

R E S P O N S E

from the

LEITH HILL ACTION GROUP

To Planning Application No. SCC Ref 2008/0169/PS

For an exploratory oil rig on land at Bury Hill Wood,

Coldharbour Lane, Coldharbour

18th April 2009 Rev 1

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1. Introduction

(i) The **Leith Hill Action Group (LHAG)** consists of residents living in Coldharbour village, Coldharbour Lane, Knoll Road and other nearby roads which would be affected by the proposed exploratory oil rig.

(ii) Interest in the proposal and concern over its implications extends much further than the above mentioned residents and includes those who visit this Area of Outstanding Natural Beauty for recreational purposes, who would also be adversely affected if the proposal were to be approved.

(iii) Well over 1000 people have so far registered their names on the LHAG website: www.thevirtualvillage.com

(iv) The **Response from the LHAG** on the following pages indicates the strength of feeling of those who would be affected, and those who consider on principle that if the designation of AONB is awarded to an area, it should not be disregarded other than in the most exceptional circumstances.

(v) The **Response** also details very considerable reservations about the accuracy and completeness of the applicant's proposal, and in particular about the proposals for mitigating the damage which would result if approval were granted.

2. Executive Summary

2.1 Designation of Area of Outstanding Natural Beauty (AONB)

The overwhelming body of policy supports the protection of an AONB and only in exceptional circumstances and those of national importance, where all the environmental issues have been mitigated, should proposals be considered by the Planning Authority. There is no evidence that these proposals are of national importance, and exceptional circumstances have certainly not been demonstrated. Even if these two issues had some relevance the proposals to mitigate the environmental impacts are not comprehensive and lack credibility.

2.2 Emerging Policies

Emerging policies of the Government Regional Office for the South East clearly indicate the future protection of the AONB. The Mole Valley Core Strategy (submitted in 2009) and the Surrey Hills Management Plan 2009 –2014 (subject to Board decision in March 2009) also provide consistent support for protection of this rare resource.

2.3 Traffic and Transportation

(i) The applicant's proposed route for oil-rig related traffic provides a most misleading picture of its suitability, capacity and road safety in the light of the volume and dimensions of vehicles which would result if permission were granted.

(ii) Coldharbour Lane has developed from an ancient trackway. Its steepness, narrowness and many blind bends are either not mentioned or have been glossed over.

(iii) The Lane's surface, foundations, verges, adjacent banks and overhanging ancient trees would be irreparably damaged by the proposed traffic.

(iv) There is a lack of clarity about the number and type of vehicular movements that would be generated by the exploration process. Figures recently provided by the applicant state there would be 1054 HGV movements and 1088 associated traffic movements. It has been estimated that the damage resulting from 18 weeks of oil-rig related traffic would be equivalent to 11 years of normal traffic.

(v) The applicant has not provided any surveys of the current state of the Lane including (a) the material condition of the highway, (b) the underlying statutory utilities, (c) the geological characteristics, or (d) the adjacent trees. Even if the resultant damage could be mitigated, the applicant has given no indication how this would be achieved or what recompense would be made.

(vi) Proposals for the management of traffic to mitigate problems of access and safety are complex and would be laughable were it not such a serious issue. The resultant traffic delays (of perhaps 15 minutes at a time) would be unacceptable on a public highway. Closure of the road for periods of 2 or 3 days would also be unacceptable.

(vii) Traffic flows in south west Dorking, including the major gyratory system round the town (including part of the A25) would be likely to be brought to a standstill on many occasions.

- (viii) Traffic diverting from Coldharbour Lane onto nearby single track roads with passing places will cause unacceptable traffic hazards.
- (ix) The quality of life for residents in Knoll Road, which would be used as an HGV 'holding area', and for those living in the Residential Home or with houses adjacent to Coldharbour Lane would be unacceptably compromised.
- (x) The quality of life and amenities for residents living in Coldharbour village would be unacceptably diminished by the proposed road controls or closures, and lives may be put at risk by delays to emergency services.
- (xi) The existing dangerous 3 way junction of Knoll Road, Ridgeway Road and Coldharbour Lane would be further exacerbated by oil-rig traffic, and the safety of pedestrians at that point would be compromised, as would the safety of cyclists and horse riders using Coldharbour Lane.

2.4 Alternative Sites

- (i) The applicant states that operational constraints require directional drilling to be within 500 – 600 metres of the sub-surface target zone, but no substantiating evidence is provided for this claim.
- (ii) Of the 6 potential sites selected for possible development, 5 were subsequently deemed by the applicant to be unsuitable. Reasons for unsuitability include highway safety and capacity issues, prominence within the landscape, historical and ecological importance, and detrimental effect on residential properties. All these barriers to development apply equally to the site which is the subject of this application.
- (iii) The only feature which distinguishes the selected site is an existing 260 metre trackway of compacted hardstanding, thereby reducing the establishment costs of the applicant.
- (iv) The applicant has publicly stated that if oil or gas were found, the company would look to develop in a less sensitive area with better access to the A24. The only reason for using the exploratory site (and causing irreparable damage, safety hazards and extreme inconvenience to hundreds of people) would seem to be one of cost.

2.5 Ecology and Biodiversity

- (i) Insufficient evidence on the ecology and biodiversity has been submitted by the applicant for the Planning Authority to be able to reach an informed decision. Inadequacies include lack of proper research techniques, out of date information and no research undertaken on the effect on trees either at the site or in Coldharbour Lane.
- (ii) An assessment of the ecological impact of the proposal was undertaken in an area which is smaller than the proposed site and having been carried out in 2005 is out of date.
- (iii) Some of the species present are legally protected by the CRow Act 2000, and due account should be taken of the legislation. Mitigating actions proposed by the applicant should be monitored and enforced, should the application be approved.

(iv) The Site of Special Scientific Interest around nearby Leith Hill should not be subjected to the outputs of oil drilling.

2.6 Visual Amenity and Effect on the Landscape

(i) The survey on visual amenity is inevitably subjective. The applicant glosses over the impact of the oil rig situated 50 metres above the adjacent valley with a 35 metre mast and strobe light as seen by nearby residents and from surrounding beauty spots. No reference is made to the projected tree-felling which would result in more exposure of the site. No distinction is made between the daytime and night time effect on residents and fauna.

2.7 Environmental Pollution

(i) The analysis provided by the applicant on the likelihood and consequences of oil polluting the local aquifer lacks scientific objectivity and is derisory. The proposal to contain contaminating liquids is fundamentally flawed, and no mention is made of how any captured pool of oil would be removed from the area in an environmentally controlled manner.

(ii) The assessment of the effect of light pollution on local residents and on flora and fauna is fundamentally flawed as inadequate account is taken of the intrinsically dark landscape of the surrounding area.

(iii) The impact of noise and vibration on local residents (520 metres away) and on flora and fauna has not been given adequate recognition. The area is extremely quiet and the potential introduction of drilling on a 24/7 basis would be totally intrusive and unacceptable. Proposals to mitigate the noise appear to be inadequate to the task and no method of monitoring vibration has been suggested.

(iv) No study or proposals have been included relating to the effect of noise and vibration on the fragile embankments of Coldharbour Lane, which would be caused by the large volume of oil rig related traffic.

(v) The impact of dust and fumes on air quality in the surrounding area has not been adequately covered. Local residents, flora and fauna would be seriously and unacceptably affected.

2.8 Health and Safety

(i) The impact of a huge increase in the volume and dimensions of traffic in the area is of significant concern. Coldharbour Lane would be the most affected, and the potential danger to cyclists, horse riders and to motorists is unacceptable. The potential hazards for pedestrians at the northern end of Coldharbour Lane would be significant.

2.9 Archaeology

(i) Nearby sites of archaeological interest include Anstiebury Camp – a Scheduled Ancient Monument 800 metres from the proposed drilling area; and Stane Street – a Roman Road. The area has been inhabited since ancient times. It is normal in these circumstances for an applicant to undertake trial pit excavations in the area, plus a full archaeological investigation and subsequently undertake a watching brief. None of these steps has been proposed.

2.10 Impact on Recreation

(i) The Surrey Hills AONB with Coldharbour and the Leith Hill area at its centre is visited by 618,000 people every year. The activities of walkers, rambblers, dog walkers, horse riders, mountain bikers, cyclists and other groups would be affected by the unnatural intrusion of an oil rig.

(ii) The proposed traffic management scheme and road closures (mid week and up to 1330 on Saturdays) would deter or prevent many of these visitors, who do not just use the area at times outside the above periods.

2.11 Socio Economic Factors

(i) Much of the research undertaken on socio economic factors is seriously out of date and poorly referenced.

(ii) The claim that there would be an indirect impact of increased expenditure is not substantiated, no proper impact assessment has been provided. The claim that there would be a short-term minor impact on the **local** labour market for haulage and construction work seems optimistic. The applicant states although the oil well might be perceived as ‘bad neighbour’ development, no mitigation measures against the social impact on the local inhabitants are required or proposed.

2.12 Site Restoration

(i) In terms of restoring the site to its current state, the applicant has merely suggested that the land be left to regenerate, as if only logging operations had taken place. No proposal is given regarding the removal of the unnatural hardcore material which would form the base of the site, nor the re-planting of trees in a suitable growing medium. In the highly regrettable event of planning permission being granted the Planning Authority should insist an adequate Financial Bond is taken out by the applicant to ensure complete restoration is achieved should the applicant default in this duty.

2.13 Impact of Further Development

(i) Guidance from the Department for Communities and Local Government : Minerals Policy states that planning considerations for exploration and appraisal should not include any hypothetical future proposal for development of the oil or gas resource.

However, for Appraisal applications it also states that consideration should take into account the long term suitability of the site since such wells may be required for production purposes.

(ii) As the proposed site is in a sensitive AONB some indication should be made of any future long term effects that might arise if hydrocarbon extraction is found to be viable.

2.14 Conservation Area and Listed Building

(i) Although the proposed development is itself outside the Coldharbour Conservation Area it is within 500 metres, and as such would have an extremely negative impact on it. There are also several Listed buildings close by of which Coldharbour Church is the most prominent. In accordance with the Planning (Listed Building and

Conservation Areas) Act 1990, consideration should be given to preserving the setting of these buildings.

2.15 Local Public Consultation

(i) There was none. No consultation has taken place with the local residents of Coldharbour village, householders on Coldharbour Lane and Knoll Road, users of the AONB or the public in general. This covert and secretive approach demonstrates a lack of thoroughness and openness and leads to questions of what else the applicant has omitted from the application process.

2.16 Conclusion

(i) The LHAG objects most strongly to this application, which on many counts has been ill researched and is based on fallacious arguments, as detailed above.

(ii) The Planning Authority is requested, before it considers the application, to ensure that all the necessary impact assessments have been undertaken, and in particular that adequate mitigation measures are proposed.

(iii) Should the planning application be approved, and unless the Planning Committee is satisfied about the applicant's financial position, a substantial cash deposit should be required of the applicant before work commences, against the cost of reinstating the proposed site, the damaged highways and their embankments.

(iv) If the Planning Committee requires further clarification of the LHAG's views, we would be pleased to make a presentation.

3. Area of Outstanding Natural Beauty and Minerals Policies

It is clear from the following that Minerals Policy at National, Regional and Local levels supports the protection of Areas of Outstanding National Beauty.

3.1 National Policy

Planning Policy Statement 1 (PPS1) Sustainable Development

27 (iv) *'...Bring forward sufficient landtaking into account issues such as accessibility and sustainable transportation needs...'*

(ix) *'...Enhance as well as protect biodiversity, natural habitats, the historic environment and landscape...'*

PPS7 Sustainable Development in Rural Areas

15 Planning authorities *'...should have particular regard to any areas that have been statutorily designated for their landscape, wildlife or historic qualities where greater priority should be given to restraint of potentially damaging development'*.

21 Nationally designated areas comprising National Parks...Areas of Outstanding National Beauty (AONB) have been confirmed by the Government as having the highest status of protection in relation to landscape and scenic beauty. The conservation of the natural beauty of the landscape and countryside should therefore be given great weight in planning policies and development control decisions in these areas. The conservation of wildlife and the cultural heritage are important considerations in all these areas.

22. Major developments should not take place in these designated areas, except in exceptional circumstances. This policy includes major development proposals that raise issues of national significance. Because of the serious impact that major developments may have on these areas of natural beauty, and taking account of the recreational opportunities that they provide, applications for all such developments should be subject to the most rigorous examination. Major development proposals should be demonstrated to be in the public interest before being allowed to proceed.

Consideration of such applications should therefore include an assessment of:

- the need for the development, including in terms of any national considerations, and the impact of permitting it, or refusing it, upon the local economy;
- the cost of, and scope for developing elsewhere outside the designated area, or meeting the need for it in some other way;
- any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated.

23. Planning authorities should ensure that any planning permission granted for major developments in these designated areas should be carried out to high environmental standards through the application of appropriate conditions where necessary.

National Minerals Policy: Minerals Policy Statement 1 (MSP1)

9. The Government's objectives for minerals planning reflect the requirement to contribute to the achievement of sustainable development, as required by Section 39 of the Planning and Compulsory Purchase Act 2004. These are

- to protect internationally and nationally designated areas of landscape value and nature conservation importance from minerals development, other than in the exceptional circumstances detailed in paragraph 14 of this statement;
- to secure adequate and steady supplies of minerals needed by society and the economy within the limits set by the environment, assessed through sustainability appraisal, without irreversible damage;

National policies for mineral planning

14 Protection of heritage and countryside: *'do not permit major mineral developments in National Parks, the Broads, Areas of Outstanding Natural Beauty and World Heritage Sites except in exceptional circumstances. Because of the serious impact that major mineral developments may have on these areas of natural beauty, and taking account of the recreational opportunities that they provide, applications for these developments should be subject to the most rigorous examination. Major mineral development proposals should be demonstrated to be in the public interest before being allowed to proceed.* Consideration of such applications should therefore include an assessment of:

- the need for the development, including in terms of national considerations of mineral supply and the impact of permitting it, or refusing it, upon the local economy;
- the cost of, and scope for making available an alternative supply from outside the designated area, or meeting the need for it in some other way;
- any detrimental effect on the environment, the landscape and recreational opportunities and the extent to which that could be moderated.

'Planning authorities should ensure that for any planning permission granted for major mineral development in these designated areas, the development and all restoration should be carried out to high environmental standards, through the application of appropriate conditions, where necessary, and be in character with the local landscape and its natural features.

Proposals in these areas which are not considered to be major mineral developments should be carefully assessed, with great weight being given in decisions to the conservation of the natural beauty of the landscape and countryside, the conservation of wildlife and the cultural heritage and the need to avoid adverse impacts on recreational opportunities'.

3.2 Regional Policy

Regional Policy Guidance 9 (RPG9) supports the National Policy at Policy E1: *‘Priority should be given to protecting areas designated at international or national level either for their intrinsic nature conservation value, their landscape quality or their cultural importance’.*

And also at RPG9:

Policy Framework

11.10 ‘Only exceptional circumstances would permit extraction or processing in locations of special landscape importance such as the Areas of Outstanding Natural Beauty (AONB)’

3.3 County Policies

Surrey County Council policies also support the national and regional policies:

Surrey Structure Plan 2004

Policy SE8 Landscape: *‘The quality of landscape in Areas of Outstanding Natural Beauty (AONBs) and Areas of Great Landscape Value (AGLVs) should be conserved and enhanced. In the AONBs, development inconsistent with the primary aim of conserving the natural beauty of the landscape will be resisted. Major development will only be permitted where it has been clearly demonstrated that the need for development is of national importance, and that there is no alternative site’.*

Surrey Minerals Local Plan 1993

Policy 1: *‘Mineral working will be permitted only where the County Council are satisfied that adequate safeguards for protection of the environment and amenities of local residents can be secured’.*

Policy 15: ‘Proposals for drilling operations for hydrocarbons whether for exploration, testing to locate and determine the nature and extent of resources or for the production of hydrocarbons will be permitted only where the County Council are satisfied that in the context of the geological structure being investigated the proposed site has been selected so as to minimise the environmental and ecological impact of the development’.

Policy 16

‘Following the drilling of an initial exploratory borehole, appraisal drilling and subsequent testing will only be permitted where the County Council are satisfied that:-

- the proposed development is necessary to confirm the nature and extent of hydrocarbon resources or to assess the feasibility of their recovery; and:-*
- as far as possible the proposal forms part of a scheme for the appraisal of the field, and:-*
- the proposal is in accord with relevant Structure Plan and Minerals Local Plan policies.*

Proposals for the use of exploratory well sites for appraisal or production will be treated strictly on their merits. There will be no presumption in favour of their use for such purposes’.

‘In the case of appraisal drilling the implications of possible future production must be taken into account particularly where further wells are to be sunk at locations other than the initial borehole site’.

3.4 District and Local Policy

Finally, local policy from Mole Valley District Council supports the National, Regional and County policy positions:

Mole Valley Local Plan 2000

Policy ENV5 – Area of Outstanding national Beauty

‘The Surrey Hills Area of Outstanding Natural Beauty is of national importance and will be subject to the most rigorous protection. Development inconsistent with the primary aim of conserving and enhancing the existing landscape character will not be permitted. Small scale development for the reasonable needs of agriculture, forestry or outdoor recreation as well as that in support of services for the local community will normally be acceptable in the AONB provided that proposals conserve the landscape character and are in accordance with the policies of this Plan’.

Surrey Hills Management Plan 2004-2009

3.8.3 Land use planning management policies:

LU1 ‘Development plans will ensure that the primary purpose of AONB designation, which is to conserve and enhance the natural beauty of the area, will be recognised and applied consistently across the Surrey Hills AONB’.

LU2 ‘Planning guidance will ensure that new development respects the special landscape character, particularly where it has an impact on ridgelines, significant views, tranquility and where artificial light is being introduced’.

LU3’ New development will be high quality in design, accessible, respecting local distinctiveness and complementary in form, setting, scale and use of materials.

LU4 The impact of mineral working and associated land activity will be minimised, with restoration and after use designed in sympathy with local landscape character to safeguard the integrity of the AONB’.

4. Emerging Policies

Emerging policies of the Government Regional Office for the South East clearly indicate the future protection of AONB.

4.1 Draft South East Plan (SoS proposed changes 2008)

Policy C3 : Areas of Outstanding Natural Beauty

'High priority will be given to conservation and enhancement of natural beauty in the region's Areas of Outstanding Natural Beauty (AONBs) and planning decisions should have regard to their setting. Proposals for development should be considered in that context. Positive land management policies should be developed to sustain the areas' landscape quality. In drafting Local Development Documents Local Planning Authorities should have regard to statutory AONB Management Plans'.

'In considering proposals for development, the emphasis should be on small-scale proposals that are sustainably located and designed. Proposals which support the economies and social well being of the Areas and their communities, including affordable housing schemes, will be encouraged provided that they do not conflict with the aim of conserving and enhancing natural beauty'.

4.2 Mole Valley Core Strategy (submitted 2009)

In addition Mole Valley continues to demonstrate its support of a high level of protection for AONB with their emerging policies.

Preferred Policy Approach CS/PO 13

Landscape Character

1. The Council proposes that all development should respect or enhance the character and distinctiveness of the landscape character area in which it is proposed. To help applicants identify these features a Landscape Character Assessment has been prepared. Landscape enhancement works may be required to avoid adverse impacts associated with new developments.

2. The Surrey Hills Area of Outstanding Natural Beauty (AONB) is of national significance and covers about one-third of the District. The conservation of the natural beauty of the landscape and countryside will be a priority in these areas and they will continue to be protected in accordance with the objectives in Planning Policy Statement 7 (Sustainable Development in Rural Areas).

3. Although a 'local designation' it is proposed that the AGLV (Area of Great Landscape Value) will be retained and will continue to provide a 'buffer' function to the AONB. The Council also proposes that development in this area will have to demonstrate that there is no harm to the AONB. In particular development in the AGLV which is prominent from view points within the AONB will not be supported, e.g. tall buildings, extensive areas of reflective surfaces. The Council will also consider carefully any development outside of these areas which may be prominent from view points.

4. The Council will continue to promote a review of the AONB boundary and the inclusion of the AGLV land within it, as supported by the AGLV Study.

5. The Council intends to support small scale development for the reasonable needs of the rural economy or outdoor recreation, as well as that in support of services for the local community in the AONB or AGLV.

6. The Council will work with the AONB Management Board to implement the AONB Management Plan.

4.3 Surrey Hills Management Plan 2009-2014 (subject to Board decision March 2009)

Finally at the Surrey Hills Board level, the authority directly responsible for the AONB, provides consistent support for protection on this rare resource.

Land Use Planning Management Policies

LU1 'Development plans should ensure that the primary purpose of AONB designation, which is to conserve and enhance the natural beauty of the area, is recognised and applied consistently across the Surrey Hills AONB'

LU2 'That in balancing different considerations associated with determining planning applications, substantial weight will be attached to any adverse impact that the proposal would have on the character of the AONB'.

LU3' Ensure that development respects the special landscape character, giving particular attention to potential impacts on ridgelines, significant views, tranquillity and light pollution'.

LU4 'Development will be of high quality in design, respecting local distinctiveness and use of materials and be complementary in form, setting, and scale with its surroundings. Design that fails to take the opportunities available for improving the character and quality of the landscape setting and the way it functions will not be accepted'.

LU5 'The impact of mineral working and associated land activity will be minimised, with restoration and after use designed in sympathy with local landscape character to safeguard the integrity of the AONB'.

LU6' Farm diversification schemes that help to sustain agriculture enterprise and sustainable rural tourism will be supported if they are considered as appropriate in scale with their landscape setting and environmental impact'.

LU7 'Proposals which support the social and economic wellbeing of the AONB and its communities, including affordable housing, will be encouraged providing they do not conflict with the aim of conserving and enhancing natural beauty'.

5. Traffic and Transportation

Policy 1 of the SCC Local Minerals Plan 1993 states “ *Mineral working will only be permitted where the County Council are satisfied that adequate safeguards for the protection of the environment and the amenities of local residents can be secured . In considering such proposals the CC will wish to be satisfied that steps have been taken to minimise the impact of working and in particular **that the following matters have been taken into account:- (d) traffic generation, its impact and suitability of the public highway**”.*

One of the most serious negative impacts arising from the proposed exploratory development is the effect of traffic and transport on Coldharbour Lane, plus the immediately surrounding road networks and the probable effect on the gyratory system in Dorking which includes a section of the A25. The long-term effect on Coldharbour Lane would be irreparable

5.1 Characteristics of Coldharbour Lane

(i) The attached Technical Statement, written at the request of the LHAG by a local Chartered Engineer with 30 years experience of highway construction and maintenance (See appendix 1), refers to the total unsuitability of Coldharbour Lane for the anticipated volume and size of oil-rig related traffic.

(ii) Coldharbour Lane has probably been in existence for a thousand years, having developed from a muddy track used by local inhabitants, their animals and their wheeled carts. Over the centuries the road surface has been dug ever deeper into the hillside (with resultant banks on either side rising in places to 6 metres high) and was made wide enough to allow two donkey carts to pass one another.

(iii) Coldharbour Lane has steep gradients of 1:7 in places, overhanging trees which meet in the middle, and many snaking bends including 9 blind bends or blind summits which occur in a journey of 1.4 miles from Chadhurst Lodge (approximately half way along Coldharbour Lane) to the projected site. These characteristics make it a totally unsuitable route for the width, length, height and overall dimensions of HGV's for more than half the proposed route along the Lane.

(iv) The road surface is in a very bad state, with many large potholes and deep ruts on both sides, measuring up to 23 cms. The potholes in the original muddy track have, over the years, been filled with stones and in recent times a tar spray and chip surface has been applied. The Lane requires constant work on its verge recovery and the potholes to be filled to ensure safe passage.

(v) The projected traffic volume as set out by the applicants, was not clear in the original submission, but has since been clarified. Calculations of the impact on the road surface suggest that an estimated 11 years of damage will be sustained during a period of 18 weeks that are required for the exploratory drilling (See Appendix 1 for detailed calculations).

(vi) The underlying foundations of Coldharbour Lane which, judging from the manhole covers in the road, encompass the supply of mains water, and probably

telephone, electricity and drainage services, will be subject to damage by the volume and weight of the projected traffic.

(vii) Large sections of Coldharbour Lane have steep banks and cuttings, and were originally cut to their present levels of steepness because they would collapse if they had been built any steeper. The banks are made up of very geologically weak soils consisting of unconsolidated sands and gravels intermixed with clay layers. The banks often erode in quite dramatic fashion. Landslides and tree collapses occur on a regular basis in periods of prolonged or heavy rain albeit this is not the only condition in which these landslides occur. The effects of these occurrences result in closure of the road. The proposals do not take into account the effect of additional HGV and other vehicular movements in Coldharbour Lane, in particular the noise and vibration that will create further instability to these ancient banks.

(viii) The applicant refers to 'the fewer than 10' dwellings situated adjacent to or with access only onto Coldharbour Lane. In fact there are some 17 houses that would be affected if the proposal were accepted. There is a residential home for retired journalists at the northern end of Coldharbour Lane, most of whose residents are frail and elderly. The applicant indicates that traffic lights would be situated immediately outside the home, giving rise to day-long noise of idling engines whilst traffic waited for the lights to turn green.

(ix) Taking all the above characteristics into account, it is incredible that the applicant states that the projected route up to the selected site on the north side of Coldharbour village is 'a viable route to the main road network', whilst acknowledging that a route from the south of Coldharbour 'with undulating (roads) with sharp corners and steep gradients on narrow country lanes ...make such a route totally inappropriate for articulated heavy vehicles'.

5.2 Mitigation of Effects on Coldharbour Lane

(i) Damage to the road surface, underlying foundations, verges, banks and trees will undoubtedly be sustained if the proposals for oil exploration are accepted. Much of this would have a permanent long-term effect for which the applicant offers no satisfactory mitigation or compensation.

(ii) The applicants' proposals for mitigating the effect of traffic volume on Coldharbour Lane are in the most part worthless. The proposal to limit traffic movements to off-peak hours would do nothing to prevent damage. HGV's do as much damage to the road structure after 9.30 a.m. as they do before.

(iii) No survey has been undertaken of the current state of the road surface or the material condition of the highway. It is common practice in such applications to undertake a survey and to provide substantial guarantees of repair or renewal for any damage caused by oil-rig related traffic.

(iv) No survey has been undertaken of the current state of the banks of the road, nor of the existing trees, many of whose roots project into the road and which will be irretrievably damaged by wide and high vehicles. It is common practice in such applications to undertake a detailed survey and to propose tree protection measures to mitigate the damage. Some of the trees are decades old and simply cannot be replaced before many decades have passed.

(v) No reference is made to the re-surfacing of the road which would be essential. In addition no reference is made for the need for adequate measures to be taken in advance to ensure that utilities serving Coldharbour village will not be disrupted.

5.3 Characteristics of Knoll Road and adjacent residential areas

(i) Knoll Road is a quiet residential road consisting of some 70 dwellings. It rises steeply from Flint Hill up to where it joins Coldharbour Lane. The veterinary surgery at the eastern end gives rise to vehicular traffic throughout the day, and although the road is wide, the width is restricted by on-road parking on both sides.

(ii) The applicant has recently stated that there would be 1054 HGV movements (527 vehicles both ways) passing along Knoll Road during the 18 weeks exploratory process, together with 1088 (544 vehicles both ways) movements of associated vans and site traffic. It is questionable that there will likely be more vehicles for a development of this scale and duration. This constitutes a wholly unacceptable level of traffic for such an area. Additionally, the proposal to use Knoll Road as a 'holding area' for up to 3 HGV's to travel in convoy up Coldharbour Lane is totally out of keeping with its quiet residential nature, particularly as the lorries would have to queue on a steep gradient and would undoubtedly generate considerable engine noise.

(iii) Where Knoll Road meets Coldharbour Lane at the western end, the junction is further complicated by a third road, Ridgeway Road. This 3-way junction already presents a dangerous and hazardous situation for both drivers and pedestrians. Drivers emerging from Ridgeway Road must look in 3 directions, with poor sight lines to both north and south of Coldharbour Lane. Traffic travelling north from Coldharbour towards Dorking that wishes to turn into Ridgeway Road have to give right of way to vehicles turning in and out of Knoll Road, thereby often having to 'hover' on a partially blind bend in Coldharbour Lane.

(iv) The proposed route for all oil-rig related deliveries is from the North Holmwood roundabout, via Flint Hill, along Knoll Road and up Coldharbour Lane. This route passes one end of Ridgeway Road where it meets Flint Hill, and then the other end of Ridgeway Road where it meets Knoll Road and Coldharbour Lane. Drivers delivering to the proposed oil-rig site are almost certainly going to use satellite navigation systems which will advise them to follow the most direct route, ie, Ridgeway Road. This is an unadopted road, with 6 traffic humps along its length, whose surface is maintained and paid for by local residents. It is not of a standard comparable to public roads, and the impact of HGV's and hugely increased traffic flows will undoubtedly break up its less robust surface.

5.4 Traffic Management

(i) Reference is made by the applicant to the differing road widths of Coldharbour Lane and consequent classification of various lengths of the road. In summary the applicant states that 'the road (Coldharbour Lane) is generally wide enough to permit a car and an HGV to pass', and elsewhere in the proposal that this characteristic extends for 70% of the road length. In fact the applicant grossly exaggerates the ability for such traffic to pass. There are 4 'pinch points' over 0.8 of a mile shortly before reaching the proposed site, which respectively measure 3.69 metres, 4 metres,

4 metres and 4.15 metres. When taking into account the dangerous deep ruts on each side of the road, two cars wishing to pass each other at these points need to do so at walking pace and with considerable care. It would be out of the question for an HGV and a car to pass each other on this stretch of road, and indeed it is estimated that such conditions exist for almost one third of the length of the designated route along Coldharbour Lane.

(ii) The section of road by the junction with Logmore Lane (grandly described as ‘the major arm of a priority T junction’) and designated as ‘a good point at which vehicles might pass each other’ is in fact extremely steep, and measures 4.9 and 5.2 metres on either side of the junction. Logmore Lane itself reduces to a width of 3.07 metres within 5 metres of the junction.

(iii) The applicant quotes 1054 HGV movements, plus 1088 car and light van movements over an 18 week period. This does not appear to take into account additional traffic movements resulting from the removal of large quantities of timber from the trees to be felled in the proposed compound. This timber will have some economic value and will need to be moved for processing. Such removal/transportation of plantation timber from the Forestry Commission lease-held land is not subject to a Planning Application, but it will presumably take place immediately prior to the mobilisation of work on the development site. Effectively this would extend the 18 week on-site period and result in additional traffic accumulation and disruption. This cumulative effect and its impact should be recognised by the applicant and by the Planning Authority.

(iv) Nor is there mention the effect of the vehicular movements that would be required to remove additional bulked up ‘fill material’ when the site was levelled and re-instated on termination of the exploratory phase. This is in addition to the removal of hardcore imported to form the base to the drill site.

(v) The applicant states that the characteristics of Coldharbour Lane necessitate a system of traffic management to cope with the proposed volume of vehicular movements. The proposal acknowledges that ‘if 2 traffic control operatives were located at each end of the route a potential for delay would be 5 minutes for an HGV and up to 10 minutes for traffic halted at the opposite end (and that) this will not be acceptable’. It therefore suggests that ‘a more tightly drawn area of traffic control is appropriate to reduce the delay times for cars’. The proposed controls are complex and somewhat imprecise, involving a system of manned traffic lights, another set of unmanned traffic lights, 3 banksmen and escort quad bikes or vans, and a mid-way ‘holding’ area by Logmore Lane.

(vi) The above implies a resultant improvement in waiting times. Bearing in mind that it takes a saloon car 5 minutes to drive from Knoll Road to the proposed site, it seems reasonable to estimate that a laden HGV driving up the steep inclines would take at least 7 ½ minutes. The necessary wait for traffic to make the return journey would result in a total delay of about 15 minutes at the traffic lights. This is totally unacceptable although the proposal claims that (such traffic management for a period of 18 weeks) ‘is considered to reduce the impact on driver delay to a Minor Effect’.

(vii) With a potential waiting time of 15 minutes at the traffic lights near Knoll Road there will be a tail-back of traffic extending down Coldharbour Lane towards Dorking, past a 'pinch point' for a pedestrian crossing which permits only one way traffic, and then another 'pinch point' just before the junction of Coldharbour Lane with Falkland Road where the road width restricts passage to two cars passing very slowly. It is therefore reasonable to assume that there will be a tailback from the proposed Knoll Road traffic lights down to Vincent Lane – a distance of 1/3 mile. This may then affect the gyratory system through Dorking. (ie. Vincent Lane and West Street and South Street), and impacting on Dorking High Street, and also on Station Road which carries traffic wanting to by-pass the centre of Dorking to access the A24 northwards). This gyratory system, which includes a section of the A25, is already extremely prone to long delays and complete gridlock. The imposition of such a traffic system as is being proposed by the applicant is likely to bring the whole of Dorking to a state of gridlock for a substantial period each day extending over 18 weeks.

(viii) Scant attention appears to have been made to the practicalities of residents living in the dwellings adjacent to Coldharbour Lane, who will need to exit from their houses in a northerly or southerly direction. When the traffic lights are operating a one-way system, how will the residents know if the lights (further along the road and out of sight) are in their favour or not? Will there be further banksman outside each of the access roads and individual houses fronting onto Coldharbour Lane to indicate when it is safe to proceed? Or is it intended that the residents will have to phone a central control to establish when they may leave their homes?

(ix) During the transportation of the drilling rig, there is a proposal to close Coldharbour Lane for 3 days between 9am and 6pm for all through traffic, and for another 3 days when the rig is dismantled. The proposal states that an application would be made for a road closure and that arrangements would be made with residents along Coldharbour Lane to minimize any inconvenience to them. Residents wishing to go to work or school or do their shopping would be unacceptably inconvenienced, as would the residents of Coldharbour, for whom an alternative route would require them to travel via the Beare Green roundabout or Abinger Common.

(x) Traffic management and road closures would have the effect of forcing local traffic onto smaller and even less suitable roads, like Logmore Lane, Broomhall Lane and Anstie Lane which are single track roads with blind corners and few passing places. These narrow country lanes are likely to see an increased accident rate. These roads are already in poor condition and are likely to deteriorate further with this increased use. There is no reference by the applicant as to the repair and renewal of these roads.

(xi) Traffic management and road closure proposals would create a further hazard for emergency services attempting to reach people or buildings in the remote area of Coldharbour. This might necessitate the use of an air ambulance to take injured people to hospital. Alternatively, emergency vehicles like fire tenders or ambulances would have to travel much further distances to assist people in need in the Coldharbour area. Will there be provision by the applicant to pay the further costs involved with air journeys or longer journeys by emergency services? Lives may be at risk.

(xii) A number of elderly people reside in the village of Coldharbour. These people are supported by carers and home helpers from the Dorking area and further afield. Access to the elderly community in Coldharbour would be severely tested. The existing home help facilities, whilst excellent, are limited in availability due to the remoteness of the village. Why should the elderly be expected to suffer as a consequence of these proposals?

5.5 Traffic Hazards and Road Safety

(i) Reference has been made above to the narrow, steep and twisting nature of Coldharbour Lane, which is used during the week as well as at weekends by horse riders and cyclists. The applicant's proposals mention the fact that there are adjacent tracks on Forestry Commission land, parallel to Coldharbour Lane, offering an alternative (safer) route for cyclists and riders. Such forest tracks do exist, but not for the steepest (probably 1:7) and most challenging section for cyclists. The tracks only begin about ½ mile from the proposed drilling site, and this means that for about 2 miles of the 2.4 mile journey along Coldharbour Lane there is no alternative safe route for cyclists or riders. This is a road safety issue of considerable concern.

(ii) There is no evidence of the provision of wheel washing facilities for heavy construction vehicles exiting the site. In such developments it is normal for mud to be generated, creating a slippery and hazardous surface which is particularly dangerous to cyclists, and also other road users, creating the requirement for increased braking distances. Whilst the applicant advises that road sweepers would be used, these are usually ineffective and generally spread the mud, thereby extending the hazardous zone further from the site and increasing the danger and risk of accidents. (See Appendix 1 regarding the need not to rely on developers' 'empty promises' in this respect).

(iii) Reference has been made above to the potential hazards of an increased volume of traffic on Coldharbour Lane. Such issues of road safety apply not only to motorists, horse riders and cyclists, but also to pedestrians. Coldharbour Lane has no pavements from Knoll Road onwards towards Coldharbour, and residents living in houses along Coldharbour Lane, just south of Knoll Road, have to walk in the roadway for several hundred metres if going into Dorking on foot. It is also used by those accessing the Allotments on foot from the north.

(iv) Reference has previously been made to the road safety issues at the junction of Knoll Road, Ridgeway Road and Coldharbour Lane. Sight lines are very poor for pedestrians wishing to cross from the south side of Knoll Road or from Ridgeway Road in order to go down Coldharbour Lane towards Dorking. This includes dozens of schoolchildren, elderly residents and people with toddlers and dogs. The addition of HGV's and associated site traffic in a 'holding area' at the end of Knoll Road, or turning to go up to Coldharbour and those returning down again, makes for an unacceptably hazardous situation. Although the applicant states that the traffic would be restricted to non-school hours, experience of such restrictions suggests that they would not be observed by all site-related traffic.

(v) Knoll Road is already affected by buses for the Priory School, and school runs by parents. Whilst the applicant states that the intention would be to manage the main deliveries outside of the school run hours there would undoubtedly be oil-rig related

traffic before and after the period of school opening which would affect road safety in Knoll Road and would conflict with the green travel plan for the Priory School.

6. Alternative Sites

(i) In Chapter 4 of the applicant's ES and Para 3.1.2 of Appendix 1.1 the applicant states that 'operational constraints require directional drilling to be within 500 – 600 metres of the sub-surface target zone'. No evidence is provided to substantiate this claim. Advice given to the LHAG is that the reason for restricting access to a distance of 500 – 600 metres from the target zone is not due to physical practicality but more to minimizing the applicant's costs. The site selection process is therefore flawed in that potentially suitable sites are excluded on the basis of an unjustifiable and unjustified assertion.

(ii) In the 'robust review of alternative locations' undertaken by the applicants, 6 possible sites were selected for further assessment. 'A full account was taken of their environmental and operational constraints'. Four of the sites were rejected because of factors such as:

- Site A an 'historically and ecologically important ...lane';
- Site C 'highway safety and capacity issues';
- Site E 'a prominent position within the landscape, residential properties along (the) lane and users of the public right of way (who) could be detrimentally affected'.
- Site F – had 'highway safety and access issues and (because of) technical reasons was least favoured as it required the longest drilling step-out with a consequent longer presence on site'.

A comparison of the remaining two options – Sites B and D (which are relatively close to one another) apparently gave rise to the conclusion that Site B (the subject of this planning application) was 'isolated from residential development, had an existing access onto Coldharbour Lane and fewer ecological constraints'.

(iii) It is entirely fallacious to imply that the selected site for this planning application is free from what are apparently valid barriers to developing the other sites.

- Coldharbour Lane is of historical and ecological importance.
- The intended route to the site raises highway safety and capacity issues.
- The prominent position of the site, 50 metres above the adjacent valley topped by a 35 metre mast, is in a prominent position visible from almost all points of the compass.
- Residential properties are within 520 metres of the site, and there are about 70 properties in Knoll Road which would have to endure voluminous site traffic.
- Unlike Site E there is no public right of way at the proposed location whose users 'might be detrimentally affected', but the general public enjoy Open Access to the Forestry Commission land which is earmarked for the development, and a conclusion would surely be reached that the proposed traffic restrictions for Coldharbour Lane would have 'a significantly detrimental effect 'on local users.

(iv) In essence, none of the 6 selected sites is suitable for such a development, and the only attribute that distinguishes the chosen site from the others is that there is an

existing 26 metre stretch of tarmac from Coldharbour Lane to a galvanised entry gate, plus a stretch of compacted hardstanding for another 230 metres up to the proposed well site. For the applicant, this would make it a more economic location. The compacted hardstanding would however break up very quickly under the volume of traffic and become a muddy track.

(v) When asked if the site would become a permanent fixture if oil were found, the applicant's representative stated on public record on BBC Southern Counties Radio on Tuesday 10th March 2009: –

*“Not at all. This is a pure exploration site. If oil is found we will look to develop in a similar way to BP in Wytch Farm in Dorset. A surface site **in a less sensitive area**. Possibly somewhere near the A24 near the railway line where we will drill a direction well back to the site. This is a very expensive way of drilling but the best way”*

(vi) This comment raises the question, if there is a serious intention to drill for appraisal and production in an alternative location which does not have the impacts of the selected exploration site, why has the applicant not applied to explore in an alternative less sensitive location with appropriate road access, or a location from where access from the highway could be constructed? Could this be due to the cost of the exploration in the proposed site being a great deal cheaper than the location mentioned in the radio interview?

(vii) Any site selected should be located in a less sensitive area outside of a designated Area of Outstanding Natural Beauty and whose access would not result in permanent and irrevocable damage. If existing roads or lanes are not available or suitable within the identified potential oil or gas field then the applicant should make proposals to construct roadways off major trunk roads such as the A24 or A29.

7. Ecology and Biodiversity

(i) SCC Local Minerals Plan 1993 Policy 1 (g) refers to the impact on nature conservation which must be taken into account before any planning permission is given.

(ii) A report by an independent ecologist, arborculturalist and land manager with 22 years of experience in these areas and their overlap with planning and environmental impact assessment is attached (See Appendix 2). The writer is of the opinion that insufficient evidence on ecology and biodiversity has been submitted for the Planning Authority to be able to reach an informed decision about the application for establishing an exploratory oil rig.

(iii) There is a serious flaw with the application in that the area indicated by a red line for the access route and oil rig compound has not been fully surveyed for an ecological impact assessment. A survey was carried out on a smaller area to the south of the area for which the applicant has now applied and as having been undertaken in 2005 is out of date as well.

(iv) **Trees:** No adequate survey has been undertaken of the precise site, nor has a Tree Protection plan been submitted. No detailed proposal is made by the applicant for the removal of trees, though the plans for the drill site extend over an area in which some 60 mature Scots Pines are currently growing. It is customary for an ES to clearly document such intentions. No survey has been undertaken of the trees along the banks of Coldharbour Lane which, if permission were granted to the applicant, would be severely damaged by the size of projected HGV traffic. The applicant has not provided any physical characteristics of the HGV traffic so it is difficult to determine this. A proper study should be carried out using computer software to establish whether the proposed trucks can actually negotiate the bends and overhangs.

(v) **Great Crested Newts (*triturus cristatus*):** The application wrongly states that there is no water within 500 metres of the projected site. This is inaccurate as there is a pond within approximately 100 metres, and other waterbodies appear on an Ordnance Survey map to be within a 500 metre range. The potential impact on Great Crested Newts cannot have been properly considered.

(vi) **Reptiles (Adders and Common Lizards):** Reference is made in the application to a 2005 survey of reptiles and is therefore out of date. It refers to a different area from the one selected, and is inadequate because it was undertaken at an unsuitable time of year and partly during unsuitable weather conditions for such surveys.

(vii) **Pipistrelle Bats (*Pipistrellus*):** are a protected species (by the CROW Act 2000), whose requirements should be enforced. Bats have been observed within 800 metres of the site and nest sites found within this area. No bat activity surveys appear to have been conducted; there is only a report on potential nest sites. Nearby Leith Hill is likely to support *Barbastelle* and *Bechstein's* bats (our rarest bat species), and activity surveys would be necessary in advance of any planning determination in order to establish potential impacts. Bats are likely to feed in the location of the development site, and would be adversely affected by the dust and proposed flaring from the drill site. Such flaring is a very unnatural intrusion on the countryside, and may have a permanent effect on all the wildlife in the area.

(viii) **Nightjars (*caprimulgus europaeus*):** reference is made in the proposals to Nightjars being protected by the Wildlife and Countryside Act 1981 (as amended) *sic* and the need to preserve their nests. In order to comply with the legislation, the applicant recommends that no site construction or de-commissioning work should take place within the Nightjar's breeding season from mid May to late August. But the applicant goes on to say that if such site construction or de-commissioning works were to occur during that period, it would be necessary first to undertake a survey so as to determine whether Nightjars were breeding within 500 metres of the site. If found within the area, the applicant states that measures to minimise disturbance of these birds would be needed. These include the erection of a sound barrier around the main site compound. It is unclear how such a barrier would function effectively. Should the applicant's proposal be approved, there should be stringent monitoring of these measures.

(ix) **Tawny Owls (*strix aluco*):** have been observed hunting and feeding in the area. The effect of the unnatural intrusion of the oil rig development would result in the loss of these birds from the location and effect the biodiversity of the area.

(x) **Birds in general:** The applicant is aware that the destruction of nests as a result of vegetation clearance would contravene the above-mentioned legislation and recommends that any such clearance should take place before the beginning of March and after the end of August, to ensure that breeding is not affected. Should such clearance take place within that period the applicant recommends that an Ecological Clerk of Works should be present. If the applicant's proposal were approved, there should be stringent monitoring of this requirement.

(xi) **Dormice (*muscardinidae*):** This survey was inadequate as it focussed only on the optimum habitat for dormice, should have extended to neighbouring and connected woodland, and related to an insufficient volume of boxes and tubes for the survey.

(xii) **Roe Deer (*capreolus capreolus*) and Muntjac Deer (*muntiacus reevesi*):** are present in the woodland areas. These large mammals would be affected by the dust, fumes, noise and glare of the oil rig site.

(xiii) **Badgers (*meles meles*):** These are protected species (by the CROW Act 2000) and the requirements of this legislation should be enforced. The survey referred to by the applicant was undertaken in 2006 and is therefore out of date. It covered only the 'working area' of the drill site, did not extend over the access area to the site, was limited to a zone extending to only 30 metres, and was undertaken in July (whereas guidance suggests it should be during the winter). Badgers have been observed very close to the development site and Sets are known to be within 800 metres of it.

(xiv) The **Site of Special Scientific Interest** around Leith Hill and the local acid grassland resource, as the applicant acknowledges, are considered to be of National Value and should be protected. They would be affected by the output of dust, fumes and noise from the development site.

(xv) There is no clear indication of **the impact of dust** on flora and fauna in the area, either generated from the development site or generated by the increased traffic using Coldharbour Lane.

(xvi) **Flaring**, albeit contained in the clean enclosed burners (CEBs) is a very unnatural intrusion on the countryside and might have a permanent effect on the wildlife in the area, particularly bats and nightjars nesting in the area.

8. Visual Amenity and Effect on the Landscape

(i) The SCC Local Minerals Plan 1993 Policy 1 (c) states that '*the visual impact and effect on landscape*' must be taken into account before any planning permission is given.

(ii) Whilst the applicant has undertaken a survey on the effects of the proposed development on visual amenity, this work is inevitably subjective, difficult to quantify and essentially a matter of judgement by the team writing the ES.

(iii) Coldharbour village is in a Conservation Area as designated by the Local Planning Authority under the Planning (Listed buildings and Conservation Area) Act 1990. Views from this sensitive Conservation Area are critical in determining the scale of the visual impact. Views from the north of the village (520 metres from the

proposed site) and from the village centre would be blighted by the drilling area for a period of at least 18 weeks.

(iv) There is no guarantee that this period may not be extended as a result of any number of reasons such as failure by the applicant to keep to this programme or due to issues outside of the company's control. This type of activity cannot just be stopped. There is a serious concern that the blight which would result from planning permission for the oil rig would be far more extensive than is being indicated.

(v) The applicant glosses over the visually detrimental impact of the drilling site, should approval be given, on views from the north of Coldharbour village, Wolvens Lane, Collickmoor Farm, Ranmore Common and Box Hill. Photographs, taken in the daytime, have been produced by the applicant and contrasted with a mock-up of the potential impact of the oil rig. No photographs or mock-ups of the night time scene have been submitted. Yet the effect of a red strobe light at the top of a 35 metre mast, with fluorescent strips on the rig itself, are acknowledged to be 'likely to catch the eye in views towards the site'. This would be particularly eye-catching in an area which at night has an intrinsically dark landscape. Further acknowledgement is made that such a situation would be classified as 'moderate or substantial-moderate, possibly leading to a borderline significant effect' in terms of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999. However, the argument is that this would only be so classified if the rig were to be permanent or long-term. The principle that this visual intrusion would be unacceptable on a long-term basis but acceptable for 18 weeks is a curious one.

(vi) The beauty spots, mentioned above, are visited by very many visitors (both local and from much further afield) who come to the AONB to enjoy spectacular views of Surrey countryside. The proposed area is currently shielded by a forest of evergreen trees, including some 60 Scots Pines which are apparently earmarked for felling. If these were removed, the area of the drill site would be denuded of trees, making it highly probable that the visual intrusion of the oil rig (situated 40 metres above the edge of the valley and topped by a 35 metre mast with a red strobe light) would be very evidently apparent from these locations.

(vii) The nearby Anstiebury Ring is a Scheduled Ancient Monument. Views from this location would be affected by the development site.

(viii) No consideration has been given to the long term impact on views should further applications be made for appraisal and production phases if hydrocarbons are discovered. In this instance the impact would be significant and long-term. The proposal should be rejected.

9. Environmental Pollution

The impact of all these pollutants, as described below, would be felt by all nearby residents in Coldharbour, some of whom live only 520 metres from the site. For all the reasons given below, the application should be rejected.

9.1 Effect on Groundwater

(i) In accordance with SCC Local Minerals Plan 1993 Policy 1(e) the ‘*effect on the flow and quality of groundwater, surface water, land drainage and flooding*’ must be taken into account before any planning permission is given.

(ii) SCC Local Minerals Plan 1993 Policy 15 states that ‘*Proposals for drilling operations for hydrocarbons, whether for exploration, testing to locate and determine the nature and extent of resources or for the production of hydrocarbons, will be permitted only where the County Council are satisfied that in the context of the geological structure being investigated the proposed site has been selected so as to minimise the environmental and ecological impact of the development*’.

(iii) The sensitive local geology is susceptible to significant movement of pollutants due to the very permeable nature of the sand and clay interlayers of the subsoil. There is considerable concern that the aquifer would be polluted causing a very serious problem in terms of local public health through water contamination. The most rigorous environmental protection to this substrata is not to be taken lightly and, in the event this application were granted consent, requires the most robust monitoring. The likelihood that this would be undertaken by the applicant is remote due to the lack of depth of study undertaken in the ES.

(iv) The proposals to bund the area of the drill site to prevent the evacuation of any contaminating liquids is fundamentally flawed. While a bund is neatly constructed around the drill site there is a gaping hole at the site entrance and exit. The impermeable layer that protects the subsoil would create a barrier to contaminating the soil, but the liquid - be it oil, mud or contaminated water - would flow out of the drill site to the SW corner of the site and down the adjacent valley.

(v) The applicant makes great play of the fact that there would be capacity to “capture” 57,000 gallons of oil should it flow uncontrolled for 30 days from the well head. This is very laudable, but no explanation is given as to how this captured pool of oil would be removed from the area in an environmentally controlled manner. Also the non-bunded gate position is not fully considered in these circumstances.

(vi) To avoid contamination of the aquifer the applicant proposes to sleeve the drill hole with a 9 5/8” steel casing all the way down to a level of 62 metres. This 62 metre “steel pipe” will have to be suitably jointed to avoid any leakage of oil into the surrounding soil, so as not to pollute the sensitive aquifer. The concerning and very damaging issue is the fact that this steel tube will be cut off at 2 metres from the surface and will be left deposited within the ground, a 60 metre pipe deposited in the subsoil forever.

(vii) The analysis provided by the applicant as to the effects on the local groundwater is derisory, lacks any scientific objectivity and should be rejected.

9.2 Light Pollution

(i) SCC Local Minerals Plan 1993 Policy 1 (b) refers to 'the *impact on amenity (including the potential effectsglare)*' which must be taken into account before any planning permission is given.

(ii) The applicant recognises that the area around the proposed development would be classified by the Institute of Lighting Engineers as E1: Intrinsically Dark Landscape – which applies to National Parks and AONBs. This area of dark landscape is unique and is undoubtedly worth preserving in its current state. The local environment has always enjoyed this character to the extent that Coldharbour does not have street lights.

(iii) The applicant has provided in the ES an assessment of the effects of lighting on the surroundings, but the assessment method is flawed. The baseline is intrinsically dark and therefore any added light will have a dramatic major negative impact on the area, not a negligible or moderately negative effect as is claimed.

(iv) There is scant regard for the effects on flora and fauna by the intensity of the lighting proposed for the drill site. Many nesting birds, mammals and reptiles will be affected by this unnatural intrusion on the landscape. Tawny owls and Night Jars nest in the area and their hunting, feeding and well-being will be affected by this night time intrusion.

(v) The well site would be clearly viewed from the heart of the Coldharbour Conservation Area. This visual impact in the evening and at night would harm the character of the village and is unacceptable.

9.3 Impact of Noise and Vibration

(i) In accordance with SCC Local Minerals Plan 1993 Policy 1 (b) the '*impact on amenity (including the potential effects of...noise and vibration..)*' must be taken into account before any planning permission is given.

(ii) The ES states in Chapter 11 (Noise and Vibration) that the nearest dwelling is 600 metres away in the vicinity of Coldharbour, whereas all the other chapters of the ES quote this distance as 520 metres. This inconsistency demonstrates the applicant's lack of accuracy and care.

(iii) The current baseline for noise and vibration in the area is very low as there is little or no ground-borne sound or vibration. This characteristic provides a unique habitat for wildlife. The inhabitants of the area, and many thousands of annual visitors, would be adversely and unacceptably affected by the extent of noise and vibration which would destroy the peace and tranquillity of the area should the application be agreed. The proposal to drill on a 24/7 basis would be totally unacceptable for local residents and extremely detrimental to wildlife.

(iv) The applicant states that, wherever practicable, top soil mounds would provide a sound barrier to reduce noise to the south and west – the principal directions of sound travel which would affect the inhabitants of Coldharbour. Judging by the scale of these mounds from the plan submitted by the applicant, they do not appear to be high enough to achieve this task.

(v) From the ES there appears to be very little by way of vibration monitoring or a study which would be the norm in these circumstances.

(vi) The fragile nature of the embankments to either side of Coldharbour Lane would deteriorate as a result of the excessive noise and vibration created by the large volume of HGV and other drill site traffic. There is no study of the effect of this or proposals to mitigate these effects.

9.4 Impact of Dust and Fumes (air quality)

(i) In accordance with SCC Local Minerals Plan 1993 Policy 1 (b) the '*impact on amenity (including the potential effects of ...fumes ...dust*' must be taken into account before any planning permission is given.

(ii) Dust and its impact is a serious consideration that is covered by comment in Chapters 8 and 14 of the ES. More detailed consideration of environmental impact and mitigation should be given to this area by the applicant.

(iii) Fumes and air quality from the flaring activities are not covered in sufficient detail to provide assurance that the impact would be fully mitigated. The development site has at present no fumes, gases or smells and therefore the impact on the air quality, including the all-pervading smell of oil, would be totally unacceptable to human receptors and extremely damaging to wildlife.

10. Health and Safety

(i) The SCC Local Minerals Plan 1993 Policy (1a) states that '*implications of health and safety of the public*' must be taken into account before any planning permission is given.

(ii) Health and safety legislation covers the protection of the public, employees and workers who might be impacted by development activity such as that proposed by the applicant. Risk assessments, safe methods of work (method statements) and safety management systems would be required by the applicant.

(iii) There is an inherent risk associated with this proposal which would have a serious and potentially dangerous impact on the people living, working or enjoying the open space which the AONB has to offer. Coldharbour Lane would be the most affected area. It is already an accident black spot, and the additional volume of traffic, especially HGV's, would affect other road users, especially horse riders and the large numbers of cyclists using the Lane.

11. Archaeology

(i) Relevant legislation on Archaeology includes Planning Policy Guidance 15, Planning and the Historic Environment, and SCC Local Minerals Plan 1993 Policy 1(j) which deals with '*impact on archaeology and historic landscape*'.

(ii) The applicant has undertaken a desk top study on the potential impact by the proposed oil exploration on archaeological features near the designated area. This draws attention to two significant sites. The first is the presence of the Anstiebury Camp - a Scheduled Ancient Monument 800 metres from the proposed drilling area - dating back to the Mesolithic Age which has a very interesting history. There is also local evidence to suggest that this was a refuge to be used in the event of a Napoleonic Invasion. The second archaeological feature, less than 1 kilometre away, is Stane Street - a Roman Road.

(iii) Both these local sites are of national significance and demonstrate that the area has been populated for many centuries. In addition the area has revealed many interesting archaeological finds such as gold coins at nearby Leith Hill House. The proposed site is a prominent hill which may have been settled by human inhabitants as human activity in the area dates back a very long time.

(iv) It is normal in these circumstances for an applicant (a) to undertake trial pit excavations before an application is made; (b) then to carry out a full archaeological site investigation before any major construction works take place; (c) undertake a watching brief thereafter. None of these vital steps to address the impact on any archaeological features which may be present has been suggested by the applicant.

12. Impact on Recreation

(i) SCC Local Minerals Plan 1993 Policy 1(j) refers to the '*impact on existing or potential recreation use*' which must be taken into account before any planning permission is given.

(ii) The Surrey Hills AONB, with Coldharbour and the Leith Hill area at its centre, is visited by 618,000 people every year (figures supplied by the National Trust). The activities of walkers, more serious ramblers, dog walkers, horse riders, mountain bikers, road cyclists and many other groups would be affected by the unnatural intrusion into this space of an exploratory oil rig.

(iii) Cyclists and horse riders using Coldharbour Lane would be subjected to potential road safety hazards created by the volume and size of HGV vehicles and associated oil site traffic, and by the mud which these vehicles would distribute on the roads.

(iv) A significant proportion of visitors to Leith Hill and the Tower travel there via Dorking and Coldharbour Lane, many during the mid-week period. The proposed traffic management scheme involving sets of traffic lights will cause unacceptable delays, and the proposals for the closure of Coldharbour Lane will prevent or deter visitors from visiting this area which is one of the most prominent viewing spots in the South East of England.

(v) Should permission be given for the oil exploration, the applicant should be required not to utilise HGVs at weekends (when the majority of visitors go to the area) thereby eliminating the necessity for traffic restrictions on the public at weekends. The current application is for deliveries to continue up to 1330 hours on Saturdays.

13. Socio-Economic Factors

(i) The applicant has supplied 10 pages in the section on Socio-Economic Factors in which reference is made to the social and economic characteristics of the Dorking and Mole Valley area in which the proposed drilling site would be located.

(ii) Much of the research is based on information which is seriously out of date. Examples include an Annual Business Inquiry of 2002, Office of National Statistics estimates of population for 2004; statistics relating to job growth since 1981; job losses in ICT in 2002.

(iii) Many sources are without a date, are poorly referenced, or not referenced at all. Surrey Training and Enterprise Council is quoted regarding economic development, but it was abolished in 2001.

(iv) The applicant recognises that temporary exploration would not generate jobs, and that highly skilled specialist labour would be brought in for the purpose of erecting and operating the rig. The claim that ‘there would be a short-term minor positive impact on labour markets’, citing temporary jobs in construction and haulage seems optimistic.

(v) The claim that there would be an indirect impact of increased expenditure is not substantiated. No proper impact assessment has been provided.

(vi) The applicant states that ‘the significance of the social impact of the facility on the general population is more difficult to quantify, particularly as ...the well could be perceived as ‘bad neighbour’ development’, but states that ‘given the short term minor positive socio-economic impact ...upon the locality, no mitigation measures are required or proposed’.

(vii) In conclusion, the claimed economic benefits for the local community are without adequate foundation, and the social benefits would be laughable if the situation were not so concerning. This section of the applicant’s proposal should be ignored.

14. Site Restoration

(i) SCC Local Minerals Plan 1993 Policy 1(k) states that ‘*the restoration of the site and the after-use* proposed’ must be taken into account before any planning permission is given.

(ii) It is the duty of the applicant to provide details of site restoration plans following the completion of the proposed works. In addition, proposals for after-use should be clearly identified. The applicant has not given any such details except a proposal to leave the land to re-generate as if only logging operations had taken place.

(iii) The proposals include significant reductions in ground levels and the importation of hardcore material to form the base of the exploration site. These unnatural imported materials would have to be removed when the exploratory period ended.

(iv) If approved, the site would entail the felling of some 60 mature trees. No mention is made of replacing them, nor to the provision of a suitable growing medium for re-planting purposes. This would have to be distributed over much of the site, once the hardcore had been removed.

(v) In the event of planning permission being granted, the applicant should be required to provide written assurances that the site would indeed be restored to its previous attractive condition.

(vi) In addition, again in the event of planning permission being granted the Planning Authority should insist an adequate Financial Bond is taken out by the applicant to ensure complete restoration is achieved should the applicant default in this duty.

15. Impact of Further Development

(i) The Department for Communities and Local Government: Minerals Policy Statement 1 (MPS1) states that *'planning considerations for exploration and appraisal should not include any hypothetical future proposal for development of the oil or gas resource'* (Annex 4, paragraph 3.7).

(ii) However, for Appraisal applications it also states that *'consideration should take into account the long term suitability of the site since such wells may be required for production purposes'*. SCC Local Minerals Plan 1993 Policy 16 also makes this point clearly.

(iii) In this instance, as the development site is located in a sensitive Area of Outstanding Natural Beauty, some indication should be made by the applicant of any future long term effects that may come about if the planning application is successful, and if exploration proves that hydrocarbon extraction is viable. These implications are key to determining the long term effects this application might create if granted consent.

16. Conservation Area and Listed Building

16.1 Development adjacent to a Conservation Area

(i) Section 73 of the Planning (Listed Building and Conservation Areas) Act 1990 (1) states: *'Where an application for planning permission for any development of land is made to a local planning authority and the development would, in the opinion of the authority, affect the character or appearance of a conservation area, sub-sections (2) to (7) of section 67 shall apply as do they apply in the circumstances mentioned in sub-section (1) of that section'*.

(ii) Although the proposed development is itself outside the Conservation Area, it is within some 500 metres of it. Clearly, if planning permission were granted, it would

have an extremely negative impact on the Coldharbour Conservation Area and therefore the application should be rejected.

16.2 Nearby Listed Buildings

(i) Section 66 of the Planning (Listed Building and Conservation Areas) Act 1990 (1) states: *‘in considering whether to grant planning permission for development which affects a listed building or **its setting**, the Local Planning Authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or **its setting** or any features of special architectural or historic interest which it possesses’.*

(ii) There are several Listed Buildings in Coldharbour village, of which Coldharbour Church is the most prominent. No consideration has been given in the proposals to preserve its setting as required by the above Act.

17. Local Public Consultation

(i) It is good practice for organisations such as the applicant in these circumstances to arrange regular consultations with the local community and others in addition to the required statutory consultations. This is not only a point of courtesy to local people who are affected by an application, but is also quite common practice as illustrated by BP at their Wytch Farm development in Dorset where they claim to have attended 300 formal meetings and many informal discussions.

(ii) Whilst this scheme is on a different scale from Wytch Farm it should be noted by the Planning Authority that **no such consultations** have taken place between the applicants and local residents of Coldharbour village, householders in Coldharbour Lane and Knoll Road, users of the AONB or the public in general. This covert and secretive approach demonstrates a lack of thoroughness and openness on the part of the applicant, and leads to questions of what else the applicant has omitted from the application process.

18. Conclusion

(i) The LHAG objects most strongly to this application, which on many counts has been ill researched and is based on fallacious arguments, as detailed above.

(ii) The Planning Authority is requested, before it considers the application, to ensure that all the necessary impact assessments have been undertaken, and in particular that adequate mitigation measures are proposed.

(iii) Should the planning application be approved, and unless the Planning Committee is satisfied about the applicant’s financial position, a substantial cash deposit should be required of the applicant before work commences, against the cost of reinstating the proposed site, the damaged highways and their embankments.

(iv) If the Planning Committee requires further clarification of the LHAG's views, we would be pleased to make a presentation.

Appendices

1. Technical Statement on the Effect of Construction Traffic consequent to the proposal to build an Oil Exploration Rig on Leith Hill

2. Ecology Report by Verdant Land Management Services

3. Socio-Economic Report

Appendix 1

Technical Statement for LHAG on the Effect of Construction Traffic Consequent on the Proposal to Build an Oil Exploration Rig on Leith Hill.

Peter Tindall – BSc MSc CEng MICE FIHT FIAT
Chasemore Cottage
Coldharbour
Dorking Surrey
RH5 6HF

Preamble

I am a Chartered Engineer with 30 years experience of highway construction and maintenance. I am employed as Project Director with a major UK consultancy. Previously I was employed in the Highways Maintenance Department of Kent County Council. My Masters Degree was in Pavement Engineering at the University of Nottingham. I have been asked by the members of Leith Hill Action Group (LHAG) to provide them with this technical statement.

Statement

I think LHAG must accept the point raised by the developer in para 16.6 of the ES that 'Exploration must occur where it happens'. However the developer admits in his proposal that the use of directional drilling permits the drill site to be remote from the actual tapping point of the reserves. I believe that the inevitable damage caused by construction traffic to Coldharbour Lane and the surrounding are both avoidable and unnecessary. Further to the comments about how limiting traffic movements to non peak hours might ameliorate local access issues, this strategy would do nothing to prevent damage; HGV's do as much damage to the road structure after 9.30 as they do before. This amelioration measure is therefore worthless in this respect.

Looking initially at the construction of Coldharbour Lane in particular (although the principles apply equally to other roads), there are three elements to it viz:

- the pavement (ie the road)
- the foundation (the ground underneath and everything in it)
- the verges

The pavement (the paved surface) was never designed; it developed from a muddy track into its present form. Much of it is in cutting and has no drainage. Essentially local people trudged along the track and the cart wheels and animal hooves would have turned the surface into a quagmire. During 'maintenance' the surface mud would have been scraped off and discarded and so gradually the riding surface sank deeper into the hill. Someone would have eased the ups and downs by cutting the road further into the hill and eventually it would have been given a 'metalled' surface which

would have made journeys much easier (at least on the uphill route). As the surface failed (potholes and ruts) it would have been dug out and filled with stones and then a tar spray and chip surfacing placed over it. It would have been dug wide enough to allow two 'vehicles' to pass and no more simply because of the unnecessary effort involved in doing anything more.

This is where our problem begins. Those vehicles were light and narrow which is why the present lane is very narrow and why it is undoubtedly structurally weak. It was made only as strong as it needed to be to carry the traffic it had to. Undoubtedly that did not include large volumes of HGV transporting parts of an oil rig.

In the 1960s experiments were carried out in California to look at the damaging effect of heavy trucks on roads. It is known as the ASHO Road Test and has become the basis of modern road design throughout the world. The key part of it relevant to this planning application is the relative damaging effect of lorries. The relevant formula is based on a Standard Axle of 18,000 lbs (about 8 tonnes) and showed that any given axle load divided by the Standard Axle all raised to the power 4 could be used as a reliable measure of the relative damage caused. In other words doubling the load on any given axle caused sixteen times the damage.

Thus a 40 tonne, 5 axle articulated lorry would do as much as 13,400 times more damage as one small car. (I've used $4t+12t+8t+8t+8t$ on the truck axles and $1.2t+0.8t$ on the car). In reality this would be worse given the dynamic effort on the driving wheels needed to drag a big truck up the hill. That multiplied by the expected 1,054 truck movements would be devastating.

Assuming Coldharbour Lane carries about 590 car movements a day and 4 other lorry movements a week (dustbin lorry, oil deliveries etc) each of three axles ($3t + 7t + 7t$ say). This would add up to about 340 standard axles a year which is not much. Adopting the 'anticipated traffic generated by the proposal' in the ES Appendices with assumed axle loadings these add up to 3,860 Standard Axles. In other words the construction activities would do more damage than 11 years of normal traffic, see analysis below. Add to that the dynamic effect of climbing the steep hill and the figure becomes worse. This is on an un-designed road originally built for donkey carts.

This is just the theoretical part. Now let's consider the foundation. Having seen that the weight of a heavy truck is much more than normal traffic and that the damage it causes is immense by comparison this means that anything in the ground under the road is vulnerable. From the ironwork or manhole covers in the road itself there appear to be at least one statutory utilities service actually in the road. This is mains water but telephone, electricity and drainage all have routes into the village and disruption to any of them is not acceptable. Adequate measures must be taken to ensure that any/all supplies will not be disrupted before any heavy construction traffic is permitted to use the road.

Thirdly – considering the verges it must be recognised that the biggest and heaviest construction vehicle has a 3 dimensional footprint. It will be long and may not negotiate the numerous bends along Coldharbour Lane without modification to the verges. It is also tall and given the number of mature trees leaning across the road it maybe that the travelling envelope of the vehicles simply will not pass under and through the tree canopy. If permission is given to allow these vehicles access to

Coldharbour Lane it will not be acceptable for a crew to walk with the first one cutting trees down in the process. Some of the trees along Coldharbour Lane are decades old and simply cannot be replaced before many more decades have passed.

The stability of the cuttings also cannot be guaranteed. Like the width and thickness of the pavement they were cut to present levels of steepness only because they would collapse if they were built any steeper. The vibration and disturbance caused by the heaviest construction vehicles is an unknown. It is quiet possible and most probably likely that trees and cutting slopes along Coldharbour Lane would be irretrievably damaged. The disruption caused by this would close the road for considerably longer than 'outside peak hours' and is not acceptable. However the instability may not manifest itself immediately. As is the nature of such cuttings it may be that the disturbance will only become apparent at a later time. Slope instability with the potential for a tree fall is a hazard that could cause injury or death. The risk of this happening is at present unquantified. We would insist that a proper evaluation and risk assessment is undertaken before any permission to use Coldharbour Lane for construction traffic is granted.

Moving on to one other construction traffic related issue. The developer proposes to employ road sweepers to control mud on the highway. Experience of every development project I have been involved in where such measures have been promised is that the promise is empty. Mud and debris always find their way on to the highway. Permission should not be given on the basis of this weak promise. Similarly it should be recognised that dust, spills etc from construction vehicles will have a potentially major effect on flora, fauna and wildlife, not to mention residents and the many visitors to the area. Table 16.1 indicates that the type, nature, scale and scale of the various impacts are short term and minor. This is not so. The local environment is fragile and very sensitive to the impact of commercial vehicles and bland promises to work within 'good practice' and 'acceptable limits' are not good enough. Cast iron guarantees and punitive penalties should be applied to any and all or the amelioration measure so that 'mistakes' simply do not happen. Experience shows that lame excuses and promises not to do it again usually work in favour of the developer once permission is granted.

To conclude, the developer has understated in his ES just how much damage will be caused. By his own admission directional drilling is possible and can be used to access a given point underground from a remote point on the surface. I believe that the choice of drill site is not at all concerned with local issues or environmental concern but is simply the easiest and cheapest. Faced with the true damage potential I believe that an alternative site for drilling can and should be found which will negate the need to set up a drill rig in the AONB.

Analysis

Planning Application MO/2009/0110 Land at Bury Hill Table 1 Anticipated Traffic Generated by the proposal					
Stage of Project	Total number of Vehicles (Anticipated)		Duration of Project Stage (working days)	Number of Vehicles/day	
	HGV	Private /LGV		HGV	Private/LGV
Site Construction	170	90	16.5	10	5
Rig Mobilisation	32	60	3	11	20
Drilling	123	280	24	5	10
Rig De-Mobilisation	32	60	3	11	20
Site Reinstatement	170	54	16.5	10	3
TOTALS	527	544			

Assumptions:

- 1 Goods Vehicle numbers as table 1
- 2 Axle load distribution (number and weight) as table 2
- 3 1 Standard Axle = 8 tonnes (ASHO Road Test)
- 4 Equivalent Damage Factor equation = (Axle wt/8)⁴ (ASHO Road Test)
- 5 No. of local residents' car journeys/yr: 590 per day x 365 days = 215,350
- 6 Delivery HGVs (dustbin collection, oil deliveries): 4 per wk 52 wks per/yr = 208
- 7 All vehicle movements have an empty return trip at reduced weight

HGV/day x duration (of column E)	LGV/day x duration (of column F)
165	82.5
33	60
120	240
33	60
165	49.5

Vehicle type as above	assumed weight on axle 1	assumed weight on axle 2	assumed weight on axle 3	assumed weight on axle 4	assumed weight on axle 5	assumed weight on axle 6	total vehicle weight (tonnes)	Damage Factor (Standard Axles)	Number of HGVs as above	cumulative STANDARD AXLES per Vehicle type
Site Construction HGV		4	12	8	8	8	40	8.13	170	1381.25
Rig Mobilisation HGV		6	10	10	8	8	50	8.20	32	262.38
Drilling HGV		5	1	8	8	8	30	3.15	123	387.80
Rig De-Mobilisation HGV		6	10	10	8	8	50	8.20	32	262.38
Site Reinstatement HGV		4	12	8	8	8	40	8.13	170	1381.25
HGV vehicles return trip (empty)	3.5	5	5	1	1	1	16.5	0.34	527	180.52
									<u>1054.00</u>	
									Total HGV Standard Axles	3855.57
Vehicle type as above	assumed weight on axle 1	assumed weight on axle 2					total vehicle weight (tonnes)	Damage Factor (Standard Axles)	Number of HGVs as above	cumulative STANDARD AXLES per Vehicle type
Site Construction LGV		1.5	2.5				4	0.01077	90	0.970
Rig Mobilisation LGV		1.5	2.5				4	0.01077	60	0.646
Drilling LGV		1.5	2.5				4	0.01077	280	3.016
Rig De-Mobilisation LGV		1.5	2.5				4	0.01077	60	0.646
Site Reinstatement LGV		1.5	2.5				4	0.01077	54	0.582
LGV vehicles return trip (empty)	1	1.5					2.5	0.00148	544	0.805
									<u>1088</u>	
									Total LGV Standard Axles	6.67
									Total site traffic Standard Axles	3862

Vehicle type as above	assumed weight on axle 1	assumed weight on axle 2				total vehicle weight (tonnes)	Damage Factor (Standard Axles)	Number per year	cumulative STANDARD AXLES per Vehicle type
Cars	1	0.5				1.5	0.00026	215350	55.86
HGV (delivery vehicle)	3	7	7			17	1.19214	208	247.96
HGV return (empty)	3	4	4.5			11.5	0.18239	208	37.94
								<u>215558</u>	
								Total residents' car journeys per year - standard axles	341.76
								Relative damage site traffic vs local	11 years

Appendix 2

Verdant Ecology

Land Management Services
Home Farm, Broadmoor,
Abinger Common, Dorking,
Surrey RH5 6YJ
01306 731150
www.verdantecology.co.uk
info@verdantecology.co.uk

Re; Holmwood Prospect Proposed Exploratory Drill Site near Coldharbour, Surrey.

SCC Ref 2008/0169/PS

02/04/09

Dear Ms Herbert,

My name is Jonathan Bradley (BSc, MSc, TechCertArb, MIEEM, CEnv). I am an independent, self-employed consultant ecologist, arborist and land manager practising as Verdant Ecology (Land Management Services) of Home Farm, Broadmoor, Abinger Common, Dorking, Surrey. RH5 6JY. I have over 22 years experience in earth sciences, land management, arboriculture, ecology and the overlap with planning and environmental impact assessment.

I am writing with regard to the above planning application. I have been asked by the community of Coldharbour to contribute to the campaign to resist the construction of the aforementioned rig.

I have reviewed the following documents available on the MVDC website.

Chapter 8, Ecology and Biodiversity, Environmental Statement,

Reptile Survey Report, RPS, 06 Jan 06.

Badger Survey Report, RPS, 06 Jan 06

Dormouse Survey Report, RPS, 10 Oct 06

Survey of Trees with Bat Roost Potential, RPS, 06 Jan 06

Figures 1.2, 1.6 and 1.7 Rev. B

Appendix 1.1 Part 1 Environmental Review of Alternative Sites

Appendix 1.1 Part 3 Site Selection Report

Having done so, I have come to the opinion that it will be impossible to grant planning permission in this case. I outline some of my reasons below;

Under current legislation, policy and best practice relating to the protection of natural features, planning permission can only be granted where planning authorities are provided with enough information to enable them to make an informed decision in advance of that decision.

For example:

'The presence of a protected species is a material consideration when a planning authority is considering a development proposal' (Para. 98 of ODPM and DEFRA, 2005).

'It is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed development, is established before the planning permission is granted...' (Para. 99 of ODPM and DEFRA, 2005).

'Where the nature and location of a development is such that nature conservation impacts may be significant and existing information regarding this is lacking or inadequate, further ecological surveys may be necessary in advance of a planning application' (DETR, 2006)

I have the following criticisms of the ecology and arboriculture work that relate to the application.

Trees

Trees are a material consideration in planning decisions. Trees on proposed development sites should be considered under British Standard 5837. Fig. 1 and section 3.2.2 in BS 5837 clearly show that the initial design of any development should come subsequent to the BS survey (not a scoping survey), the categorisation of trees and the Tree Constraints Plan. As far as I am aware, no such arboricultural work exists for this application.

Section 4.2.1 of the BS goes on to state *'...should record information about the trees on a site independently of and prior to any specific design for development.....the results should be included in the preparation of a tree constraints plan which should be used to assist with site layout design.'* This is reinforced by section 4.2.3. Section 4.2.5 expects the categorisation of trees to occur at this stage too. 4.2.6 clearly lists the information expected at the Tree Survey stage (and thus in advance of a development design layout). Also, section 4.5 states *'It is essential that the trees are assessed objectively and without reference to site layout proposals'*.

The site proposed for development is different from the site covered by tree surveys.

I can find no evidence that the applicant has considered impacts on trees (or any potential for associated protected species) along Coldharbour Lane.

Great Crested Newts

The applicant's ecology advisors assert that there are no waterbodies within 500m of the perimeter of the proposed site. This is not the case. The applicant's plan of the site quite clearly shows a pond approximately 100m to the south of the site.

Looking at an OS map for ponds within 500m is not sufficient (8.144/5, ES). Not all ponds are shown on OS maps and ground truthing should occur. Added to which, OS maps show several other waterbodies in the area, some of which appear to be within 500m. These are significant oversights that mean impacts on GCN cannot have been properly considered.

Reptiles

The reptile survey was conducted in 2005 and should thus be considered out of date.

The areas subjected to survey do not correspond with the areas affected by the proposed development footprint. Figures 1.6 and 1.7 Rev. B also show that the drilling site is no longer where it was intended at the time of the reptile survey.

These figures also show that the whole area within the site perimeter is to be developed meaning that the 'working zone' referred to in the Reptile Survey Report is not the limit of impacts (as assumed by the report).

2.2. of the Reptile Survey Report (06 Jan 06) states that the whole site except for densely wooded areas was considered suitable for the more common reptile species, yet it appears the refugia were not distributed throughout all the suitable areas (for example they were only placed along part of the access track). Weight is added to this argument by the fact that the one reptile that was detected was found beyond the area covered by the artificial refugia.

According to Froglife's Advice Sheet 10, the minimum number of visits is seven (not including the date the refugia are sited) for attempts to 'establish' presence. 2.4 of the Reptile Survey Report (06 Jan 06) states that (the minimum) seven visits were conducted but also admits that weather conditions on these visits were not always suitable. For example, Table 3.1 shows that on two visits it was raining. This means that reptiles would have been unlikely to be using the refugia for basking (the main purpose of using artificial refugia) on these survey visits. Additionally, there is no information about what time of day the visits were conducted. This is important because on hotter days, refugia checks should be conducted in the morning or evening because for much of hot days, reptiles will not need to bask (or thus use the artificial refugia).

The surveys were only conducted in September and October. This means the ecologists have missed the spring season which is considered the peak period for successful surveys '*The best time to look for reptiles is late spring (April-June) and sometimes again in September*' (English Nature (as was), 2004, Reptiles: Guidelines for Developers). It also means there was little chance of finding a) sloughed skins and b) adder communal hibernation sites (for which there has been no consideration). This is especially important as an adder was noted in the vicinity. Such communal hibernation sites are re-used year on year and any loss may have a significant impact on the conservation status of this species.

Based on these facts, it is my opinion that less than the required survey effort was expended.

Badgers

The most recent badger survey was conducted in 2006 and should thus be considered out of date.

The badger survey work is inadequate. The update survey was conducted in July. The optimum period for badger survey work is widely accepted as being the winter months.

In the badger survey report, the applicant's ecologists say they surveyed 30m beyond the 'working area' 'where accessible'. There is no clarification of what 'where accessible' means and how much of the area was thus not surveyed.

The applicant's ecological advisors have used the edge of the 'working area' as the centre of a 30m zone of influence. A 30m survey zone is inadequate. I suspect that they have misinterpreted guidance from English Nature, 2002, p. 12, where 30m is suggested as a guide for when disturbance may be caused and thus a license needed. This guidance does not use 30m as a 'cut-off' distance, indeed it specifies that for some types of activity (and I suggest that drilling for oil would be included in this), disturbance may well occur beyond this 30m. Additionally, this guidance has since been replaced. The latest guidance (Natural England, 2007) does not even mention a guideline distance.

The figures showing the layout of the site (1.6 and 1.7 Rev. B) shows the whole site as being developed. This means that the 'working area' should include the whole site, not just the drilling site. In my opinion heavy goods vehicles using the access track may also cause disturbance to any nearby setts. Thus the badger survey area should have considered this.

Figures 1.6 and 1.7 Rev. B also show that the drilling site is no longer where it was intended at the time of the badger survey (Fig 3.1, Badger Survey Report, 06 Jan 06).

Given these facts, the limitations of the survey work and as badger signs were found near site, including a possible hole 55m from the edge of the site (8.124, ES), it is advisable to require more suitable badger survey work.

Dormice

In my view the dormouse survey is inadequate. My reasoning is based on the following information available from the Dormouse Conservation Handbook (Bright *et al* 2006). Whilst I recognise that this publication was not available at the time of the survey, much of the information it contains is available from other, earlier publications such as English Nature Research Report 524. Additionally, the applicant's ecologists have had plenty of time since the publication of the DCH to amend/update their work.

My comments are especially pertinent given that the applicant's ecologist was aware that dormice are known to exist in neighbouring and connected woodland.

DCH 3.2 p.21 states; 'if dormice are known to be present in all, or part, of a contiguous habitat, they are also likely to be present in neighbouring areas of connected woodland, scrub etc. (even where these appear to be suboptimal habitat).'

The ecologists have only surveyed the 'optimal' parts of the site (2.1 of their report). DCH 3.2, p.21 states; *'the survey process should not be eliminated solely on the grounds that the habitat*

is 'unsuitable'', and DCH 3.2, p.21 also states 'the presence of dormice should be assumed in any areas of woody habitat.....particularly in the south of England'.

DCH 3.2, p.21 'Dormice have been found inwoodland traditionally considered as unsuitable, for example conifer plantations'.

The ecologists have not used enough boxes and tubes. DCH 3.2.5, p.26 states *'Nest boxes need to be used in large batches to be an effective survey method. Fifty or more.....'*

Using Table 5 (p.27, DCH) leads me to estimate that, for the applicant's survey, the index of probability for indicating the thoroughness of the survey is 10.08, yet *'assumed absence should not be based on a search effort score of less than 20' (DCH, 3.2.6, p.27).*

Conclusions

I believe that I have provided enough evidence to show that the ecology survey work is unsound in many ways. By default, any mitigation proposals will necessarily be misguided. It is my opinion that MVDC council will thus be unable to make an informed decision, which in turn will make it impossible to grant planning permission for this application.

For the sake of brevity, this is not a comprehensive critique of the ecology work.

If there are documents describing ecology and/or arboricultural work that I have not seen (see list above) that address the concerns I outline here, I would ask to be directed to them and for the right to make further comments.

If you have any queries about issues arising from the content of this letter, please do not hesitate to contact me. I have no qualms about this letter being passed to the applicant for them to review.

Yours sincerely,

Mr J. Bradley.

Appendix 3

The Applicant's Main points of Socio Economic Argument

1. Most of the research is seriously out of date, eg. It refers to the Annual Business Inquiry 2002 for evidence of business population and employment in Surrey. Current practice is to use 2007 data but interpret using latest IMF predictions on growth etc.
2. The use of ABI, which is survey based and over-estimates business population, is questionable. Current practice is to use IDBR source which combines VAT and PAYE, ie. data not survey evidence and therefore much more reliable.
3. A figure of 56,000 businesses is quoted, but no source or date is given. The applicant states that the largest sector is business and professional services, but this is true everywhere else, so what is the point being made?
4. A 2004 ONS mid-year estimate of population is used, giving an estimate of population of 1.06 million. The latest (2007) figure is 1.098 million.
5. Unemployment estimates are given as 0.7 %, but it is not clear what date and what definition is used, eg. whether this includes those who are economically inactive, are claiming Job Seekers Allowance etc. The current ONS figures for 2007-08 are 17.3% and 1.8% respectively, ie. unemployment is not a problem.
6. The job growth statistics are out of date and not contextualised. Normally a comparison would be made with Surrey, the South East and Greater South East as a whole. For example, the applicant states that there has been 67% jobs growth since 1981 in Mole Valley district. The normal practice would be to look at the last 5 years of statistics (2002 until 2007) and compare them with other districts in Surrey, then the South East and then Greater South East as a whole.
7. Many sources are poorly referenced or not referenced at all, Eg. there is no reference and no date given for the statement that there is limited availability of commercial and industrial floorspace in Dorking.

8. The applicant quotes Surrey Training and Enterprise Council as an organisation responsible for economic development in Surrey. It was abolished in 2001. The SEEDA action plan is quoted, but is not properly referenced and is seriously out of date.
9. Quoted job losses in ICT are dated 2002, but it is well known that there was a continuing fall-out from the dot com bubble at that time. Since then ICT employment has risen to higher than the previous levels.
10. The applicant recognises that the exploration would be temporary and therefore would not provide permanent jobs. However there is a claim that there would be temporary jobs in construction and haulage, whilst acknowledging that specialist labour would be brought on site.
11. The applicant claims that there would be an indirect impact of increased expenditure. No impact assessment has been undertaken, such as calculations of additionality using Treasury Green Book calculations of additionality minus deadweight, displacement and leakage. There are also multiplier effects which can be taken into account but are not referenced at all.