated to establish the ecological baseline required to inform the plan and ensure that there are no adverse impacts on habitats and species;
 - (c) Slope Restoration Plan supported by methodology inclusive of any further ground investigations required to inform the geotechnical and hydrogeological parameters used in the final design and construction of the earthworks required to restore the site to its pre-development state; and
 - (d) Soil Restoration Plan: inclusive of measures to cultivate and improve the soils prior to re-spreading and restoration and measures to ensure aftercare for a period of 5 years post development completion.

The plan as approved shall be carried out in full and all planting implemented pursuant to this permission shall be maintained in good, healthy condition and be protected from damage for five years from the completion of site restoration. During that period any trees or shrubs which die, or are severely damaged or diseased shall be replaced in the next available planting season with others of a similar size and species.

34. The restored land shall be brought to the required standard for agricultural and woodland use. The applicant shall notify the County Planning Authority in writing within seven days once the planting or seeding has been completed and within one year from the date of notification a meeting shall take place, to be attended by representatives of the applicant, the landowners (or their successors in title) and the County Planning Authority, to monitor the success of the aftercare. Annual meetings will then be arranged and held within the period of five years from the commencement of aftercare.

REASONS FOR IMPOSING CONDITIONS:

1. For the avoidance of doubt and in the interests of proper planning.
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 2011 Core Strategy Policy MC14.
3. To comply with Section 91(1)(b) of the Town and Country Planning Act 1990 as amended by Section 5(1) of the Planning and Compulsory Purchase Act 2004.

4. To enable the County Planning Authority to exercise planning control over the operation so as to minimise the impact on local amenity and to ensure the prompt and effective restoration to comply with Schedule 5 paragraph 1 of the Town and Country Planning Act 1990 and Surrey Minerals Plan 2011 Core Strategy Policy MC17.
5. 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 Core Strategy Policy MC14.
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 Core Strategy Policy MC14.
7. In order that the development should not prejudice highway safety nor cause inconvenience to other highway users, in accordance with Policy MC15 of the Surrey Minerals Plan 2011 Core Strategy, Waverley Borough Local Plan Part 1: Strategic Policies and Sites (2018) Policy ST1 and Waverley Borough Local Plan (2002) 'saved' Policy D1.
8. In order that the development should not prejudice highway safety nor cause inconvenience to other highway users, in accordance with Policy MC15 of the Surrey Minerals Plan 2011 Core Strategy, Waverley Borough Local Plan Part 1: Strategic Policies and Sites (2018) Policy ST1 and Waverley Borough Local Plan (2002) 'saved' Policy D1.
9. In order that the development should not prejudice highway safety nor cause inconvenience to other highway users in accordance with Surrey Minerals Plan 2011 Core Strategy Policy MC15, Waverley Borough Local Plan Part 1: Strategic Policies and Sites (2018) Policy ST1 and Waverley Borough Local Plan (2002) 'saved' Policy D1.. The imposition of a pre-commencement condition for a Transport Management Plan is recommended by the County Highway Authority to secure the submission of a revised and updated Transport and Traffic Management Plan to safeguard highway safety, the environment and local amenity in terms of traffic and highways.
10. In order that the development should not prejudice highway safety nor cause inconvenience to other highway users, in accordance with Policy MC15 of the Surrey Minerals Plan 2011 Core Strategy, Waverley Borough Local Plan Part 1: Strategic Policies and Sites (2018) Policy ST1 and Waverley Borough Local Plan (2002) 'saved' Policy D1.
11. In order that the development should not prejudice highway safety nor cause inconvenience to other highway users, in accordance with Policy MC15 of the Surrey Minerals Plan 2011 Core Strategy, Waverley Borough Local Plan Part 1: Strategic Policies and Sites (2018) Policy ST1 and Waverley Borough Local Plan (2002) 'saved' Policy D1.
12. In order that the development should not prejudice highway safety nor cause inconvenience to other highway users, in accordance with Policy MC15 of the Surrey Minerals Plan 2011 Core Strategy, Waverley Borough Local Plan Part 1: Strategic Policies and Sites (2018) Policy ST1 and Waverley Borough Local Plan (2002) 'saved' Policy D1.
13. In order that the development should not prejudice highway safety nor cause inconvenience to other highway users, in accordance with Policy MC15 of the Surrey Minerals Plan 2011 Core Strategy, Waverley Borough Local Plan Part 1: Strategic Policies and Sites (2018) Policy ST1 and Waverley Borough Local Plan (2002) 'saved' Policy D1.
14. To ensure minimum disturbance and avoid nuisance to the locality in accordance with Surrey Minerals Plan 2011 Core Strategy Policy MC14. The imposition of a pre-commencement condition for a scheme of noise mitigation is recommended by the Borough Council's Environmental Health Officer to provide appropriate noise control to ensure there would be no significant adverse impact from noise nuisance on nearby receptors.

15. To ensure minimum disturbance and avoid nuisance to the locality in accordance with Surrey Minerals Plan 2011 Core Strategy Policy MC14. The imposition of a pre-commencement condition for a noise monitoring plan is recommended by the Borough Council's Environmental Health Officer to provide appropriate noise control to ensure there would be no significant adverse impact from noise nuisance on nearby receptors.
16. To ensure minimum disturbance and avoid nuisance to the locality to comply with the Surrey Minerals Plan 2011 Core Strategy Policy MC14.
17. To ensure minimum disturbance and avoid nuisance to the locality to comply with the Surrey Minerals Plan 2011 Core Strategy Policy MC14.
18. To ensure minimum disturbance and avoid nuisance to the locality to comply with the Surrey Minerals Plan 2011 Core Strategy Policy MC14.
19. To ensure minimum disturbance and avoid nuisance to the locality to comply with the Surrey Minerals Plan 2011 Core Strategy Policy MC14.
20. To ensure minimum disturbance and avoid nuisance to the locality to comply with the Surrey Minerals Plan 2011 Core Strategy Policy MC14.
21. To ensure minimum disturbance and avoid nuisance to the locality to comply with the Surrey Minerals Plan 2011 Core Strategy Policy MC14.
22. To avoid endangering the safe movement of aircraft and operation at Dunsfold Aerodrome, and in the interest of residential amenity and the local environment and to comply with Surrey Minerals Plan 2011 Core Strategy Policy MC14.
23. 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 Surrey Minerals Plan 2011 Core Strategy Policy MC14. The imposition of a pre-commencement condition for a surface water drainage scheme is recommended by the Environment Agency to ensure protection of groundwater and surface water from the activities at the site and the Lead Local Flood Authority to ensure that the development is compliant with SuDS as required by the NPPF, its technical standards and governmental ministerial statement for SuDS.
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, in accordance with the Surrey Minerals Plan 2011 Core Strategy Policy MC14.
25. To safeguard the environment and protect the amenities of the locality in accordance with the terms of the Surrey Minerals Plan 2011 Core Strategy Policies MC12 and MC14.
26. 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 2011 Core Strategy Policy MC12 and MC14 and the NPPF (2019) paragraphs 170, 178 and 179. The imposition of a pre-commencement condition to secure the submission of a construction environment management plan which includes a soil conservation and management plan, a slope stability assessment, further information on platform and foundation stability and a construction quality assurance plan is recommended by the County Geotechnical Consultant and the County Planning Authority 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 development plan policies and the NPPF.

27. 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 2011 Core Strategy Policies MC12 and MC14.
28. To safeguard the environment and protect the amenities of the locality in accordance with the terms of the Surrey Minerals Plan 2011 Core Strategy Policies MC12 and MC14. The imposition of a pre-commencement condition for a pre-development baseline geotechnical testing report is recommended by the County Geotechnical Consultant to ensure there would be no significant adverse impact from pollution on groundwater, land and the environment.
29. To demonstrate that there has been no long-term contamination of the near surface natural soils at the site as a result of the development and to ensure the site can be suitably restored in accordance with the terms of the Surrey Minerals Plan 2011 Core Strategy Policies MC12 and MC14.
30. To prevent loss or damage of soil and to ensure that the land is restored to a condition capable of beneficial after-use to comply with the Surrey Minerals Plan 2011 Core Strategy Policies MC14 and MC17 and Waverley Borough Local Plan (2002) 'saved' Policy RD9.
31. To comply with the requirements of the Conservation Habitat and Species Regulations 2017 and to protect species of conservation importance in accordance with Surrey Minerals Plan 2011 Core Strategy Policy MC14, Waverley Borough Local Plan Part 1: Strategic Policies and Sites (2018) Policy NE1 and Waverley Borough Local Plan (2002) 'saved' Policy D7. The imposition of a pre-commencement condition for an initial landscape, environment and biodiversity restoration and enhancement plan is recommended by Natural England to ensure that landscape enhancements are implemented at the start of the works rather than just during restoration.
32. To prevent loss or damage of any buried archaeological assets in accordance with Surrey Minerals Plan 2011 Core Strategy Policy MC14, Waverley Borough Local Plan Part 1: Strategic Policies and Sites (2018) Policy HA1 and Waverley Borough Local Plan (2002) 'saved' Policies HE14 and HE15. The imposition of a pre-commencement condition for a programme of archaeological work in accordance with a written scheme of investigation is recommended by the County Archaeological Officer to ensure there would be no significant adverse impact on built heritage of special interest.
33. To secure restoration to the required standard and for protecting and enhancing biodiversity and to assist in absorbing the site back into the local landscape in compliance with Schedule 5 paragraph 2 of the Town and Country Planning Act 1990 and Surrey Minerals Plan 2011 Core Strategy Policies MC17 and MC18 and NPPF paragraph 205(e).
34. To secure aftercare to the required standard and assist in absorbing the site back into the local landscape in compliance with Schedule 5 paragraph 2 of the Town and Country Planning Act 1990 and Surrey Minerals Plan 2011 Core Strategy Policy MC17 and NPPF paragraph 205(e).

INFORMATIVES

1. Details of the highway requirements necessary for inclusion in any application seeking approval of reserved matters may be obtained from the Transportation Development Planning Division of Surrey County Council.
2. Notwithstanding any permission granted under the Planning Acts, no signs, devices or other apparatus may be erected within the limits of the highway without the express approval of the Highway Authority. It is not the policy of the Highway Authority to approve

the erection of signs or other devices of a non-statutory nature within the limits of the highway.

3. The permission hereby granted shall not be construed as authority to obstruct the public highway by the erection of scaffolding, hoarding or any other device or apparatus for which a licence must be sought from the Highway Authority Local Transportation Service.
4. The developer is reminded that it is an offence to allow materials to be carried from the site and deposited on or damage the highway from uncleaned wheels or badly loaded vehicles. The Highway Authority will seek, wherever possible, to recover any expenses incurred in clearing, cleaning or repairing highway surfaces and prosecutes persistent offenders. (Highways Act 1980 Sections 131, 148, 149).
5. The permission hereby granted shall not be construed as authority to carry out any works (including Stats connections/diversions required by the development itself or the associated highway works) on the highway or any works that may affect a drainage channel/culvert or water course. The applicant is advised that a permit and, potentially, a Section 278 agreement must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway. The developers attention is drawn to the advice provided by the County Historic Buildings Officer that flush-set concrete retainers (incorporating a ribbed surface) should be used to demarcate the edge of the carriageway (as opposed to raised kerbstones). All works (including Stats connections/diversions required by the development itself or the associated highway works) on the highway will require a permit and an application will need to be submitted to the County Council's Street Works Team up to 3 months in advance of the intended start date, depending on the scale of the works proposed and the classification of the road. Please see: <http://www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/the-traffic-management-permit-scheme>. The applicant is also advised that consent may be required under Section 23 of the Land Drainage Act 1991. Please see: www.surreycc.gov.uk/people-and-community/emergency-planning-and-community-safety/floodingadvice.
6. Section 59 of the Highways Act permits the Highway Authority to charge developers for damage caused by excessive weight and movements of vehicles to and from a site. The Highway Authority will pass on the cost of any excess repairs compared to normal maintenance costs to the applicant/organisation responsible for the damage.
7. The site operator must provide advanced notification to the Highway Authority of an abnormal load movement. Further details can be found at the following link <https://www.surreycc.gov.uk/roads-and-transport/traffic-and-travel-information/large-goods-vehicles/abnormal-loads>. The site operator will be charged for the removal and reinstatement of any highway furniture.
8. The site operator should instruct all HGV drivers associated with the development not to lay up or wait within the highway network within the vicinity of the site at any time.
9. All heavy goods vehicles should access the site to/from the east via the B2130 signalised junction with the A281 in accordance with the terms of section 4.1.2.3 of the 'updated' Planning Statement and Environmental Report (19 April 2019) submitted on 21 May 2019.
10. With regard to Condition 10, the applicant is advised that notwithstanding any planning consent granted, the proposed speed limit reduction will require a separate Speed Limit Order application (which is subject to consultation) under Section 84 of the Road Traffic Regulation Act (RTRA) 1984.
11. Façade and free-field apply to the positions for either noise measurement or prediction. A façade position is one that effectively represents sound levels at a building but is conventionally taken at a position 1 metre from the building; this includes reflections from the building. A free-field position is one that is at least 3.5 metres from a building where

reflection effects are not significant. The difference between a sound level measured at a façade position and a free-field position, assuming that there is a specific sound source that causes reflections, is that levels are around 3 dB higher at the façade, due to the reflection effects.

12. If proposed site works affect an Ordinary Watercourse, Surrey County Council as the Lead Local Flood Authority should be contacted to obtain prior written consent. More details are available on the Surrey County Council website. (www.surreycc.gov.uk)
13. If proposed works result in infiltration of surface water to ground within a Source Protection Zone the Environment Agency will require proof of surface water treatment to achieve water quality standards. (www.gov.uk/government/organisations/environmentagency)
14. The Borehole Sites and Operations Regulations 1995 (BSOR) apply to all onshore oil and gas wells. These Regulations require notifications to be sent to the HSE about the design, construction and operation of wells, and the development of a health and safety plan which sets out how risks are managed on site.
15. The Offshore Installations and Wells (Design and Construction etc.) Regulations 1996 (DCR) include specific requirements for all wells, whether onshore or offshore, and include well integrity provisions which apply throughout the life of gas or oil wells. They also require the well operator to send a weekly report to the HSE during the construction of the well so that inspectors can check that work is progressing as described in the notification.
16. The applicant is reminded that, under the Wildlife and Countryside Act 1981, as amended (Section 1), it is an offence to remove, damage or destroy the nest of any wild bird while that nest is in use or is being built. Planning consent for a development does not provide a defence against prosecution under this Act. Trees and scrub are likely to contain nesting birds between 1 March and 31 August inclusive. Trees and scrub are present on the application site and are assumed to contain nesting birds between the above dates, unless a recent survey has been undertaken by a competent ecologist to assess the nesting bird activity during this period and shown it is absolutely certain that nesting birds are not present.
17. Given the nature of the proposed development it is possible that a crane may be required during its construction. The applicant's attention is drawn to the requirement within the British Standard Code of Practice for the safe use of Cranes for crane operators to consult the aerodrome before erecting a crane in close proximity to an aerodrome. The crane process is explained further in Advice Note 4, 'Cranes and Other Construction Issues', (available from <http://www.aoa.org.uk/policy-campaigns/operations-safety/>).
18. As Article 240 of the Air Navigation Order 2016 makes it an offence to endanger the safety of an aircraft, the applicant's attention is drawn to the Civil Aviation Authority publication, "Guidance to Crane Operators on Aviation Lighting and Notification" which provides the construction industry with a summary of existing regulation, duty of care expectations placed upon crane users and recommended best practice.
19. The site operator's attention is drawn to the Civil Aviation Authority's request that they contact both the Civil Aviation Authority's Operations Team and the Military Low Flying Cell once operational dates for the site are established and before site activity takes place and they complete and submit the "Crane Notification Form" to the CAA's Operations Team.
20. Attention is drawn to the requirements of Sections 7 and 8A of the Chronically Sick and Disabled Persons Act 1970 and to the Code of Practice for Access of the Disabled to Buildings (British Standards Institution Code of Practice BS 8300:2009) or any prescribed document replacing that code.

21. The applicant is advised that regular community engagement in respect of this site be undertaken, and this may include the setting up of a local liaison group, which would provide a forum for discussing operational issues between the operator, the County Council (as County Planning Authority), interested parties and representatives of the local community. Emergency contact details for the receipt and handling of any complaints should be provided. The applicant is advised to have particular regard for the residents and businesses that neighbour the site, particularly Thatched House Farm to the north and High Billinghamurst Farm to the south. The applicant is advised to liaise with neighbours to ensure the impacts of the development hereby approved are minimised and maintained at acceptable levels.
 22. The applicant's attention is drawn to the advice, guidance and safety information provided by SGN and UK Power Networks in relation to gas and electricity infrastructure, copies of which have been provided to the applicant or can be obtained from the County Planning Authority.
 23. The National Grid has no record of owning any infrastructure in the vicinity of the application site. In an automated response to an online query, the HSE has advised that the proposed development site does not currently lie within the consultation distance of a major hazard site or major accident hazard pipeline. An automated response to an online enquiry has confirmed that SGN does not have any gas utility infrastructure within the vicinity of the application site. To err on the side of caution, in the event that planning permission is granted, and in case any gas utility infrastructure is found, a number of guidance documents and safety information supplied by SGN have been sent to the applicant. These comprise: SGN's response letter; 'Know What's Below: Protecting You and Your Family'; relevant SGN infrastructure plans; 'Safety Advice - Valves'; and, 'Dig Safely: Measures to Avoid Injury and Damage to Gas Pipes'. The applicant has been requested to forward this information onto the site operator so that this information can be brought to the attention of their contractors in the event the permission is granted and the development proceeds.
 24. In an automated response to an online query, UK Power Networks has indicated the presence of an 11 KV underground cable in the vicinity of Dunsfold Road, Pratts Corner and High Loxley Road, and abandoned underground cable crossing High Loxley Road and a sub-station west of High Loxley Road. Again, a safety information and guidance number supplied by UK Power Networks has been passed on to applicant and operator to bring to the attention of their contractors in the event that planning permission is granted and the development proceeds. This comprises: the covering letter from UK Power Networks; the relevant utility infrastructure plans; and 'Think before you Dig under Ground.
 25. In determining this application the County Planning Authority has worked positively and proactively with the applicant by: entering into pre-application discussions; assessing the proposals against relevant Development Plan policies and the National Planning Policy Framework including its associated planning practice guidance and European Regulations, providing feedback to the applicant where appropriate. Further, the County Planning Authority has: identified all material considerations; forwarded consultation responses to the applicant; considered representations from interested parties; liaised with consultees and the applicant to resolve identified issues and determined the application within the timeframe agreed with the applicant. Issues have been raised with the applicant including impacts of traffic, landscape and visual impact, air quality, noise and vibration, lighting, groundwater, geotechnical matters, ecology and biodiversity and restoration and aftercare and addressed through negotiation and acceptable amendments to the proposals. The applicant has also been given advance sight of the draft planning conditions. This approach has been in accordance with the requirements of paragraph 38 of the National Planning Policy Framework 2019.
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CONTACT

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BACKGROUND PAPERS

The deposited application documents and plans, including those amending or clarifying the proposal, responses to consultations and representations received as referred to in the report and included in the application file.

For this application the deposited application documents and plans, and responses to consultations, are available to view on [our online planning register](#). The representations received are publicly available to view on the district/borough planning register. The Waverley Borough Council planning register entry for this application can be found under [Land South of Dunsfold Road](#).

OTHER DOCUMENTS

The following documents were also referred to in the preparation of this addendum report and the Officer report attached at Annex 1:

Government Guidance

[National Planning Policy Framework](#)

[Planning Practice Guidance](#)

The Development Plan

[Surrey Minerals Plan Core Strategy Development Plan Document \(DPD\) 2011](#)

[Surrey Minerals Plan Site Restoration Supplementary Planning Document \(SPD\) 2011](#)

[Waverley Borough Local Plan Part 1: Strategic Policies and Sites 2018](#)

[Waverley Borough Local Plan 2002 \(saved policies\)](#)

Other Documents

Waverley Borough Council Local Development Scheme January 2020

Borehole Sites and Operations Regulations 1995

Health and Safety at Work etc Act 1974

Offshore Installations and Wells (Design and Construction etc) Regulations 1996

Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013

Environmental Permitting (England and Wales) Regulations 2016

Water Resources Act 1991

The Town and Country Planning (Environmental Impact Assessment) Regulations 2017

Europe 2020 Strategy

EU Energy Security Strategy May 2014

The Annual Energy Statement 2014

Ministerial Statement on Shale Gas 17 May 2018

Climate Change Act 2008

Climate Change Act 2008 (2050 Target Amendment) Order 2019

Surrey's Climate Change Strategy

Energy White Paper 2007 (Meeting the Energy Challenge)

Energy Act 2008

Energy Act 2011

The Carbon Plan: Delivering our Low Carbon Future December 2011

Gas Generation Strategy December 2012

Energy Security Strategy 2012

The Annual Energy Statement 2010

The Annual Energy Statement 2013

Annual Energy Statement 2014

Mineral Planning Factsheet “Onshore Oil and Gas”, British Geological Survey, April 2011
 High Court Notification (CO Ref: CO/4441/2019): Sarah Finch v Surrey County Council;
 Applications for Permission to Apply for Judicial Review 24 December 2019 (Re-served on 3
 January 2020)
 R (Heathrow Hub Ltd) v Secretary of State for Transport [2020] EWCA Civ 213 (Court of Appeal
 Decision on Heathrow Third Runway 27 February 2020)
 Airports National Policy Statement, Department for Transport, June 2018
 DfT Circular 01/2013
 Road Traffic Regulation Act 1984
 The Air Quality Strategy for England, Scotland, Wales and Northern Ireland 2007
 EU Air Quality Directive
 EU’s Habitats Directive
 Conservation of Habitats and Species Regulations 2010 (as amended)
 Wildlife and Countryside Act 1981 (as amended)
 Natural Environment and Rural Communities Act 2006
 Rights of Way Act 2000
 Land Use Planning and Development Control: Planning for Air Quality, EPUK/IAQM, 2017
 Guidance on the Assessment of Dust from Demolition and Construction, IAQM, 2014
 Design Manual for Roads and Bridges, Highways England
 British Standard 4142:2014: Methods for rating and assessing industrial and commercial sound
 Guidelines for Noise and Vibration Assessment and Control, RPS, January 2020
 Guidance Notes for the Reduction of Obtrusive Light for Residential Receptors, Institute of
 Lighting Professionals, 2011
 Waverley Strategic Flood Risk Assessment
 LFE4 - Earthworks in Landfill Engineering, Environment Agency
 Waste Framework Directive
 BS: 5837:2012 - Trees in Relation to Design, Demolition and Construction
 Planning (Listed Buildings and Conservation Areas) Act 1990
 Good Practice Advice in Planning: 2 Managing Significance in Decision-Taking in the Historic
 Environment, English Heritage
 Good Practice Advice in Planning: 3 The Setting of Heritage Assets, English Heritage
 Air Navigation Order 2016
 Guidance to Crane Operators on Aviation Lighting and Notification, CAA
 ‘Acidisation’ Factsheet, Environment Agency, January 2018
 Water Framework Directive (2000/60/EC)
 Groundwater Daughter Directive (2006/118/EC)
 Million more Homes to be Powered by Renewables; Press Release from BEIS and The Rt Hon
 Alok Sharma MP; 2 March 2020
 New plans to make UK world leader in green energy; Press Release from Prime Minister’s
 Office, 10 Downing Street, BEIS, The Rt Hon Boris Johnson MP and The Rt Hon Alok Sharma
 MP; 6 October 2020
 Environmental Sustainability Policy 2017, Surrey County Council
 Environmental Sustainability Progress and Actions 2017, Surrey County Council
 Environmental Permit Number EPR/VP3305PT, Environment Agency, 26 June 2020
 Surrey Hills AONB Areas of Search; Natural Beauty Evaluation; Hankinson Duckett Associates;
 October 2013

ANNEXES

- 1 Officer report to 29 June 2020 Planning and Regulatory Committee on application ref:
WA/2019/0796 (Item 7)
- 2 Update Sheet for Officer report to 29 June 2020 Planning and Regulatory Committee on
application ref: WA/2019/0796 (Item 7)