

JANUARY 2010 R E S P O N S E

from the

LEITH HILL ACTION GROUP

Planning Application No: SCC Ref 2008/0169/PS/MO09/0110

For construction of an exploratory oil rig on land at

Bury Hill Wood, Coldharbour Lane, Coldharbour

15th January 2010

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1.0 Introduction

The Leith Hill Action Group (LHAG) received a letter of notification from Surrey County Council (SCC) the County Planning Authority, of revisions to the planning application made by Europa Oil and Gas (the Applicant), dated 10th December 2009. The notice gives until 25th January 2010 to formally respond which was confirmed by SCC after initial confusion about the response date. This letter was sent to each member of the public who formally wrote an objection to the application at this stage some 1500 individuals.

It is important to note the time frame. The original application was advertised in February 2009 with a determination date of 18th March, the response time has been subject to flux ever since, and a Committee planning hearing date has never been set. On 30th April SCC requested the applicant to submit further information, by way of a Regulation 19 Submission. The details of the request have not been made publicly available. The applicant eventually responded to SCC in November 2009 some 6 to 7 months later. In this time the applicant had ample opportunity to address the serious concerns, raised by LHAG and many others, in our initial response date 18th April 2009. It seems completely unjustified that an applicant can have this length of time to prepare further information and for any objector or consultee only to have a period of approximately 6 weeks over Christmas/New Year to respond in detail.

In the time available we have sought expert opinion to scrutinise the response from the Applicant. Each chapter has been reviewed and a number of issues and errors along with criticism have been raised.

Statement of Intent

The position of the Leith Hill Action Group remains the same: the preferred application site is completely inappropriate as it is in the heart of an Area of Outstanding Natural Beauty of national significance due to the quality of the site.

- The alternative sites suggested by the applicant have not been studied in anything like the right level of detail, several of which would have significantly less impact on flora, fauna, residents and visitors and would not give rise to such significant traffic problems and hazards.
- The traffic and transportation amendments ignore key issues and facts and make false assumptions.
- The issues of ecology and biodiversity raised by our expert have largely been ignored or not addressed.
- The visual amenity and effect on views have focused on static views and ignored the effect of views on visitors who will wish to enjoy the visit to the forest and heath land from all locations in the AONB.
- The effects on lighting are significant not only to residents and visitors but also wildlife which make up a significant part of the diverse nature of this mini eco-system.
- The assessment of noise impacts is understated and the interpretation of relevant regulation is questionable.
- The assessment of vibration impacts is non-existent.

- The potential effects on the watercourse are serious albeit this may not affect water for human consumption but could if not controlled, monitored and tested, affect wildlife.

In summary, the applicant has had a significant period of time to address the concerns raised by LHAG and others. These concerns have not been addressed despite, one would assume, the applicant having the suitable resources to do so. This demonstrates the intent of the applicant to achieve a low cost application without consideration of irreparable damage to the environment with long term negative effects on flora and fauna, loss of amenity to a large number of visitors, traffic problems and hazards, and misery to the local community.

2.0 Response to Chapter 4 Revisions: Alternative Sites

No indication has been given by the County Planning Authority (CPA) as to the exact questions raised under Regulation 19. There is however clear indication that the Applicant was asked to review sites outside or near the boundary of the Area of Outstanding Natural Beauty (AONB) to the east of the target area.

The Leith Hill Action Group (LHAG) challenged the original assessment in that a sufficiently robust review of the alternatives to Bury Hill Wood, the Application Site, had not been undertaken in anything like the detail required for an application of such a sensitive nature. There was and still is a strong contention that the decision for selection of the Application site, Site B, by the Applicant was principally driven by commercial considerations.

The costs associated with this site in terms of drilling costs, construction works and logistics are lower than some of the other sites (from among the new sites and the original list) that would have a far less environmental impact in terms of virtually all the criteria against which a Planning Application of this type is judged. The simple fact of the matter is the CPA should not be concerned about the Applicant's costs as this is not a Planning consideration.

Turning to the new sites, the Applicant has focused his arguments on their unsuitability over Site B firstly on complexity and distance of drilling (Step Out). Long or longer reach high angle or near horizontal wells are common in onshore drilling. The key factors are weight on the drillbit and the torque/drag related to the formations. The selection of 'practical limits' for drilling are really related to the power/weight and handling capacity of the drilling unit. The "practical limits of drilling for exploratory drilling capability" (e.g. para 4.35) are no more than the practical limits of the capability of the BDF28 rig that the applicant wishes to use. If a heavier-duty rig would be required for the longer drilling reach locations outside or near the boundary of the AONB then the discussion comes down to rig availability and additional costs. Secondly, site access - in short the cost of providing civil engineering infrastructure by way of hard standing roadways to get to the development sites proposed. It is quite common in Oil and Gas applications for the Applicant to fund the roadway infrastructure to get to optimum drill sites.

Location G Henhurst Cross Lane

- Step out drilling is not an issue for the CPA, but a cost issue for the Applicant.
- A29 junction does not have severe difficulties. A temporary set of traffic signals could be installed to enable safe access and egress from the A29 to Henhurst Cross Lane. In point of fact, other utility undertakers and their civil engineering contractors have done this very recently.

Location H Jersey Farm

- Drilling costs and difficulties are not a concern of the CPA.
- Dedicated access could be constructed by the Applicant – this argument is fallacious.

Location I Beare Green West

- Drilling costs and difficulties are not a concern of the CPA.
- Dedicated access could be constructed by the Applicant – this argument is fallacious.

Location J Old Horsham Road

- Availability of larger drilling rigs in the UK is not a concern of the CPA.
- It should be noted that this site is outside the AONB and adjacent a major trunk road. With localised civil engineering works and traffic management this site could be accessed from the A24 with relative ease.

Original Site Selection Commentary

Turning to the applicant's review of the originally selected sites also included in the new Chapter 4 we have the following observations:

Applicant's Initial Survey - October 2005 – criteria not applied consistently

According to *paragraphs 4.1 and 4.2* the applicant undertook a '*robust review of alternative sites for the location of an exploratory drill site. The search criteria which informed the choice of location for assessment took into account environmental and operational constraints and the type of drilling required to access the shallow sub-surface target area*'. This review '*evaluated the 6 potential sites against a range of criteria and sieved 4 sites from any detailed assessment on the basis of poor access and adverse visual impact*'.

Paragraph 4.3 states that the range of criteria included

- *Access and highways*
- *Ecology*
- *Archaeological impact*

However, when reviewing the Applicant's assessment of the initial 6 sites (and the 'sieving' of 4 of them) it becomes apparent that the criteria which were considered include the following:

- *Historical*
- *Ecological*
- *Access*
- *Traffic management that would be required*
- *Visual impact*
- *Residential amenity*
- *Proximity of houses*
- *Countryside amenity*
- *Pruning of trees /hedgerows that would be required*
- *Alterations to traffic island (? Better title)*
- *Technical issues (and hence cost)*

All of the above are clearly of importance and merit proper consideration. Unfortunately, these criteria are not consistently applied to each of the sites as can be seen below, despite the Applicant's claim that a 'robust review' was undertaken. Reasons for dismissing 5 of the originally cited 6 sites can equally be applied to the chosen location at Site B: Bury Hill Wood. In considering Site B, the Applicant has reviewed it in the context only of its proximity to Coldharbour Village and, unlike the assessment of the other 5 sites, has not

taken into account the impact of the suggested access route, which in the case of Site B is via Knoll Road and Coldharbour Lane.

The selected site

Site B: Bury Hill Wood –which is described very briefly in six lines in paragraphs 7.3 and repeated in 4.14 (all the other sites have much fuller descriptions). *‘Access to this site is directly off Coldharbour Lane, using an entrance previously prepared by the Forestry Commission to facilitate their forestry operations. The access from the A24 uses the same route as in the previous option (described for Site A) but avoids any contact with Coldharbour Village and is surrounded by trees that provide good screening for the site. This site is the preferred option for accessibility and minimising disruption’.*

Sites which have been dismissed

Site A: Collickmoor Farm. In Paragraph 4.13 reference is made to the *‘historically and ecologically important Wolvens Lane’* and in Paragraph 7.2.1 to the *‘high adverse impact on the Coldharbour Community’*. The use of this location is considered to be environmentally unacceptable.

- Note: Access route to Site B is via Knoll Road and Coldharbour Lane. Coldharbour Lane is also of historical and ecological importance. Access via the above 2 roads would similarly have an adverse impact on the residents of Knoll Road and in houses abutting Coldharbour Lane.

Site C: Anstie Grange Lane – Betchell Green. In paragraph 7.4.1 –7.4.3 the Applicant mentions amongst other factors that access would be past the primary school and *‘traffic would have to be controlled to avoid school setting-down times’*. Reasons for dismissing this location include highway and public safety issues, and residential amenity issues.

- Note: The proposed Traffic Management Scheme required for Site B would similarly have to be controlled to avoid the school-runs to the two nearby schools. The implications of a ‘holding’ area for HGVs in Knoll Road (with 70 houses), the complications of a 4 way road junction with bad sight lines, and the consequent potential traffic hazards, would also suggest that the choice of Site B should be dismissed because of highway and public safety reasons and residential amenity reasons.

SiteD: Anstiebury Farm In paragraphs 4.16 and 4.17 this location is dismissed because of *‘the adverse visual impact of the development; the need to modify a small grass traffic island; the overhanging tree branches would have to be removed ... which would destroy the character of the lane; to remove a substantial section of hedgerow; and the proximity of homes close to the point of vehicular activity which would give rise to significant impacts on residential amenity’.*

- Note: The choice of Site B would similarly give rise to adverse visual impact for the residents of the north end of Coldharbour village and for the many visitors to the area who wish to enjoy the recreational benefits of an AONB. The Applicant’s recent Foliage Survey of trees along Coldharbour Lane has identified a number of overhanging branches that similarly would need to be cut back. The character of

Coldharbour Lane would similarly be destroyed by the volume and size of oil rig related HGVs and other traffic. This traffic and its proximity to homes in Knoll Road and Coldharbour Lane would similarly give rise to significant impacts on residential amenity.

Site E: Moorhurst Lane – Beare Green Paragraphs 4.18 and 7.6.1 mention *‘the visibility of the site with extensive views to the East and its prominent position in the landscape. Access is a major environmental obstacle to residential amenity to properties on Moorhurst Lane ... with large houses located in large gardens, and because it would disrupt the users of public footpaths’*. This location is dismissed on the grounds of access, and on residential and countryside amenity grounds.

- Note: As mentioned above, Site B also raises the issue of visibility for Coldharbour residents and for those visiting the AONB for recreational purposes. Whilst residential amenity would apparently be a problem for the residents in the large houses in Moorhurst Lane, it is apparently not a problem for residents in both large and smaller houses in Knoll Road and Coldharbour Lane if Site B were selected. Users of the many bridleways and public footpaths in the area around Site B and on either side of its access route up Coldharbour Lane would similarly be disrupted.

Site F : Nob’s Copse is described in paragraph 4.19 as *‘relatively isolated and well screened. Access might be best achieved ...off the A29 .. along Henhurst Cross Lane and then east along a private road and bridleway .. which leads directly to the site and would not need a long access road from a track. The A29 has a 20 mph speed limit at the junction with Henhurst Cross Lane... traffic would be able to turn relatively easily... but the sight lines are very poor and a banksman would be needed to guide vehicles making a blind turn. Traffic exiting from Henhurst Cross Lane onto the A29 is not a practicable proposition without traffic control’*. The Applicant also refers to the longest drilling step-out, which is cited as a technical and environmental problem. Site F is dismissed because the issue of *‘Access is heavily weighted against this location’*.

- Note: A major objection to Site F is the need for traffic control in the form of a banksman on the A29. Yet the traffic management scheme for Site B would require a minimum of 3 banksmen, unmanned traffic lights and an operative on a quad bike.
- The technical problem of a long drilling set-out is basically one of cost, which the Applicant would not have to sustain if Site B were selected.
- This location is at, not beyond, the applicant’s claimed “practical limit” for drilling with the proposed rig.
- The location is in a valley rather than on a promontory above a valley, is largely devoid of sensitive wildlife because previous land use, and is not a recognised recreational area
- The site is dismissed because it is claimed that traffic would have to use Moorhurst Lane, creating *“considerable disturbance”* (para 7.7.3 of Appendix 1 to Chapter 4) to *“high-class houses”* (para 8.2). In fact, as paras 7.7.1 and 7.7.2 make clear, a traffic control on the A29 would remove the need to use Moorhurst Lane . Thus the only remaining reason for dismissing Site F is the need for a traffic control on the A29. The highways impact of this should be assessed against the impact of the proposed traffic management scheme in Dorking and Coldharbour Lane.

Conclusion

LHAG does not consider the Applicant has carried out a robust review of the alternative sites, in particular the sites to the far east of the AONB and outside the AONB. Their argument is still cost based and does not consider the environmental impacts on Bury Hill Wood that far outweigh the commercial considerations of the Applicant.

By the Applicant's own admission, extraction will be considered on the above sites to the east of the AONB. Therefore, exploration should also be considered and adopted.

Or should we be concerned that if the application is granted for the Bury Hill Wood site and if exploration is successful then an application for Appraisal and Production will follow for Bury Hill Wood, contradicting the applicant's public statements. *Appendix 2* to the new Chapter 4 arguably lays the footings for such an argument.

We recognise that changing the application site would obviously mean a new application again at some considerable cost to the applicant. But perhaps the applicant should have considered undertaking proper local consultation before making this Planning Application.

3.0 Response to Chapter 7 Revisions: Traffic and Transportation and the appendix on Traffic Management Scheme

1. Characteristics of Coldharbour Lane

- **Inappropriate for HGVs**
- **Lack of Lay-Bys / Category A passing places**
- **Poor state of repair**

2. Safety of Pedestrians

- **Hazardous section at junction of Coldharbour Lane, Knoll Road and Ridgeway Road**
- **Hazard for Coldharbour Lane residents in the designated Section 1**

3. Traffic Surveys are a misleading basis on which to judge the potential impact of oil-rig related traffic

- **Traffic surveys undertaken**
- **Unrepresentative of typical current traffic conditions**
- **Questionable basis for calculating the impact and need for mitigation**

4. Confusion over HGV Delivery Hours and problems of Road Closure

- **Confusion over HGV Delivery Hours**
- **Problems of Road Closure**

5. Proposed Traffic Management Scheme

- **Number of Controls required**
- **Lack of Clarity regarding the Controls**
- **Extensive Problem for Operator based at Knoll Road**
- **Traffic Lights near the Travellers' Site**
- **Prohibition on Residential and Public Parking in Knoll Road**
- **Effect on Knoll Road Residents**
- **Rifle Range and Chadhurst Residents**
- **Logmore Lane Junction**
- **Route through Section 4 to the Proposed Site**
- **Prohibition on Parking on both sides near the Proposed Site**
- **Northbound Route through Section 4**
- **Northern end of Coldharbour Lane approaching junction with A25**
- **Unacceptable delays for Emergency Vehicles**
- **Summary**

1. Characteristics of Coldharbour Lane

Inappropriate for HGVs

In the introductory section (*paragraph 7.35 and 7.37*) the Applicant states '*It is clear ... there are a number of problems associated with the local highway network ... with steep gradients and narrow country lanes.*' '*The blind and sharp corners on the hill make such a route totally inappropriate for articulated heavy goods vehicles*'. This description by the Applicant actually relates to the road leading south from the proposed site for the oil rig, but in essence could be used to describe the selected route to the north, which is only marginally less inappropriate for articulated HGVs than the southern route.

Coldharbour Lane, formerly an ancient track used by sheep drovers, is narrow, winding, with several blind bends, a blind summit in one section, in places deeply recessed below adjacent banks and very steep. The road widths vary from 3.69 metres to the widest point of 5.85 metres. In some parts extreme care is needed for two cars to pass one another at walking pace.

Road Widths

The Design Bulletin's definition of road widths, quoted by the Applicant, states that Category A (suitable for 2 HGVs to pass one another) relates to widths greater than 5.5 metres. Category B (suitable for an HGV and a car to pass) relates to widths of 4.8 to 5.5 metres. Category C (suitable for 2 cars to pass) is less than 4.8 metres.

The Applicant makes the confident assertion (*para 7.4.9 in the appendix*) that '*cars and HGVs can pass each other for 70% of the road length*' of Coldharbour Lane. This is far from accurate. Taking the road widths supplied by the Applicant in *Figure 5.3* it is apparent that only 58% of the Lane measures over 4.8 metres (the minimum width necessary for an HGV to pass a car), and within this percentage about 8% is only just over the minimum width (i.e. from 4.81 – 4.86 metres). Furthermore, ease of passage is further restricted by the numerous deep ruts at the side of the Lane. A more realistic claim would be only 50% of the route would enable an HGV and car to pass without slowing down to walking pace.

Lack of Lay-Bys /Category A passing places

Reference is made by the Applicant (*paragraph 7.4.29*) to lay-bys in Coldharbour Lane into which a convoy of heavily-laden HGVs could be directed, thereby permitting the passage of emergency vehicles needing to access Coldharbour or houses en route to the village. A map of Coldharbour Lane reveals that, over the 2.4 mile journey up to the proposed oil rig site, there are 3 lay-bys where an emergency vehicle could pass one, or possibly 2 HGVs, not a convoy of 3. These lay-bys are located at 0.2 miles, 1.75 miles and 2.2 miles from the beginning of the route up Coldharbour Lane. An emergency vehicle might have to trail behind a convoy of heavily laden HGVs for ½ mile to 1 ½ miles (depending on the section of the route) before such an opportunity became available. Particularly as there would be no chance of overtaking a convoy of 3 HGVs, such a situation would be untenable. (See also the section below concerning the proposed Traffic Management Scheme).

If the application were approved, there would need to be a general prohibition of public parking in these 'lay-bys', which are normally used as car parks during the day by people who are strolling along the adjacent public footpaths/ walking their dogs/ unloading their off-road cycles.

Poor State of Repair

In *paragraph 7.118* the Applicant states that Coldharbour Lane's 'road surface was generally in good condition with some specific areas needing repair of previous patches, thus indicating that the road was stable and suitable for carrying its present traffic which includes HGV traffic. Road edges were breaking away in some places and potholes have formed adjacent to the road, stressing the need to avoid over-running'. Such a statement is self-contradictory. Patches needing repair, broken road edges and potholes are not indicative of a good condition. This state of ill-repair could only be exacerbated by the impact of an additional 1054 HGV movements and 1088 movements of vans and other oil rig related traffic.

Further comment on this topic is included at Appendix 1 and brings together comment on related issues concerning the application.

2. Safety of Pedestrians

The Applicant claims that '*the safety of Non-Vehicular Traffic* (which includes pedestrians) *will be enhanced by the traffic management scheme*' (*paragraph 7.155*). Whilst it may well be true that some form of slowing down HGV and related oil rig traffic is better than not giving free rein to such a significant increase in volume over the route, it must be obvious that the issue of road safety for pedestrians should be addressed by not approving the development in the first place.

It is arguable that there would not be any slowing down of any vehicles as by the applicant's own admission observed road speeds are nearly 30% slower than the speed limit. In this case there would be a net reduction in safety due to the higher numbers of wide vehicles.

Hazardous Section by the Coldharbour Lane, Knoll Road and Ridgeway Road junction

The Applicant has not put forward a workable scheme to eliminate serious road hazards at the junction of Coldharbour Lane with Ridgeway Road and Knoll Road, where there is a planned 'holding area' for oil rig related HGVs.

There are significant numbers of pedestrians including schoolchildren, mothers with babies and toddlers, dog walkers, and elderly residents from Pickering House, who walk along Ridgeway Road and turn north into Coldharbour Lane to access two nearby schools, the Nower (a public open space adjacent to Coldharbour Lane some 100 metres to the north of this junction) or Dorking town. Many of these pedestrians do not restrict their walking activities to before 0730 - the time when HGVs would start delivering (according to *paragraph 7.134*) or even before 0930 (*paragraph 7.141*). Neither do they normally defer their walking until after 1800 hours or 1500 hours – the times variously stated in the above paragraphs.

To access Coldharbour Lane from Ridgeway Road they need to cross over Knoll Road and in so doing they need to look in 3 directions to view any approaching traffic. They need to look to the east (along Knoll Road), to the south (along Coldharbour Lane where sight-lines are obstructed by a bend in the road), and to the north (along Coldharbour Lane where sight-lines are also compromised by a bend).

This is already a dangerous junction which would be made significantly worse by pedestrians having to cross in front of waiting HGVs at the western end of Knoll Road, or pass behind them whilst looking out for HGVs in convoy turning into Knoll Road from a northward journey along Coldharbour Lane. Cars and other traffic driving up Coldharbour Lane from Dorking and wanting to make the difficult turn into Ridgeway Road (i.e. half left into Knoll Road and immediately right into Ridgeway Road across the oncoming Knoll Road traffic) would compound the extremely hazardous nature of this junction if HGVs are being 'held' at this point.

Hazard for Coldharbour Lane residents in the designated 'Section 1'

The area of Coldharbour Lane which commences a few metres from the above junction (Section 1 : 0.1 – 0.35 miles on the Applicant's plan) also constitutes a hazard for pedestrians. Residents who live in the 7 dwellings which abut this section at the northern end of Coldharbour Lane, and who want to walk into Dorking or visit houses in nearby residential roads such as Knoll Road or Ridgeway Road, have no choice but to walk along this very narrow section of Coldharbour Lane, bounded by a stone wall on one side and a raised bank on the other, with no verges, and with restricted sight because of the sharp bend. Allotment holders have a similar problem if they approach the large adjacent allotment area on foot. The consequent hazards for pedestrians having to encounter a convoy of 3 HGVs pulling round this bend should be taken into serious consideration.

3. Traffic Surveys undertaken are a misleading basis on which to judge the potential impact of oil rig-related traffic

Traffic Surveys undertaken

21.9.06 a Traffic Survey was undertaken by Bellamy Roberts lasting for a 12 hour period at 2 points: the north end of Coldharbour Lane at the junction with Knoll Road and Ridgeway Road; and just to the south of the projected site at the junction of Coldharbour Lane, Anstie Lane and Abinger Road.

22.05.07 to 28.05.07 a traffic volume survey using automated traffic counters (ATC) was undertaken by 'Count On Us', at 8 locations along the projected route over a 6 day period including a Whitsun Bank Holiday. Figures from this census include traffic along Coldharbour Lane and Knoll Road recorded over a 12 hour period from 0700 –1900 averaged over 4 weekdays.

2.06.09 a Census of Cyclists was taken along Coldharbour Lane lasting for 6 hours

2.06.09 a Pedestrian Census was taken along Coldharbour Lane lasting for 6 hours

14.10.09 a survey of cyclists was undertaken over a 5 ½ hour period at the site of Robbing Gate.

Unrepresentative of typical current traffic conditions

Four of the five above surveys were undertaken over very short periods; whether or not they can be taken as sufficiently representative of a typical situation is therefore questionable. The ATC survey undertaken by Count on Us in May 2007, does extend over a longer period. However it took place when the Sandy Cross Residential Home was being completely re-built as Pickering House (a home for 20 residents), and the adjacent Harmsworth House

(comprising 5 flats) was being totally refurbished. The survey is therefore unrepresentative of typical current traffic conditions in the area in 2010.

To use the data from the ATC survey as a comparator base-line for the impact of additional oil rig- related traffic is therefore extremely misleading. In addition, ATCs are notoriously unreliable. They use pneumatic tubes across the road to detect vehicles and, by measuring pulses of air from the two tubes, can calculate the type of vehicle (by its length) and its speed. This is prone to error as vehicles close to each other, or passing in opposite directions, generates pulses that can be interpreted either as two vehicles or as a longer single vehicle. The Applicant must therefore recognise that the data have inherent built- in errors and an error range to the data should therefore have been acknowledged. No doubt the results have been interpreted as best suits the Applicant. However, it must be recognised that others may legitimately interpret the data differently, resulting in a different conclusion. The increase in HGV traffic may be even more than the 300% and 400% quoted.

Included in the application are tables showing the projected Percentage Change of Daily Vehicular & HGV Movements

Table 7.2 During Site Construction Phase

Table 7.4 During Initial Start-up of Oil Rig

Table 7.5 During Operational period

which amongst other figures show ‘Baseline’ HGVs going eastbound and westbound along Knoll Road, and northbound and southbound along Coldharbour Lane.

The additional oil rig-related HGVs are shown, and the % changes are given. These vary from *additional traffic of 90.1% to 333 %* during the Site Construction Phase; *from 109.1% – 400%* during the Initial Start-Up Phase; and *from 54.5% – 200%* during the Operational Period.

Whilst the Applicant acknowledges that *‘the increase in HGV flows is significantly increased’*, the implication is that this is not a problem (for residents living along Knoll Road and Coldharbour Lane, or for the public users of Coldharbour Lane) as *‘this traffic will be generated over a very short time scale of 6 weeks (paragraph 7.138)’*. A period of 6 weeks in which HGV traffic has increased by up to 400% would in any case be of great significance. But the % increase over current traffic volume of HGVs would in fact be far greater than that, bearing in mind that the data were recorded during the Pickering House construction and cannot claim to represent typical current volumes.

Support for the contention that the data do not truly reflect the current traffic situation is provided in *Paragraph 7.66* where the Applicant refers to 22 HGV rigid body & articulated vehicles passing the traffic counter point in May 2007 at the northern end of Coldharbour Lane, *‘6 of which travelled beyond the development site (Pickering House) to Coldharbour’*; i.e. 16 to Pickering House during its development, only 6 up towards Coldharbour.

Questionable basis for calculating Impact and the need for mitigation

The ATC data of May 2007 are used as a basis on which to calculate the predicted effects, magnitude and significance of the proposed oil rig development, and in particular the effect

on noise and dust, accidents and safety, severance and driver delay, and as a basis for the calculation on the need (or not) to mitigate such effects.

The guidelines of the Institute of Environmental Management and Assessment (IEMA) state that locations including hospitals and community centres (such as Pickering House) should be classified as receptors of ‘medium sensitivity’.

Also stated is the need to factor in ‘*the magnitude of the effect ...to be defined by the detail of vehicular traffic flows, including HGV flows*’. A ‘large’ magnitude is defined as one which creates ‘*a significant deterioration in local conditions*’. It is submitted that if the oil rig development were to proceed, the consequent increase in HGV and related traffic could indeed be classed as ‘large’, as it would give rise to a significant deterioration in local conditions for the 30 or so residents of Pickering House and Harmsworth House, as well as for the 200 or so residents in Knoll Road and those living adjacent to Coldharbour Lane.

In Table 7.6 the Applicant summarises the ‘*Impact of the Operational Phase on Environmental Effects*’, and concludes that for all categories the effects are ‘*minor*’ or ‘*insignificant*’. However, paragraph 7.128, which classifies the Significance of Effects, states that the description of ‘*major*’ can be applied to the following: ‘*ranging from a small magnitude of effect on a receptor of high sensitivity to a large magnitude of effect on a receptor of low sensitivity*’. In this instance there would be a receptor of medium sensitivity and a large magnitude of effect, equating to a major significance of effects.

Finally, the Applicant seems unaware that the ‘residential development’ was completed by September 2007 when Pickering House opened its doors to new residents. (Paragraph 7.42 refers to ‘residential development currently in the course of construction..... making active traffic control desirable’).

4. Confusion about HGV Delivery Hours and Problems of Road Closure

HGV Delivery Hours

There is confusion in the Applicant’s report concerning the hours during which site-related HGVs would travel. At paragraph 7.141 there is a proposal that during the construction phase all site HGV traffic would be instructed to make deliveries between 0930 and 1500 hours during weekdays. However, paragraph 7.134 states that HGV deliveries would occur between 0730 and 1800 hours on Mondays to Fridays, and between 0730 and 1300 hours on Saturdays – a 5 hour variance on weekdays and an extra 6 hours on Saturdays!

Road Closures

During the transportation of the drilling rig, to and from the site, the proposal (paragraph 7.4.24 of the appendix) is to close the route to the potential oil rig site for 3 days on each occasion. Presumably this would apply to Knoll Road as well as the route up Coldharbour Lane, though this is unspecified. The proposed road closures would last from 0900 – 1800 hours thereby ‘allowing commuters and school children to reach their destinations and re-opening by the time that commuters come home’. No indication is provided as to what the schoolchildren would do for the 2 ½ hours after the school day finishes at 1530 hours until the road is reopened at 1800 hours.

The Applicant states that the closure of Coldharbour Lane ‘*would most affect the residents of Coldharbour who wished to drive into Dorking*’, and suggests lengthy alternative routes via

Abinger and the A25, or the A29 and A24. Unhappily for those residents who live in the 17 or so houses which abut Coldharbour Lane (and who have no other means of egress) there would be no alternative route to travel to work if their jobs occur at times which vary from the normal working day, neither would they be able to attend medical appointments or purchase food during the 9 hour closures. Walking into Dorking would not be a viable option as there are no continuous pavements beside Coldharbour Lane and the projected oil rig-traffic would present totally unacceptable hazards for pedestrians.

The effect of the proposed ‘severance’ on the Coldharbour Lane residents and pedestrians is classified in *Table 7.8* as ‘*insignificant*’: a claim which can only be assessed as ludicrous.

5. Proposed Traffic Management Scheme

Number of Controls required

In dismissing one of the alternative potential sites for the oil rig (Site F), the Applicant states one of the reasons is that ‘*a banksman would be needed to guide vehicles making a blind turn ... Access is not a practicable proposition without traffic control*’.

However, in selecting Site B as being an apparently suitable site, there is a proposal for 3 banksmen each with stop/go boards, a set of unmanned traffic lights, plus an escorting operative in a van or quad bike: a significantly more extensive system than would be necessary for Site F. (Below are cited reasons that up to 6 banksmen would be required to provide adequate safety measures).

Lack of clarity regarding the controls

The proposal for the Traffic Management Scheme (*Figure 5.3A and paragraphs 7.4.6 to 7.4.21*) is not easy to understand on first reading, lacks sufficient detail, and contains a number of broad assertions which cannot be validated.

Paragraph 7.4.6 states that: ‘*the primary objective of traffic control would be to avoid conflict between HGV traffic generated by the proposed drilling site and other HGV traffic travelling to and from Coldharbour*’. Whilst this highlights potential problems of HGVs meeting in Coldharbour Lane, it ignores the potential for ‘conflict’ between HGVs and normal traffic (the Applicant later mentions a traffic survey which revealed 20 cars per hour in each direction). The Applicant also overlooks the additional potential ‘conflict’ caused by LGVs and other oil rig-associated traffic (constituting a similar volume of traffic to the HGVs). The omitted reference to other traffic is indicative of the lack of overall attention to detail.

Paragraph 7.4.11 states that Sections 1, 3 and 4 of the proposed route along Coldharbour Lane ‘*are considered to require active management*’. In fact Section 2 is only 0.4 miles in length, so that in actuality 2/3 of the route along Coldharbour Lane would need managing. This is a requirement for significantly more ‘traffic management’ than would be needed if Site F were adopted.

This paragraph continues ‘*each section (will be) controlled autonomously but also coordinated with the adjacent sections, the drilling site and the holding point in Knoll Road*’. It is difficult to understand how an ‘autonomous’ (i.e. self-governed section) - presumably the unmanned traffic lights on a time-programmed set-up - can be ‘coordinated’ with the

other sections /points mentioned, when the decisions at the other points will of necessity be determined by the unpredictable and changing volume and type of traffic.

Extensive problems for Operator based at Knoll Road

Paragraph 7.4.11 continues that 'this would require an operator in overall control, perhaps based at Knoll Road'. Appendix 7.4 provides instructions to the Knoll Road traffic controller which can only be described as minimal and ill-thought out. His role is 'to control traffic to avoid site traffic meeting other vehicles south of Knoll Road. Co-ordinate constantly with other controllers to minimise delays to all traffic'. His mode of operation is '1. Hold HGV traffic at designated space in Knoll Road. 2. When 3 HGVs are in stack, inform Site Operator and Logmore Lane Operator of HGVs arrival. 3. Upon confirmation to proceed, send 3 HGVs to site. 4. If other Controllers warn of HGVs approaching Knoll Road from site, hold HGVs until approaching HGVs have passed'.

The problem with basing an operator at Knoll Road is where precisely he would stand. Being a 4-way junction where 3 roads meet (Knoll Road, Ridgeway Road and Coldharbour Lane going north and south), it is a complicated and potentially dangerous junction with bad sight lines and traffic turning across the lanes of oncoming traffic. Traffic travelling from the north has the option to continue south or to turn east into Knoll Road or south east into Ridgeway Road. Traffic travelling from the south has the option to continue north, or to turn east or south east. Traffic travelling along Knoll Road from the east has the option to turn to the north, south or south-east.

If the operator stood in Knoll Road itself, he would be able to view oil rig- related HGVs and other site traffic, plus 'normal' traffic on their approach up Knoll Road. This would be necessary as the plan is for the HGVs to be marshalled into a 'holding' area. The Applicant has not indicated the precise location of this 'holding' area, but presumably it would be near to the western end of Knoll Road, on a steep incline before the acute corner with Ridgeway Road. Presumably other traffic would also need to be under his control to prevent cars overtaking the marshalled HGVs and heading into oncoming traffic.

If located in such a position in Knoll Road, the banksman would be unable to see the volume of southbound traffic approaching along Coldharbour Lane towards the 4 way junction. The location of the first set of traffic lights is proposed for 0.25 miles south of the junction, about 100 yards past the first blind bend of this stretch of Coldharbour Lane. Any build up of traffic would present a difficulty as this stretch of road is bounded by a masonry wall on one side and a high bank on the other and is only 4.85 metres wide. It is here that the Applicant states in *paragraph 7.4.13 that 'there is sufficient room ... for an HGV and a car to pass'*. Whilst a width of 4.85 metres (just) falls into Category B – suitable for an HGV and a car to pass one another - in practice the area for manoeuvre is limited by the wall and bank on either side and would be extremely hazardous so close to this 4-way junction.

The banksman in Knoll Road would also be unable to see the traffic travelling northwards from the unmanned traffic lights, round the blind bend, and would only be able to predict at the last moment whether this traffic was going to turn east into Knoll Road or into Ridgeway Road, across the path of the HGVs which he was authorising to proceed.

In summary, the problems associated with a holding area of HGVs near this dangerous junction, combined with unmanned traffic lights located close to a blind and narrow bend,

and the potential build up of non-related oil rig traffic would require that probably 2 banksmen be continuously on duty at this junction, plus another banksmen at the southern end of the nearby traffic lights (see below) throughout the times scheduled for oil rig related deliveries.

Traffic Lights near the Travellers' Site

The only vehicular access available to the inhabitants of Brambledown Travellers' site and the many holders of the Allotments to the east of Coldharbour Lane, plus the residents of 4 dwellings making up the complex round Home Farm to the west, is from Coldharbour Lane in the middle of the proposed section of traffic lights. Unless the lights are fixed to operate on a 3 or 4 way system these people will be unable to exit safely from these locations.

Prohibition on Residential and Public Parking in Knoll Road

The potential congestion arising from road-side parking (see *Appendix 7.2, Site Photograph 1*), combined with the heavy increase in traffic and the proposed HGV 'holding' area would require a prohibition on residential and public parking in the western part of Knoll Road, were the proposed oil rig development to gain approval. The extent of this prohibition along Knoll Road to the east would depend on an assessment of the number of HGVs assembled in the 'holding' area at any one time.

Effects on Knoll Road Residents

The Applicant at first acknowledges in *paragraph 7.139* that the effect of severance on Knoll Road residents during site construction could be classified as 'major'. However, according to the Applicant, in *paragraph 7.142*, because of restrictions imposed on HGVs by the traffic management scheme the effect would in fact become 'minor'. Likewise, according to *paragraphs 7.145, 7.147 and 7.151* Knoll Road residents will only experience 'insignificant' effects in terms of noise, driver delay and accidents and safety. If the HGVs are stationed in convoys outside their homes with engines revving and barring access to their drives, the residents of the 70 houses in Knoll Road will profoundly disagree with these assumptions.

Rifle Range and Chadhurst residents

Paragraph 7.4.14 refers to a 'pinch point' in Section 2, 'which is considered to be so localised and with adequate sight lines that it does not need active traffic management'. The pinch point at the start of Section 2 near Chadhurst Cottages is 4.5 metres wide and is located just before the gradient of Coldharbour Lane starts to become very steep.

Users of the Rifle Range (sited adjacent to Coldharbour Lane on the east) park their cars on the verges at this point. It is also close to the lane to Chadhurst Farm and associated houses whose inhabitants already have difficulty in exiting because of poor sight lines onto Coldharbour Lane at a point where traffic heading north travels down the steep gradient. It is highly questionable that this stretch does not need active traffic management. Convoys of HGVs coming down the hill plus 'normal' traffic would suggest that another banksmen would need to be in attendance during delivery hours. If permission were granted for the oil rig development there would also need to be prohibition on the Rifle Range users parking their cars at this point.

Logmore Lane junction

Paragraph 7.4.15 states that ‘ the stone lorries would be held at the Logmore Lane junction by a second banksman ... and the road width is sufficient to allow vehicles to pass without the need to construct a new passing place’. According to measurements provided by the Applicant, the width of Coldharbour Lane at the north side of the Logmore Lane junction is 4.2 metres – a Category C section only suitable for 2 cars to pass. It is also extremely steep, with high sided banks, and would be far from ideal for HGVs to be waiting in convoy. To the south after a stretch of about 5 metres the road widens to 4.88 metres, just falling into Category B – suitable for an HGV to pass a car, although it continues to be very steep. Logmore Lane itself is extremely narrow being only 3.07 metres wide within 5 metres of its junction with Coldharbour Lane, which it joins at an acute angle. In no way can this be described as a suitable area for HGVs to manoeuvre past one another. The Applicant does not refer to other traffic that would be affected by this control at Logmore Lane. Oil rig– related LGVs and cars, and ‘normal’ traffic would also have to queue in this steep and narrow area.

Route through section 4 to the proposed site

This section of the route (0.6 miles) is almost entirely a Category C stretch. *Paragraphs 7.4.16 and 7.4.17 state that the lorries would be escorted through this section by quad bikes up to the site entrance where a 3rd banksman would stand with stop /go boards. Paragraph 7.4.18 refers to the possibility of the entrance to the oil rig site becoming blocked (presumably with unloading or turning HGVs), and states that ‘the lorries can be adequately accommodated within the Forestry Commission entrance at the opposite side of the road’.*

Prohibition on car parking on both sides near the proposed site

If the oil rig development were approved, there would need to be a prohibition order on public parking on both sides of the road at this point. The entrances to both sides are currently used on a frequent basis for car parking by dog walkers, off-road cyclists and others using the footpaths and tracks. Space for parking or turning HGVs would not be available unless such an order were implemented.

Northbound route through section 4

The Applicant makes no reference to ‘normal’ traffic travelling north from Coldharbour, but it is assumed that this would be required to join the convoys of returning HGVs and associated traffic as the latter leave the oil rig site. The northbound traffic to the Logmore Lane site would be accompanied by a quad bike operator, once the banksman at Logmore Lane had communicated that he had halted all southbound traffic. The problem remains as to how the northbound traffic would pass the marshalled southbound traffic in the narrow confines by Logmore Lane.

Northern end of Coldharbour Lane approaching junction with A25

Paragraph 7.4.19 states that ‘No HGV traffic would be allowed to proceed towards Dorking along Coldharbour Lane beyond the Knoll Road junction’. What the Applicant does not address in respect of this stretch of Coldharbour Lane is the impact that the unmanned traffic lights, together with the batches of HGV convoys proceeding from/towards Knoll Road, would have on the ‘normal’ traffic travelling south from Dorking towards Coldharbour or towards Knoll Road and Ridgeway Road.

This part of Coldharbour Lane has a traffic calming pinch point: a ‘Give Way’ 1-way section next to the Nower (a public open space) and close to an Old People’s Home. There are 2

residential roads to the east and one to the west leading to two schools and other residential roads. As Coldharbour Lane approaches the one way system of the A25 it becomes very narrow with high walls on either side. Traffic is extremely congested in this area and whilst the Applicant states that oil rig related traffic would avoid the morning school run and peak rush hour, the 'normal' traffic during the day would be significantly affected by any stationary tail-back from the traffic lights and Knoll Road HGV convoys.

Although the Applicant states (*Paragraph 7.4.7*) that '*the potential delay would be 5 minutes for the HGV and up to ten minutes for traffic halted at the opposite end of the road*' it is difficult to square this with reality.

A saloon car takes 5 minutes to drive from the Knoll Road junction to the proposed oil rig site. A heavily laden HGV, without experiencing any delays, would be likely to take 7 ½ minutes. Traffic held at the northernmost traffic lights would have to wait a minimum of 15 minutes for southbound and then northbound HGVs to proceed, even without taking into consideration the delays caused by the queues at the Logmore Lane junction, or (as the Applicant states in *paragraph 7.10.7*) '*considerable delays .. when drivers are unwilling or unable to reverse to a wider part of the road to allow other vehicles to pass*'.

It is highly probable that such a tailback from the 'traffic management' at the Coldharbour Lane/ Knoll Road/ Ridgeway Road junction would have an effect on the gyratory system round the south west of Dorking, which includes Vincent Lane, West Street and South Street (being part of the A25), and knock-on effects into Dorking High Street. This gyratory system is already prone to grid-lock on many occasions, to the extreme annoyance of Dorking shopkeepers, other businesses, local residents and passing traffic using the A25 as a through-route.

Unacceptable delays for Emergency Vehicles

The Applicant seeks to allay concerns about emergency services not being able to reach Coldharbour whilst the traffic management scheme is being operated. In *paragraph 7.4.29* there is a statement that '*emergency vehicles will not be restricted.... If there is a large vehicle on the road it can move into a lay-by... to allow the emergency vehicle to pass*'. There are only 3 lay-bys, two of which are respectively 1 ½ miles and ½ mile apart (see section above –Characteristics of Coldharbour Lane). The prospect of an emergency vehicle having to wait behind a convoy of slow-moving heavily laden HGVs for up to 1 ½ a miles until a lay-by occurs (which would accommodate at most 2 HGVs) is a totally unacceptable hazard, and the Planning Committee is asked to reject this out of hand.

Summary

If the oil rig application were to be approved, it would be in the knowledge that it would lead to significant road safety hazards, cause major and unacceptable effects on Coldharbour Lane and Knoll Road residents, and would give rise to unacceptable delays on 'normal' traffic in the vicinity. A review by a local Civil Engineer Mr Peter J Tindall BSc MSc CEng MICE FIHT FIAT is at Appendix 1 of this document: Analysis of the Impact of the Applicant's Vehicles on Coldharbour Lane.

4.0 Response to Chapter 8 Revisions: Ecology and Biodiversity

As with LHAG's initial response Verdant Ecology, Land Management Services has reviewed the updated ecology work contained in Chapter 8 Ecology and Biodiversity Nov 09 (16539/A5/P1/SK/CMG) and Supplementary Ecological Information (JPP2300-R-001b), both by RPS.

From the content of these documents, it seems that;

- either Appendix 2 of LHAG's Response dated 18th April 2009 failed to reach the relevant parties (the local authority's and/or the applicant's ecological advisors);
- or the comments within the Appendix have been disregarded.

Consequently, most of the contents of the Appendix remain pertinent and the inadequacies in the applicant's ecology work to date should still be considered substantial enough to prevent an informed decision as dictated by paras. 98 and 99 of ODPM/DEFRA, 2005 and DETR 2006.

Verdant Ecology can provide dozens of reasons for refusal of planning (some of which are within Appendix 2) but they suggest that the most significant oversights are;

- 1) No BS5837 (Trees in Relation to Construction) based work has been conducted.
- 2) Only trees that are actually within the site have been considered for bat roost potential. Indirect impacts (e.g. light pollution, noise, vibration) on any roosts that might exist in trees adjacent to the development site have thus not been considered.
- 3) No survey work for great crested newts has been conducted. The applicant's ecologists assert that none is needed because;
 - no local records for GCN were 'supplied' (8.97 in Chapter 8). This assertion is misguided because a simple check on the National Biodiversity Network 'Gateway' (a publicly available data set), reveals local records of GCN from 1988/9 'surrounding' the site.
 - there are no ponds shown on OS maps near the site. This assertion is also misguided because studies of OS maps is no substitute for 'ground-truthing'. This is demonstrated by the fact that the applicant's plans of the development clearly show a pond approximately 100m to the south of the site.
- 4) The dormouse survey is completely inadequate (for a number of reasons, some of which are outlined in Appendix 2), when compared to the guidelines provided by the Dormouse Conservation Handbook (Bright *et al* 2006). The assertion that no survey of much of the area is needed because the habitat is sub-optimal is, in Verdant's opinion, unprofessional and negligent. Verdant's opinion is reinforced by the above mentioned guidelines and many recent cases of dormice using conifer woodlands, including in Surrey.
- 5) Badger surveys have not covered an adequate area. A 30m buffer zone is not adequate and is probably a misinterpretation of outdated guidelines.

The ecology update surveys of 2009 are generally a repeat or update of the old work and thus compounds the existing inadequacies and fails to address the gaps in ecological knowledge about the area that were highlighted in *Appendix 2*.

The new work on the impacts of large vehicles on Coldhabour Lane is risible. Mainly because there is no consideration of;

- wildlife adjacent to the road (a buffer zone).
- indirect impacts on wildlife (e.g. pollution, vibration, noise).
- factors such as the length of vehicles or oncoming traffic.

5.0 Response to Chapter 9 Revisions: Effects on Visual Amenity

Whilst on the face of it the revised section of the applicant's document seems more robust in its analysis and reference, however there are key areas that are challengeable.

At the core of the applicant's conclusions and their case are the photo images and the positions from which these have been taken. These images are "*intended to illustrate views*" and "*predicted appearance*". We must question are there sufficient views, how real are they and how can they be tested? We do not believe that there are enough views and question whether these are good enough for something so sensitive, this is for SCC's Planning lawyers to determine.

There is also the issue of night views. No assessment on visual amenity has been considered at night time in this intrinsically dark area.

In addition, the photos were taken in September and therefore the seasonal impact on these images will be significant, depending on when the work is to be undertaken.

The study, significantly also fails to take into consideration visitors to Leith Hill, and the AONB who visit the location for its unspoilt nature and who are not seeking fixed point views but constantly moving panoramas as they hike around the hill and surrounding landscape.

The references used to draw the matrix of conclusions relies to a large degree upon subjective matters, and in an attempt to measure impact nowhere does the applicant refer to the natural observers instinct to spot something out of context in both landscape and skyline.

They also draw all conclusions in relation to "*long term visual impact*" and suggest that "*due to the short term and temporary nature of the rig's presence in views, the effect of the drilling rig would be not significant*". In stating this so strongly, surely there is an implied impact in the short term, this show also be tested by SCC's Legal Advisors.

All visual impact is focused upon the drilling tower and it being temporary. The Applicant has not addressed the visual impact on Coldharbour Lane as trees and foliage are cut back, the banks destroyed and it suffering serious demolishment, and in particular the view of travellers heading up the lane to the village. This has the potential to be more permanent. Whilst this may be touched on in the traffic and transport section the impact of this merits discussion in the wider context of visual amenity or significant loss of this amenity.

In conclusion, the study is rather dismissive and tries to measure something that is very difficult to measure. However as has been stressed before, the area is a prime unspoilt location that provides great quality by way of its elevated views. These will be severely impacted by this application if it were granted consent.

LHAG requested a second opinion on this matter from a practicing Architect who has many years experience making Planning Applications and is a local resident, his views are at Appendix 2:

6.0 Response to Chapter 10 Revisions: Lighting

It is clear that the revised Chapter has not addressed the concerns raised by LHAG in their earlier objection dated 18th April 2009. Equally it is clear from our observations below that the impact of lighting on this *intrinsicly dark landscape* is not 'minor' as claimed by the Applicant.

The assessment of impact on wildlife and adjacent woodland, which is much closer than human habitation, has been dealt with in a cursory manner in *Chapter 8* at paragraphs 8.188, 8.226-8, 8.258 and 8.276 despite claims in this Chapter that the impact on wildlife is fully addressed. Pipistrelle Bats nest within 800m of the proposed development site and have been observed flying over it.

The Applicant has made no attempt to consider the impact of lighting on the vertical plane, only the horizontal plane. This should have been done in accordance with the current guidelines. Importantly, this will have a damaging effect on the surrounding woodland and affect wildlife receptors, in particular protected nocturnal species such as badgers, bats and other nocturnal feeders like owls, all of which have been observed in the area. At *paragraph 10.80* the Applicant lists out the lighting levels in lux for various parts of the site. These are high levels of light to be tolerated in a Zone E1 *intrinsicly dark area*. These are also horizontal plane values. At the same point the vertical plane would be typically 50% of these values. CIE 150 recommends the vertical plane illumination should not exceed 2 lux in Zone E1

The analysis and choice of light fittings show upward light ratios are in places significant and exceed E1 zone limit of 0%. This will have an effect on feeding bats flying over the area.

The analysis does not support some of the claims made in the report which should be examined closely by the CPA's ecologist and lighting engineers for example:

- At paragraph 10.92 '*Light spill should not extend a significant distance beyond the site boundary.*' It will certainly penetrate the adjacent woodland. This statement is not justified in the calculations provided.
- At paragraph 10.97 '*Light fittings will be designed to allow minimal upward light loss calculated at 0.15 upward light ratio (UWLR), not quite conforming to the E1 Environmental Zone standard for sky glow of 0 UWLR, CIE 126, (1997) however this is not considered significant and is in accordance with best available technology.*' The word 'quite' should be omitted here - it does not conform - the CIE 150 Zone E1 limit is 0% UWLR.
- At paragraph 10.113 '*Light spill will not extend a significant distance from the site boundary.*'.. This is not proven by the calculations.
- At paragraph 10.107 '*The assumption built into the model (see Appendix 10.2) included that all lighting equipment is mounted horizontally and was designed with a 0 degree tilt angle except the Rig floodlights which were 10 degrees.*' This is a high tilt angle for an asymmetric floodlight and will result in upward light spill. Ideally an asymmetric floodlight is mounted with zero tilt angle to ensure no direct upward light spill.

It is intended that the drilling works will be for 24/7 for 5 to 6 weeks resulting in the lighting being required for all the hours of darkness. During the winter months (should the drilling take place at this time of year) it could result in the site being illuminated for 16 hours over a 24 hour period. This does not allow for any Curfew as required by the recommendations. This is all the more concerning as it will blight the area for wildlife.

The Applicant insists on referring to the 5-6 week drilling period. Whilst this is the period they claim the works will take place 24/7 there is also the mobilisation, construction, decommissioning and remediation works to consider. We are advised that these will take 18 weeks in total (this includes the 5-6 weeks). It is assumed the site will need to be illuminated for early morning work and late afternoon/evening shifts. No proper consideration is given to this in the proposals. In the winter months, should the work take place then, this will make the impact of lighting even more significant than the Applicant is claiming.

The 11 receptor locations, which are the houses to the south and west located nearest the drill site, only account for a small number of dwellings that are affected by the proposed works. The site can be clearly seen from the centre of the village where the village pub is located. In this location many houses have a view of the site. The conifer trees that the applicant claims will shield the drill site from view will not do this from the centre of the Village. The large conifer directly to the south of the drill site is destined to be cut down, opening up this view further. This will not only affect views for residents but also visitors to the AONB. It is interesting to note that the centre of the village, and the most densely spaced housing, has been omitted from the *Receptor Location Plan 0277-1300-002*. Perhaps the applicant can provide an explanation to the CPA for this as LHAG would like to understand the reason.

In summary, the Applicant has clearly not covered this area accurately and has not complied with the guidance. The CPA will no doubt recognise this and come to the same conclusion as LHAG, that lighting this *intrinsically dark area* in the manner the Applicant proposes would adversely effect the unique environment of the AONB, its wildlife, residents and visitors to the area.

7.0 Response to Chapter 11 Revisions: Noise and Vibration

MPS2 Noise Limits

Para 11.6 of the Environmental Statement states: “*So generally the noise limit [at the nearest noise sensitive property] is 10dB(A) above background if this is practicable. For construction or temporary works up to 70 L_{Aeq,1hr} is allowable for up to 8 weeks a year.*”

Para 2.20 of Annex 2 to MPS2 makes it clear that a daytime limit of 70 L_{Aeq,1hr} “should be considered to facilitate essential site preparation and restoration work and construction of baffle mounds **where it is clear that this will bring longer-term environmental benefits to the site or its environs**”. Para 11.23 of the Environmental Statement says “*.. there are no significant [noise] impacts that require a scheme of mitigation to be implemented.*” It also says: “*..wherever practicable topsoil mounds will be positioned to reduce site noise emissions to the south and west.*” This contradicts the site description and plans (e.g. Planning Statement Figure 4.2) which explicitly show soil mounds near the northern boundary of the site and at most shallow ridges no more than fifty centimetres above ground level elsewhere. It follows, therefore, that none of the works proposed will “bring longer-term environmental benefits to the site or its environs”, and therefore the discretionary derogation from the normal limit of +10dB(A) above background does not apply.

Similarly, the first qualification of the +10dB(A) limit, “*if this is practicable*”, does not fully reflect the provisions of MPS2. Para 2.19 of Annex 2 of MPS2 provides only that an exception to the +10dB(A) limit may be granted in respect of daytime (0700 – 1900) noise levels if achieving the +10dB(A) limit would impose “unreasonable burdens on the mineral operator”. The applicant has adduced no evidence to support a claim that that the +10dB(A) limit would impose unreasonable burdens; advice received suggests that “a maximum noise level of 35 Decibels at a distance of fifty metres from the well centre is entirely reasonable and has been stipulated in the past by other planning authorities”. 35dB(A) at 50m is substantially lower than the 53dB(A) at 75m quoted for the planned rig (Para 11.12 of ES).

The background noise level measured by the applicant are stated (Para 11.10 & Appendix 11.3 of the ES) to be 32 L_{A90} overnight and “generally over 33 L_{A90} before 6pm”. By contrast, the figures presented in Appendix 11.3, actually show arithmetic averages of:

- **daytime (07.00 to 19.00):** 32 (NB, figures are presented only for the period 15.00-19.00, capturing the end of the school and working day, but not the quiet middle of the day from 10.00 to 15.00)
- **evening (19.00 – 23.00):** 31 (discounting the apparently anomalous result for the third hour of this four hour period; if this is included, then the evening figure is 33)
- **night (2200 – 0600):** 32

If, as argued above, neither reason for derogation from the +10dbA limit applies, the noise limit at the nearest dwelling to be applied to this development in accordance with MPS2 is <42 dB(A) L_{Aeq,1hr} at all times.

Activity Noise

Drill rig: The activity L_{Aeq} at White Cottage, 540m to the south of the drilling rig, is 37dB(A) for hard intervening ground as shown at Appendix 11.2 to the EA. This is calculated from a single figure for $L_{Aeq,1hr}$ at 75m which in turn is derived from drill rig noise data taken when rig BDF28 was located at three other places. These source measurements exhibit considerable variation. It is appropriate to use hard ground calculations in this case because the deep valley between the site and the village of Coldharbour will minimise any soft ground attenuation. The reports from which these figures are taken are not made available, so it is not possible to assess what ground conditions were at these other sites. If the intervening ground at these other sites was soft, then, notwithstanding that the subsequent calculation of L_{Aeq} at White Cottage has been carried out for hard ground, the starting basis for the calculation, the L_{Aeq} at 75m, will be understated. Using higher quoted measurements (65.7dB(A) at 50 metres) would result in an L_{Aeq} at White Cottage of **47dB(A)**. Drilling is a 24x7 operation.

L_{Aeq} at distance metres	distance	L_{Aeq} at 10m	Distance to nearest dwelling	adjustments		Resultant L_{Aeq}	Activity duration mins	Activity correction	Activity L_{Aeq}
				distance	screening				
65.7	50	81.2	540	-34.6		46.6	60	0.0	46.6

Gas flaring: Appendix 11.2 gives an L_{Aeq} at the nearest dwelling, calculated by the activity method, as 49.8 dB(A). This calculation is based on an L_{Aeq} of 69dB(A) at 50 metres for two units and a distance of 540 metres to the nearest dwelling. The source of the 50 metre L_{Aeq} figure is quoted (para 11.15 of the EA) as “supplier’s data”. Unfortunately that data is not supplied. (Appendix 7 to the “report for Aldbury (sic)” which is cited at para 11.15 is described as a technical data sheet for the CEB 4500, but it does not contain any noise data. That whole study of the units at San Salvo must anyway be of questionable relevance here as the measurements were taken from behind an earth mound and at well below full capacity.)

Figure 2.6 50 m Measurement Location with Shielding of Lower Noise Sources



from Addendum to Star Energy Albury application

Manufacturer’s data for the CEB 4500 is in fact included at Appendix 5.2 to the EA. The noise data is at page 6 and says “Low Noise (measured 65 dB at 200 yards for CEB 4500)” – for a single unit. Because the gas flares are situated in a prominent position at the extreme southern edge of the site, they are in fact a bare 500 m from White Cottage (not the “approximately 600 metres to the south” quoted at para 11.25 of the EA, or the 540m used in the applicant’s calculation). Applying these figures in the same activity method calculation results in an L_{Aeq} at White Cottage from a single CEB 4500 of 59dB(A). Two units would therefore give **62dB(A)**.

Evaluation

Phase	Activity	Planned duration	Potential L_{Aeq} at nearest dwelling			
			LHAG figures		Applicant’s figures	
			Day	Night	Day	Night
Site Clearance and Preparation	Topsoil removal	6 weeks	45		39-45	
	Import & lay stone		51		44-51	
Equipment Assembly & Drilling Operations		5 weeks	47	47	30-37	30-37
Testing & Evaluation	(if oil)	2 days	39	39	32-39	32-39
	(if gas)	4 days	62	-	42-50	-
Reinstatement of site	Decommissioning	6 weeks	47	-	41-47	-
	Relay topsoil		45	-	39-45	-
Total time MPS2 42dBA limit exceeded			19½ weeks		12½ weeks	

So even on the basis of the applicant's own figures and its interpretation of MPS2, the limits on noise at the nearest dwelling are likely to be exceeded for more than the 8 weeks which is the maximum period contemplated by MPS2.

Other sensitive receptors

The analysis has addressed noise at the nearest dwelling; it is also the case that there is a noise-sensitive (equestrian) property with a boundary within 210metres of the site boundary. Furthermore, *Appendix 2A to Annex A of MPS2* makes clear that consideration should be given to the effects of noise on wildlife, for which "noise can interfere with communication, mask the sounds of predators and prey, cause stress or avoidance reactions and damage hearing". Chapter 8 of the EA (Ecology & Biodiversity) makes no analysis of the effect of even the levels of noise that Chapter 11 admits to, for example dismissing the noise of gas flaring as "minimal" and assessing the impacts as insignificant. These claims do not stand up to numerical analysis.

Summary:

- The applicant has misinterpreted the provisions of *MPS2 Annex 2* resulting in a claimed allowable level of daytime noise from the proposed activities which is substantially higher than is in fact permitted;
- The validity of the method by which the applicant seeks to establish noise from the drill rig is questionable; taking the highest measurements offered results in a very much higher levels of noise from this source;
- The applicant's calculated level of noise from gas flaring is based on data which has not been presented; the data that has been presented suggests substantially higher activity noise levels.
- The revised chapter 11 does now present calculated levels of noise from site construction and decommissioning with hard intervening ground – resulting in significantly higher noise levels than previously suggested. The deep valley between the site and Coldharbour Village will limit soft ground attenuation and therefore hard ground calculations are appropriate;
- Based on the figures now presented by the applicant, assuming hard ground, or even assuming figures half way between the two extremes, even if a derogation from the normal MPS2 limits were allowable in accordance with *para 2.19 or 2.20 of Annex 2 to MPS2*, the maximum permitted duration of such derogation would be exceeded.
- The ecological impact of noise has been understated and its significance dismissed without quantitative assessment.

8.0 Response to Chapter 12 Revisions: Hydrology and Hydrogeology

So far as the further submission by Applicant is concerned, we cannot see that the issue of water testing for potential contamination from the proposed exploration activities has been addressed.

It may well be that the aquifer is not used for drinking water abstraction, but that does not mean that there is no requirement to ensure that the groundwater remains uncontaminated. Wildlife should not be adversely affected by the site activities, and only periodic testing will show that nearby water-courses remain free from contaminants.

It should be noted by the CPA that no testing is offered as part of the control measures that one would normally expect to see on an application of this nature. An oversight, cost cutting measure or further demonstration of the applicant's disregard for the impact their application will have on this sensitive environment? SCC should press for the applicant's proposals for regular independent water testing (nearby groundwater, streams and the aquifer).

Water is pernicious and to discover pollution only when it becomes apparent that wildlife has been affected is not acceptable.

It is standard practice in mines and other mineral extraction activities and certainly hydrocarbon production to carry out water testing; this testing should take place daily. Why has the applicant ignored this point?

9.0 Conclusions

Once again we can see that despite the applicant having considerable time to prepare further justification for this application we see a familiar pattern emerging. The work undertaken over a period of 6 or 7 months has concluded in little more than we have seen previously. The main areas of concern that LHAG raised in their objections in April 2009 have either been ignored or more likely the objections for granting consent for this site have proved to be too conclusive for the applicant to challenge effectively.

LHAG are neither against the exploration nor indeed production of hydrocarbons on-shore. Our remit is to protect a small area of natural beauty that needs to be preserved for future generations of visitors, residents and the wildlife that prospers due to the creation of the AONB.

There are opportunities to explore for oil or gas nearby. These may prove to be more expensive and technically more challenging; however this is not the concern of the Planning Officers or more importantly the Planning Committee. Their concern is to ensure that the impacts of the proposed activities have been mitigated as far as possible. If this means selecting more suitable location with less environmental impact then this should be the direction towards which the CPA should steer the applicant.

Addendum and Requirements for Section 106

We would request the CPA to issue, in addition to the Officers' Committee Report, this Report plus our initial Response dated 18th April 2009 to each member of the Planning Committee due to changes in the membership of the Planning Committee since the Elections last year. Confirmation of this would be appreciated as we will make arrangements for this to be done if Officers are unable to comply with this request.

LHAG would request to have sight of any views on file or minutes from consultation meetings held between the Applicant and the CPA which are on public record, or which we are entitled to see under Freedom of Information regulations. This would include any information from the County Highways Department or other departments within the CPA. Of particular concern is the issue of highway safety about which we believe the Planning Committee should be fully appraised, prior to making any decision on this matter. Again we can write separately to the members of the Planning Committee on this matter if necessary.

The members of LHAG would be happy to host a visit for members of the Planning Committee to the development site and Coldharbour Lane, to demonstrate that the above issue is of serious concern and to ensure that the Committee is fully aware of the situation.

Without prejudice, should the CPA determine that consent is granted for the application there are a number of areas where LHAG would like to be consulted further, in particular negotiations on a Section 106 Agreement. Initially we would request at this stage to see any draft Heads of Terms the CPA have discussed with the Applicant as we believe this is subject to Freedom of Information regulations. We would also request to be involved in finalising the Heads of Terms and in the progress of the legal documentation as recommended by Circular 05/05.

Our specific terms and requirements for a Section 106 Agreement would be:

- An appropriate Bond to secure remediation works to both the site and the highways including the ancient banks affected by the development proposals.
- Provide funding to support the dedicated mountain biking pathways and facilities being developed by the Surrey Hills Society.
- The complete re-surfacing to DfT Specifications of the entire highway from the lorry holding areas on Knoll Road to the Plough Inn public house.
- The replanting of any trees cut down or damaged or destroyed by the development works on a ratio of 1 tree removed or lost to 25 semi mature trees planted in appropriate locations to be determined by the CPA's tree officer.
- Weekly consultation meetings with local residents for 4 weeks running up to the start of works on site and continuing on a weekly basis until all remediation works are complete.
- Provide local employment for up to 10% of the labour force on site.
- Provide a telephone hotline to be manned 24/7 during the period of the entire works.
- Provide contributions to the Village Society, finalise payments for the cricket pavilion re-development, church refurbishment and village hall re-development.

Appendix 1: Analysis of the Impact of the Applicant's Vehicles on Coldharbour Lane

Inadequacy of Swept Path Survey

The Applicant refers to track surveys done to gauge the space available on the road for the drilling rig fleet. Further, in *Figure 5.11*, the Applicant shows trees, at one location, that fall within the swept path. One has to assume that the trees marked in red have to be cut back although there is nothing on the plan to explain this. In fact the *Figure* simply shows a static vehicle in a number of positions. However, the dimensions used in the *Figure* are derived, one assumes, from stationary vehicles parked on level ground. These are static dimensions and it is not known whether these include movement of the vehicle on its springs when accelerating and braking, aerials, wing mirrors and other protuberances. These variances can be considerable.

It is critical to note that Coldharbour Lane is not level and that branches are not static, so additional allowance to these dimensions must be made. The swept path of a moving vehicle is referred to here as the travelling envelope.

Vehicles with short wheel bases and few axles moving slowly will have a travelling envelope similar to the static dimensions. However, longer vehicles will occupy a far bigger envelope when travelling round corners and this will be exaggerated by overhangs to the front and rear of the vehicle. It should be noted that the Applicant admits that the drilling rig has an overhang of 4.75m (which is nearly 15') and this in turn is an extension over the front wheels. Overall this vehicle will be at least 19m long (almost 60'). The travelling envelope for this vehicle is going to be vastly more than the static dimensions quoted. The problem is a three dimensional one and the static calculations carried out by the Applicant are therefore completely inadequate

If one considers first the horizontal aspects of vehicle movements as they travel along the road, the effective width of a vehicle will exceed the static one by an unknown but significant amount because of the dynamic movements of the vehicle and the effects of turning into bends on the road. The Applicant's calculations appear to have been based on the static dimensions and therefore moving vehicles will hit vegetation deemed safe by the static survey. For small branches and twigs it is reasonable to assume that these can be brushed out of the way but bigger boughs and trees cannot. The Applicant seems to ignore this fact, no doubt assuming that if planning permission is granted then each convoy will be preceded by a man with a chainsaw to ease access.

Considering next the vertical aspects of vehicle movements as they travel along the road, the trees are not neatly arranged in vertical lines. They lean towards the road and each other, closing the canopy above with consequent reduction in width and height. The Applicant's *Illustration 40* admits to this fact and is further illustrated in *Figure 5.11*. Our photograph below shows the same location. But again the Applicant gives static vehicle heights. In fact, because of the undulating nature of the road, the height of the travelling envelope will be increased due to local sag and crest curves within the length of the vehicle. These are unquantified at present but will inevitably make the effective height of vehicles taller than the static figures quoted.



View of Coldharbour Lane looking South

Requirement to cut back trees has been understated

The Leith Hill Action Group has no access to 3D tracking software and so is unable to accurately quantify the effect. However, it is our estimate that the effective width of the longest vehicle would be dramatically more than the static dimensions and will require the road to be ‘widened’ by destroying vegetation on the banks. The effective height would also be worse. Depending on crest curves and gradients the overhanging front section of the drilling rig would dramatically increase the effective height and width of each of the vehicles.

In *paragraph 3.3* the Applicant admits to a potential height of 5.1m for the generator but uses a reference height of 4.8m in *paragraph 4.7*. As described above, only one oversize vehicle would be sufficient to require destruction of the most mature trees that line the narrowest and winding parts of Coldharbour Lane. An increase in effective height of a few inches could make the difference between saving and losing a mature tree.

These combined effects will force drastic tree cutting by increasing the effective height and width of the drill rig fleet and in particular the longest and highest vehicles. As a result the vehicles will be forced to use all of the width of the road to traverse the tighter corners, resulting in structural damage to the edge of the road as well as damage to the foliage. The Applicant’s estimate of 14 trees needing to be cut back is likely to be far increased.

The number of vehicles using the Lane is important for various reasons, but it would take only one oversize vehicle to necessitate additional tree felling to clear the path. Once done, the damage (which will be predominantly to mature trees because of their inflexibility) will last longer than any of our lifetimes as it takes decades to re-grow a mature tree. In terms of impact this can only be considered as long term.

But one thing is abundantly clear, even by the Applicant’s own measurements, the space in which to manoeuvre is extremely tight and necessitates cutting mature trees. This admission sits poorly with the Applicant’s earlier assertion that the equipment could be taken to the site without damage to Coldharbour Lane and the land adjacent to it.

Fragility of Road Foundations and banks has been under-estimated

In the Applicant's section on Coldharbour Lane Physical Environment, reference is made to trees in the steep, soft sandstone banks providing additional stability. The section goes on to explain that the banks are vulnerable to erosion and that loss of tree canopy will expose the banks to direct rainfall that can lead to surface slippages. The Leith Hill Action Group agrees with this comment and suggests that cutting trees, as has been proposed, would be detrimental to the stability of the banks. Another section admits that the road construction is not substantial but goes on to say that the well drained ground provides good support for the thin layer of tarmac. It is difficult to reconcile how the Applicant supposes that loading unproven ground with 60 tonne trucks can be justified when the same (presumably) sandstone in the banks is so sensitive to rain. As the visual evidence is that the banks are fragile, one must assume that the road foundations are fragile too, sufficient to carry the historical traffic of donkey carts and light vehicles but certainly not the traffic proposed by the Applicant.

Definition of HGVs and their impact

The Applicant also refers freely to 'HGVs'. In fact the Highways Agency has clear definitions of the type of goods vehicles that are permitted to use the public highway. An HGV is defined as 'a goods vehicle over 3.5 tonnes gross vehicle weight'. The Applicant appears to want to sweep up all HGVs in a catch-all group. But clearly there is a distinction between a 3.5 tonne delivery vehicle and a 60 tonne behemoth. They cannot be considered as equivalent vehicles in the context of Coldharbour Lane. In our previous objection we criticised the absence of comment by the Applicant on the damaging power of different vehicles. Industry Standard analysis (Road Note 29) gives the relative damaging power of a vehicle based on the number of axles and the weight on them. These are related to a standard 8 tonne axle load and the output is called Damage Factor (DF). Current research has suggested that RN 29 underestimates damage on very thin pavements so the situation could be even worse.

By using the RN29 method a 3.5 tonne HGV on two axles could reasonably have a DF of 0.01. A 60 tonne crane on six axles would have a DF of 29. The relative damaging power is nearly 3,000 times. The Applicant does not disclose the number of axles used to carry his chosen crane and so assumptions have been necessary. If the vehicle has a greater number of axles, then the calculated DF would reduce, but would bring other negative factors. Large vehicles designed to carry very heavy loads sometimes have a large number of axles to more evenly distribute the weight of the payload onto the road structure. This works well on most highways 'designed' to Highways Agency Standards (DMRB).

However Coldharbour lane was certainly never 'designed'. The particular concern that this generates is that the vertical curvature of the road may exceed normal standards and so there is a likelihood that multi axle specialist vehicles may exceed the limits of vertical movement in the suspension and 'ground'. This will have the effect of generating very high loads on those axles which in turn will overload the pavement structure causing immediate failure. We do not know if this will actually occur but as we can see no evidence in the Application that measurements have been taken we must assume that the Applicant does not know either.

Further increased damage is known to occur where heavy vehicles park (due to the visco-elastic properties of bitumen) ie Knoll Road and on steep inclines (due to the dynamic effects of the driving wheels at slow speed) Coldharbour Lane.

We believe that the Applicant is well aware of all these facts and has chosen not to disclose them in order to mislead those with less technical knowledge. Our earlier objection included a calculation that shows how the traffic mix proposed will do approximately 11 years worth of road damage during the proposed drilling programme. Our assertion stands but has not been challenged by the Applicant. Our conclusion is that by failing to disagree with our calculations, the Applicant either accepts the validity of our calculation or considers that the situation is actually worse than that and is keeping quiet.

Inadequacy of Road Foundation Survey

Concerns were raised by the Leith Hill Action Group over the condition of the road and a walkover survey promised. This is woefully inadequate. Any competent highway engineer will know that the strength of a road cannot be measured just by looking at it. Visual inspections are unreliable where recent repair and surface dressings have been carried out. Such treatments can, and often do, hide indicators of structural weakness. Comments by the Applicant that the strength can be surprisingly strong does little to assure us.

Rutting and roughness are further indicators, neither of which are presented in the application as evidence. The Applicant's condition assessment is therefore inadequate. The Leith Hill Action Group observes that there is plenty of evidence of structural weakness in Coldharbour Lane especially given the frequency of pothole patching, roughness and unevenness of the road surface.

We agree that the integrity of the road structure can be implied by a visual survey. By observing its present condition, together with a knowledge of past traffic, a general view can be reached. The present condition of Coldharbour Lane is apparent, but the number of HGVs proposed by the Applicant is two orders of magnitude greater than historical traffic and comparisons simply cannot be made; damage to the foundation of the road may not be immediately apparent at the surface. Visual methods therefore cannot reliably be used to assess the condition of the lane.

It remains our opinion that the proposed traffic loading will do considerable structural damage both to Coldharbour Lane and Knoll Road.

But amelioration measures, like full depth repairs, are equally not acceptable. Structural repairs to these roads would require their closure. Even patch repairs and surface dressing on Coldharbour Lane would require closures, due to the narrowness of the road, and health and safety requirements for the operatives. Thus, should the Application be granted, local residents would then be subjected to further closures to fix the damage, having already endured closures necessary to complete the drilling.

Conclusions

Taking into account all the above comments, it is therefore remarkable that the Applicant is able to draw conclusions in *tables 7.6 and 7.7* suggesting that the impacts caused by the proposal are '*insignificant*', '*minor*' and '*temporary*'. The Leith Hill Action Group believes that it is beyond doubt that these conclusions are based on weak and misleading arguments, designed to maximise profit without adequate regard for the environment in an Area of Outstanding Natural Beauty. The impacts would in fact be significant, major and long term. The Application should therefore be rejected.

Appendix 2: Proposed Development of Exploratory Drillsite at Bury Hill Wood Coldharbour

Effects on Visual Amenity

A response to the issues raised in Section 9.0 “Effects on Visual Amenity” submitted as additional material to the original planning submission ref. 2008/0169/PS.

The conclusion of the planning submission assessment that there are no significant effects on visual amenity and that the proposal is in complete accord with planning policy guidance document PPS 7 (2004) "Sustainable Development in Rural Areas) cannot be accepted.

The submission itself quotes the key principles under consideration and expressed in PPS 7 (2004) as:

1.0 New development in open countryside should be strictly controlled to protect the countryside for the sake of its intrinsic character and beauty, the diversity of its landscapes, heritage and wildlife, the wealth of its natural resources ... so it may be enjoyed by all

2.0 Where areas like this have been statutorily designated for the unique value of their landscape, the planning authorities have a particular duty to ensure the quality and character of the countryside is protected and enhanced with greater priority given to the restraint of potentially damaging development

3.0 As an AONB the sensitivity of both the views and the viewers must be accorded the highest significance

To allow the potentially damaging exploration of oil and gas in this unique landscape is a clear contravention of these basic statutory principles.

With regards to the specific content of the submission, the following issues of concern and grounds for objection should be noted:

Impact of Logging Activities

It is not accepted that logging activities will have no influence on the visual impact on the proposals. The Forestry Commission have already cleared an area to the south of the site towards Coldharbour village, exposing views of the development from that direction.

Furthermore, the development application allows a 3 year period from approval within which the exploration may take place. If as stated in the submission, further tree felling will occur during the period 2012-2016 to the west and east of the proposed wellsite, then there is a clear possibility of site development occurring during or after further clearances by the Forestry Commission

It is further noted that the photography for the photomontages was undertaken in September, when localised screening can be expected from trees still carrying their leaves. This will not apply to the same extent for a winter view should the wellsite be occupied during this period

Impact on Coldharbour Lane

Damage to the characteristic nature of Coldharbour Lane remains a concern:

- A minimum tolerance of 0.5m appears to offer little protection to vulnerable and historic banks in the event of careless manoeuvring, particularly around bends, of these extremely large vehicles
- Damage to an already disintegrating road surface will be increased by these heavy loads
- Objections to the increased levels of heavy traffic and the imposition of severe road restrictions have been previously documented in relation to this application in terms of disruption and delay for local residents; economic loss for local businesses, home workers and pub; increased noise, pollution and danger; interference with access for ambulance, fire brigade and other emergency services (Refer to previous objections raised to application ref. 2008/0169/PS)

Lighting of Development Works

Lighting to the development will compromise the rare levels of darkness achieved in this protected environmental zone designated "an intrinsically dark environment" (E1 Environmental Zone).

The lighting proposals involving fluorescent strips up the rig, masthead flashing red strobe, compound and access lighting all operating throughout the night, will create visual intrusion for the residents of Coldharbour village from where it will be clearly visible.

The submission itself concedes that these proposals fail to meet the requirements designed to protect such sensitive E1 Environmental Zones. It is considered completely unacceptable that the unique value of this environment and the amenity of local residents should be compromised by these proposals. The principles of PPS 7 (2004) stated above should be enforced by the planning authority in order to protect AS A PRIORITY the quality and character of this area

Effect on Existing Views

It is not accepted that the effects on existing views of the proposed development works will be insignificant. The views selected for the purpose of this submission, while agreed by the planning authority, are only a snapshot of the total environment. Many other views will be subject to some detrimental impact, but even the selected views will suffer significant visual intrusion from these proposals when judged against the delicate balance of the existing landscape

- The illuminated drilling rig will be clearly visible day and night by residents of Coldharbour village to the south and south east of the wellsite. This applies to selected viewpoints 1 and 2

- The illuminated drilling rig will be clearly visible day and night from popular walking routes to the south west of the wellsite. This applies to selected viewpoint 3
- The illuminated drilling rig will be clearly visible day and night from the historic byway of Wolvens Lane/Crockers Lane This applies to selected viewpoint 4
- The illuminated drilling rig will be visible above trees from popular walking routes to the north west of the wellsite. This view may become even more exposed should logging operations to the west of the wellsite occur within the development period. This applies to selected viewpoint 5
- The illuminated drilling rig will be visible in long range views from Ranmore Common and even Box Hill. The appearance of this artificial intrusion on the natural skyline will be detrimental to these great landscape panoramas, when the conservation of such unadulterated views is the stated priority in PPS 7 (2004). This applies to selected viewpoints 7 and 8
- The proposals will create an ugly, industrial intrusion in the vicinity of the site and from Coldharbour Lane to the east, with 2m high fencing, large steel gates, upgraded site access, compound and access lighting and views of the illuminated rig day and night

It is accepted in the submission that both the value of the viewpoint and the nature of the viewer are of the highest sensitivity because of the protected designation of this area as an Area of Outstanding Natural Beauty. It is therefore of great concern that the effects of this proposed industrial development on the protected environment are dismissed as not significant by a complex but essentially subjective system of assessment. This represents an erosion of the unique value of this area. The submission concedes there is no standard methodology for quantifying the scale or magnitude of visual effects and nor should there be.

The fundamental issue, which is already recognised in law and identified as a statutory priority, is ensuring the protection of an area of unique natural beauty and tranquilly for the enjoyment of both present and future generations

Impact of Industrialisation

It is not accepted that the stated 6 week period of the actual drilling/testing phase within the overall development programme should mitigate in favour of this proposal.

- Approval would set an unfortunate precedent and potentially represent the thin end of a development wedge
- The possibility of permanent development if exploration is successful would result in an intensification of industrial activity
- The proposals could have long term consequences for Surrey Hills if this precedent is set, resulting in environmental damage and pollution in the AONB with permanent blight for local residents

The proposals contradict any encouragement towards a renewable energy policy. The exploitation of oil and hydrocarbon fossil fuels in small pockets at the expense of a unique and irreplaceable natural landscape cannot represent a sustainable long term policy