

TO: PLANNING & REGULATORY COMMITTEE

DATE: 9 NOVEMBER 2011

BY: PLANNING DEVELOPMENT CONTROL TEAM
MANAGER

DISTRICT(S) REIGATE & BANSTEAD BOROUGH
COUNCIL

ELECTORAL DIVISION(S):
Horley West
Mrs Hammond

PURPOSE: FOR DECISION

GRID REF: 525304 143595

TITLE: MINERALS AND WASTE APPLICATION: RE10/2089

SUMMARY REPORT

Land off Horse Hill, Hookwood, Horley, Surrey

Construction of an exploratory wellsite to include plant, buildings and equipment; the use of the wellsite for the drilling of one exploratory borehole and the subsequent short term testing for hydrocarbons; the erection of security fencing; construction of a new access onto Horse Hill and an associated access track with passing bays, all on some 1.16 ha, for a temporary period of up to 3 years, with restoration to agriculture and woodland.

The application is concerned with the first stage of on-shore hydrocarbon development – exploration. It would involve the construction of an above ground drillsite where following the drilling of an exploratory borehole, short term testing for hydrocarbons would take place to assess the prospect. The application is for a planning permission extending over a temporary period of three years. However, it is proposed that the site would only be operational for a 20 to 21 week period within the three year period.

It is necessary to consider the proposal against European, National, Regional and Development Plan policies and assess the potential environmental and amenity impacts against those policies, the advice provided by statutory and non-statutory consultees and the views expressed by other bodies, groups and individuals. The Authority must be satisfied that the potential impacts arising from the development are acceptable in terms of the nearest residential properties and the local environment and amenities.

The proposed hydrocarbon exploration site does not fall within an area, or site, designated for its landscape or nature conservation importance. It is however, located on farmland within a rural area in the Green Belt.

A key issue is the need for the development. Despite a steady increase in the production of energy from renewable sources, oil and gas remain vital parts of the United Kingdom's (UK) energy mix and national energy policy seeks to secure reliability of supply. The Government's short to medium term aim set out in Minerals Policy Statement 1 (MPS1), is to *'maximise the potential of the UK's conventional oil and gas reserves in an environmentally acceptable manner'*. In 2010 the Department of Energy and Climate Change (DECC) confirmed that the aim set out in MPS1 is still current and valid and DECC's website currently states, *'we aim to maximise the economic recovery of oil and gas from the UK's oil and gas reserves, taking full account of environmental, social and economic objectives'*. The applicant has identified a hydrocarbon prospect and to maximise the potential of a reserve, it is first necessary to investigate and assess a prospective resource. Officers give significant weight to the statements made in MPS1 regarding the need to maximise the potential of the UK's

hydrocarbon reserves and on the basis of the Government guidance conclude that there is a national need for this development.

Minerals can only be worked where they are found. The proposed drillsite lies within the Weald Basin, which is known to be prospective for oil and gas. Seismic surveying has identified a potentially prospective geological structure, but the only way to conclusively determine the presence or absence of hydrocarbons is to drill an exploration well. The above ground drillsite needs to be relatively proximate to the target area and the choice of drillsite is constrained by geological, operational, environmental and amenity factors. On the basis of the information submitted, Officers conclude that in the context of the geological structure the applicant intends to explore, that the proposed location represents the best viable option for short term exploratory drilling in terms of practicality and technical grounds.

Mineral-related development need not be inappropriate development in the Green Belt provided that high environmental standards are maintained and the site is well restored. No objections have been received from the technical consultees who were asked to comment on such issues as noise, traffic, pollution control, flood risk, ecology and landscape.

Local residents are particularly concerned about the proposal to construct an access directly off of Horse Hill and the level of heavy goods vehicles (HGV) movements involved with delivering materials, plant and equipment to the site. The overall level of vehicle movements generated by the development is not overly high but would involve an increase in HGV traffic on the southern section of Horse Hill during the temporary period of development. The highest level of vehicle movements would take place over the 4 day site mobilisation and similarly during the 4 day demobilisation. However, the increase in HGV movements may be more marked during the 4 week period of site construction and during the 4 week period of reinstatement. The Highway Authority is satisfied that the new access is appropriate and that the local highway network in the vicinity of the site could accommodate the traffic associated with the use.

The applicant has put forward measures to protect the trees adjoining the proposed access track, which have satisfied the County Ecologist and Biodiversity Manager and the County Landscape Officer. Acceptable measures have also been proposed to protect species such as bats and great crested newts. The policy position is to restore mineral sites to an appropriate Green Belt use as soon as is practicable. The applicant intends the site to be restored at the end of the exploratory activity to agriculture and woodland, both of which are beneficial and appropriate Green Belt uses. Some enhancement for biodiversity would be achieved through regeneration in the woodland and the provision of bat and bird boxes. Officers consider that the proposal should enable high environmental standards to be maintained and the site to be well restored. Accordingly, the proposal meets the policy requirements for mineral development in the Green Belt.

Taking into account the need for the development in the context of national policy and that in relation to the geological structure to be investigated, the site has been selected to minimise adverse impacts, Officers recommend that planning permission for this temporary hydrocarbon exploration development may be granted subject to appropriate conditions being imposed to protect the environment and amenity.

The recommendation is to PERMIT subject to conditions.

APPLICATION DETAILS

Applicant

Magellan Petroleum (UK) Limited

Date application valid

17 November 2010

Period for Determination

16 February 2011

Amending Documents

Letter dated 11 March 2011 enclosing Additional Highway Information dated April 2011 and Additional Noise Information dated April 2011; Letter dated 18 May enclosing Additional Ecology Information dated May 2011 and Additional Landscape Information dated May 2011; Letter dated 28 May 2011 enclosing Additional Geological & Hydrogeological Information dated May 2011; Drawing No 62166/008 dated 10 August 2011; Drawing 62166/007 dated 21 April 2011; Figure 12 Restoration Plan dated 1 September 2010 date stamped received 11 August 2011; e:mail from Phil Mason dated 10 August 2011 enclosing electronic copy of Figure 12 ; Letter dated 15 September 2011 enclosing lighting information.

SUMMARY OF PLANNING ISSUES

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

	Is this aspect of the proposal in accordance with the development plan?	Paragraphs in the report where this has been discussed
Need for the Development Highways, Traffic & Access	Yes	59 - 109
Visual Impact	Yes	110 - 150
Ecology & Biodiversity	Yes	154 - 167
Noise	Yes	168 - 201
Lighting	Yes	202 - 221
Air Quality	Yes	222 - 229
Water Environment & Geotechnical Issues	Yes	230 - 248
Archaeology	Yes	249 - 268
Restoration	Yes	269 - 278
Green Belt	Yes	279 - 287
		295 - 309

ILLUSTRATIVE MATERIAL**Site Plan**

Plan 1 Proposed Drillsite Layout

Aerial Photographs

Aerial 1 Site Location
Aerial 2 Application Site and its surroundings.

Site Photographs

Figure 1 Horse Hill at proposed site access looking north.
Figure 2 Horse Hill at proposed site access looking south.
Figure 3 Location of the proposed site access from Horse Hill.
Figure 4 The blue posts mark the proposed route of the access track through the woodland.

- Figure 5 This photograph looks along the line of the access track towards the proposed drillsite.
- Figure 6 Photograph take from the proposed drillsite location looking northwards.
- Figure 7 The photograph was taken from the north of the field looking towards the site of the proposed drillsite compound.
- Figure 8 This photograph was taken from the proposed drillsite location looking towards the gap in the field boundaries and right of way beyond.
- Figure 9 The route of the right of way alongside the hedgerow that runs to the south of the site of the proposed drillsite compound.
- Figure 10 The route of the right of way alongside the woodland.
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BACKGROUND

Site Description

- 1 The 1.16 hectares (ha) application site is located on part of a field which is currently Grade 3 agricultural land. The field is found west of Horse Hill beyond an area of woodland. The site is situated within a rural area approximately 3.1 km directly west of Horley town centre, 2.3 km northeast of the village of Charlwood and 1.6 km northwest of the village of Hookwood. Gatwick Airport is approximately 2.2 km southwest of the site. The site of the proposed drillsite is bounded by farmland on all sides with patches of woodland to the east, north west and south west. The fields some 120 m south east of the drillsite beyond public right of way, (Footpath 414), are used as horse paddocks. The field rises from south (65.5 m AOD) to 72.5 m AOD in the north. The proposed drillsite would be sited on land that currently rises between 65.7 m and 69 m AOD. (See **Figures 6 & 7**).
- 2 The proposed drillsite, covering an area of 0.99 ha and its access track (0.17 ha), would be situated on land that is not covered by, or adjacent to, any areas of local, national or higher-level nature conservation designations or any areas of local or national level landscape designations. There are however, sites of ecological importance in the vicinity with Crutchfield Copse Site of Nature Conservation Importance (SNCI) located 1.1km to the northeast, Eldophs Copse Local Reserve some 1.8 m to the northeast, Glovers Wood Site of Special Scientific Interest (SSSI) 3 km distant and the Rowgarden Wood Ancient Woodland approximately 330m to the north west of the application site.
- 3 Part of the proposal would be to create a new access from the western side of Horse Hill (D332) some 800m south of the junction of Horse Hill and Collendean Lane (D330). (See **Figure 3**). Horse Hill runs north from a junction with the Reigate Road (A217) at Hookwood and becomes Irons Bottom Road north of its junction with Crutchfield Lane (D333) before rejoining the A217 at Sidlow. The A217 links Reigate, the A25 and the M25 motorway in the north with the A23 just north of Gatwick Airport. A public right of way, Footpath 414, runs east/west from Horse Hill and joins with Footpath 336 just before Collendean Lane. The footpath passes adjacent to the hedgerow and woodland found to the south of the proposed access track and drillsite. (See **Figure 9**).
- 4 Between Horse Hill and the field where the proposed drillsite would be located, is an area of woodland. The woodland covers approximately 2.8 ha and is some 165 m deep in the area where the proposed access and access track would be constructed. The woodland has water areas at its northern end and is crossed by woodland tracks.
- 5 The closest residential properties are at Wrays Farm, which would be some 300 m east of the proposed drillsite but only 50 m from the site access. There are other properties to the south east which are approximately 170 m from the proposed access track and 386 m from the drillsite. The closest properties to the north are approximately 300 m distant.

Planning History

- 6 There is no planning history associated with the drillsite or its access the subject to this current application. However, Esso undertook exploratory hydrocarbon drilling at Collendean Farm 1 approximately 1 kilometre to the north of the current application site, in 1964. Although Collendean Farm 1 encountered oil and the well was tested, it did not flow. Modern mapping has indicated that the well missed the target and crossed to the downthrown side of the bounding fault, which defines the limit of a hydrocarbon accumulation.

THE PROPOSAL

- 7 The Horse Hill Prospect has been identified through seismic survey and interpretation of the drilling from Collendean Farm 1. Drilling would target the Portland Sandstone, Corallian Beds in the Jurassic Formation and the deeper Triassic Formation, which has a predicted top of formation at 7,300 ft True Vertical Depth Sub Sea (TV DSS). It is proposed to drill to a total depth of 7,483 TV DSS. The applicant has stated that the Portland Sandstone and Corallian Beds have been shown elsewhere as productive in relation to oil and that gas flows have been recorded from the upper Triassic Formation.
- 8 The current proposal therefore seeks to construct a temporary exploratory drillsite which would allow a borehole to be drilled and testing for hydrocarbons to take place. The development would involve the creation of an access from Horsehill and the construction of an access route through the adjacent woodland and then along the southern edge of the adjoining field to provide access to the drillsite. (See **Figures 4 & 5**).
- 9 The development would take place over distinct time periods which if they were to run successively would total a maximum of 21 weeks between construction and restoration. However, to allow for any delays in securing the drilling rig and other downtime the applicant is seeking planning permission for 3 years. The development phases would be as follows:
- Site Preparation and Construction (approximately 4 - 5 weeks duration)**
- 10 This phase involves the creation of the access and access track and soil shifting at the proposed drillsite using two earth moving machines, a heavy roller and two dumpers and stone laying. The construction team would erect 1 or 2 container units for use as office/stores and a chemical toilet.
- 11 The access would have a visibility splay set back 2.4 m with splays of 170 m to the left and 210 m to the right. The applicant proposes to erect warning signs in 5 places on Horse Hill to warn drivers of works traffic emerging. Horse Hill north and south of the proposed site access is shown in **Figures 1 and 2**. The access entrance would have a tarmac surface for the first 20 m to prevent mud and debris being carried onto the public highway. The remainder of the access track would follow an existing woodland track (see **Figure 4**), be a total of 5m wide (4m track and 0.5 m side slopes either side) and have 500 mm of type 1 stone or recycled equivalent as a surface covering. Below the stone, a protective geotextile layer would be placed on the track to protect the existing soils and tree roots. It is proposed to erect a post and wire fence either side of the roadway and have two passing bays of 8 m wide, one just beyond the access and the other outside the woodland as the road enters the arable field.
- 12 Soil would be stripped from the drillsite to create a level surface at approximately 66.8 m AOD. The stripped soil would be place in a bund some 3 m in height and 13 m side at the base and 85 m long at the northern end of the proposed drillsite. An impermeable membrane would be laid on sand or fabric over the drilling platform area and then stone imported to create an 80 m x 80 m drilling pad. The impermeable membrane would also

seal the surrounding interceptor ditches. Two reinforced concrete well cellars would be constructed.

- 13 The drillsite compound would be enclosed by fencing comprising of tanilised round wood posts, sheep netting and 2 strands of barbed wire with a gate at the drillsite entrance and a further gate at the site access.

Site Mobilisation and Drilling (approximately 7 week duration)

- 14 The drillsite compound would contain the equipment and accommodation necessary to undertake the drilling. This would include portable cabins for use as staff messroom, stores, mud logging, and offices. The average size of these containers would be between 6 or 9 m long, 2.4 m wide and 2.4 m in height. Also included would be 2 to 3 tanks, pipe storage, power unit and generators. The site layout is shown on **Plan 1**.
- 15 The 35 m high drilling rig and its associated equipment would be brought to site over a four-day period and the rig mast would be raised on day 4 or 5. The rig would be illuminated at night for safety reasons by lights that would face inward and downward. It would also be necessary for the rig mast to have a red aircraft warning light.
- 16 Drilling and casing of the well would be carried out over a six week period by a crew of 6 – 8 men working 12 hour shifts over 24 hour periods, with shifts rotating at 0700 and 1900 hours. The well would be directionally drilled to a target area that would reach total depth (7,483 ft TVDSS) some 650 m north west of the drillsite.
- 17 Water is used in the drilling process and initially there would be a requirement for around 20,000 gallons reducing to 10,000 gallons daily. There would also be a requirement for 1,000 gallons of potable water per week.
- 18 The drilling would create approximately 325 tonnes of mud and rock cuttings, which would be collected in skips and then transported from the site for disposal at a suitably licensed site. Test fluids would be separated on site and removed from the site by road tanker.
- 19 Once drilling and the initial drill stem test are completed the rig mast would be lowered and the rig and all of the associated equipment removed from the site. If the borehole were unsuccessful the borehole would be abandoned and plugged before the rig leaves the site. Reinstatement of the drillsite to agriculture would then commence.

Testing (approximately 14 to 28 days duration)

- 20 If the development moves onto the short term production testing phase, testing would take place over a 14 to 28 day period and would establish if recoverable hydrocarbon reserves are present. If oil was found testing would take between 14 and 28 days and but the testing of gas would only take 7 days. Any produced gas would be flared or vented dependant on the nature, content and flow rate. Any oil and water would be transported from the site.

De-mobilisation (approximately 4 days)

- 21 Site demobilisation would involve the removal of the rig and its associated equipment.

Reinstatement (approximately 4 weeks)

- 22 Lack of exploratory success would lead to the well being plugged and made safe to a specification agreed with the Department of Energy and Climate Change (DECC) in accordance with the Petroleum (Production) (Landward Areas) Regulations 1984. The access, access road, equipment, fencing, stone and underlying membrane would be removed and the topsoil storage mounds would be re-spread back over the site.

Vehicle Movements

- 23 The type, number and frequency of vehicle movements involved in the development would vary according to the stage of the project. The applicant has provided a transport

assessment which sets out the anticipated maximum two way vehicle flows per day for each phase of the development: These are as follows:

Phase & Duration	HGVs	LGVs
Site Preparation & Construction (4 to 5 weeks)	24	4
Mobilisation of Drilling Rig (4 days)	36	30
Drilling (first five days)	28	30
Drilling (remaining 5 weeks and 2 days)	8	40
Testing (14 to 28 days)	4	2
De-mobilisation of drilling rig (4 days)	36	30
Reinstatement (4 weeks)	20	4

Hours of Operation

- 24 With the exception of drilling which would take place 24 hours a day over a 6 week period, the applicant has applied for the site to operate during the hours of 0800 to 1830 hours Monday to Friday and between 0800 and 1300 hours on a Saturday.

CONSULTATIONS AND PUBLICITY

District Council

- 25 Reigate and Banstead Borough Council has no objections to the proposed development but has made comments on the potential impact on trees, highways, land quality, air quality, noise and drainage.

To control any impact on nearby trees the Borough Council has suggested that a condition and informative be imposed to secure an arboricultural implications assessment. (*An arboricultural survey and method statement has now been submitted*). As the site would be accessed from a rural road where speeding can occur, the Borough Council has asked that the County Planning Authority carefully consider the impact of vehicular movements associated with the development on the local highway network and that measures should be considered to control traffic, ensure safe site entry/exit and keeping the highway clear from mud or debris. The Borough Council also recommends a noise levels condition relating to the construction phase and a drainage condition and informative. It was noted by the Borough that the hours proposed for construction works vary by half and hour in different part of the application. The Borough Council recommends construction hours of 0800 to 1830 hours Monday to Friday and 0900 to 1300 hours on a Saturday.

- 26 Mole Valley District Council was consulted as an adjoining authority and has raised no objection to the proposed development subject to the following issues being taken into account by the County Planning Authority.
- The need for the development;
 - Robust traffic management in place which is closely monitored by the County Council as Highway Authority;
 - The Development Control Committee was particularly concerned with the additional and/or the heavy traffic that would use the junction with the A217 at the Black Horse. The Committee were aware that this junction, if not a designated accident black spot, is awkward and already heavily used. The County Planning Authority is requested to ensure that highway safety is not compromised in any way by the additional traffic.
 - An hours of working condition (outside drilling time) is attached to any permission.
 - The issues raised by Reigate and Banstead are taken into account in full.

Consultees (Statutory and Non-Statutory)

- 27 **Environment Agency**
No objection subject to two conditions.

- 28 **Health and Safety Executive**
Does not advise on safety grounds, against the granting of planning permission.
- 29 **Natural England (Soils, Ecology)**
The proposal does not appear to affect any statutorily protected sites or landscapes, or have significant impacts on the conservation of soils.
- 30 **Department of Energy and Climate Change (DECC)**
No views received.
- 31 **Thames Water Utilities**
No objections.
- 32 **Sutton & East Water**
No views received.
- 33 **Gatwick Airport Safeguarding**
No objection. Has provided advice to applicant.
- 34 **Surrey Wildlife Trust**
The Trust has made comments and recommendations in terms of habitat protected species and biodiversity.
- 35 **Surrey Fire and Rescue Service**
No views received.
- 36 **Environmental Noise Consultant**
No objection subject to the imposition of conditions restricted hours and noise levels.
- 37 **Consultant Geologist**
No objection subject to conditions.
- 38 **Environmental Consultants**
- Lighting - No objection.
- Air Quality - No objection.
- 39 **County Highway Authority**
- Transportation Development Control - No objection subject to the imposition of planning conditions.
- 40 **Rights of Way**
No objection to the proposal provided that no works were carried out that would cause additional surface water to flow onto the public footpath.
- 41 **Landscape Officer**
No objection.
- 42 **County Ecologist and Biodiversity Manager**
No objection subject to conditions.
- 43 **Archaeologist**
No objection subject to the imposition of a condition to secure the implementation of a programme of archaeological work in accordance with a Written Scheme of Investigation.

Parish/Town Council and Amenity Groups

- 44 **Salfords & Sidlow Parish Council**
The Parish Council object to the proposal on the grounds that there is concern over:

- traffic requirements which appear inadequate to deal with the proposed level of haulage. There have been many accidents over the last 20 years with several fatalities a short distance from the site.
- the proposed hours of working and the constant ambient noise to residents.
- The potential pollution of the underground main water supply in the area due to the fracturing process.

The Parish Council state that should permission be granted, they would want to see a 'cast iron' guarantee of the haul route and information as to how this would be enforceable and the operating hours be restricted to Monday to Friday 0800 to 1730 hours and 0900 to 1300 hours on a Saturday.

45 **Charlwood Parish Council**

No views received.

46 **Norwood Hill Residents**

Norwood Hill Residents object to the application on the following grounds:

Highways. The vehicle movements associated with the proposal are very significant. HGVs crossing the A217 from the southbound lane to access Horse Hill would pose a high risk, particularly when traffic levels are high on the A217 and Horse Hill. This is currently not a common movement for HGVs and would be a particularly high-risk movement. The Highway Authority should be concerned and should require the vehicles to route to the Hookwood roundabout and then access Horse Hill from the south. The site access lies in a stretch of the road where branches grow across and meet over Horse Hill and overshadow the road totally. Even in the summer the road is badly lit. The vehicles will be crossing Horse Hill rather than just proceeding along the road, which will increase the risk.

The Residents do not feel the accident statistics reflect the accidents and near misses and at least three fatalities of earlier years, which occurred in the vicinity of the proposed access. Nor do they believe that the proposed access and warnings signs associated with the development will prevent accidents caused by vehicles entering or leaving the site. They state that requiring the vehicles to only use the A217 is worthless and that regardless of the limited period and proposed number of vehicle movements it is highway madness to put this access on to Horse Hill. If permission is granted the applicant should resurface the road from the A217 to the Horse Hill/Collendean Lane junction as the surface is already deteriorating.

Hydrogeological. There is insufficient information provided by the applicant. Nowhere does the applicant state what percentage of the drilling water is recovered back up the drilling pipe. Unless 100% of the water is recovered and disposed of safely, there would be a risk to underground pure water reserves and aquifers. It is not stated where aquifers are likely to be encountered along the drilling route nor is information provided on the specific additives to be used.

47 **Campaign to Protect Rural England (CPRE)**

CPRE Surrey do not object in principle to a borehole in this general area as it lies outside the AONB and AGLV and does not affect the amenities of neighbouring residents. However it is concerned by the poor highway access to the site and the need to access the site through woodland. It would be possible to locate the drillsite in a location in the same general vicinity with better highway access and directionally drill.

Horse Hill is a narrow rural road totally unsuitable for a large increase in the number of HGVs. CPRE supports the concerns of Salfords and Sidlow Parish Council in their objection to the use of Horse Hill. The applicants should provide evidence to show that other locations have been investigated and why they have been discounted. If permission is granted the road will deteriorate as a result of an increase in HGVs and there should be

a requirement for a financial contribution towards resurfacing and verge repairs. Sightlines, access warnings, road markings or humps should be controlled by condition and it is suggested that the access is designed for left hand turns in and right out.

CPRE Surrey is concerned that the root protection measures will prove to be inadequate and that earth compaction will occur. It is assumed that the impermeable membrane and bunding will be checked and the Environment Agency is fully satisfied before drilling commences.

Summary of publicity undertaken and key issues raised by public

48 The application was publicised by the posting of two site notices and an advertisement was placed in the local newspaper. A total of 36 owner/occupiers of neighbouring properties were directly notified by letter. In addition to the objections set out above from the Parish Council, Norwood Hill Residents and CPRE, six letters of representation objecting to the application have been received from members of the public. These set out the following grounds of objection.

- The application would set a precedent for development in an area where development is strictly limited.
- The drilling rig can be located at some industrial unit which exists to the south of the airport as lateral drilling can be achieved at a distance of several miles from the target hydrocarbon deposits.
- The development will harm the nature conservation value and wildlife interest, which will not quickly recover and may never do so. It is not just the traffic and noise but the gases that will escape into the environment. Hydrogen sulphide is heavier than air and can accumulate in concentrations that can injure or kill livestock as well as human beings. It can also migrate into surface soils and groundwater which would further increase the threat to local wildlife. The declining bee population is of concern and it would appear that the bee population would be significantly harmed by this development and the inherent risks that it brings. The nature conservation of the Green Belt and its character will be harmed.
- This development is for the furtherance of a foreign companies profit motive only.
- 24 hour working is unacceptable.
- The applicant is proposing 6 days a week working. There is no need for this. Having only one day respite from the inevitable disruption is unacceptable. If permission is granted it should be limited to Monday to Friday.
- A field at Norwood Hill was unsuccessfully used for drilling in the past so why create unnecessary further upheaval.
- The applicant is applying for permission for 3 years. This is an excessively long period which would have a detrimental effect on nearby properties but the whole rural area. If permission is granted it should be for no longer than one year.
- The noise levels are based on a modelling exercise. During the day noise may well be masked by sounds of the road and air traffic from Gatwick, but at night the noise will become predominant and will be disturbing and irritating.
- The company states the site can be built with minimal disruption. This is meaningless as disruption is disruption at any level.
- The large volume of water being used daily by the site may decrease the pressure of local water supplies.
- There would be a large increase in traffic, in particular HGV and LGV. Horse Hill was not built for the volume of traffic that now regularly uses it.
- Horse Hill is like a racetrack with traffic driving up and down the hill at 60 to 70 mph overtaking when possible. The road is used as a 'rat run' during rush hours. It would be madness to put an access through woodland out onto this road.

- There are farm tractors with trailers using this road. There are already too many HGVs using Horse Hill and they often flout the speed limit.
- The traffic will not use the A217 at Hookwood as soon as they realise they can access the site from the other direction.
- The surface of the road has deteriorated significantly in the past few years with the edges eroding and many potholes. As a minor road it is not a priority for re-surfacing and the large increase in vehicles would cause even greater damage to the road surface. If permission is granted the road surface needs to be kept in good order on a daily basis and any the road surface made good by the applicant.
- Putting in access onto Horse Hill at the bottom of a hill would create a potential accident black spot exacerbated by mud and debris being carried onto Horse Hill from the HGVs using the site.
- This proposal would make the road more dangerous. The road is widely used by cycle groups and as there is no longer a bus service pedestrians have to walk on the road. This situation is not helped, as there is no public footpath or street lighting.
- An access around Brittleware Farm from Norwood Hill should be explored.

PLANNING CONSIDERATIONS

Introduction

- 49 Oil and gas developments fall within the definition of 'mineral development' and as such, the County Council as Minerals Planning Authority (MPA) has a duty under Section 38 (6) of the Planning and Compulsory Purchase Act 2004 to determine this application in accordance with the Development Plan unless material considerations indicate otherwise. In this case, the statutory Development Plan consists of The South East Plan 2009 (SEP 2009), which is the adopted regional spatial strategy (RSS) for the South East region, the Surrey Minerals Plan Core Strategy Development Plan Document 2011 (SMPCSDPD 2011) and the saved policies of the Reigate & Banstead Borough Local Plan 2005 (RBBLP 2005).
- 50 In May 2010 the Government announced its intention, through the Localism Bill, to abolish Regional Spatial Strategies (RSSs) (i.e. The South East Plan 2009). The Bill is programmed to receive Royal Assent in November 2011 and come into force in April 2012. By letter dated 6 July 2010 the Secretary of State revoked RSSs. That decision was subsequently challenged by Cala Homes and quashed by the High Court, whereupon Government advised local authorities to continue to attach considerable weight to its intention to abolish RSSs. That advice was, in turn, challenged by Cala Homes. The High Court rejected Cala Homes' second challenge and dismissed the argument that the intention to abolish regional strategies was not capable of being a material consideration. A subsequent ruling by the Court of Appeal confirmed that the Government's intention to abolish RSS can be taken into consideration when decisions on planning applications and appeals are being made. Officers do not consider that the issue of weight attributable to the RSS is of significance in respect of this particular application because there do not appear to be any conflicts between the SEP 2009 and relevant national planning policy and the SMPCSDPD 2011 in particular; and they have therefore proceeded to report simply on the basis of the development plan as it stands, i.e. including The South East Plan 2009.
- 51 In determining the application the County Council should have regard to any relevant European and National policy, relevant Planning Policy Guidance Notes (PPGs), Planning Policy Statements (PPSs), Minerals Planning Guidance Notes (MPGs) and Minerals Policy Statements (MPSs) and any other material considerations. A consultation draft of the National Planning Policy Framework (NPPF) was published on 25 July 2011 which sets out the Government's key economic, social and environmental

objectives and which is intended to bring together Planning Policy Statements, Minerals Policy Statements, Planning Policy Guidance and Minerals Policy Guidance. Whilst it is a consultation document and is therefore subject to potential amendment, it does give a clear indication of the Government's direction in planning policy and as such is capable of being a material consideration, although the weight to be given to it will be a matter for the decision maker's judgment. The current national policy statements and guidance remain in force until cancelled.

- 52 The activity associated with the exploitation of oil and gas reserves can be considered in three phases: exploration, appraisal and development. This application is concerned with the first stage - exploration. National Planning Policy on onshore oil and gas and underground storage of natural gas is set out in Annex 4 of Minerals Policy Statement 1 (MPS1) 'Planning and Minerals'. MPS1 para 3.2 states that '*there should be no presumption in favour of consent for subsequent stages if an earlier stage be permitted, nor do possible effects of a later stage not yet applied for, constitute grounds for refusal of an earlier stage*'. The SMPCSDPD 2011 gives information on hydrocarbon development in Surrey and sets out the Authority's policy in terms of such development. Policy MC12 in particular, deals with oil and gas development.
- 53 The site is located in the Metropolitan Green Belt and as a mineral activity it may not be inappropriate development in the Green Belt provided high environmental standards are maintained and the site is well restored. Consideration will need to be given to the need for the development and the potential impacts arising from the construction and use of the proposed hydrocarbon exploratory drillsite in terms of the Green Belt, the closest residential properties and the local environment and amenities.

Licensing

- 54 The European Union's Hydrocarbon Licensing Directive 94/22/EC laid down the rules to follow when issuing licenses for prospection, exploration and production of hydrocarbons. The Directive was implemented in the UK by means of the Hydrocarbon Licensing Directive Regulations 1995 (SI 1434 1995).
- 55 Oil and gas exploration drilling requires planning permission but also requires licensing. Licences are issued by the Department of Energy and Climate Change (DECC). The objective of the licensing regime is to secure the exploration and appraisal of the United Kingdom's (UK's) oil and gas resources and the economic development of discovered reserves. The Petroleum Exploration and Development License (PEDL) issued by DECC under powers granted by the Petroleum Act 1998, covers all the three stages of oil and gas development – exploration, appraisal and production. A license does not confer any exemption from other legal/regulatory requirements, such as the need to gain access rights from landowners, health and safety regulations, or planning permission. Once a PEDL has been granted, planning permission must be obtained before DECC will authorise the drilling of wells, installation of facilities, or the development of an oil or gas field. Consent to drill is obtained from DECC via the Petroleum Operations Notice (PONS) approval process or the web-based Web Operations Notification System (WONS).
- 56 Both the Health and Safety Executive and the Environment Agency have regulatory roles to play in relation to the proposed development under The Borehole Sites and Operations Regulations 1995 and the established pollution control regime. The existence of a PEDL does not absolve Mineral Planning Authorities (MPAs) from seeking to control development in accordance with the appropriate planning legislation and guidance.

ENVIRONMENTAL IMPACT ASSESSMENT (EIA)

- 57 The Town and Country Planning (Environmental Impact Assessment) Regulations 2011 (referred to here as the EIA Regulations) implement the European Directive 85/337/EEC on the assessment of the effects of certain public and private projects on the environment

which was adopted in 1985 and amended in 1997. Schedule 2 of the EIA Regulations identifies the types of development for which EIA may be required. Consideration of whether a project triggers the need for EIA includes thresholds and criteria and other circumstances such as location within or very close to a 'sensitive area' as defined in the Regulations. In each case the key question is whether or not the project would be likely to give rise to significant effects on the environment of the location concerned.

- 58 Prior to submitting this application, the applicant sought a Screening Opinion under the EIA Regulations 1999 (now updated by the 2001 Regulations). In accordance with Regulation 5 of the EIA Regulations the proposed development was considered in the context of Schedule 2 and the conclusion drawn that the development is not 'EIA development' as defined by the EIA Regulations. As a consequence there is no requirement for an EIA to be undertaken or for an Environmental Statement to be submitted to accompany the planning application. A Screening Opinion to that effect was adopted on 11 March 2008.

NEED FOR HYDROCARBON DEVELOPMENT

National Guidance

Minerals Policy Statement 1 (MPS1) Planning and Minerals

Planning Policy Statement 1 (PPS1) Delivering Sustainable Development

Planning Policy Statement 22 (PPS22) Renewable Energy

South East Plan 2009 (SEP 2009)

Policy CC1 Sustainable Development

Surrey Minerals Plan Core Strategy Development Plan Document (SMPCS DPD)

Policy MC12 Oil and Gas Development

- 59 The applicant is seeking a temporary consent for exploration of the Horse Hill Structure, which has been identified through seismic survey. Exploration would establish the presence, extent and viability of any hydrocarbon reserves. Evidence of either oil or gas can be found within a hydrocarbon reserve and consequently the policy and need section of this report will refer to both gas and oil.

European and National Policy Context – Energy & Climate Change

- 60 In recent years one of the national energy policy goals has been to ensure that the United Kingdom (UK) has secure and affordable energy supplies which are seen as vital to its future prosperity and security. Nevertheless, the UK's energy and climate change policy is influenced by decisions taken in Europe and as the importation of oil and gas increases, so does the influence of international issues. This section of the report describes the European policy objectives for energy and climate change and the relevant legislative and policy framework that has been put in place to take forward energy policy in the UK.
- 61 The European Commission (EC) has adopted Green Papers and Strategic Energy Reviews to advance the agenda on sustainability, competitiveness and security of supply. A core goal of European energy policy is to ensure safe, secure, sustainable and affordable energy for all is of fundamental importance to the EU's economy, industry and citizens. A European Energy Policy was proposed by the EC in January 2007 it introduced a complete set of European energy policy measures known as the 'energy' package. Based on the Energy Package the European Council endorsed the first EU Energy Action Plan for the period 2007-2009 in March 2007. However, to address the challenges of energy security and climate change, the Commission proposes to develop a new Europe 2020 Strategy and has produced a document entitled Towards a New Energy Strategy for Europe 2011 to 2020. This document examines the progress made since the 2007 Action Plan was adopted and looks at the key components of the future strategy.
- 62 The concern about delivering secure, sustainable energy at affordable prices whilst moving towards a low carbon economy, led the EC to publish a 'Security and Solidarity Action

Plan' in November 2008 which focussed on improvements to the energy supply of the European Union (EU) by:

- promoting investment in energy infrastructure, to increase interconnection between Member States and diversify the types, sources and routes of the EU's energy supply;
- strengthening the EU's external energy relations with important energy producers and consumers;
- improving Europe's ability to respond to disruptions to supply;
- increasing the EU's energy efficiency;
- making better use of the EU's indigenous resources. (This includes sustainable use of fossil fuels).

63 The share of imported energy in the EU continues to rise, currently standing at 80% for oil and over 60% for gas, consequently national agreements with third countries has an impact on the development of energy infrastructure and energy supply. To ensure a coherent approach to the EU's external relations in energy, the Commission adopted the EU Energy Policy: Engaging with Partners Beyond our Borders in September 2011.

64 The European Union Climate and Energy Package December 2008 commits members of the EU to reducing greenhouse gas by 20% (compared to 1990 emissions) by 2020. The Package has four parts and covers the:

- EU Emission Trading System Directive 2009/29/EC
- Greenhouse gas effort sharing decision No 406/2009/EC
- Renewables Directive 2009/28/EC
- Carbon Capture and Storage Directive 2009/30/EC.

65 The issues being raised in Europe were taken forward in the UK's Energy White Paper 'Meeting the Energy Challenge' published on 23 May 2007 (2007 Energy White Paper). 'Meeting the Energy Challenge' built on the 2003 Energy White Paper and the Energy Review 2006, all of which were issued by the Government as statements of policy providing background to the development of UK energy policy.

66 It is recognised in the 2007 Energy White Paper that *'energy is essential in almost every aspect of our lives, as well as for the success of our economy'*. The 2007 Energy White Paper set out the Government's response to the long term energy challenges posed by the need to tackle climate change and reducing CO² emissions, and ensuring that the country has secure, clean and affordable energy supplies. The four energy policy goals in the White Paper are to:

- cut emissions by some 60% by about 2050, with real progress by 2020;
- maintain the reliability of energy supplies;
- promote competitive markets in the UK and beyond;
- ensure that every home is adequately and affordably heated.

67 It is recognised in the 2007 Energy White Paper that a large percentage of the UK's energy needs are met by oil, gas and coal and that even though renewables and low carbon technologies will have an increasing role, fossil fuels will continue to be the predominant source of energy for some decades. As a consequence appropriate Government policies support the market for fossil fuels, *'to ensure reliable supplies of these fuels at competitive prices to people and businesses'*. The Government's summary of measures for oil, gas and coal are set out on page 124 of the 2007 Energy White Paper:

'Our policies recognise the continuing importance of fossil fuels in maintaining reliable and affordable energy supplies, but aim to manage our reliance on them, their potential

environmental effects and the risks associated with higher levels of import dependency by:

- *'encouraging energy efficiency to reduce the use of fossil fuels...'*
- *'supporting and maximising economic production of fossil fuels in the UK...'*
- *'ensuring effective energy markets at home and abroad...'*

- 68 The Energy Act 2008 implements the legislative aspects of the 2007 Energy White Paper and reflects the changing requirements for security of supply infrastructure and adequate protection for the environment and the UK's population, as the energy market changes. The Government's intention was, that along with the Planning Act 2008 and the Climate Change Act 2008, the Energy Act would ensure that legislation underpins the long term delivery of the UK's energy and climate change strategy.
- 69 Legally binding emission reduction targets were set in the Climate Change Act 2008. The Act established a long-term framework to tackle climate change which includes five yearly carbon budgets to help ensure that targets are met. These set a cap on the total quantity of greenhouse gas emissions emitted in the UK over a specified time whereby if emissions in one sector rise, reductions in another sector will have to be achieved. The transition to a low carbon economy is being underpinned by several strategies. The UK Low Carbon Transition Plan, the National Strategy for Climate and Energy (The Transition Plan) 2009 outlined policies and proposals that will be put in place to reduce carbon emissions by 2020. The Transition Plan is supported by the Renewable Energy Strategy, the Low Carbon industrial Strategy and Low Carbon Transport: A Greener Future. In addition a draft Carbon Plan setting out what has to happen and by when to meet domestic carbon targets and encourage greater action internationally, was launched in March 2011. Some key measures in the Transition Plan are implemented by the Energy Act 2010 which has provisions on delivering financial incentives for carbon capture and storage, mandatory social price support, measures aimed at ensuring energy markets are working fairly for consumers and delivering secure and sustainable energy supplies.
- 70 The UK has signed up to the EU Renewable Energy Directive 2009/28/EC, which sets individual targets for each member state. The UK's target is to source 15 % of energy (electricity, heat and transport) from renewable sources by 2020. This target is included in the UK Renewable Energy Strategy published in 2009 where it is anticipated that it will *'contribute to the security of energy supplies in the UK through reductions in our demand for fossil fuels of around 10%, and gas imports by between 20 – 30% against our forecast use in 2020.'* (para 5.1). Two years on and more ambitious plans to decarbonise were set out in the EU Commission's 2050 Low Carbon Roadmap March 2011. The roadmap sets milestones to reach an 80% reduction in emissions by 2050. To achieve this, the roadmap makes the case that Europe's emissions should be 40% below 1990 levels by 2030 and 60% below by 2040.
- 71 The Government's approach to increasing renewable energy across the UK in the sectors of electricity, heat and transport has been set out in the UK Renewable Energy Roadmap published in July 2011 alongside the Electricity Market Reform White Paper. The Government believes that getting more renewable energy *can give the UK 'much more security and a greater degree of energy independence - helping to shield us from global fossil fuel price fluctuation'*. Page 4 UK Renewable Energy Roadmap.
- 72 The Energy Act 2011 which received royal assent on 18 October 2011 has three principal objectives: to tackle barriers to investment in energy efficiency, enhance energy security and enable investment in low carbon energy supplies. The Act enables some key elements of the Government's Programme for Government. The Government made a commitment to produce Annual Energy Statements of energy policy to Parliament. The first of these statements was issued on 27 July 2010 and set out an outline programme and timetable for decisions in four key areas. The second area is *'Delivering secure*

energy on the way to a low carbon energy future, alongside such issues as working for secure, low carbon energy on the international stage; developing low carbon forms of heat and technology-specific actions, is the issue of securing oil and gas supplies.

73 It is acknowledged in the 2010 Annual Statement that the UK's *'energy security is heavily dependent on international developments'* with 8% (net) oil currently being imported which is anticipated to rise to in the region of 45 to 60% by 2020. The Statement reiterates that *'the UK's own indigenous supplies of oil and gas remain important'*. (Page 9). The Statement sets out a total of 32 action points with action points 10, 11 and 12 specific to oil and gas. Action 10 covers offshore oil and gas drilling but action points 11 and 12 are as follows:

- Action 11 *'In the forthcoming Energy Security and Green Economy Bill, we will seek to ensure that access to UK oil and gas infrastructure is available to all companies. This will help the exploitation of smaller and more difficult oil and gas fields, allowing use to make the most of our natural resources.'*
- Action 12 *'We will introduce further measures on gas security as promised in the Coalition Programme for Government. In the future, we need more gas storage capacity, more gas import capacity, and greater assurance that our market will deliver gas when it is needed. This means that our gas market arrangements must have a sharper focus on increased flexibility and resilience'*.

74 The Department of Energy and Climate Change (DECC) produce a range of statistics covering climate change and energy. Energy statistics are produced quarterly with the latest published in September 2011 covering the second quarter of 2011. DECC have also published a booklet summarising the latest statistics on energy production, prices and climate change entitled UK Energy in Brief 2011. Detail from these publications is referred to later in the report.

National Policy Context – Planning Policy

75 Planning Policy Statement 1 – Delivering Sustainable Development (PPS1) sets out the Government's overarching planning policies on the delivery of sustainable development through the planning system. The four aims for sustainable development are:

- Social progress which recognises the needs of everyone;
- Effective protection of the environment;
- The prudent use of natural resources; and
- The maintenance of high and stable levels of economic growth and employment.

76 According to PPS1 the prudent use of natural resources means enabling more sustainable consumption and production and using non-renewable resources in ways that do not endanger the resource or cause serious damage or pollution. Furthermore, the broad aim should be to ensure that outputs are maximised whilst resource use is minimised.

77 'Planning and Climate Change' was issued as a supplement to PPS1 in December 2007, and sets out how planning should contribute to reducing emissions and stabilising climate change. The Government views the planning system as having a key role to play in contributing towards a reduction in emissions and stabilising climate change. To deliver sustainable development the PPS1 Climate Change Supplement 2007 sets out in para 9 a number of key planning objectives and states that planning authorities should prepare, and manage the delivery of spatial strategies that amongst other things should:

- make a full contribution to delivering the Government's Climate Change Programme and energy policies, and in doing so contribute to global sustainability;

- in providing for the homes, jobs, services and infrastructure needed by communities, and in renewing and shaping the places where they live and work, secure the highest viable resource and energy efficiency and reduction in emissions.
- 78 When determining applications, planning authorities should adhere to certain principles. These include:
- *'Information sought from applicants should be proportionate to the scale of the proposed development, its likely impact on and vulnerability to climate change, and be consistent with that needed to demonstrate conformity with the development plan and this PPS.'* Para 11.
- 79 Good design is seen as a key element in achieving sustainable development and PPS1 encourages the use of Design and Access Statements (DAS) to demonstrate how development would contribute to key planning objectives. As a mining operation this application does not require a DAS.
- 80 Government policy on renewable energy is set out in Planning Policy Statement 22 'Renewable Energy' (PPS22) issued in August 2004 and recognises that increased renewable energy is vital to deliver commitments on climate change and renewable energy.
- 81 Minerals Policy Statement 1 (MPS1) 'Planning and Minerals', which was issued in November 2006 along with an accompanying Practice Guide, aims to ensure that the adequate and steady supply of minerals needed by society and the economy is provided in accordance with the principles of sustainable development.
- 82 In the introductory paragraph to the MPS1 it is recognised that minerals are essential to the nation's prosperity and quality of life. It goes on to state that *'In order to secure the long-term conservation of minerals it is necessary to make the best use of them'*. It is also acknowledged that *'Minerals development is different from other forms of development because minerals can only be worked where they naturally occur. Potential conflict can therefore arise between the benefits to society that minerals bring and impacts arising from their extraction and supply.'*
- 83 At paragraph 9, MPS1 sets out the Government's twelve objectives for mineral planning, which include:
- To ensure, so far as practicable, the prudent, efficient and sustainable use of minerals thereby minimising the requirement for new primary extraction;
 - To conserve mineral resources through appropriate domestic provision and timing of supply;
 - To safeguard mineral resources as far as possible;
 - To secure working practices, which prevent or reduce as far as possible, impacts on the environment and human health arising from the extraction, processing, management or transportation of minerals;
 - To maximise the benefits and minimise the impacts of minerals operations over their full life cycle; and
 - To protect and seek to enhance the overall quality of the environment once extraction has ceased, through high standards of restoration, and to safeguard the long-term potential of land for a wide range of after-uses.
- 84 National planning policy on the planning control of onshore oil and gas and underground gas storage is contained in Annex 4 of MPS1. Annex 4 distinguishes between the three stages of activity associated with mining hydrocarbons: exploration, appraisal and production, each of which requires a separate planning permission. MPS1 is clear that each stage should be considered separately *'There should be no presumption in favour of*

consent for subsequent stages if an earlier stage be permitted, nor do possible effects of a later stage not yet applied for, constitute grounds for refusal of an earlier stage.’ (Annex 4 para 3.2).

- 85 Exploration in this case involves the drilling of a well and investigation of the potential resource. Para 3.8 of Annex 4 of MPS1 states that the developer ... *‘should not be expected to provide a firm development programme before full appraisal has taken place’*. It goes on to state that *‘policies should indicate that, subject to the effects on the environment being appropriately addressed and mitigated, and a satisfactory restoration and aftercare plan prepared, applications for exploration may be favourably considered.’*
- 86 The Government’s energy policy is set out in MPS1 Annex 4 section 2. Paragraph 2.2 contains the Government’s short to medium term aim which includes to *‘maximise the potential of the UK’s conventional oil and gas reserves in an environmentally acceptable manner’*. In February 2010 The Department of Energy and Climate Change (DECC) confirmed that this aim remains current and valid and the following statement is given on the Department’s website *‘We aim to maximise the economic recovery of oil and gas from the UK’s oil and gas reserves, taking full account of environmental, social and economic objectives’*.
- 87 The consultation on the Draft National Planning Policy Framework (dNPPF) referred to in para 51 above, sets out a presumption in favour of sustainable development, which is central to the policy approach in the Framework. Emphasis is placed on meeting development needs through plans and the need to approve proposals without delay where they accord with statutory plans. The consultation dNPPF has a section on minerals that recognises minerals as essential in supporting sustainable economic growth and one of the Government’s objectives is to *‘facilitate sustainable use of energy minerals’*. It is stated in the framework that local planning authorities should: *‘when planning for on-shore oil and gas development, clearly distinguish between the three phases (exploration, appraisal and production) and address constraints on production and processing within areas that are licensed for oil and gas exploration or production’*.

Development Plan Policy

- 88 In line with national policy, the South East Plan 2009 (SEP 2009) adopts a resource management approach and highlights the careful use and creation of energy supplies as a key challenge for the region. Policy CC1 Sustainable Development sets out the sustainable development priorities for the South East as:
- *‘achieving sustainable levels of resource use*
 - *ensuring the physical and natural environment of the South East is conserved and enhanced*
 - *reducing greenhouse gas emissions associated with the region*
 - *ensuring that the South East is prepared for the inevitable impacts of climate change*
 - *achieving safe, secure and socially inclusive communities across the region....’*
- 89 The SEP 2009 provides regional policies relating to energy efficiency and renewable energy but no specific regional policies regarding hydrocarbon development. It is however, recognised in the Plan that *‘oil is currently being extracted under Hampshire and Surrey’* but it is left to Mineral Planning Authorities with such resources within their area, to consider these as part of their plan making function.
- 90 The Surrey Minerals Plan Core Strategy Development Plan Document 2011 (SMPCSDPD 2011) includes a section on oil and gas development within the chapter entitled Maintaining a Supply of Minerals. Paragraph 5.36 recognises that conventional oil and gas development differs from other mineral development in that it involves short duration continuous working at the exploration and appraisal stage and that there is some limited

flexibility in the location of wellhead sites that are small in relation to the extent of the deposit. Paragraph 5.37 states that *'applications for exploratory wells will be considered on their individual merits in accordance with all levels of policy guidance. Key considerations are locating sites to minimise intrusion, controlling vehicular activity and vehicle routeing, and controlling, noise and light emissions from drilling rigs especially during night-time operations. Proposals will be expected to address all these issues.'* Policy MC12 covers all three stages of oil and gas development, it states that *'Planning applications for drilling boreholes for the exploration, appraisal or production of oil or gas will be permitted only where the mineral planning authority is satisfied that, in the context of the geological structure being investigated, the proposed site has been selected to minimise adverse impacts on the environment. The use of directional drilling to reduce potential environmental impacts should be assessed'*.

- 91 The environmental and ecological impacts of the development will be covered under the individual headings within the remainder of this report.

Need for Hydrocarbon Supply

- 92 Hydrocarbons have a role to play both in the UK economy and in the UK's energy mix. The UK oil and gas industry has been the largest sector of industrial development throughout the past four decades. UK Energy in Brief 2011 published by DECC sets out the energy industries' contribution to the UK economy. The statistics show a general decline from the peak contribution of 10.4% in 1982 to the 2010 estimate of 3.9% of GDP. DECC estimate that oil and gas extraction accounts for more than half the energy total. In addition, the oil and gas industry supports 350,000 jobs directly and indirectly and another 100,000 are involved in exporting goods and services.
- 93 Climate change and energy policies are interlinked with two thirds of emissions coming from energy. The Government recognises that the way we produce and use energy plays a major part in meeting the challenge of climate change and has emissions targets and policies encouraging a move towards a low carbon energy mix. At the same time the Government recognises that a fundamental change will not happen overnight, the UK economy is dependent on fossil fuels as primary sources of energy and it is likely to be so for some time to come. As a consequence, oil, gas and coal has a significant role in the UK energy mix. Oil is used for heating, in the manufacture of oil based products *'and on our roads, in the air and on the sea, our transport is almost wholly dependent on oil'*. (Page 8 Annual Energy Statement July 2010).
- 94 Alternative fuels are available for electricity generation including coal, nuclear power and renewable energy sources. Energy statistics published by DECC show that renewable electricity generation has steadily risen from 10 terawatt-hour (TWh) in 2000 to 25 TWh in 2010. Nevertheless to give some idea of the changes that need to take place to reduce reliance on fossil fuels the percentage of electricity, heating and cooling and transport provided by renewable sources were 7.4%, 1.8% and 2.9 % respectively in 2010. Whilst these are small proportions, beneficially, all show a steady increases year on year. The latest DECC energy statistics given in Energy Trends September 2011, show that the UK is at the stage of having 9.6% of its total electricity generation produced by wind, hydro and other renewables, whereas 44% was accounted for by gas, 22% by coal and 21% by nuclear. Although some hybrid and electric vehicles are now available, there are currently few commercial alternatives to petrol for transportation.
- 95 As is clear from DECC's statistics, the UK's oil and gas production continues to be central to national energy requirements currently supplying around 60% of the UK's energy needs. During the 1980s and 1990s the UK was largely self-sufficient in oil and gas but the decline in production from mature natural gasfields meant that by 2004 the UK became a net importer of gas and as the UK's indigenous gas supplies decline, dependence on imports will grow. Similarly, UK oil production peaked in 1999 and has fallen since that time and although the UK continues to export petroleum products, by 2005 it became a net

importer of crude oil. 'Energy Trends' September 2011 produced by DECC provides the latest oil and gas information for the second quarter of 2011. It reports that during the second quarter of 2011 the UK was a net importer of oil and oil products by almost 3.6 million tonnes (mt) and a net importer of gas by 74.2TWh. The statistics show that indigenous oil production for the second quarter of 2011 fell by 16% to 13,443 mt and gas production fell by 24.8% when compared with the corresponding quarter in 2010. However *'...the remaining resource is sufficient to provide major benefits to the economy and to security of supply for many years'* (DECC). Final energy consumption fell 5% from the same quarter in 2010.

- 96 As indigenous production falls the UK will increasingly have to look to other countries for sources of supply. This changed situation in terms of production of oil and gas has implications for 'security of supply', which *'...requires that sufficient fuel and infrastructure capacity is available to avoid socially unacceptable levels of interruption to physical supply and excessive costs to the economy from unexpectedly high or volatile prices'*. Box 4.1 Page 106 Energy White Paper 2007. A report on energy security of supply 'Energy Market Outlook' published jointly by DECC and Ofgem on 16 December 2009, recognised the risks associated with reliance on imports and the challenges posed by recession and the impact of a move to a low carbon economy. The consideration of security of supply is in terms of:

- physical security – avoiding interruptions to energy supplies;
- price security – avoiding unnecessary price volatility
- geopolitical security - avoiding undue dependency on specific nations.

- 97 Under EU law the UK has an obligation to maintain stocks of key oil products at or above a certain level to ensure that adequate supplies would exist in any international oil supply emergency. The UK's obligation is to hold supplies equal to 67 ½ days consumption. The latest statistics show that overall stocks were 10% lower than this time last year but the UK still held oil product supplies in excess of its obligation. However, it is clear that oil and gas is a key component in terms of energy security and *'energy supply is an increasingly important part of any nation's security'* *. The volatile nature of the energy markets is a driver for the UK to ensure it has secure and affordable energy supplies, which are vital to its future prosperity and security. As the importation of oil and gas rises, *'the UK will compete for fossil fuels in a global market where global demand for energy is increasing and competition for resources is intense'* .* quotes by Mike O'Brien the Minister of State for DECC 10 February 2009.

- 98 Government has stated on Page 19 of the Energy White Paper 2007 that *'... to meet our security of supply challenges, we will:*

- *maximise the economic production of our domestic energy sources which, together with our energy saving measures, will help reduce our dependence on energy imports;...'*

- 99 In this context the importance of domestically produced oil and gas is recognised. *'Renewables and other low carbon technologies will play an increasing role in our energy mix over the longer term; however, fossil fuels will continue to be the predominant source of energy for decades to come.'* Para 4.02 Page 105 of the 2007 Energy White Paper. The Government's summary of measures for oil, gas and coal set out on page 124 of the White Paper states:

'Our policies recognise the continuing importance of fossil fuels in maintaining reliable and affordable energy supplies, but aim to manage our reliance on their potential environmental effects and the risks associated with higher levels of import dependency by:

- *encouraging energy efficiency to reduce the use of fossil fuels*

- *supporting and maximising economic production of fossil fuels in the UK*
 - *ensuring effective energy markets at home and abroad.*
- 100 Guidance is provided in MPS1 Annex 4 para 2.2, which states that the Government's short to medium term aim includes to '*maximise the potential of the UK's conventional oil and gas reserves in an environmentally acceptable manner*'. To maximise reserves, it is necessary to fully investigate a potential resource. Oil and gas have only been discovered and produced in commercial quantities from certain sedimentary basins onshore. In the south of the UK the Wessex-Channel covers the productive Weald Basin and the Wessex Basin where the Jurassic rocks and the existence of trapping structures are suitable for hydrocarbon accumulation.
- 101 The current proposal falls within the Weald Basin, which extends from Hampshire to Kent and East Sussex and includes the Humbly Grove oilfield in Hampshire, along with the oil producing Horndean, Stockbridge, Storrington, Woodworth and Singleton oilfields. In Surrey it covers the gas reservoir known as 'Albury 1' further west in the County, and Palmers Wood Oilfield near Oxted and the Brockham Oilfield. Currently there is also a planning application for exploration at Manor Farm, Tongham within the Weald Basin.
- 102 The current application involves the drilling of a well to potential target areas: the Portland and Corallian sandstones which the applicant expects to be oil bearing at this location and the Triassic which the applicant expects to be gas bearing. The prospectivity of the targets has been identified on the basis of information gathered on the structure from seismic survey data and analogies with other fields within the Weald and Wessex Basins. Once seismic surveys identify geological structures that are prospective, the only way to firmly establish the presence of oil or gas is to drill an exploratory well and test.
- 103 The latest production figures on the DECC oil and gas website are up to 2010 and show that the fields within the Weald Basin produced 77,724 tonnes (t) of crude oil equating to 8.4% of the UK production from onshore fields. Singleton is the largest producer within the Weald Basin at 23,606 t. Together Singleton and Stockbridge produced 46,795 t in 2010 and eight smaller fields produced the remaining 30,929 t. Production from onshore oil or gas fields is significantly smaller than offshore fields. In 2010 offshore gas production amounted to 59,582 million cubic metres but by comparison, only 92 million cubic metres was produced onshore. As far as oil is concerned, 58.8 million t was produced offshore and 916,152 t onshore. Production at Wytch Farm Oilfield in Dorset is steadily reducing, but still dominates onshore oil production, producing 759,668 tonnes in 2010. The remainder of the UK's onshore oil production is made up of 27 fields which in 2010, produced between 27,886 tonnes and 144 tonnes. In total there are now seven fields, which produce less than 1,000 tonnes a year. As this application is for exploration it is currently not known whether the prospect contains any oil and/or gas.
- 104 Smaller production levels do not necessarily mean that onshore fields do not have a strategic role to play. The Department for Communities and Local Government (DCLG) Mineral Planning Factsheet 2011 (Onshore Oil and Gas) provides an overview of onshore oil and gas supply in the UK and is intended to inform the planning process. The Factsheet states that onshore oil and gas production makes a small, but important, contribution to supply and is beneficial in terms of proximity to demand. Whilst recognising that the Wytch Farm Oilfield in Dorset dominates onshore oil production, the Factsheet states that while most oil or gas fields are small in comparison, '*They have, and continue to make, a modest contribution to Britain's oil and gas requirements*'. Although small, production from onshore oil and gas fields has to be seen in the context of declining national production from the North Sea fields, their ability to offset some need to import,

and that they offer a sustainable approach in terms of proximity. Government does not seek to differentiate between the size or stage of projects in MPS1; instead it states that the aim is to maximize the potential of the UK's conventional oil and gas reserves in an environmentally acceptable manner. Maximisation of potential would include consideration of even relatively small fields.

- 105 The views of the Department of Energy and Climate Change (DECC) were sought on the issue of national need. DECC has taken a decision not to comment on specific planning applications, but states that DECC has no further guidance to offer planning authorities in relation to the issue of national need for oil and gas development, than that contained in MPS1 and goes on to confirm that the policy aims set out in para. 2.2 of Annex 4 to MPS1 remain valid and current. The Government's stated aims in para 2.2 include to '*maximise the potential of the UK's conventional oil and gas reserves in an environmentally acceptable manner*'.
- 106 To maximise the potential, it is necessary to know whether an oil or gas resource exists and short term exploration provides a means of confirmation. Seismic surveys are used to identify whether potential geological structures are present, but the only way to firmly establish if oil or gas exist in the structure is to drill a borehole. It is estimated that the probability of encountering oil and gas during drilling is about 50% but even dry wells provide a source of data on the sub-surface geological structure and resources of the UK.

Conclusion on Need

- 107 Government policy makes it clear that oil and gas remains an important part of the UK's energy mix. Policies recognise the continuing importance of fossil fuels but aim to manage reliance on them, their potential environmental effects and the risks associated with security of supply.
- 108 Exploratory drilling is one step in the process of being able to ascertain the potential of a prospective oil or gas resource in line with Government policy. Officers conclude that given the exploratory function of the development, it is not in conflict with the Government's climate change agenda. Once testing and evaluation is concluded the site would be cleared, the soil returned and the site restored to agriculture and woodland, sustainable uses.
- 109 Officers give significant weight to the statements made in MPS1 regarding the need to maximise the potential of the UK's oil and gas reserves, which DECC has confirmed remains valid and current. This leads Officers to conclude that on the basis of Government guidance there is a national need for the development subject to the proposal satisfying other national policies and the policies of the Development Plan. This is considered further under individual issues later in the report.

HIGHWAYS, TRAFFIC & ACCESS

National Guidance

Planning Policy Guidance Note 13 (PPG13) Transport

Minerals Policy Statement 1 (MPS1) Planning and Minerals

Surrey Minerals Plan Core Strategy Development Plan Document 2011(SMPCSDPD 2011)

Policy MC15 Transport of Minerals

Reigate & Banstead Borough Local Plan 2005 (Saved Policies)

Policy Mo 5 Design of Roads within New Development

Policy Mo 6 Service Provision within New Development

- 110 The proposal to create an access onto the rural road known as Horse Hill (D332) and the HGV movements associated with the development, has been the aspect of this proposal that has given rise to the most local objection.

- 111 Government advice with regard to transport matters is given in Planning Policy Guidance Note 13 (PPG13): Transport. It is recognised in PPG13 that landuse planning has a key role in delivering an integrated transport strategy through shaping the pattern of development. Although first published in 2001, PPG13 was updated in November 2010 in relation to its guidance on residential parking requirements to reflect policy changes. One of the core objectives of PPG13 outlined in paragraph 4 is to '*promote more sustainable transport choices for both people and for moving freight*'.
- 112 The consultation on the Draft National Planning Policy Framework (dNPPF) referred to in para 51 above, sets out a presumption in favour of sustainable development, which is central to the policy approach in the Framework. In terms of transport the objectives of transport policy are to:
- facilitate economic growth by taking a positive approach to planning for development; and
 - support reductions in greenhouse gas emissions and congestion, and promote accessibility through planning for the location and mix of development.
- 113 Policy MC15 (Transport of Minerals) of the SMPCSDPD 2011 states that applications for mineral development should include a transport assessment of potential impacts on highway safety, congestion and demand management and explore how movement of minerals within and outside the site will address issues of emissions control, energy efficiency and amenity. '*Mineral development involving transportation by road will be permitted only where:*
- (i) *there is no practicable alternative to the use of road-based transport that would have a lower impact on communities and the environment;*
 - (ii) *the highway network is of an appropriate standard for use by the traffic generated by the development or can be suitably improved; and*
 - (iii) *arrangements for site access and the traffic generated by the development would not have any significant adverse impacts on highway safety, air quality, residential amenity, the environment or the effective operation of the highway network.'*
- 114 Reigate & Banstead Borough Local Plan 2005 (RBBLP 2005) contains two relevant transportation policies. Saved Policy Mo 5 (Design of Roads within New Development) seeks to '*ensure that the arrangements for access and circulation are appropriate to the type of development proposed and the area in which it is located and do not aggravate traffic congestion, accident potential or create environmental disturbance in the vicinity. Where feasible, the number of access onto major roads will be reduced.*' Access arrangements must be to approved standards and not cause an increase in danger to road users and pedestrians. The traffic aspects of a development are to be evaluated both in relation to the internal layout of the new development and the effect of the completed development on the existing highway network. Saved Policy Mo 6 (Service Provision within New Development) states that provision for loading unloading and turning of service vehicles within the curtilage of a proposed development will normally be required.
- 115 The application is accompanied by a Transport Statement (TS), which contains a description of the application site and the road network and accident data in the locality of the application site, details of the traffic generation and the proposed site access. Further transportation details have been submitted to support the application containing a schedule of vehicle movements for each of the phases of the development and swept path analyses for the access to the site and for the Horse Hill/A217 junction.

Traffic Generation

- 116 The vehicle movements generated by hydrocarbon development fluctuate from day to day within a phase and also varies between the distinct phases. The potential traffic according to the phase of the development is set out below. The applicant has provided a schedule of showing the type and number of vehicle movements associated with each phase and the table that follows gives the anticipated breakdown of HGVs for the various phases.

Site Preparation and construction (approx 4 weeks)

- 117 Initially vehicles would be required to transport plant and equipment to undertake clearance and regrading works, construct the access and then the access route followed by the drillsite. The majority of the vehicle movements would be involved in the importation of road stone and sand in 20 tonne lorries.
- 118 Provision for loading unloading and turning of service vehicles within the curtilage of a development should be provided as set out in RBBLP 2005 Saved Policy Mo 6 (Service Provision within New Development). The Highway Authority has recommended that if permission is to be granted, a condition be imposed requiring a Construction and Operation Management Plan to be submitted for approval prior to any works commencing which would require a detailed programme of works and include measures for traffic management. (See proposed Condition 11). A condition requiring the provision of adequate parking, loading and unloading and storage of plant and materials would also be sought (Condition 10).

Rig Mobilisation (4 days)

- 119 The drilling rig and associated machinery would be brought to the site and erected by a team of 15 erectors. The crane, and the majority of the equipment would arrive at the site on 40 ft trailers, the tanks and engines on low loaders and cabins on 45 ft trailers. All 45ft abnormal loads would require an escort when on the highway.

Drilling Period (approx 6 weeks)

- 120 During the drilling period drill pipes, mud and other equipment would be delivered to the site. Drilling mud and cuttings would need to be removed from the site.

Testing (2 - 4 weeks)

- 121 If oil is found testing would involve the removal of oil by tanker for off-site analysis involving a likely two tanker loads per day. There is the potential for no test at all if it were found that hydrocarbons were not present.

Rig removal (4 days)

- 122 The rig demobilisation would involve a similar number and type of vehicle movements to the rig mobilisation.

Site Clearance and Reinstatement (approximately 4 weeks)

- 123 The removal of the site and its reinstatement would involve a similar number of vehicle movements to the site preparation stage given above.

124 The Table 1 below gives an overview of the total vehicle movements that would be generated by the proposal and the breakdown between HGV and LGVs per day over the distinct phases of the development.

Table 1 Anticipated Number of Vehicles and Vehicle Movements by Phase.

Development Phase	Duration of Phase	Total number of HGVs arriving at the site over the phase	Total number of LGV/cars arriving at the site over the phase	Maximum HGV movements per day	Maximum LGV/Private movements per day Rounded up where necessary	Maximum Total Vehicle movements per day
Site Clearance works & machinery removal	1 - 2 days	7	4	8	4	12
Site Construction	Approx. 4 weeks	232	46	24	4	30
Rig Mobilisation	4 days	45	60	36	30	66
Drilling	6 weeks	170	810	28 x 5 days the remainder would be 8 movements	30 x 5 days the remainder would be 40 movements	58 x 5 days the remainder would be 48 movements
Testing	2 - 4 weeks	44	24	4	2	6
Rig De-Mobilisation	4 days	45	60	36	30	66
Site Reinstatement machinery mobilisation & removal	1-2 days	13	4	16	4	20
Site Reinstatement	Approx. 4 weeks	198	46	20	4	24
Total	Approx. 20 weeks	754	1054	N/A	N/A	N/A

Note: The majority of the HGV movements shown in the table above are for 20 tonne lorries, however included in the figures are movements involving 40 ft and 45 ft trailers, low loaders, and the rig unit. The table assumes the worst-case scenario in terms of testing.

125 As can be seen from the table above, the proposed development would take place over a short timescale. The rig mobilisation, demobilisation and drilling phases taking place over an approximate 8 week period, would give rise to the greatest increase in overall vehicle movements. In terms of HGVs, the maximum daily level of HGV movements would be 36 during the 4 day mobilisation and 4 day demobilisation periods. This would involve an increase in the number of HGVs using Horse Hill. Whilst the applicant is seeking planning

permission for a temporary period of 3 years, within that time, the total length of activity at the site is calculated to be in the region of 20 to 21 weeks although the individual phases may not run immediately one after another.

- 126 SMPCSDPD 2011 Policy MC15 (Transport of Minerals) states the assessment of potential impacts should consider emission control in relation to the movement of minerals within and outside the site. The level of traffic generated by each phase is set out in the table above. The site does not fall within an Air Quality Management Area (AQMA) the closest AQMA is found at Horley, 2.5 km south east of the site. The proposed site would be located in a rural area where there is little industrial activity to affect air quality levels and traffic is the main pollution source. Overall the existing air quality in the locality of the site was found to be generally good.
- 127 The pollutants related to traffic emissions are nitrogen dioxide, PM10 and PM25 whose air quality objectives relate to annual mean concentrations or to the number of exceedences of an air quality standard within a calendar year. The assessment of the impact has been based on the worst-case scenario of the maximum number of vehicle movements travelling to and from the site and along the access track. Using the ADMS-Roads dispersion model (V2.3) the applicant predicted concentrations of the three pollutants at 10 receptor locations, which included residential properties fronting Horse Hill and some on the southern stretch of the A217. The predictions covered two scenarios, without the scheme and with the scheme. Despite being based on the worst case scenario of constant operation at maximum activity levels throughout a calendar year, it was found that concentrations of all three pollutants remain below the air quality objectives, whether the proposed development proceeds or not. Given the temporary nature and scale of the development, the traffic associated with the development is very unlikely to result in any measurable adverse impact on air quality and accordingly Officers consider that the impact would be negligible.

Local Road Network and Vehicle Routing

- 128 The proposed access to the drillsite would be located to the west of Horse Hill (D332) some 1.5 km north of the junction of Horse Hill with the Reigate Road (A217) and some 800m south of the junction with Collendean Lane (D330). The D332 is known as Horse Hill from its southern junction with the A217 until its junction with Crutchfield Lane (D333) where it becomes known as Ironsbottom through to the junction with the A217 at its northern end. The A217 links Reigate and the A25 and the M25 motorway in the north with A23 north of Gatwick Airport and south west of Horley.
- 129 Horse Hill is a rural, two way single carriageway road, which has some residential properties fronting onto the road. The applicant has measured the paved width of Horse Hill from the proposed site access to the A217 junction and has concluded that the majority of this section of the road is greater than 5.5 metres (m). It is generally accepted that two goods vehicles can pass one another with care within a carriageway width of 5.5m. Similarly, a car and a goods vehicle can pass one another within a carriageway width of 4.8m. A section of Horse Hill between the property accesses to Rushmeads and Ferriers Forge narrows to a minimum of 5.2 m and for 150 m is less than 5.5 m. In addition, the section of the road immediately north of the junction with the A217 narrows to 5.1 m and is narrower than 5.5 m over a stretch of 200m. As a result, two HGVs could pass on the majority of the road but for two small sections this would be restricted to an HGV and car.
- 130 The applicant undertook a speed survey and an automatic traffic count between 1 June and 7 June 2009. The speed limit on Horse Hill is set at 40 miles per hour (mph) however; the applicants survey showed that the 85th percentile wet weather speed is 46.7 mph northbound and 47.2 mph southbound, showing speeds exceeding the speed limit. The traffic count showed that the weekday average 24 hour flow was a total of 4,008 vehicles, made up of 62 motorcycles, 3,693 cars/LGVs and 253 HGVs. The breakdown of HGV

movements shows that an average of 139 HGVs travelled northbound and 114 southbound over a 24 hour period.

- 131 Mole Valley District Council have expressed concern regarding the additional and/or the heavy traffic arising from the development that would use the junction with the A217 at the Black Horse junction. Mole Valley states that they are aware that this junction, if not a designated accident black spot, is awkward and already heavily used. The Parish Council object to the planning application on traffic grounds and have stated that there have been many accidents over the last 20 years with several fatalities a short distance from the site. Local residents are particularly concerned about the traffic implications of the development (see paragraph 48 above). In representations they have said that an access onto Horse Hill would be dangerous as vehicles using Horse Hill both speed and overtake. They also believe that the potential for accidents would be increased as there are no pavements or lighting and the road is widely used by cyclists. Concern has also been voiced that site traffic would not route from the A217 at Hookwood but access the site from the other direction. The Campaign to Protect Rural England (CPRE) have also added their support to the concerns of Salfords and Sidlow Parish Council and state that Horse Hill is a narrow rural road which is totally unsuitable for a large increase in the number of HGVs.
- 132 The Highway Authority has been made aware of concerns regarding the HGV usage of Horse Hill but has commented that as there are no weight restrictions, there is nothing to stop HGVs using the road. The traffic count shows that whilst light vehicles predominantly use the road, it is accommodating a proportion of HGV traffic. The Highway Authority is satisfied that the road width indicates that other than the abnormal loads requiring an escort, the remainder of the vehicles involved in the development can pass each other safely over the majority of the route.
- 133 A five year accident record for Horse Hill between and including, its junction with the A217 to the south of the site, and Collendean Lane to the north of the site access, has been considered by the applicant. During 1 January 2004 to 31 March 2009 there were a total of 11 accidents none of these accidents involved HGVs. The most serious of these was an accident 200 m north of the A217 junction when a car lost control and struck a wall, the remainder all involved slight injuries. Two accidents involved cars pulling out of Horse Hill across the path of a car and a motorcycle respectively, which were travelling on the A217. Some 400 m north of the A217 junction a slow turning vehicle was shunted. Other than a car swerving to avoid a vehicle in the wrong lane, and a person being struck leaving a vehicle, the remainder were single vehicle accidents. The applicant has commented that the single vehicle accident pattern may indicate a problem with vehicle speeds on the road and the fact that vehicles are travelling faster than the designated speed was demonstrated by the speed survey. Residents have commented that the accident statistics reported do not reflect the accidents and near misses that have taken place. However, the Highway Authority has assessed the accident record in the vicinity of the site and found no evidence to suggest that more accidents have taken place or that a temporary increase in traffic (both HGV and non HGV) would exacerbate the current situation.
- 134 One concern locally, is that the condition of Horse Hill would deteriorate as a result of the increased usage of the road by HGVs. Under the Highways Act a developer may be required to make good any damage caused by them to the public highway. Where there is insufficient evidence to identify who caused damage, the responsibility for repair would fall to the Highway Authority under the highway maintenance programme and in fact Horse Hill has been top dressed in the past few months. As noted above, there is no weight restriction on Horse Hill and therefore as a public highway, HGVs are free to use the road. However, significant impacts are not anticipated due to the level and limited timescale over which traffic would be generated and an inspection regime is deemed unnecessary.
- 135 The applicant is proposing that all HGVs travel to and from the site using the A217 and arrive and exit from the Horse Hill/A217 junction known as the Black Horse public house

junction. This junction has ghosted turns protected by traffic islands. Vehicles approaching the junction on the A217 from the south can move into a dedicated lane, which is joined by vehicles from the north that have crossed the A217. The Norwood Hill Residents consider HGVs turning across the A217 to be a high-risk movement. The Residents suggest that HGVs travelling south on the A217 and wishing to access the site should not use the Black Horse junction but continue to the Hookwood roundabout and then return to Horse Hill via the northbound carriageway of the A217. The applicant has provided swept path analyses for a 16.63 m low loader, which is the largest normal road vehicle proposed to access the site. The swept path analyses shown on Drawings M.030/31 and 32 demonstrate that these large vehicles can turn right across the A217 into Horse Hill and turn left from the A217 into Horse Hill. Drawing M.030/33 shows vehicles turning left onto the A217 from Horse Hill and right crossing the A217 to travel southwards. The Highway Authority is satisfied that the applicant has demonstrated the suitability of this junction to accommodate usage by the proposed site vehicles.

- 136 Concern has been expressed that drivers of site vehicles would use other routes. The only options for this would be for vehicles to use Crutchfield Lane whose junction with the A217 is found approximately 750 m north of the Black Horse junction. Crutchfield Lane is a narrow winding lane that meets Horse Hill some 1.3 km beyond (north) the proposed site access. The other option would be for vehicles travelling south along the A217 to turn right into Ironsbottom at Sidlow some 4 km north of the site access. Ironsbottom leads into Horse Hill but passes through the residential areas of Sidlow and Ironsbottom. The proposed drillsite access would be located approximately 1.5 km north of the Black Horse junction with the A217. Not only is the site access closer to the A217 at this point but also this section of the D332 is relatively straight. Exiting the A217 at Sidlow would involve travelling longer on a rural road and on a section of the D332, which has more bends. The Highway Authority suggests that the proposed route is controlled by signing. A planning condition would be imposed on any consent requiring the provision of signs at the site exist advising all drivers of HGVs to exit the site by turning right onto Horse Hill. (See proposed Condition 11).
- 137 It is the Highway Authority's view that the applicant has demonstrated that the local highway network in the vicinity of the site could accommodate the traffic associated with the proposed use subject to the imposition of conditions.

Access and Access Track

- 138 The proposal would require the construction of a new access off the west of Horse Hill and an access track through woodland and farmland to the drillsite. The site access would be constructed during the first week with visibility splays set back 2.4 m with 170 m to the north and 210m to the south of the access. To reduce the risk of debris being carried onto Horse Hill the applicant proposes to tarmac the first 20 m back from the carriageway. In any event the Highway Authority has requested that a planning condition be imposed on any consent requiring facilities to ensure material is not carried onto the public highway, be provided prior to any movement of materials.
- 139 Residents are concerned about the proposal to create an access onto Horse Hill, which they feel would be dangerous. The road has an 85th percentile wet weather speed of 47 mph, using standards from the Design Manual for Roads & Bridges; a visibility splay of 133m would be required. However the applicant is providing visibility splays in excess of the required standard, and the construction and maintenance of splays of 2.4m x 210m in the leading direction and 2.4m x 170m to the north, would be the subject of a planning condition. The Highway Authority is satisfied the design of the access is acceptable.
- 140 One local resident has suggested that the site is accessed via Brittleware Farm. The farm buildings at Brittleware Farm have an access onto Norwood Hill Road (C57), which runs between Norwood Hill and Charlwood. Norwood Hill Road does not directly link with the 'A' road network and to the south would take vehicles into the centre of Charlwood village.

An access could be created across farmland to Collendean Lane (D330) near Norwood Hill. However, this lane runs between Norwood Hill and Horse Hill with no direct access to the county's 'A' roads and as a result, site vehicles would have to route down a longer section of Horse Hill and pass more residential properties to reach the A217, than if the access was located as proposed under this application.

- 141 In response to a request from the Highway Authority, the applicant has supplied swept path analyses for a 16.63 m low loader, which is the largest normal road vehicle proposed to access the site. The abnormal loads would normally have an escort and rear wheel steering on the trailer. The Highway Authority is satisfied that the applicant has demonstrated that these vehicles can suitably access the site. If consent is granted, the Highway Authority requires the access and 200 m of the access route to be satisfactorily constructed prior to any other works taking place. A planning condition requiring the removal of the access on completion of the works is also recommended.
- 142 As the proposed access would be sited on a straight section of tree lined rural carriageway it is proposed that temporary signs are provided along Horse Hill warning drivers that site traffic is emerging. In total, five signs would be erected, two north and two south of the access and one opposite the site entrance.
- 143 The access track would run for approximately approx 350 from Horse Hill to the drillsite initially passing through woodland utilising part of an existing woodland track and then across farmland. Whilst the access track would generally use routes already used by the landowner, widening and construction of an engineered load bearing and appropriately surfaced track would be required. This would involve the removal of six trees, three small overhanging branches and scrub along the route. The removal of these trees and vegetation will be discussed in further detail in the ecological section of the report. The access track would have a surface 4 m wide covered with a 500 mm type 1 stone or recycled equivalent, with 0.5m either side to allow the creation of a firm sloping edge. Two passing bays 8 m wide and 20 m long would be provided near the site access and where the woodland track emerges into the field.
- 144 The new access would not be onto a major road and is appropriate to the type of development proposed in accordance with Reigate and Banstead Borough Local Plan 2005 Saved Policy Mo 5 (Design of Roads within New Development).

Mode of Transport

- 145 One of the national objectives for minerals planning listed in para 9 of Minerals Policy Statement 1 (MPS1) (Planning & Minerals) is *'to promote the sustainable transport of minerals by rail, sea or inland waterways.'* Policy MC15 (Transport of Minerals) of the SMPCSDPD 2011 also expects alternatives to road-based methods of transport to be considered especially where these can use existing sidings. Nevertheless, para 7.9 recognises that the majority of mineral is transported over relatively short distances and road transportation is often the only practicable and cost effective option.
- 146 Paras 7.11 to 7.14 of the SMPCSDPD 2011 deal with rail aggregate depots and refer to the existing rail aggregate facilities in or close to Surrey. In Surrey, there are existing facilities at Woking and at Salfords, although Salfords operates on a low throughput due to access and land ownership constraints. Just outside Surrey there are rail aggregate depots at Tolworth, Purley, Colnbrook and Crawley.
- 147 Policy MC15 states that *'mineral development involving transportation by road will be permitted only where:*
- (i) *there is no practicable alternative to the use of road-based transport that would have a lower impact on communities and the environment,*
 - (ii) *the highway network is of an appropriate standard for use by the traffic generated by the development or can be suitably improved, and*

- (iii) *arrangements for site access and the traffic generated by the development would not have any significant adverse impacts on highway safety, air quality, residential amenity, the environment or the effective operation of the highway network.'*

- 148 The site would only be operational for up to 21 weeks and the only mineral transported from the site would be two tankers of oil a day over a two week period, if an oil reservoir were found. Other than the tankers connected with the testing period, the vast majority of traffic movements would be associated with delivering and removing materials or plant and equipment to the site over a very limited period and the transportation of personnel to the site. None of the rail facilities are in close proximity to the site, and even if a rail facility could be used the plant, equipment, materials and personnel would all need to be transported by road from the rail facility to the site. Officers consider the scale of the development and its nature means that rail transport is not a practicable alternative in this case and would not lower the impact on the residents and environment in the locality Horse Hill. Similarly, Officers consider there are no opportunities for the movement of materials, equipment and personnel by water within any practical distance of the proposed drillsite. The water transport network in Surrey is considerably sparser than the rail network.
- 149 As covered above in paras 128 to 137 the Highway Authority considers the highway network of an appropriate standard for use by the traffic generated by this development and that the access arrangements are suitable.

Conclusion on Highways, Traffic and Access

- 150 There are no practical options to bring the materials and equipment to the site by any other method of transportation also given that the development is small-scale and temporary, there is no scope for sequenced working to reduce the volume of materials moved. The Highway Authority has no objection to the proposal on safety or capacity grounds. It has assessed the development proposal and based on the information provided, has concluded that the local highway network in the vicinity of the site could accommodate the traffic associated with the use and that the proposal would not be detrimental to highway safety provided the recommended conditions are imposed. The Highway Authority is also satisfied that the information submitted on highways, traffic and access is sufficient to inform the decision process given the scale and nature of the development proposed. Taking all these matters into account Officers consider that from a traffic, access and highway capacity and safety point of view the proposal is acceptable. Accordingly, Officers do not consider that the proposal conflicts with Policy MC15 (Transport of Minerals) of the SMPCSDPD 2011, Reigate and Banstead Local Plan 2005 Saved Policies Mo 5 (Design of Roads within New Development) and Mo 6 (Service Provision within New Development).

ENVIRONMENT & AMENITY

National Guidance

Planning Policy Guidance Note 2(PPG2) Green Belts
 Planning Policy Statement 7 (PPS7) Sustainable Development in Rural Areas
 Planning Policy Statement 9 (PPS9) Biodiversity and Geological Conservation
 Planning Policy Statement 5 (PPS5) Planning for the Historic Environment
 Planning Policy Statement 23 (PPS23) Planning and Pollution Control
 Planning Policy Guidance Note 24 (PPG24) Planning and Noise
 Planning Policy Statement 25 (PPS25) Development and Flood Risk
 Minerals Policy Statement 1 (MPS1) Planning and Minerals
 Minerals Policy Statement 2 (MPS2) Controlling and Mitigating the Environmental Effects of Mineral Extraction in England
 Minerals Planning Guidance Note 7 (MPG7) Reclamation of Mineral Workings

South East Plan 2009 (SEP 2009)

Policy NRM1 Sustainable Water Resources and groundwater Quality

Policy NRM2 Water Quality

Policy NRM4 Sustainable Flood Risk Management

Policy NRM5 Conservation and Improvement of Biodiversity

Policy NRM7 Woodlands

Policy NRM9 Air Quality

Policy BE6 Management of the Historic Environment

Surrey Minerals Plan Core Strategy Development Plan Document 2011 (SMPCSDPD 2011)

Policy MC12 Oil and Gas Development

Policy MC14 Reducing the Adverse Impacts of Mineral Development

Policy MC17 Restoring Mineral Workings

Policy MC18 Restoration and Enhancement

Reigate & Banstead Borough Local Plan 2005

Policy Pc 2D Potential SNCI's

Policy Pc3 Woodland

Policy Pc4 Tree Protection

Policy Ho10 Noise

Policy Ut4 Flooding

Introduction

- 151 The proposed hydrocarbon exploration site does not fall within an area, or site, designated for its landscape or nature conservation importance. It is however, located on farmland within a rural area in the Green Belt. Planning Policy Statement 7 (Sustainable Development in Rural Areas) (PPS7) sets out the Government's planning policies for rural areas, including country towns and villages and the wider, largely undeveloped countryside up to the fringes of larger urban areas. Paragraphs 15 and 16 of PPS7 cover countryside protection and development in the countryside. Para. 15 states that *'planning authorities should continue to ensure that the quality and character of the wider countryside is protected and, where possible, enhanced.'*
- 152 The SEP 2009 has been developed to help deliver the vision set out in the Regional Sustainability Framework. The vision focuses on a healthier region and is supported by sixteen objectives. Objective 15 states *'the best of the region's historic, built and natural environment will be protected and where possible enhanced, both for its own sake and to underpin the social and economic development of the region'*. One of the six spatial planning principles is *'supporting the vitality and character of the region's rural areas, whilst protecting the valuable natural and historic assets of the region'*. Rural policy development is broken down into 4 key principles expected to achieve more sustainable forms of development and these are related to core policies throughout the Plan.
- 153 The SMPCSDPD 2011 has several policies that seek to ensure that the environmental and amenity impacts of mineral working are addressed. Policy MC3 (Minerals Development in the Green Belt) requires the highest environmental standards of operation to be maintained and the land to be restored to a beneficial afteruse for mineral extraction to be permitted in the Green Belt. Policy MC12 requires the Authority to be satisfied that in the context of the geological structure to be investigated, the proposed site has been selected to minimise adverse impacts on the environment. Policy MC14 (Reducing the Adverse Impacts of Mineral Development) states that, *'Mineral Development will be permitted only where a need has been demonstrated and the applicant has provided information sufficient for the mineral planning authority to be satisfied that there would be no significant adverse impacts arising from the development'*. The policy sets out ten issues which may be relevant and the policy also refers to *'particular attention to those highlighted in any screening opinion made for the site'*. In this case the applicant has provided a traffic statement, a noise impact assessment, an ecological study, a preliminary archaeological

assessment, flood risk, ground and surface water assessments, an air quality assessment and lighting information.

Visual Impact

- 154 The proposed Horse Hill exploratory drillsite is found in a rural area within the Regional Countryside Character Area known as the Low Weald. The Future of Surrey's Landscape and Woodlands 1997 describes the Low Weald as generally rural in character, predominantly low lying and gently rolling. In the east of the Open Weald the landscape is moderately open with mixed farming. The site lies within the part of the Open Weald, which is known as the Wooded Weald. This is described as *'low lying, undulating, small scale, intimate farmed landscape enclosed by woodland, hedges and shaws.'*
- 155 The drillsite compound would be located within a field which has woodland or mature hedgerows on all four boundaries. The access route would be initially through woodland and then alongside the southern boundary of a field. The field in which the access track and drillsite would be located is found to the north of the hedgerow dividing the field from Footpath 414.
- 156 Minerals Policy Statement 1 (MPS1) (Planning & Minerals) states that when considering applications in accordance with national policies for minerals planning one of the issues local authorities should take account of is the value of the wider countryside and landscape and the impact of minerals operations on the quality and character of the countryside and *'consider the cumulative effects of local developments'*. The proposed site is located some 1.08 km as the crow flies from the waste recycling site known as Little Orchard Farm (Britaniacrest). There are no viewpoints locally where the well-screened sites could be viewed together. The permanent waste recycling site has a direct access onto the A217 and therefore HGVs associated with this use would not be using Horse Hill. Both sites would have vehicles traveling on the A217 for the limited time period the exploratory site was operational. However, distributor routes are expected to take HGVs and the volume of traffic and timescale of the development are such that the proposal should not give rise to an adverse cumulative effect when considered with this other local site.
- 157 The land is within the Metropolitan Green Belt and while the characteristics of the landscape are not a material factor in the inclusion of land within the Green Belt, PPG2 does state that the visual amenities of the Green Belt should not be injured by proposals, which might be visually detrimental by reason of their siting, materials or design.
- 158 Policy MC14 of the SMPCSDPD 2011 (Reducing the Adverse Impacts of Mineral Development) states that to be permitted, a need has to be demonstrated and the Authority be satisfied that there would be no significant adverse impacts arising from the proposed mineral development. The policy identifies ten issues which require consideration, two of these are i) *noise, dust, fumes, vibration, illumination, including that related to traffic generated by the development.'* and 'iii) *the appearance, quality and character of the landscape and any features that contribute to its distinctiveness'*.
- 159 RBBLP 2005 Saved Policy Pc4 (Tree Protection) states that trees, individually or in groups, areas or woodlands make a particularly valuable contribution to the visual amenity of the Borough. Emphasis is given to the retention of existing trees when considering applications and the protection of during the construction period is highlighted. More than one for one replacement for lost trees sought by the policy.
- 160 The activity and movement associated with the construction of the site and access would involve disturbance in the landscape. This would result from the clearance of trees and vegetation and the creation of the site compound, access track and also by the delivery of stone. The drillsite would be fenced and have a storage bund on the northern perimeter. The drillsite compound would contain sizeable temporary structures and equipment that are industrial in character.

- 161 The applicant states that from a visual point of view the site is ideally situated. The field, in which the drillsite would be located, is well contained and other than the drilling rig mast the compound housing the associated plant and structures would be screened. The County's Landscape Officer agrees that the site is '*well contained within the fabric of the local landscape, with blocks or woodland to the northeast, southwest and east and with hedgerow/treebelt cover to the north, south and west*'.
- 162 The field rises from the south (65.5 m Above Ordnance Datum (AOD) to 72.5 m AOD in the north. Westwards, Norwood Hill reaches 99 m AOD. The proposed drillsite would be sited on land that currently rises between 65.7 m and 69 m AOD. During site preparation, cut and fill would involve removing the topsoil and levelling the site. The topsoil would be stored in a bund at the northern end of the drillsite. The applicant states that the 3m high bund would act as a visual screen to the properties located north of the site which may have some slight views during the winter months. The County's Landscape Officer believes that the visual considerations in terms of views from local properties has been adequately addressed in the application. He acknowledges that there would be a degree of visual impact during drilling as the upper portion of the 35 m high drilling rig would extend above the surrounding tree canopy and therefore may be visible from elevated viewpoints particularly to the west. Nevertheless the rig mast would be of a slender lattice construction, which would be difficult to discern from distant viewpoints and the drilling period is of short duration (6 weeks).
- 163 Public Footpath 414 is accessed from Horse Hill south of the proposed site access. The footpath runs west alongside the southern boundary of the woodland and then in a westward direction towards Collendean Lane at Norwood Hill. The applicant has provided a visual assessment that covers visual points along the route of the footpath. The applicant concludes that there are no viewpoints from the higher land at Norwood Hill to the west of the site. Woodland and hedgerows interrupt views of the drillsite from the majority of the footpath's route with only the top of the rig being visible from some points in the middle distance. The exception to this is the point where the footpath divides from a farm track just to the west of the field in which the drilling compound would be located. At this point there would be a view towards the drillsite compound through a 4 m gap in the vegetation where the farm track exits the field. For users of the route travelling east, views of the compound through this gap would be possible along a 100 m section of the footpath. The hedgerow directly south of the compound which divides the site from the footpath is a mature hedgerow of approximately 8 to 10 m high (see **Figure 9**) which would adequately screen the compound. The County's Landscape Officer has visited the site and walked the footpath. He agrees that the visibility of the site would be minimal. However, he expressed concern that the public footpath runs close to the southern boundary of the woodland and that in places the woodland edge was thin. Given the proximity of the access track he considered that during the winter there could be a temporary adverse impact for users of the footpath who would be aware of vehicles moving on the track. The County's Landscape Officer suggested that there should be some form of temporary fence screening along the whole woodland edge.
- 164 In response to the County Landscape Officer's concerns the applicant offered to erect a temporary 2 m high screen fence of a 'Heras' type rigid weldmesh panels with green coloured mesh material attached for approximately 35 m where the access route passes closest to the footpath. (See **Figure 10**) The applicant offered to erect a temporary fence, despite the fact that he considers, it would be detrimental and spoil the amenity of the woodland edge. The County Ecologist and Biodiversity Manager has also expressed concern that the erection of fencing along the woodland edge for such a short period would be unduly disruptive to the woodland. As the County's Landscape Officer believes the erection of fencing for 35 m would be insufficient to make any real difference, he has accepted that the disruption to the woodland caused by erection of a fence for such a short period is likely to be greater than the benefit gained. However, he has stated that if the applicant was to apply for a longer term proposal at sometime in the future, some form of

screening along the woodland edge, preferably additional planting would be necessary and he recommends that an informative to this effect be imposed (see Informative 5).

- 165 Trees and woodlands make a valuable contribution to the visual amenity of a locality and Saved Policy Pc4 of the Reigate & Banstead Local Plan 2005 emphasises the importance of the retention of trees and the adequacy of their protection during site construction. The construction of the site access and the access route through woodland would require vegetation clearance and tree and branch removal. The track would pass close to existing trees and therefore root protection is of paramount importance to ensure that harm to trees adjacent to the track is reduced. This issue has been raised in representations and is dealt with in more detail in the ecology section of the report.
- 166 The impact of artificial lighting on the night sky is an issue in rural areas and there is lighting associated with the drillsite compound, as drilling would take place 24 hours a day. The vegetation surrounding the site would provide substantial screening, particularly at the lower level. The higher level lights are likely to be noticed over the 6 week period the rig would be erected at the site, in particular the red aircraft warning light. The applicant has submitted lighting information which has been assessed by the County's Environmental Consultant (Lighting) who has raised no objection to the proposal. Further information on the impact of the site lighting can be found later in the report at paragraphs 222 to 229.

Conclusion on Visual Impact

- 167 The County's Landscape Officer has reviewed the application and further landscape information submitted by the applicant and considered any visual impact issues in the locality of the site and along the nearby right of way. He has confirmed that views from local properties have been adequately addressed and that visibility of the site from the locality and right of way would be minimal. He acknowledges there would be a degree of visual impact during drilling but given the temporary nature and degree of impact does not consider that the development would have a significant adverse visual impact. Officers therefore consider the proposal acceptable in terms of SMPCSDPD 2011 Policy MC14.

Ecology & Biodiversity

- 168 Planning Policy Statement 9 (PPS9) on Biodiversity and Geological Conservation sets out the policies that apply to the protection of biodiversity and geological conservation and planning. The Government's objectives for planning are to promote sustainable development, conserve, enhance and restore the diversity of England's wildlife and geology and contribute to rural renewal and urban renaissance.
- 169 The South East has a wide range of habitats and Policy NRM5 of The SEP 2009 (Conservation and Improvement of Biodiversity) aims to protect and enhance the region's biodiversity. Policy NRM7 (Woodland) seeks to ensure that the value and character of the region's woodland are protected and enhanced. The policy sets out criteria by which this will be achieved including: protecting ancient woodland from damaging development and land uses, and replacing woodland unavoidably lost through development with new woodland on at least the same scale.
- 170 Policy MC14 in the SMPCSDPD 2011 (Reducing the Adverse Impacts of Mineral Development) states that mineral development will be permitted only where a need has been demonstrated and sufficient information has been provided for the mineral planning authority to be satisfied that there would be no significant impacts arising from the development. A number of issues are identified in 10 points including iv) the natural environment, biodiversity and geological conservation interests. Policy MC12 (Oil and Gas Development) states that exploratory drilling will only be permitted where the MPA is satisfied that the site has been selected to minimise adverse impacts on the environment. Minerals working can bring opportunities for enhancement. Policy MC18 states that the MPA will encourage and work with mineral operators and landowners to deliver benefits such as enhancement of biodiversity interests.

- 171 Saved Policy Pc3 of the RBBLP 2005 (Woodlands) seeks to retain Ancient Woodland but also states that the Borough Council will seek to retain all existing woodlands and actively promote a larger extent of woodland by encouragement of appropriate planting. There will be a general presumption in favour of the planting of broadleaf species. Saved Policy Pc4 of the RBBLP 2005 (Tree Protection) emphasises the importance of the retention of trees and the adequacy of their protection during site construction. The policy requires compliance with the latest arboricultural and silvicultural standards in respect of any tree works or development near to trees.
- 172 Potential Sites of Nature Conservation Importance (pSNCI) have been identified in the RBBLP 2005, two of which are to the north east of the proposed site. Saved Policy Pc 2D (Potential SNCI's) states that development affecting potential SNCIs will only be permitted if it can be demonstrated that it will not materially harm the nature conservation value or wildlife interest of the sites or the need for the development outweighs the harm. Both pSNCIs are found to the north east of the application site and are divided from the site by the road Horse Hill and a distance of some 400 m and 930 m respectively. The closest pSNCI abuts Horse Hill but as it is located north of the site access, would not be affected by vehicles accessing or travelling to the drillsite.
- 173 The applicant submitted an original ecological report and has recently submitted additional ecological information in support of the application which includes an Arboricultural Method Statement. The main ecological issues to consider are the potential impact on the trees and woodland and protected species, in particular bats and great crested newts.

Woodland

- 174 Trees and woodlands make a valuable contribution to the visual amenity of a locality and Saved Policy Pc4 of the Reigate & Banstead Local Plan 2005 emphasises the importance of the retention of trees and the adequacy of their protection during site construction. The proposed access route would pass through semi natural deciduous woodland utilising an existing woodland track. Nevertheless, the creation of an access and the access track through the woodland would require vegetation clearance and tree and branch removal. The track would then pass close to existing trees and therefore root protection would be of paramount importance to ensure that harm to trees adjacent to the track is reduced. The existing woodland track is shown in **Figure 4**.
- 175 The construction of the access track would involve a total width of 5 m allowing for the sloping side batter and protective fencing. This would require the removal of 6 trees and 3 overhanging branches in addition to other scrub vegetation. Four of the trees to be removed are found at the access bellmouth, they are: an oak, turkey oak, a damaged field maple and a young cherry. An oak tree and three-stemmed ash, which would also be removed, are found along the route of the track. The location of the access is shown at **Figure 3**.
- 176 Protecting the roots of the surrounding mature trees would involve installing protective fencing around trees close to the track using rigid welded steel mesh 'Heras' type fencing and plastic site fencing along the track sides to prevent access into the woodland spaces. The plastic fencing would be removed during the operational period and replaced during the decommissioning of the site. The track would be constructed above ground and would be laid to an engineered load-bearing design to protect the rooting zones of nearby trees. The applicant's ecologist suggests the construction would be best undertaken during November to February when tree roots would be dormant but recognises that as a result of the clay soils late summer/autumn working may be necessary. The track would be constructed using an engineered 'CellWeb Tree Protection System' which has a cellular structure and perforated cell walls to reduce the vertical load pressure on the soil and tree roots and would provide a stable and load-bearing sub base. The track would then be surfaced with 500 mm of type 1 stone or recycled equivalent.

- 177 The applicant has submitted a Tree Removal and Protection Plan based on the results of a tree assessment carried out according to BS5837:2005. The root protection areas have been carried out using the standard formula given in the British Standard. 62 trees were assessed, all are close to the track or their canopies extend over the track. The majority of the trees are native pedunculate oaks, there are also several ash with the remainder being a mixture of field maple, grey willow, crab apple, wild cherry, hazel and finally turkey oak which is not native.
- 178 There are some wooded areas identified as ancient woodland in the locality. The closest, known as Rowgardenswood, is found some 330m to the north west of the application site. Two further areas of ancient woodland are found over a kilometre away to the north of the site. The County's Ecologist and Biodiversity Manager consulted the Surrey Ancient Woodland Survey Officer with regard to the woodland adjacent to Horse Hill. The Surrey Ancient Woodland Officer confirmed that the woodland is shown on maps from the 1840 and could be older. Officers note that the land is not shown as woodland on the 1768 Rocque map submitted as part of the archaeological information. The Surrey Ancient Woodland Survey Officer says that the woodland may have a long history as a scrub/furze wood fuel supply for the brick and tile works historically located to the south of the site. On current evidence it has not been added to the revision of the Surrey ancient woodland inventory.
- 179 Both the County's Landscape Officer and Ecologist and Biodiversity Manager were initially concerned about possible displacement of track material sideways under the weight of HGVs, However the latest details provided by the applicant indicate that these issues have been addressed in the design methodology.
- 180 The track will be removed when the site is restored leaving the original soil surface intact. The applicant has set out two options for re-vegetation these are: leaving the woodland to regenerate naturally on the existing track alignment and replanting in the woodland area. Surrey Wildlife Trust has expressed the view that option 1, regeneration, is preferable as the track is proposed to follow an existing woodland track that has an interesting number of plants and that the retention of the route as a woodland glade or ride would add to the biodiversity value of the woodland and allow more light onto the woodland floor to encourage a greater variety of plants. Saved Policy Pc4 of the Reigate & Banstead Local Plan 2005 seeks more than one for one replacement for lost trees. The County's Ecologist and Biodiversity Manager has commented that more than one for one replacement is more appropriate for an urban or isolated area where the chances of natural regeneration are less. In this case there are many surrounding trees and it has been found that as a result of the limited amount of clearance, tree planting in woodland has a very low success rate. Consequently he agrees with Surrey Wildlife Trust that regeneration is preferable and would provide more than 1 for 1 replacement in due course. The largest amount of shrub clearance would take place in the access bellmouth and it is in this area that the majority of trees (4) would be lost. This does not form part of the existing woodland track and shrub and tree replanting could take place within this area to ensure that at the time of restoration, access from Horse Hill to the private woodland is removed.
- 181 There would be a temporary adverse impact on the area of woodland through which the access and access track would be constructed, but with adequate tree protection and restoration there should be no significant long term impact.

Semi-Improved Neutral Grassland

- 182 The drillsite compound would be located in the south western section of an agricultural field containing semi-improved neutral grassland which is regularly cut for hay. An impermeable membrane would be laid on sand or fabric over the drilling platform area and then stone imported to create an 80 m x 80 m drilling pad. The drillsite compound would be enclosed by fencing with a gate at the drillsite entrance and a further gate at the site access.

183 The field can be seen in **Figures 5, 6, 7 and 8**. It is proposed that at the time the site is restored, the grassland would be reinstated and be re-seeded with a native seed mixture. It is considered feasible that the grassland can be well restored at the end of the temporary period and none of the consultees have expressed concern regarding this aspect of the application.

Protected Species

- 184 Species conservation protection is provided for in legislation both at the European and national level and there are various levels of protection afforded to a range of species. The presence of a protected species is a material consideration in determining planning applications.
- 185 The European Habitats Directive (92/43/EEC) aims to contribute towards ensuring biodiversity through the conservation of natural habitats and of wild fauna and flora within the European Community. Strict measures for the protection of species listed in Annex IV (a) of the Directive are contained in Article 12 and are aimed at restoring a favourable conservation status for those species. Article 12 prohibits the:
- Deliberate capture or killing of the species listed in annex IV of the Directive in the wild;
 - Deliberate disturbance of these species particularly during breeding, rearing, hibernation and migration;
 - Deliberate destruction or taking eggs from the wild;
 - Deterioration or destruction of breeding sites or resting places, and
 - The keeping, transport, sale or exchange, or offering for sale or exchange, of species taken from the wild.
- 186 In order to avoid an offence being committed, Article 16 of the Habitats Directive provides for licences to be issued derogating from the provision of the Directive. The Habitats Directive is transposed into national law by means of the Conservation of Habitats and Species Regulations 2010.
- 187 The Wildlife and Countryside Act 1981 (as amended) implements the Birds Directive (1979) and the Berne Convention (1979) into national legislation. Under the Act, the law protects all wild birds, their nests and eggs, with some rare species afforded special protection. Although originally protection was developed to prevent egg stealing and cruelty to wild birds, its modern interpretation also relates to the activities of land managers and developers.
- 188 Planning Policy Statement 9 (PPS9) on Biodiversity and Geological Conservation sets out the policies that apply to the integration of the protection of biodiversity and geological conservation and planning. The Government's objectives for planning are to promote sustainable development, conserve, enhance and restore the diversity of England's wildlife and geology and contribute to rural renewal and urban renaissance. PPS9 places a responsibility on planning authorities to further the conservation of habitats and species of principal importance where a planning proposal may adversely affect them.
- 189 Paragraph 99 of the Government Circular: Biodiversity and Geological Conservation- Statutory Obligations and their Impact Within The Planning System, (Circular 06/05) sets out the balance between the need for surveys in relation to the likelihood of species being present. *'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, otherwise all relevant material considerations may not have been addressed in making the decision. The need to ensure ecological surveys are carried out should therefore only be left to coverage under planning conditions in exceptional circumstances, with the result that the surveys are carried out after planning permission has been granted.'* The Circular goes on to state *'However, bearing in mind the delay and cost that may be involved, developers should not be required to undertake surveys for*

protected species unless there is a reasonable likelihood of the species being present and affected by the development. Where this is the case, the survey should be completed and any necessary measures to protect the species should be in place, through conditions and/or planning obligations, before the permission is granted.'

- 190 Natural England provide planning authorities with standing advice which is a material consideration in the determination of applications in the same way as a letter received from Natural England. The most important species in terms of the level of protection they are afforded are the European Protected Species (EPS). In its latest consultation response on this application, Natural England states that in this case its standing advice should be used to assess the impact on protected species. However, to assist Natural England has set out how the standing advice has been used to assess the survey and mitigation strategy for the EPS bats and great crested newts which are the relevant species for this application.
- 191 **Great crested newts (GCN).** There is no pond within the application site area, however there are two ponds in the northern part of the wood. The northernmost pond is some 175 m from the proposed access track and the central pond is some 90 m from the track. The GCN Habitat Suitability Index gives a quantitative measure of the habitat based on 10 suitability indices, including size, extent of drying, shade. The northern pond was found to have good suitability and the central pond average suitability. The survey backed up the habitat suitability, finding evidence of a small breeding population of GCNs in the northernmost pond but no GCNs in the closer pond, although their absence was not confirmed as only 60% of the pond could be accessed.
- 192 The soils in the area are seasonally waterlogged clayey soils and the lower lying areas tend to remain wet in winter. GCN could use the wetter parts of the wood and ditches when commuting between breeding ponds and terrestrial habitat. The drillsite is proposed to be sited on land that offers low quality GCN habitat and is some 110 to 120 m distant from the ponds. It is the access track which offers potential for some impact. The higher eastern part of the track is least likely to be used by migrating GCNs but a small numbers of GCNs could cross the track at the eastern end. The potential impact has been assessed on the distance of the pond from the track, the intervening habitat, the size of the population, along with the route being a migration route only and that the track is temporary. Based on the GCN Mitigation Guidelines the scale of the impact would be low with no impact on population viability.
- 193 The applicant has proposed mitigation measures to avoid the potential impact on the individual GCNs who may attempt to cross the track. These include the timing of the works to coincide with the times of the year GCNs are less likely to be migrating and during daytime when newts are less active, constructing the track above ground with sloping sides, cutting back vegetation beside the track and providing a box culvert to the ditchline and other culverts to wetter parts of the wood. The County's Ecologist and Biodiversity Manager has suggested the use of 40 cm high amphibian fencing along both sides of the track. The applicant has agreed to install amphibian fencing along 85 m of the track from the western wood edge, which covers the damper section of the track route, prior to works commencing.
- 194 The applicant has concluded that the measures proposed would ensure all appropriate steps were taken to avoid harming or otherwise disturbing GCNs and there would be no significant impact on the local distribution or abundance of the species and as a result a Natural England licence would not be required. The County's Ecologist and Biodiversity Manager welcomes the agreement to employ amphibian fencing and states that there should be no adverse impact on GCNs. Natural England using the standing advice, state that permission may be granted subject to a condition requiring a detailed mitigation and monitoring strategy for GCNs.

- 195 **Bats.** The applicant carried out bat surveys including activity surveys, tree surveys to assess their potential as bat roosts and has supplied an arboricultural report. The woodland and its vicinity has varied habitats suited to foraging and commuting bats. A data search revealed that 7 types of bat were recorded in the area between 1997 and 2008. The site activity surveys revealed the presence of Common Pipistrelle, Soprano Pipistrelle, Long Eared, Serotine, Myotis and Daubenton's bats.
- 196 As discussed in paras 173 to 177 above, the tree survey and arboricultural report assesses the trees close to the track and the trees that would be removed to accommodate the construction of the access and access track. The 3 overhanging branches to be removed are identified as thin minor branches that could be removed without damage to the trees. The trees along the access route were inspected for potential value to bats. A tree 5m south of the route was identified as having high potential, one oak had medium potential, another oak had medium/high potential, and the remaining trees had low or negligible value for bats. Of the 6 trees to be removed, only one has bat potential. This mature ivy covered oak is situated close to Horse Hill and on the northern edge of the proposed bellmouth area. The oak is approximately 22 m in height is in a fair physical condition with moderate broken limbs. The survey showed that the tree had accessible holes not suited to bats but there was potential for bats as a result of a calloused hole and split in the decayed uppermost part of the tree which was unreachable. The applicant's ecologist states that the tree would need to be removed under a bat ecologist's supervision and section felled with the upper parts of the tree being carefully lowered down for inspection as a cherry picker cannot be used given the proximity to the road. Trees with any bat potential along the route would be protected.
- 197 Consideration also needs to be given to indirect temporary impacts on bats such as site lighting, which could affect bats roosting in trees if site lights were aimed in their direction. This impact would occur if the development was taking place at a time of year when bats emerge from roosts in trees within an area of light spill. It is not proposed to light the access track through the woodland but there would be lighting for health and safety purposes at the drillsite. Advice is given on minimising the impact of lighting on bats in The Bat Conservation Trust and the Institute of Lighting Engineers document entitled 'Bats and Lighting in the UK' Version 3 May 2009. To minimise the impact of lighting on bat foraging lights should be kept to a minimum and directed down to the operational area. In this case the exception to this has to be the aircraft warning light. The impact of site lighting reduces with distance from the site. The closest trees from the site compound are some the four trees along the southern hedgerow which are some 10 m distant. Light spill can be reduced further by the installation of shields or masks on the luminaries. It is therefore recommended that if permission is granted, a condition be imposed requiring the installation of shields or masks on the site luminaries to avoid light spread into the nearby hedgerows (see proposed condition 27).
- 198 Potential does exist for temporary displacement of non-resident bat foraging in areas affected by the site lighting. Whilst foraging bats may avoid the drillsite during the 6 week drill operation, given that the drillsite compound covers a small area of land and the activity on site would be is short lived, it is unlikely to have a significant adverse impact on bat populations in the area. Surrey Wildlife Trust, the County Ecologist and Biodiversity Manager and Natural England agree that provided the mitigation proposed is undertaken, bats should not be adversely affected by this proposal.
- 199 Surveys were undertaken for other protected species but no other species were found. The timing of any works is important in ensuring that potential impacts on nesting birds, trees, bats and GCNs are avoided. The applicant has identified the optimum time to avoid critical ecological interests as late September to October for vegetation clearance and tree felling and track construction in late October to November.
- 200 Surrey Wildlife Trust suggested that the development offers opportunities to restore or enhance biodiversity in line with PPS and has suggested the provision of an Ecological

Management Plan to achieve this. The applicant has confirmed that the track through the woodland has been sited to follow an existing woodland track as much as possible and that any planting or natural regeneration would be with native species complementary to the surrounding habitats. The woodland is not in the applicant's control and therefore other than the access route through the wood the applicant is unable to offer management of the remaining woodland, which is already diverse containing woodland rides, ponds and native underscrub. However, as many of the oak trees along the track route do not have holes which would suit nesting birds or roosting bats, the provision of a variety of bird and bat boxes would be beneficial. It is proposed that 5 bird and 5 bat boxes of varying sizes are provided to accommodate a wide range of birds and bats species. Officers recommend that Conditions 25 & 34 are imposed on any consent which require locations of the boxes to be agreed and further details of the woodland restoration. The details provided and conditions proposed are considered sufficient and without the ability to require management of the remainder of the woodland, an Ecological Management Plan is unnecessary.

Conclusion on Ecology and Biodiversity

- 201 As the proposal would not result in harm to a European Protected Species it is unnecessary to consider the three derogation tests set out in the Conservation of Habitats and Species Regulations 2010. Having regard for the conservation of biodiversity and taking account of the views of the Surrey Wildlife Trust, Natural England and the County's Ecologist and Biodiversity Manager, Officers conclude that the proposal would not give rise to a significant adverse impact on the local ecology and that subject to the imposition of conditions, the ecological impact aspect of this application complies with the requirements of PPS9 and accords with the intentions of Policies NRM5 and NRM7 of The South East Plan 2009, Policies MC12 and MC14 of the SMPCSDPD 2011 and saved Policy Pc4 of the RBBLP 2005.

Noise

- 202 The proposal involves 24 hours drilling over a period of 6 weeks and therefore it is essential that the Authority is clear that the drilling and associated operations can achieve appropriate noise levels, particularly in terms of night-time noise. Consideration also needs to be given to the character of the noise generated by a development, at the same time as looking at the actual noise levels. MPS1 make it clear that noise is a key factor in determining the siting of an oil exploration site in order to achieve acceptable levels at noise sensitive locations.
- 203 There are two planning policy documents that are relevant to noise assessment. The first is Planning Policy Guidance Note 24 (PPG24): Planning and Noise 1994, which is complemented by Mineral Planning Statement 2 (MPS2) Annex 2: Controlling and Mitigating the Environmental Effects of Mineral Extraction in England March 2005. MPS 2 outlines a list of criteria, which should be taken into account when considering proposals for mineral development including the impact of noise from both plant and machinery and transport. MPS2 recognises that the layout and plant location, the sequencing of operations and the hours of working can have a significant effect on the level of noise emissions and impact; which can be addressed through screening or enclosure of plant.
- 204 One of the ten issues identified in Policy MC14 in the SMPCSDPD 2011 (Reducing the Adverse Impacts of Mineral Development) is i) *noise, dust, fumes, vibration, illumination, including that related to traffic generated by the development*. Policy MC12 (Oil and Gas Development) states that exploratory drilling will only be permitted where the MPA is satisfied that the site has been selected to minimise adverse impacts on the environment.
- 205 Surrey has produced its own 'Guidelines for Noise Control Minerals and Waste Disposal 1994'. The Guidelines are based on the approach set out in Mineral Planning Guidance Note 11 (MPG11). MPG11 has now been superseded by MPS2 but the advice in terms of noise remains consistent with MPG11 and the Surrey Noise Guidelines. The Guidelines

specifically address oil and gas related development and recognise that noise control is of the utmost importance, as plant would work continuously.

- 206 RBBLP 2005 Saved Policy Ho 10 (Noise) states that the Borough Council will have regard to the Surrey Noise Guidelines. The policy is particularly aimed at new noise sensitive development and seeks to ensure that new development is sited and designed to minimise the effect of noise on them.
- 207 Noise from the development would be associated with the site clearance and construction and mobilisation of the rig, the drilling phase, the demobilisation of the rig, any flaring and the restoration of the site. These activities would take place over an approximate 23 week period overall although they would not necessarily follow each other continuously. Drilling would be a constant activity over a period of 6 weeks (included in the 23 week period) and consequently it is essential that the night time noise level is acceptable. If the development can meet the night time limits the daytime limits will also be met. MPS 2 recommends that night time noise does not exceed 42 dB L_{Aeq} , 1hr (freefield) at noise sensitive properties. Surrey's Guidelines in terms of oil and gas related development is consistent with the advice in MPS2.
- 208 The applicant has provided a noise assessment, which includes a background noise survey, the anticipated noise levels of site construction and operation. An addendum to the noise assessment is given in the applicant's submission entitled 'Additional Noise Information' dated April 2011, which provides further information and clarifies certain matters pertaining to site hours, drilling rig noise, traffic noise, methodology of the noise assessment and gas flaring.
- 209 MPS2 states that not all noise sensitive properties or land uses are equally sensitive. A noise sensitive property normally includes residential properties, schools and hospitals but can also include important habitats and livestock farms. There are horse paddocks approximately 120m to the south east of the drillsite beyond public footpath 414. The Surrey Noise Guidelines do not refer specifically to noise impact on rights of way, nor does MPS2, instead the emphasis is on the protection of noise sensitive properties such as residential properties rather than users of rights of way are only affected for a very short duration in time before moving on. The closest residential properties are at Wrays Farm, which would be some 300 m east of the proposed drillsite but only 50 m from the site access. There are other properties to the south east which are approximately 170 m from the proposed access track and 386 m from the drillsite and the closest properties to the north are approximately 300 m distant.
- 210 Measurements for the background noise levels survey were taken at three nearby residential properties: Five Acres, High Trees and Phoenix Lodge which are approximately 386 m, 300 m and 486 m respectively from the drillsite. Noise levels in the area are influenced by distant and local traffic and noise from Gatwick Airport. During the daytime the highest noise level (59.5 L_{Aeq}) was recorded at High Trees on Horse Hill and the lowest (51.6 L_{Aeq}) at Phoenix Lodge which is off Collendean Lane. The night time background noise levels were lowest at Five Acres between 0150 and 0205 (35.9 L_{Aeq}).

Site Construction and Reinstatement

- 211 Site preparation and site final restoration involve temporary noise at the start and end of a development. These phases of the development often involve powerful plant and machinery and consequently a certain amount of noise is inherent in construction and site preparation works. As such activities are normally for a limited period noise levels have to be set at a practical level so that development is possible. However, limits are set and the Surrey Noise Guidelines prescribes the hours and maximum noise levels that temporary works should not exceed. During normal working hours (0800 to 1700 hours) Monday to Friday the maximum level is 70 L_{Aeq} . The level for earlier or later periods of 0700 to 0800 and 1700 to 1830 hours is 60 L_{Aeq} and on Saturdays is 60 L_{Aeq} prior to 0900 hours and between 0900 and 1300 hours is 65 L_{Aeq} .

- 212 The noisy activities of site clearance, soil stripping, bund formation and the importation and laying of stone would take place over a period of four to five weeks. The applicant has based predictions for the site construction on the use of excavators, bulldozers and gravel compacting rollers and assessed the construction noise using BS 5228. The predicted construction noise levels are around 50 L_{Aeq} which are well below the accepted limits of 70 L_{Aeq} that apply 0800 to 1700 Monday to Friday and below the 60 L_{Aeq} that would apply at the end of the day.
- 213 Salfords and Sidlow Parish Council have requested the hours of operation be restricted to Monday to Friday 0800 to 1730 hours and 0900 to 1300 hours on a Saturday. Whilst the hours of site construction and reinstatement can be limited, drilling is a continuous processes which has to be undertaken 24 hours a day and therefore cannot be restricted to these times. Looking at the construction hours proposed by the applicant, these differ from the hours requested by the Parish Council. The shorter hours requested by the Parish Council would require an hour earlier finish Monday to Friday and an hour later start on Saturdays. As the predicted construction noise levels of 50 L_{Aeq} are well below the Surrey Noise Guideline limit of 60 L_{Aeq} for the period between 1700 to 1830 hours, Officers do not consider it reasonable or necessary to restrict the finish time to 1730 hours which would also be likely to extend the site preparation, construction and restoration periods. Reigate and Banstead Borough Council accepts the Monday to Friday hours of operation but like Salfords and Sidlow Parish Council, has requested that site preparation and construction does not commence before 0900 hours on a Saturday morning. Table 1 in the Surrey Noise Guidelines states that between 0730 and 0900 hours on a Saturday the noise limit would be 60 L_{Aeq} . However, this is qualified by the comment that such work will only be permitted in exceptional circumstances. Officers therefore recommend that a later start time of 0900 hours on Saturdays be imposed by way of planning condition. (See proposed Condition 7).
- 214 The County's Environmental Noise Consultant has considered the applicant's noise assessment and believes that during the period of site preparation, construction and restoration a noise limit of 65 L_{Aeq} (30 minutes, free field) is achievable and would not give rise to an unacceptable impact on the amenity of the area.

Traffic

- 215 The maximum total vehicle movements generated by the proposal would be 66 per day (36 HGVs and 30 LGVs). The significance indicator given in 'The Design Manual for Roads and Bridges' is an increase to existing traffic of 25% or more which equates to a change in noise level of + 1dB(A). This level is the smallest level of change that can be regarded as being discernable. The total daily two way traffic flows on Horse Hill are 4,008 vehicles and therefore the percentage change in total traffic flows is small approximately 1.6%. This level of change would result in an increase in noise levels of less than 1dB(A) well below the level that is considered distinguishable. The County's Environmental Noise Consultant agrees with the assessment that any change in noise level as a result of traffic would not be significant particularly taking into account the limited time involved.

Drilling

- 216 Drilling rigs with acoustic treatment can usually achieve sound power levels of between 100 to 106 LWA. In the original noise assessment the applicant gave examples of the noise output from four different rigs and used the average of 105 LWA as the source power level. Since that time the applicant has taken the decision to use a BDF 28 drilling rig. Noise measurements of the BDF 28 rig have been taken which show that at a 100m measurement position the noise level of L_{Aeq} 55 dB(A) equates to a sound power level for the drilling rig of 103 dB(A). The County's Environmental Noise Consultant constructed a noise model for the scheme based on the original source noise level of 105 LWA which gave noise levels of 38 L_{Aeq} (freefield) at both Five Acres and High Trees and 35 L_{Aeq} (freefield) at Phoenix Lodge. These figures show that even at the higher source noise

level, the MPS 2 night criterion and Surrey Noise Guideline limit at night, of 42 L_{Aeq} (freefield), could be met at any noise sensitive property in the locality.

- 217 Meeting the night time limit will not mean that noise from the development would be inaudible. The objective of the criterion is to ensure that the inside of a bedroom with partially open windows can meet the recommended World Health Organisation (WHO) bedroom internal standard of 30 L_{Aeq} . Open windows give 10 to 15 dB attenuation so with a noise level of 38 L_{Aeq} achievable externally; the internal level should not be more than 28 L_{Aeq} which is within the WHO criterion for avoiding sleep disturbance. The current Government advice for temporary night time activity is set out in MPS2 which has a reference to the WHO Guidelines in its introduction. Although MPS2 has a limit that is less stringent than the Surrey Guidelines for permanent plant at night, the limit is intended to avoid sleep disturbance and is appropriate in this case.
- 218 The County's Environmental Noise Consultant has advised that hoisting the drillstem from, and returning it to, the wellbore, known as tripping, should not be any noisier than drilling. However, manual handling of the drill pipes has the potential to be more noticeable as the drill pipes tend to make impact noise when handled. As the applicant has not provided information on noise levels for tripping, the County's Environmental Noise Consultant recommends limiting the hours that tripping could take place by condition. In addition, cementing the casing in place has in the past proved to be a noisier operation and the County's Environmental Noise Consultant recommends that this should only take place during the normal working day. These requirements can be secured by planning condition (see proposed Condition 18).
- 219 The County's Environmental Noise Consultant is recommending that two conditions be imposed on any planning permission restricting the noise arising during the operational phase including drilling. The County's Environmental Noise Consultant has advised that to minimise disturbance to local residents that noise should be restricted before 0800 hours. Consequently the first condition (Condition 16) would set a daytime limit during the hours of 0800 to 1830 hours of 48 L_{Aeq} and the second, (Condition17) would set the lower limit of 42 L_{Aeq} during the night time hours between 1830 and 0800 hours.

Flare

- 220 Dependant on whether gas or oil is found, it may be necessary to utilise a flare. The Flare pad would be sited to the north western corner of the drillsite. The applicant's noise consultant has indicated that as they currently have no knowledge of the flow rates that would be produced if flaring is required, the noise level cannot be quantified. From other exploration and appraisal developments, it is clear that gas flaring can make a significant but not necessarily unacceptable noise. There is a shortage of good data on flaring but the County's Environmental Noise Consultant has in the past commented on data provided for similar applications at Albury and at Holmwood. In both of these cases the noise levels from the proposed burners were acceptable provided that the testing took place during the daytime only. The information provided with the Holmwood application showed that the two gas flares had a combined source level for 111 LWA which is 6 dBA above the source level assumed for the drilling rig. The predicted noise level for the oil flare was lower. Although source height can make a difference, the County's Environmental Noise Consultant believes it is reasonable to assume that if required, flaring could give rise to noise levels 6 dBA above the drilling noise. Taking into account that flaring would be an activity that was limited to a few days, he advises that a condition be imposed on any consent which limits the noise from flaring to daytime only and to a noise limit of 48 L_{Aeq} .

Conclusions on Noise

- 221 The predicted noise levels arising from this temporary development has been shown to be below the limits set out in the Surrey Noise Guidelines and thus would fall within acceptable limits that would not give rise to noise levels which would adversely affect local amenity and/or the environment. Noise limits would be set by condition and the potentially noisier temporary construction and restoration phases would be time limited. As

acceptable noise levels can be achieved and maintained by planning condition, it is considered that the proposal would not be in conflict with SMPCSDPD 2011 Policies MC12 and 14, MPS2 Annex 2 or PPG24.

Lighting

- 222 The drillsite compound would need to be lit during the 6 week period it would be operational 24 hours a day. To avoid obtrusive light it is important that the lighting scheme is sensitive and well designed to avoid the problems of sky glow, glare and light trespass.
- 223 Illumination is one of the issues identified under policy point i) in Policy MC14 in the SMPCSDPD 2011. The policy states that potential impacts related to '*i) noise, dust, fumes, vibration, illumination, including that related to traffic generated by the development*', should be considered.
- 224 There is some guidance on lighting considerations. The Department of Communities and Local Government (DCLG) has produced a Good Practice Guide entitled 'Lighting in the Countryside' and The Institution of Lighting Engineers (ILE) produces Guidance Notes for the Reduction of Obtrusive Light. The ILE recommends that planning authorities follow the environmental zones set out in its guidance note. In this case the site would be located in zone E2 a low district brightness area. The Bat Conservation Trust along with the ILE has also produced Bats and Lighting in the UK.
- 225 The proposed drillsite is located within a predominantly rural area where the impact of artificial lighting on the night sky can be an issue. During the 6 week drilling period the site would be operational 24 hours a day and for health and safety purposes the rig would need to be illuminated at night. Given the height of the rig mast and the site's proximity to Gatwick Airport, it would also be necessary to have a red aircraft warning light on top of the mast. The applicant has indicated that the warning light can operate either as a steady red light using a strength of 200 candelas (luminous intensity) or as a red strobe light. Appendix L (Safeguarding Advice Note 4, clause 3) suggests the warning light should be a steady red light of either 200 or 2000 candelas.
- 226 Other than the aircraft warning light, the rig lighting would face inward and downward. The applicant has provided information on the types of lighting to be used. The ground and rig floor working lights would be erected at a height of between 3.7m and 6m which is likely to be below the height of some of the surrounding trees and hedgerows. Lights would also be required along the length of the rig mast although the applicant states these have been limited and are low level strip lights facing inward and downward. The main working lights would be attached to the sub-structure section of the drilling rig and these lights are either position or equipment specific, they are not intended to light the whole drillsite. The lights are fully adjustable and face downwards, however the applicant states that there is potential for adjustment during the first nights of operation where necessary. The lights proposed are sealed for safety reasons, are resistant to a naked flame and are spark proof.
- 227 The closest residential properties are some way distant from the drillsite which would in any event be well concealed by the surrounding tree and hedgerow cover and the soil bund to the north of the compound. There is a residential property found to the north of the site situated on higher ground that is likely to experience some views of the site during the winter time. As a consequence the site lights, particularly those of a higher elevation, may be visible from this particular property. Nevertheless, given the 300 m distance from the property, the intervening vegetation, the angling of the lights to face inward and downward, it is not considered that for the temporary period the lights would be necessary they would cause an unacceptable impact in terms of glare or light trespass.
- 228 The potential impact of site lighting on the bat populations in the area has been considered under the ecological section of the report.

Conclusion on Lighting

- 229 Account has to be taken of the nature of the work being undertaken. In this case lighting is essential for health and safety reasons and although the site would make a minimal contribution to sky glow, this would only take place for a temporary period. The County's Lighting Consultant has raised no objection to the proposal. Given the proposed mitigation measures and the height of the surrounding vegetation, light from the site should not cause a significant adverse impact. Officers consider the lighting would not have an unacceptable impact on amenity.

Air Quality

- 230 The primary driver for air quality management is the protection of human health, but it can also be an issue for wildlife habitats and vegetation. Dust and air quality are material considerations and should be taken into account when considering planning applications.
- 231 The Environment Act 1995 required the production of a national air quality strategy containing standards, objectives and measures for improving ambient air quality and to keep these policies under review. The Air Quality Strategy (AQS) 2007 sets out the Government's policies aimed at delivering cleaner air in the UK. Where it is considered that one or more of the objectives within the AQS are unlikely to be met, local authorities must declare Air Quality Management Areas (AQMA) and develop action plans to secure improvement. The proposed drillsite does not fall within an AQMA.
- 232 Annex 1 of PPS23 deals specifically with pollution control, air and water quality. Guidance on development control and planning for air quality is provided in advice published by Environmental Protection UK (EPUK) (Development Control: Planning for Air Quality - 2010 update). The guidance advises in paragraph 3.19 that the weight given to air quality in a planning decision depends on such factors as:
- *'the severity of the impacts on air quality;*
 - *the air quality in the area surrounding the proposed development*
 - *the likely use of the development ie the length of time people are likely to be exposed at that location, and*
 - *the positive benefits provided through other material considerations.'*
- 233 The SEP 2009 Policy NRM9 (Air Quality) states that planning proposals should contribute to sustaining the current downward trend in air pollution in the region. It sets out a number of measures, which can help to achieve improvements in local air quality. The supporting text to the policy refers to the primary driver for national, regional and local air quality management being the protection of human health, it is also recognised that there can be concerns regarding the impact of certain pollutants on wildlife habitats and vegetation.
- 234 Policy 1 of the SMLP 1993 (Environmental & Amenity Protection) seeks to ensure that adequate safeguards for the protection of the environment and the amenities of local residents can be secured. The policy lists matters that should be taken into account and these include the potential effects of fumes, vibration, glare and dust and the implications for the health and safety of the public. Policy MC14 of the SMPCSDPD seeks to ensure that no significant adverse impacts arise from development in relation to the amenities of local residents and the environment. The policy requires consideration of such issues as dust, fumes, illumination, including that related to traffic as issue i).
- 235 The closest residential properties to the site access are those associated with Wray Farm which is approximately 50 m from the access but 300 m from the drillsite compound. There are other properties to the south east which are approximately 170 m from the proposed access track and 386 m from the drillsite. The closest properties to the north are

approximately 300 m distant. The drillsite is some 1.8 km distant from the Eldophs Copse Local Nature Reserve and over 3KM from Glovers Wood Site of Special Scientific Interest.

236 The applicant has undertaken an air quality assessment which has identified the key sources of emissions as :

- site traffic
- the exhaust from on-site generators
- flaring of gas during testing
- venting of gas during testing, and
- fugitive dust generated during the construction and remediation phases.

Exhaust Emissions

237 Exhaust emissions from vehicles in relation to the movement of minerals within and outside the site has been considered in the Highways and Traffic section of the report paras 126 to 127. Detailed dispersion modelling has been undertaken to predict pollutant concentrations associated with the on-site generators and the results combined with those associated vehicle emissions using the approach set out in DEFRA's Local Air Quality Management Technical Guidance 2009 and then the concentrations compared with the relevant air quality objectives in the UK Air Quality Strategy.

238 The County's Air Quality Consultant has commented that the predicted change in pollutant concentrations associated with both traffic emissions and emissions from the on-site generator ranges from imperceptible to small. This change is based on the maximum volume of traffic being generated during any phase of the development throughout a calendar year whereas each phase would last no more than a few weeks. As a result the predicted change in pollutant concentrations are very much a worst-case scenario.

Flaring

239 Gas flaring may occur over a two to four week period but may not be required at all. To provide a worst case scenario assessment the applicant has assumed flaring at any time during a full calendar year. Four different flare types have been used in the assessment using different drillsite configurations. The County's Air Quality Consultant has confirmed that the assessment results show that the volume of gas that would need to be flared in order for the predicted concentrations to exceed the objective, is of many orders of magnitude above realist volumes for an operation of this type.

Venting

240 Potential emissions from venting could only occur during the two to four week testing phase if hydrocarbons are discovered. Gas venting could give rise to odour emissions which would affect members of the public close to the odour source with the wind blowing toward them. Other than the right of way which runs to the south of the proposed drillsite location, the site would be surrounded by open farmland although there are well used horse paddocks found to the south east. The nearest residential properties are approximately 300 m to the south east and east of the drillsite. There are also residential properties to the north and north east of the drillsite, with the closest of these being around 320 m distant. The predominant wind direction is from the south west which would blow odour away from the closest receptors: the users of the right of way, the horses in the nearby paddocks and the closest residential properties. Based on the separation distance between the source and nearest receptors and the prevailing wind direction, the risk of significant air quality impacts from the vents is concluded to be negligible.

Dust

241 The relevant Government guidance in relation to dust from mineral sites is set out in Minerals Planning Statement 2 (MPS2) (Controlling and Mitigating the Environmental Effects of Minerals Extraction in England) Annex 1 'Dust'. MPS2 recognises that dust may be generated at mineral sites during a range of activities including site preparation and it

also recognises that weather conditions, including wind, precipitation and temperature will also influence dust generation and movement. Para 1.6 of annex 1 states that '*the key principle is that dust emissions should, as far as possible, be controlled, mitigated or removed at source*'.

- 242 The dust assessment focuses on the potential dust generating activities which would take place during the construction and restoration of the site, including vehicle/plant movements and soil handling. These activities would take place over two distinct 4 week periods separated by the drilling and testing phases of the development. The Best Practice Guidance document (The Control of Dust and Emissions from Construction and Demolition – Nov 2006) prepared in partnership by the Greater London Authority and London Councils is relevant to this phase of the development. It states that the potential impact of the construction process depends on the size and scale of the development including the proximity of sensitive receptors '*...for example housing, schools, hospitals and other building uses which would be affected by high levels of air pollution or dust*'.
- 243 The definition and impact of dust can be separated into two categories: public perception and amenity dust where particle sizes are greater than 10 micro millimetres in size; and air quality and health effects which relate to smaller dust particles of less than 10 micro millimetres in size, generally referred to as PM₁₀. The effect of dust arising from mineral activities is principally one of nuisance and can be experienced as a result of dust deposition upon surfaces. The distance from the source of dust emission to a receptor is important as the vast majority of dust is deposited within 100m of the source. This is clarified further by the findings of the Buildings Research Establishment 'Control of Dust from Construction and Demolition Activities' 2003, who found that impacts are unlikely to arise at receptors at a distance greater than 50 m from the site if the duration of the activity is less than 6 months.
- 244 At the site access the potential sources of dust would be the initial clearance and earth moving and later, the restoration. A hard surface is to be laid from Horse Hill for the initial 20 m of the site access track. The closest residential property is located some 300m from the drillsite and 50 m from the access from Horse Hill. The property would be separated from the nearest works taking place at the access by the road (Horse Hill) and be at the limit in terms of distance, where any significant dust soiling is likely to arise. No other properties are likely to be affected by dust arising from construction works either at the drillsite or along the access track. As a worst case scenario the dust assessment has considered dust being tracked out of the site onto the local road network for up to 100m and the soil impact extending 25 m either side of this. This would mean that some dust soiling could extend to Wrays Farm, the northern section of the paddocks and the right of way.
- 245 Although this is a very worst case scenario and the clearance, earth moving and reinstatement are temporary and short-lived, the applicant has set out mitigation measures to minimise dust generation during all phases of the development including a speed limit, sheeting or lorries carrying dusty materials. However, additional measures are proposed during the construction and restoration phases, these are:
- the hard surfacing of the access track at an early stage of the works;
 - the use of water-sprays to ensure that unpaved routes across the site are kept damp, and
 - minimising any dust generating activities on very dry or windy days.
- 246 Assessment of suspended dust has shown that it is highly unlikely that the proposed development would give rise to PM₁₀ objectives being affected by increased PM₁₀ concentrations.
- 247 The County's Air Quality Consultant has reviewed the application and dust assessment and has commented that the key emission sources identified were appropriate, the

approach to the assessment is based on appropriate guidance and is robust and the consultant agrees with the results of the assessment and notes that the mitigation measures are based on guidance in MPS2 and provided by the Building Research Establishment. The Air Quality Consultant has confirmed that the air quality effects associated with the proposed development are not likely to be significant and that the implementation of mitigation measures should reduce the risk of nuisance dust effects and therefore no objection is raised to the proposal.

Conclusion on Air Quality

- 248 Taking into account the Air Quality Consultant's view, the low level of site activity and the temporary nature of the development, Officers conclude that the effects arising from hydrocarbon exploration at Horse Hill would not give rise to any significantly adverse air quality impacts or conflict with the aims of Policy NRM9 of The South East Plan 2009 or Policy MC14 of the Surrey Minerals Plan Core Strategy DPD.

Water Environment & Geotechnical Issues

- 249 It is proposed to locate the drillsite on the southern side of Horse Hill which is outside the indicative floodplain of any water body. The above ground site would be over a kilometre from the River Mole, the most significant water feature in the area. The nearest main river, known as Spencer's Gill is found some 500 m to the south and at its closest point, Deanoak Brook flows to some 1.5 km north west of the site. The area in which the drillsite is located is on weald clay underlain by the Hastings Beds which together forms the sequence known as the Wealden Beds. The site does not lie in a Groundwater Source Protection Zone. Both Salfords and Sidlow Parish Council and Norwood Hill Residents' have expressed concern about the hydrogeological information provided with the application and are particularly concerned about groundwater issues.
- 250 Planning Policy Statement 23 (PPS23) (Planning and Pollution Control) 2004 advises that consideration of the quality of land, air and water and potential impacts arising from development is capable of being a material planning consideration. Annex 1 deals specifically with pollution control, air and water quality.
- 251 Planning Policy Statement 25 (PPS25) (Development and Flood Risk) Revised March 2010 sets out government guidance with regard to development and flood risk. PPS25 seeks to ensure that flood risk is taken into account at all stages in the planning process to avoid inappropriate development in areas at risk of flooding, and to direct development away from areas at highest risk. In determining applications PPS25 requires that the sequential test be applied at a site level to minimise risk by directing the most vulnerable development to areas of lowest flood risk (Flood Zone 1).
- 252 SEP2009 Policy NRM4 (Sustainable Flood Risk Management) refers to the sequential approach to development in flood risk areas set out in PPS25. The policy sets out four matters, which local authorities in conjunction with the Environment Agency should consider these include at iii. the incorporation and management of Sustainable Drainage Systems (SuDS), other water retention and flood storage measures to minimise direct surface run-off, unless there are practical or environmental reasons for not doing so, and iv. take account of increased surface water drainage on sewage effluent flows on fluvial flood risk.
- 253 Policy NRM1 of the SEP 2009 (Sustainable Water Resources and Groundwater Quality) states that water supply and groundwater will be maintained and enhanced through avoiding adverse effects of development on the water environment. Protection of the local environment is sought by Policy NRM2 of the SEP 2009 (Water Quality), which requires water quality to be maintained and enhanced through avoiding adverse effects of development on the water environment.

254 SMPCSDDP 2011 Policy MC14, seeks to ensure that the potential impact from the development on flood risk, water quality and land drainage are considered and the policy and refers to opportunities to enhance flood storage, at point ii). Policy MC12 states that exploratory drilling *'will only be permitted where the MPA is satisfied that, in the context of the geological structure being investigated the proposed site has been selected so as to minimise adverse impacts on the environment'*.

255 A presumption against new development in areas liable to flood is set out in Policy UT4 of the RBBLP 2005.

Surface Water Management

256 The application site lies outside of the floodplain and therefore lies within Flood Zone 1, the zone having a less than 1 in 1000 annual probability of river or sea flooding in any year and as such there are no land use constraints associated with flood risk.

257 The closest water bodies are two small ponds found within the woodland are north of the access track. The northernmost pond is some 175 m from the proposed access track and the central pond is some 90 m from the track. There are several ditches within the woodland area but no watercourses, which are immediately adjacent, or pass through the site. The closest main river is Spencer's Gill found approximately 500 m south of the site but the approximate 5 m change in level between the river and the application site provides a high level of fluvial flood protection to the site.

258 The site is underlain by the Weald Clay Formation and as mentioned in the ecology section of the report, the soils in the area are seasonally waterlogged clayey soils and the lower lying areas tend to remain wet in winter. The low permeability of the underlying geology means that the risk of groundwater emergence within the site is considered negligible.

259 The changes to the majority of the access track should not alter its permeability but the drillsite would be constructed within an impermeable lined compound area which is contained within a bunded area. Clearly without some positive drainage the impermeable membrane would increase surface water run-off from the site for the duration of the works. This is the concern of the Countryside Access Officer for Reigate & Banstead who has commented that there is no objection from a rights of way point of view as long as the development did not cause additional surface water to flow onto the public footpath.

260 The site is not located close to a surface water sewer and given the low permeability of the underlying clay, infiltration drainage would not be feasible. Instead the applicant intends to provide a filter drain that would be piped beneath the compound entrance and continue around the remainder of the drillsite. Other than in the area of the compound entrance, the lining would extend up and onto a bund. At the entrance the lining would be raised to the overall compound level with the surface gently ramped to provide containment. The impermeable membrane would be topped by a stone surface. Runoff from the site would be contained in the surrounding filter drain and would then pass via an outfall pipe into a gravel swale beyond the bunded compound which would then be discharged to an existing field dyke to the south of the drillsite. A bypass hydrocarbon separator would also be utilised to reduce risk of contamination on the outfall from the site. This containment should ensure that additional surface water does not flow onto the right of way or other adjoining land. Calculations have been provided showing the existing and proposed runoff rates and the applicant states that the drainage strategy proposed replicates as near as possible the existing drainage regime without increasing either the volume or rate of surface water run off from the area.

261 The Environment Agency has requested that two conditions be imposed on any consent which seek to prevent the increased risk of flooding and to prevent pollution of the water environment. The County's Geological and Geotechnical Consultant has confirmed that the applicant's flood risk assessment satisfies the requirements of PPS25 and that the

mitigation measures proposed for dealing with the surface water drainage of the site are generally satisfactory.

Groundwater

- 262 The initial target is located in the Portland Sandstone some 499 m below ground level (bgl), the secondary target is the Corallian Sandstone some 1143 m bgl and the third, the Triassic at approximately 2143 m depth. It is proposed to drill a deviated borehole which would reach its final target some 800 m north west of the above ground site. The initial geological target, the Portland Target, is relatively shallow and therefore the well deviation would not begin until close to the base of the Portland Sandstone at approximately 671 m. From that point the borehole would build angle, but to minimise the chance of difficulties with the wellbore, the build rate is programmed not to exceed 3.0° per 30.5 m up to a maximum angle of 22.6°.
- 263 Norwood Hill Residents' have written to the Member of Parliament for Reigate in relation to this application, regarding fracking or hydraulic fracturing. Fracking or hydraulic fracturing is associated with 'unconventional' sources of gas such as shale gas and coalbed methane. The Residents' are concerned that the Environment Agency's request for further information related to surface water rather than groundwater as they believe that *'fracturing sub-surface rock and mud'* would be necessary to access underground deposits. To release gas from low permeability shale, the rock is generally fractured to allow the release of gas. Currently shale gas is being produced in the United States in increasing volumes but unconventional gas development in the UK is at a very early stage. Test drilling for shale gas did take place in Lancashire but was halted earlier this year. A conventional hydrocarbon reservoir forms when a layer of high permeability rock is capped by an impermeably layer. This traps the oil and/or gas at the highest point and forms a reservoir and is easier to extract than having to extract gas direct from rock. For clarification, the applicant is not applying for unconventional gas development but is seeking to explore for a conventional hydrocarbon reservoir that would not require fracking to release any gas found.
- 264 Whilst there are no productive aquifers likely to be affected by the drilling process, it is proposed to take a precautionary approach to the drilling operations. An engineered above ground site including an HDPE membrane sealed around the concrete rings forming the cellar, would be constructed to prevent ingress of surface contamination. The Upper and Lower Tunbridge Wells Sands, which are secondary aquifers would be drilled and the borehole cemented and cased before reaching any possible hydrocarbon reservoir. The cemented and steel casing would remain in place to prevent aquifer contamination. Non-toxic drilling fluids would be used and although the sandstone targets are generally high porosity, high permeability reservoirs, there would be careful control to prevent formation damage. Blow out preventers would be fitted to minimise the risk of any pressurised fluids reaching the surface.
- 265 The Norwood Hill Residents' have expressed concern that the fluids used in the drilling process are recovered. Water is required to make up the drilling fluids and it has been estimated that initially 20,000 gallons would be required and then 10,000 gallons for daily operations. The drilling mud is pumped down the inside of the drill string to lubricate the drill bit and bring to the surface the cuttings. The applicant advises that the drilling mud system has been specifically designed to protect drilling mud losses and is balanced to prevent formation fluid flow into the borehole. There are 3 mud tanks proposed for the site. During testing recovered fluids are stored in a tank until they are removed from site.
- 266 Oil and gas wells are regulated under the Offshore Installations and Wells (Design and Construction, Etc) Regulations 1996. Part IV applies to both on and offshore wells. There is a duty to reduce risk by ensuring the exploratory well is well designed, constructed, equipped, operated, maintained, suspended and abandoned. The drilling would have to meet the strict safety code of the Borehole Site and Operation Regulations 1995 enforced by the Health and Safety Executive (HSE). Prior to any drilling taking place, the applicant

would be required to provide the HSE with details of how the well would be drilled in a safe manner, including a demonstration that the risk of release of fluids are as low as reasonably practicable. Details of the casing, tubing and blow-out prevention would all be included. An independent examiner would review the programme and risk assessment prior to it being submitted to the HSE for comment.

- 267 The Environment Agency and the County's Geological/Geotechnical Consultant have reviewed the application and the accompanying Groundwater Risk Assessment. The Agency has confirmed that the borehole is not proposed in a high risk area for groundwater protection. The Weald Clay has lenses of limestone and sandstone in the vicinity of the site which are designated secondary aquifers. Nevertheless, these are not used for abstraction and the site is not in a source protection zone. The Agency has stated that the pollution prevention measures proposed are sufficient to prevent contamination of the secondary aquifers and surface features in the area.

Conclusion Water Environment and Geotechnical Issues

- 268 The Environment Agency, the Health & Safety Executive, Sutton and East Water Company and the County's Geological/Geotechnical Consultant were all consulted on the application. No views were received from Sutton and East Water Company but the other statutory consultees have not raised objection. Taking into account the views of these consultees and the mitigation measures incorporated into the proposed development, Officers do not consider that the development would pose any significant risk of pollution to the surrounding environment and are satisfied that should planning permission be granted, those issues not covered by control regimes, can be controlled by way of planning conditions. Officers therefore consider that the proposal satisfies the requirements of PPS25, SEP 2009 Policy NRM1 and SMPCSDPD 2011 Policies MC12 and MC14.

Archaeology

- 269 The proposed drillsite is not located in, or close to, a Conservation Area, Historic Park or Garden, or structures of architectural or historic interest.
- 270 Government Guidance on 'Planning for the Historic Environment' is set out in Planning Policy Statement 5 (PPS5). PPS5 covers the identification and protection of heritage assets including historic buildings, conservation areas, historic parks and gardens and how heritage assets should be preserved or recorded.
- 271 The SEP 2009 refers to the historic environment as part of the wider environment of the region. Policy BE6 (Management of the Historic Environment) seeks the protection, conservation and where appropriate, the enhancement of the historic environment and the contribution it makes to local and regional distinctiveness and sense of place.
- 272 Policy MC14 of the SMPCSDPD 2011 (Reducing the Adverse Impacts of Minerals Development) requires that when determining planning applications for mineral development the potential impacts in relation to the historic landscape, sites or structure of architectural and historic interest and their settings, and sites of existing or potential archaeological interest or their settings, to be considered (point v).
- 273 In paragraph 3.38 of the RBBLP 2005 it is recognised that finds can be made unexpectedly in the course of development and cites mineral extraction as one such development. Saved Policy Pc8 states that where large-scale developments occur outside known Areas of High Archaeological Potential, archaeological assessment will be required. In this case the applicant has provided a preliminary archaeological assessment, which examines the existing archaeological information within a 2 km radius of the site, assessed the impact on identified sites within the study area and the potential impact on any buried evidence at the site. In most cases a 1 km study area is used but as so few sites were recorded within 1 km, the study area was extended.

- 274 The applicant has based the assessment on a number of sources which include the Historic Environment Records, historic maps and other historic documents along with a walkover survey of the site. Maps show that the layout of the agricultural field in which the drillsite would be located, appears to have remained unchanged since the 1840s but prior to that it is shown as part of a larger field. The proposed access from Horse Hill and access track would run through the southern section of woodland. Lime kilns dating between the 16th to 19th century are recorded across the county and there are records of kilns in this area. A lime kiln is marked on the 1840 and 1871 maps and in 1871 the land to the south of the woodland has an annotation of brick and tile works. Within the woodland the area around the kiln is clear and there is a distinct track leading to the southern section of the wood which is adjacent to the brick and tile works. In 1871 and on the 1935 map, much of the southern edge of the woodland where the trackway would be sited appears to be open rather than entirely wooded. It is stated within the assessment that the woodland does not have any historical value, the Historic Landscape Characterisation survey for Surrey defines Horse Hill as regenerated secondary woodland on farmland.
- 275 The assessment suggests that the general archaeological potential of the area around the site is fairly low. There is little evidence to indicate large-scale prehistoric or Roman settlement in the Weald and settlement patterns do not support any supposition that there is a likelihood of Medieval activity. Post -Medieval evidence and early historic maps suggest that the site lies within a rural landscape that has been in existence for a considerable period to time. Having noted these points it is recognised in the assessment that it is not unknown for isolated Prehistoric or Roman activity to be found in such areas.
- 276 The conclusion is that whilst the potential is low, it is not negligible. Given that the soils would be stripped, archaeological deposits could be damaged or destroyed. Consequently, it is recommended in the assessment that further work in the form of archaeological evaluation should take place. Such an evaluation would better establish the exact nature of any archaeological resource present on the site and allow for any additional mitigation measures that might be required.
- 277 The County's Archaeological Officer has confirmed that he is in agreement with the conclusions and recommendations set out in the assessment. As the site lies within an areas of generally low potential, he does not believe it necessary to request the archaeological work to be conducted prior to a grant of planning permission, as it is unlikely that remains worthy of preservation in-situ would be revealed. He has therefore requested that a planning condition is imposed which would require the applicant to secure the implementation of a programme of archaeological work in accordance with a Written Scheme of Investigation prior to any development commencing at the site. (See proposed Condition 14).

Conclusions on Archaeology

- 278 The County's Archaeological Officer has raised no objection to the proposal and taking account of the scale, location and the temporary nature of the development, Officers do not consider that the proposal would give rise to any adverse impact in relation to the historic landscape, sites or structure of architectural and historic interest and their settings, and sites of existing or potential archaeological interest or their settings. Accordingly, Officers are of the view that the proposal would not conflict with the relevant national guidance in PPS 5 and development plan policies in The SEP 2009 Policy BE6, SMPD 2011 Policy MC14 and RBBLP 2005 Policy Pc 8.

Restoration

- 279 The application site falls within a rural area within the Green Belt and the proposed development would temporarily affect both agricultural land and woodland. On the cessation of the exploration, the applicant proposes to return the land to its current use.

- 280 The importance of securing a good quality restoration is central to the consideration of mineral working and associated proposals. Delay in restoration has environmental costs and guidance in Minerals Planning Guidance Note 7 (MPG7) 'Reclamation of Mineral Workings', states that mineral workings are to be reinstated to an appropriate afteruse at the earliest opportunity. MPS1 provides the guidance that '*sustainable minerals development aims to preserve the land's long term potential to support the widest range of afteruses in the future by achieving high standards of working and restoration*'.
- 281 It is sets out in Planning Policy Guidance Note 2 PPG2 (Green Belts) that mineral working '*need not be inappropriate development in the Green Belt provided that high environmental standards are maintained and that the site is well restored*'.
- 282 SMLPCSDPD Policy 17 (Restoring Mineral Workings) states that mineral working will be permitted only where the MPA is satisfied that the site can be restored and managed to a high standard. The restored site should be sympathetic to the character and setting of the wider area; and capable of sustaining an appropriate after-use. The policy goes on to reiterate the view given in MPG7 that mineral works should be completed at the earliest opportunity. A detailed scheme of how the land will be restored and managed should be agreed with the MPA. Advice on restoration is also contained within the Surrey Minerals Plan 2011 Supplementary Planning Document (SPD) entitled Mineral Site Restoration.
- 283 The proposals for the restoration of the site submitted with this current application provide for the reinstatement of the site within 3 years. However, as restoration would follow on from the cessation of the exploratory works, it could be achieved earlier than 3 years. Proposed Condition 6 would control the activity at the site but would also ensure that restoration took place in the next available planting season following on from the removal of the drilling rig. The applicant proposes to reinstate the drillsite and the section of the access track within the field to its current agricultural use. The wells would be plugged and abandoned by means of a programme and method agreed by the Health and Safety Executive and DECC. All the existing plant, equipment, fencing, drainage and surfaces would be removed and the soil stored within the bund replaced to recreate the original ground contours prior to re-seeding. The applicant has supplied outline management and aftercare proposals for 3 years following reinstatement.
- 284 The surface of the section of the access track and access contained within the woodland would be removed. The applicant has put forward two options which comprise: natural regeneration, particularly in relation to the trackway, and replanting on the original woodland section of the access and access route. Replanting would be with pre-existing native tree and shrub species: pedunculate oak, ash, field maple and wild cherry and hazel, holly and honeysuckle. The County's Landscape Officer has said the list of species are acceptable. Surrey Wildlife Trust has expressed a preference for woodland regeneration, as the Trust feels that this would add to the biodiversity value of the woodland and allow more light to the woodland floor to encourage a greater variety of plants. The County's Ecologist and Biodiversity Manager agrees that particularly along the trackway natural regeneration would be preferable, as tree planting within woodland has a very low success rate. Consideration needs to be given to the issue of access into private woodland. Whilst it may be more appropriate to allow the existing trackway to regenerate, the access bellmouth is on land adjacent to the highway which is currently wooded and therefore presents a barrier both visually and to unauthorised access. As a consequence replanting the eastern end of the track to replace trees and shrubs lost by the creation of the site access would be appropriate to reinstate continuity with the surrounding woodland. As a consequence, proposed Condition 34 requires detailed proposals for the restoration of the access including a planting specification for the woodland area extending to 20 m along the track from Horse Hill. Proposed Condition 34 also requires a programme for the implementation of the restoration and other restoration details.
- 285 Paragraph 3.47 of the SMLPCSDPD 2011 states that '*Land in the MGB can make a positive contribution to providing opportunities for access to open countryside, outdoor*

sport and recreation, retaining an enhancing attractive landscapes, improving damaged and derelict land, securing nature conservation interest and retaining land in agricultural, forestry and related uses. Restoration of mineral workings should have regard to these objectives and give particular attention to any priorities identified for particular parts of Surrey...'

- 286 The proposed development would provide the opportunity to retain land in agricultural and woodland uses; it also offers some ecological enhancement opportunities. As referred to above allowing more light to the woodland floor and natural regeneration would promote a more varied age structure to the woodland and add biodiversity value. The applicant's tree survey has shown that there are some large mature oaks and dead trees within the woodland but they do not have holes suited to hole nesting birds or roosting bats. The applicant has agreed to provide 5 bird boxes and 5 bat boxes in trees just back from the route which is also of ecological benefit.

Conclusion on Restoration

- 287 It is proposed to restore the site to a predominantly agricultural afteruse although the access and section of the access route through woodland would be returned to woodland. Both agricultural and woodland are uses compatible with the site's Green Belt status and the restoration has the potential to provide limited ecological enhancements. Officers do not consider there is any reason to believe that that site cannot be restored to a beneficial afteruse, which is sympathetic to the character and setting of its locality. The timing and standard of restoration can be controlled by condition. Accordingly, Officers consider that the proposal would not conflict with the relevant national guidance and SMPCSDPD 2011 Policy MC17.

OTHER ISSUES

Site Location

- 288 The aim of exploratory drilling is to explore a potential reserve quickly and effectively. The identification of an appropriate above ground drillsite minimises exploration time and enables any reserve to be located accurately, which results in both economic and environmental benefits and minimises disturbance. In its representation, the CPRE has said that the applicants should provide evidence to show that other locations have been investigated and why they have been discounted. The proposal is not EIA development nor is the drillsite proposed to be located within or close to an Area of Outstanding Natural Beauty (AONB) where the assessment of alternatives to the proposal is a requirement. Nevertheless, SMPCSDPD 2011 Policy MC12 requires that the authority is satisfied that, in the context of the geological structure being investigated, that the proposed hydrocarbon exploratory drillsite has been selected to minimise adverse impacts on the environment. Hydrocarbon development of the type proposed has the potential to give rise to environmental impacts. In the majority of cases it is possible to ameliorate the effects of working by design or through the imposition of conditions and so achieve an acceptable standard of working with no significant adverse environmental impacts.
- 289 Minerals can only be worked where they occur and the identified sub-surface target area is fixed. However, the location of the above ground drillsite is not. SMPCSDPD 2011 Policy MC12 refers to the need to assess the use of directional drilling to reduce potential environmental impact. One local resident has suggested that directional drilling could be used to allow the drilling rig to be located at an industrial unit to the south of the airport.
- 290 The south of Gatwick Airport is some 4 km distant and whilst it is possible to directionally drill to gain access to geological targets, the distance over which directional drilling can take place is subject to constraints in terms of the geology and the geometry of the proposed well trajectory. The more distant the above ground drillsite is from the target the longer the high angle section has to be, which can result in torque and drag issues during drilling and uncased well borehole collapse. When drilling a preliminary exploration well as

proposed in this application, the object is to gain knowledge about the geological structure but at that point, the target has not been fully quantified. The longer the step out drill is, there is more potential for the drill to not reach the target and as such is less practical and economic. Drilling from beyond the practical drilling limit is technically challenging, requires more powerful equipment, would take longer and consequently would involve a greater impact.

- 291 The applicant does propose a deviated well to access three target areas: The Portland, the Corallian and the Triassic at approximately 499 m, 1143 m and 2143 m depth respectively. The initial geological target, the Portland Target, is relatively shallow and therefore the well deviation would not begin until close to the base of the Portland Sandstone at approximately 671 m. From that point the borehole would build angle, but to minimise the chance of difficulties with the wellbore, the build rate is programmed not to exceed 3.0° per 30.5 m up to a maximum angle of 22.6°.
- 292 The location of oil and gas development raises distinct issues. Geological and operational factors as well as environmental and landownership issues limit the locations available for oil and gas development. As minerals can only be worked where they are found, the location available, which minimises impacts, may still not be in the most appropriate location in terms of transport or the renewable options considered under PPS1. In this case the applicant identified a technically practical and economic site search area of 700 m radius surrounding the bottom hole target area. As part of the consideration a 300 m noise buffer zone was included to protect local amenity given the need to drill continuously. Having excluded locations to the east and west which have residential properties, only two areas remained. One area covered farmland to the north of Collendean Lane and despite this being the location of the previous drilling operation in 1964, the landowner was not prepared to allow drilling on his land. In any event, although the Collendean Farm well encountered 'good oil shows' in the Jurassic reservoir and was tested, it did not flow. The applicant believes that the Collendean well went off structure crossing into the downthrown side of a bounding fault, which defines the limit of a hydrocarbon accumulation. As a consequence the Horse Hill prospect is currently untested. The second area includes the proposed application site. The applicant took into consideration a number of issues when identifying the site, which included practical issues such as the site having reasonably level ground and issues such as:
- visual impact,
 - distance from residential properties,
 - access both in terms of highway access from Horse Hill and being able to utilise an existing track through the woodland,
 - ecology including designated sites
 - archaeology.

Conclusion on Site Location

- 293 The nature of oil and gas exploration is such that in order to explore the extent/existence of hydrocarbons an exploration site will have to fall within a geographically constrained area. On the basis of the information submitted by the applicant, Officers conclude that in the context of the geological structure the applicant intends to explore, that the proposed location is an acceptable option for short term exploratory drilling in terms of practicality, technical grounds and environmental protection. Technical consultees have considered the potential environmental impact of the proposal and their views are set out in detail in earlier sections of the report. Where recommended by consultees, planning conditions would be required to ensure that the environmental impact of the development and the potential impacts upon residential amenity are minimised. Taking all these issues into account Officers consider that the proposal accords with requirement of Policy MC12 of the SMPCSDPD 2011.

Airport Safeguarding

- 294 The drillsite is proposed for a site which is found some 3.3 km north of Gatwick Airport. At 35 m high, for the time the drilling rig was erected at the site it would be required to have a red aircraft warning light (proposed Condition 26). Gatwick Airport Safeguarding were consulted on the application and have said that *'the proposed development has been examined from an aerodrome safeguarding perspective and does not conflict with safeguarding criteria. We therefore have no objection to the proposal.'* They have drawn attention to the British Standard Code of Practice for the Safe Use of Cranes, which requires crane operators to consult the aerodrome before erecting a crane in close proximity to an aerodrome. Their observations have been included as Informative 2.

METROPOLITAN GREEN BELT

National Guidance

Planning Policy Guidance Note 2 (PPG2) Green Belts

The South East Plan 2009 (SEP 2009)

Policy SP5 Green Belts

Surrey Minerals Plan Core Strategy Development Plan Document 2011 (SMPCS DPD 2011)

Policy MC3 Mineral Development in the Green Belt

Reigate & Banstead Borough Local Plan 2005

Policy Co1 Setting and Maintenance of the Green Belt

- 295 The proposed drillsite would be located within the Metropolitan Green Belt where policies of restraint apply and there is a general presumption against inappropriate development.
- 296 Government guidance on Green Belts is set out within Planning Policy Guidance Note 2 (PPG2), which was revised January 1995. The Government's commitment to the principles of the Green Belt and to maintaining tight planning controls over development in the Green Belt was re-emphasised in Circular 11/2005 - *The Town and Country Planning (Green Belt) Direction*. There it is stated, that all planning applications for development in the Green Belt are expected to be subject to the most rigorous scrutiny having regard to the fundamental aim(s) of Green Belt as set out in PPG2. At para 1.4 of PPG2 it is stated that *'the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the most important attribute of Green Belts is their openness'*.
- 297 Para 3.11 of PPG2 accepts that the extraction of minerals is a temporary activity. The advice contained in PPG2 is that minerals can only be worked where they are found and *'that minerals extraction need not be inappropriate development: it need not conflict with the purposes of including land in Green Belts, provided that high environmental standards are maintained and that the site is well restored.'* As far as possible, developments should contribute to the achievements of the objectives for the use of land in the Green Belt and these include the provision of access to the open countryside, the enhancement and retention of attractive landscapes, retention of land in agricultural, forestry or related uses and to secure nature conservation interest.
- 298 While the characteristics of the landscape are not a material factor in the inclusion of land within the Green Belt, Paragraph 3.15 of PPG2 does state that the visual amenities of the Green Belt should not be injured by proposals, which might be visually detrimental by reason of their siting materials or design.
- 299 The SEP 2009 states that *'Government has confirmed its continuing commitment to the Green Belt as an instrument of planning policy...'* Policy SP5 (Green Belts) seeks to protect the five main functions of the Green Belt and confirms that the broad extent of the Green Belts in the region is appropriate and will be retained and supported.

- 300 With almost all mineral sites in Surrey being located in the Green Belt, the SMPCSDPD 2011 has a Policy MC3 (Mineral Development in the Green Belt). The policy states that *'Mineral extraction in the Green Belt will only be permitted where the highest environmental standards of operation are maintained and the land restored to beneficial after-uses consistent with Green Belt objectives within agreed time limits'*.
- 301 RBBLP 2005 Saved Policy Co 1 (Setting and Maintenance of the Green Belt) has a presumption against development that is inappropriate to the Green Belt unless justified by very special circumstances. The policies lists a developments where permission will be granted, policy criteria (b) informs that such a development is *'the carrying out of an engineering or other operation or the making of any material change in the use of land provided that it maintains the openness of the Green Belt and does not conflict with the purposes of including land in it.'*
- 302 Given the site's Green Belt location it is necessary to consider whether the proposed development would maintain high environmental standards during operation and whether the restoration of the site can be achieved to a good standard and will provide an acceptable afteruse consistent with Green Belt objectives. Much of the consideration of whether high environmental standards could be maintained and whether an appropriate and acceptable restoration can be achieved has been covered in preceding sections of the report.
- 303 The applicant is applying for planning permission extending over a temporary period of three years. However, the site construction, drilling, exploration, site reinstatement is all programmed to take place over a period of up to a maximum of 21 weeks within that 3 year time period. During the 20 to 21 week development period, activity at the site would involve movement of plant, vehicles and materials and the clearance and creation of the access from Horse Hill and activity associated with the construction and mobilisation of the site would be noticeable. Within the 6 week drilling phase the rig at 35 m high, would be seen in the landscape from certain locations during the day and during night hours as the rig and site would be lit.
- 304 Within the application, the applicant has set out the various operational phases of the development and the timescales over which they would take place. Overall the applicant is applying for a three year period which accommodates the uncertainty on timing that results from such issues as the delays in taking receipt of hired equipment such as the drilling rig and testing equipment, ecological and restoration timing constraints. Although the construction of the site, operational period and reinstatement can all take place over a maximum 21week period, it is quite possible that some downtime could occur between phases. However, this would not necessarily result in the site being active for longer but the site could be in existence for longer than 21 weeks. The activities taking place whilst the site is operational would have a temporary impact on openness and the site itself, once constructed, would also have an impact on openness. Officers therefore consider that once the development commences it should be completed within a reasonable timescale. Planning conditions are proposed which require the applicant to inform the authority of the commencement of each phase and proposed Condition 6 would limit the period the site was active to 140 days within the 3 year period. Officers consider that this period of activity is sufficient to take into account the various phases of the development but restrictive enough to ensure that activity at the site would not continue over an unacceptably long period.
- 305 One local resident has suggested that the site should be located at an industrial unit located elsewhere. Nevertheless, minerals can only be worked where they are found and therefore locations available for oil and gas development are dictated primarily by geological factors. The question of location was covered in the previous section of the report where the constraints on the distance over which exploratory drilling can take place were explored and it was found that the Horse Hill prospect could not be investigated from

an industrial site outside the practical limit for drilling, nor could it be drilled from a location elsewhere within Surrey, or the UK.

- 306 The drilling rig because of its height, and the site access are likely to be the most visible aspects of the development. As mentioned in the landscape section of the report, moving vehicles are likely to be visible on the western section of the access track from the nearby right of way. Also from the right of way there would be glimpses of the drillsite from a location to the east of the site. However, the surrounding hedgerows, trees and woodland are likely to shield the drillsite compound from most viewpoints. Although the drillsite, and plant and equipment with their industrial characteristics would be located in a rural area, and would involve some limited harm to the visual amenities of the Green Belt whilst the site was operational, it is considered that the scale and very temporary nature of the development would not give rise to any significant or lasting adverse impact. All the equipment and portable buildings would be used in association with the mineral working.
- 307 Immediately to the south of the proposed drillsite there is an area currently used by the landowner to gain access to the field, which as a low point in the field, remains wet through the winter. The applicant has proposed that the site access track which would be constructed parallel to the hedgerow, continue passed the site entrance to allow the landowner access. This section of track would be surfaced but to minimise the number of vehicle movements involved, it would be constructed to a depth of 150 mm rather than the 500 mm elsewhere on the site and would generate a total of 13 loads of stone. Like the drillsite, the track would be temporary and would be removed on the cessation of the development and the land would be restored. Whilst the track is not for operational purposes it is required to satisfy the needs of the landowner so that his current farming activities are not hindered by the drillsite and as such is necessary to the development. As it would involve the minimum amount of material necessary over a temporary period, it is considered to be acceptable.
- 308 Mineral working is a temporary activity and the site would be restored to an agricultural and woodland use once hydrocarbon exploration ceased. The site would then return to fulfilling the objectives of land within the Green Belt of '*retaining land in agricultural, forestry and related uses.*' Any harm in the interim must be weighed against the need for hydrocarbon exploration.

Green Belt Conclusion

- 309 The national policy test set out in PPG2 requires that high environmental standards are maintained and mineral development sites are well restored. Technical consultees have considered the proposal and their views are set out in detail in earlier sections of the report. Where recommended by consultees, planning conditions would be required to ensure that high standards are maintained. Officers consider there is no reason to believe that the site could not be well restored to the proposed after-uses, which are uses consistent with Green Belt objectives. Any adverse impact on the visual amenities of the Green Belt would be limited, short lived and adequately controlled. Accordingly, Officers advise that the proposal meets the provisions set out in PPG2 (Green Belts), The SEP 2009 Policy SP5, SMPDCSDPD 2011 Policy MC3 and RBBLP 2005 Policy Co 1.

HUMAN RIGHTS IMPLICATIONS

- 310 The Human Rights Act Guidance for Interpretation, contained in the Preamble to the Agenda is expressly incorporated into this report and must be read in conjunction with the following paragraph.
- 311 In the case of this application it is the Officers view that the scale of any impact arising from the development proposed is not considered sufficient to engage Article 8 or Article 1 of Protocol 1 and any impact can be mitigated by planning conditions. As such, this proposal is not considered to interfere with any Convention right.

CONCLUSION

- 312 Oil and gas are the principal sources of energy consumed in the UK and play a central role in the UK economy. With indigenous production in decline, Government energy policy focuses on encouraging secure, diverse and sustainable supplies. In MPS1 the Government's stated short to medium term aim is to maximise the potential of the UK's conventional oil and gas reserves in an environmentally acceptable manner and they do not qualify this in terms of the three stages of hydrocarbon development or size of project. The objective of this proposal is to explore a potential reserve and gain further information on a geological structure. This is one step in the process of being able to ascertain the potential of a prospective resource. MPS1 was published in 2006 and in 2010 DECC confirmed that the Government's stated aim in MPS1 remained valid and current. The consultation draft of the National Planning Framework (NPF) states that minerals are essential to support sustainable economic growth and goes on to reiterate that it is important that there is a sufficient supply of material to provide the infrastructure, buildings, energy and goods that the country needs. The NPF makes clear the Government's objective for the planning system is to secure an adequate and steady supply of indigenous minerals needed to support sustainable growth. This leads Officers to conclude that there is a national need for the development.
- 313 Minerals can only be worked where they are found and large areas of the UK are not prospective for oil and gas. The proposed site falls within the Weald Basin and seismic surveying has identified geological structures, which may be prospective in terms of oil and/or gas, the only way to conclusively determine the presence or absence of hydrocarbons is to drill an exploration well. An exploratory drillsite needs to be relatively proximate to the potential reserve and the choice of above ground sites is constrained by a number of factors that include geological, operational, environmental and amenity factors. On the basis of the information submitted by the applicant, Officers conclude that in the context of the geological structure the applicant intends to explore, that the proposed location represents the best viable option for short term exploratory drilling in terms of practicality and technical grounds.
- 314 Onshore drilling is a short lived but intensive activity which includes some 24 hour activity and under SMPCSDPD 2011 Policy MC12 the MPA should be satisfied that the site has been selected to minimise adverse impacts on the environment.
- 315 The proposed drillsite would be well-screened by the surrounding hedgerows, woodland and topography. Nevertheless at 35 m tall the top section of the drilling rig would be visible during the period it would be at the site from certain points. The removal of trees and shrubs currently bordering Horse Hill to construct the site access would also be noticeable. Given the temporary nature and degree of impact, Officers do not consider that either the rig or the development as a whole would have a significant adverse visual impact or that the harm is so great to justify refusing the proposal on the grounds of visual impact.
- 316 One concern raised has been the protection of trees along the route of the trackway. The applicant has undertaken a tree survey and has proposed a scheme of root protection along the access route. The applicant has carried out a number of ecological surveys including surveys of protected species. The surveys have shown that there is little likelihood of European Protected Species being found on the site and the proposal would not result in any harm to these species. Any potential ecological and biodiversity issues are resolvable by the mitigation measures proposed and imposing planning conditions regarding the timing of clearance.
- 317 Although during drilling the site would operate 24 hours a day noise can be controlled. The predicted noise levels are below the limits set out in the Surrey Noise Guidelines and

Officers consider the proposal would not adversely affect local residential amenity and the environment. Acceptable noise levels could be achieved and maintained by imposing planning conditions to control hours and apply noise limits.

- 318 Norwood Hill Residents' and Salfords and Sidlow Parish Council both expressed concern that pollution of the main water supply in the area could occur as a result of 'fracturing'. This application is for conventional oil and gas exploration and technical consultees have carefully reviewed the proposal and the mitigation measures incorporated into the proposed development. The potential impact on air quality has also been considered, both in terms of traffic emissions and emissions from the drillsite. Officers do not consider that the development would pose any significant risk of pollution to the surrounding environment and are satisfied that should planning permission be granted, those issues not covered by control regimes, can be controlled by way of planning conditions.
- 319 Highway and traffic implications of the proposal have given rise to the greatest amount of local concern. There are no practical options to bring the materials and equipment to the site by any other method of transportation but local residents consider that an access onto Horse Hill would be dangerous and that Horse Hill is unsuitable for HGV traffic. Whilst the development would not be a particularly large traffic generator in total numbers, there would be an increase in HGVs using Horse Hill over a temporary period. The Highway Authority has no objection to the proposal. Having assessed the development proposal the Highway Authority has concluded that the new access would not be onto a major road and is appropriate to the type of development proposed, the local highway network in the vicinity of the site could accommodate the traffic associated with the use and that the proposal would not be detrimental to highway safety provided the recommended conditions are imposed. Otherwise traffic related matters should not give rise to any significant adverse environmental impacts.
- 320 The views of technical consultees have been reported under individual issues earlier in the report. There is no reason to believe that high environmental standards cannot be maintained during the 21 week period of activity. Consideration has been given to whether any adverse environmental impacts can be appropriately mitigated and Officers consider that the planning conditions recommended relating to the protection of the environment are suitable.
- 321 The application site is located in the Metropolitan Green Belt where mineral related development need not be inappropriate development provided that high environmental standards are maintained and the site is well restored. The applicant proposes to return the current agricultural and woodland uses which would ensure the site is absorbed back into the local landscape and both these uses are compatible with the site's Green Belt status. The restoration of the woodland also offers some ecological enhancement opportunities in terms of the promotion of a more varied age structure, which adds biodiversity value and the provision of bat and bird boxes within the woodland. There is no reason to believe that that site cannot be well restored to a beneficial afteruse, which is sympathetic to the character and setting of its locality and therefore Officers consider that the proposal is acceptable in terms of Green Belt policy.
- 322 The activity associated with constructing a drill site and undertaking drilling would give rise to some temporary impact on amenity especially when considering the rural nature of the locality. Nevertheless, mineral working is a temporary activity and the hydrocarbon exploration would be short term taking place over 20 to 21 weeks within a 3 year period. The concerns of local residents are acknowledged, but on the basis of the responses received from technical consultees, assessing national policy and development plan policy matters and taking into account need, Officers consider that with the imposition of appropriate conditions where necessary the proposed exploratory drilling would not give rise to significant unacceptable environmental or amenity impacts and may therefore be permitted.

RECOMMENDATION

The recommendation is to PERMIT subject to the following conditions.

CONDITIONS

Approved Documents

- The development hereby permitted shall be carried out and completed in all respects strictly in accordance with the terms of this permission: the following approved plans are contained in the application:

Title	Drawing /Plan or Figure No	Date
Site Layout Showing Rig Layout Existing Contours, Site Section Swept Path & Visibility Splays	Drawing No MAG-001	14 October 2010
Site Layout Showing Testing Layout, Existing Contours, Site Section and Typical Site Construction	Drawing No MAG-002	4 October 2010
Cellar Detail	Drawing No MA -03	4 October 2010
Proposed Access Track Detail	Drawing No 62166/001	26 March 2010
Proposed Site Design Schematic Layout	Drawing No 62166/002 Rev B	3 September 2010
Root Protection Areas	Drawing No 62166/007	21 April 2011
Construction in Root Protection Zones	Drawing No 62166/008	10 August 2011
Red Line Plan	Figure 01	1 September 2010
Location Plan	Figure 02	1 September 2010
Area Location and Heavy Goods Vehicle Routing	Figure 03	1 September 2010
Survey Map Showing Proposed Surface and Subsurface Locations of Horse Hill 1	Figure 4	
Restoration Plan	Figure 12	1 September 2010 (stamped as received by MPA 11 August 2011)
Rig Lighting	Figure 13	9 September 2010
Horse Hill Drilling Site Lighting Plan	Figure 14	
Tree Removal and Protection Plan	Plan 4	21 April 2011

- A copy of this decision notice together with the approved plans and any schemes and/or details subsequently approved pursuant to this permission shall be kept at the site office at all times and the terms and contents therefore shall be made known to supervising staff on the site.

Commencement

- The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Time Limits

- 4 This planning permission shall be for a limited period only, expiring 3 years from the date of commencement of site construction, by which date all buildings, plant, machinery (both fixed and otherwise) and any engineering works connected therewith, on or related to the application site (including any hard surface constructed for any purpose), shall be removed from the application site and the drillsite shall be reinstated in accordance with the restoration details submitted with the application and details required under Condition 34 below. Notwithstanding this, any plant or equipment required to make the site safe in accordance with Department for Energy and Climate Change requirements at the time and agreed with the County Planning Authority, may remain in position.
- 5 Prior written notification of the date of commencement for each phase of development works (site preparation and construction, drilling, testing and restoration) hereby approved shall be sent in writing to the County Planning Authority not less than seven days before such commencement.
- 6 Within the 3 year year period referred to in Condition 4, the site shall be operational for no more than 140 working days. The applicant shall keep daily records which should be made available at all times for inspection by the County Planning Authority. Restoration of the site shall take place within the three year time period referred to in Condition 4 and shall be completed no later than the end of the planting season following immediately upon the removal of the drilling rig from the site.

Hours of Operation

- 7 With the exception of drilling, no lights shall be illuminated nor shall any operations or activities authorised or required by this permission, take place other than during the hours of:-

0800 to 1830 hours on Monday to Friday
0900 to 1300 hours on Saturday

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

Limitations

- 8 Notwithstanding any provision to the contrary under Parts 19 or 22 of the Town and Country Planning (General Permitted Development Order) 1995 or any subsequent Order,
 - (a) no plant, building or machinery whether fixed or moveable other than those permitted by this application, shall be erected on the application site;
 - (b) no lights or fences other than those permitted by this application shall be installed or erected at the application site.

Highways & Access

- 9 No development shall take place until the new access road including its junction with Horse Hill has been constructed and provided with visibility splays of 2.4m x 170m in the trailing traffic direction and 2.4m x 210m in the leading traffic direction in accordance with the approved plans. No other development shall begin before that junction and 200m of the new road have been completed. The visibility zones included in the design shall be kept permanently clear of any obstruction whilst the access is in use.
- 10 The drillsite shall not be occupied until space has been laid out within the site in accordance with the approved plans for vehicles to be parked, for the loading and

unloading of vehicles and for vehicles to turn so that they may enter and leave the site in forward gear. The parking/turning area shall be used and retained exclusively for its designated purpose.

- 11 Prior to the commencement of the development hereby permitted a Construction and Operation Management Plan shall be submitted to the County Planning Authority and approved in writing. Such a Construction and Method Statement shall include details of:
- (i) parking for vehicles of site personnel, operatives and visitors
 - (ii) loading and unloading of plant and materials
 - (iii) storage of plant and materials
 - (iv) programme of works (including measures for traffic management)
 - (v) access and exit route details for low loaders and abnormal loads and any works necessary to accommodate them
 - (vi) signage both within and outside of the site.

Only the approved details shall be implemented during the construction period.

- 12 Prior to the commencement of any operations which involve the movement of materials in bulk to or from the site, details of the measures to be undertaken in order that the applicant can make all reasonable efforts to keep the public highway clean and prevent the creation of a dangerous surface on the public highway, shall be submitted to the County Planning authority and approved in writing. The measures as agreed shall thereafter be retained and used for the duration of the development.
- 13 Within 3 months of the completion of site restoration works, the access from the site to Horse Hill shall be permanently closed and any kerbs and verge fully reinstated by the applicant.

Archaeology

- 14 The development hereby permitted shall not commence until the applicant has secured the implementation of a programme of archaeological work in accordance with a Written Scheme of Investigation which has been submitted to and approved in writing by the County Planning Authority. The development shall be implemented strictly in accordance with the approved details.

Noise

- 15 For temporary operations such as site preparation and reinstatement, the level of noise arising from any operation, plant or machinery on the site, when measured at, or recalculated as at, a height of 1.2 m above ground level and 3.5 m from the façade of a residential property or other noise sensitive building that faces the site shall not exceed 65 L_{Aeq} during any 30 minute between the hours of 0800 to 1830 Monday to Friday and 0900 to 1300 hours on a Saturday and at no time. No work causing audible noise at any noise sensitive receptor is permitted at any other time including Sunday, Bank Holiday or National Holiday.
- 16 Notwithstanding the provisions of Condition 15 above, the level of noise arising from any operation, plant or machinery on the site, when measured or recalculated as at a height of 1.2 m above ground level and 3.5 m from the façade of a residential property or other noise sensitive building that faces the site shall not exceed 48 L_{Aeq} during any 30 minute period between the hours of 0800 to 1830 Monday to Friday and 0900 to 1830 hours on Saturday and Sunday.
- 17 During the hours of 1830 to 0800 hours the level of noise arising from any activity on site including the drilling operations, when recalculated as at a height of 4 m above ground level and 3.5 m from the façade of a residential property or other noise sensitive building that faces the site shall not exceed 42 L_{Aeq} , during any 30 minute period.

- 18 Between the hours of 1830 to 0800 inclusive, no tripping shall be undertaken, nor shall casing be cemented except in cases of emergency.
- 19 Flaring shall only be undertaken between the hours of 0800 to 1830 Monday to Friday and 0900 to 1300 hours on a Saturday and at no time on a Sunday, Bank Holiday or National Holiday except in cases of emergency. The level of noise arising from flaring when measured or recalculated as at a height of 1.2 m above ground level and 3.5 m from the façade of a residential property or other noise sensitive building that faces the site shall not exceed 48 L_{Aeq} during any 30 minute period.
- 20 All plant and machinery shall be adequately maintained and silenced in accordance with the manufacturer's recommendations at all times.

Ecology & Biodiversity

- 21 Prior to commencement of any development hereby permitted, a Method of Construction Plan shall be submitted detailing how ecological interests will be protected during the period of site construction. The Method of Construction Plan shall address the following matters:
- the timing of construction taking into account the need to protect great crested newts, bats and birds and the roots of trees along the access route.
 - how the construction work would be overseen and supervised.
- 22 Prior to commencement of any development hereby permitted, 40 cm high amphibian fencing shall be erected along both sides of the access track from the western end of the woodland for a distance of 85 metres. The fencing shall be erected in accordance with Figure 4 page 50 of the Great Crested Newt Mitigation Guidelines English Nature 2001 and the fencing shall be maintained for the duration of the development.
- 23 No removal or cutting of vegetation including trees and shrubs shall be carried out between the 1st March and 31st August inclusive in any year.
- 24 A licensed bat worker shall be in attendance to supervise any felling or lopping of mature trees in connection with any works hereby permitted. The mature oak identified as Tree 779 in the Tree Survey Schedule within the Arboricultural Report dated 21 April 2011 shall be soft felled under the supervision of a licensed bat worker.
- 25 Five bat and five bird Schwegler type woodcrete boxes shall be provided. The bird boxes shall include one each of 1B 32mm, 1B 26mm, 2GR 3-hole, 2GR 1 hole, and 3SV. The bat boxes shall include one of Types 2 F, 2D - DFP and 1FD and two boxes of type 2FN. Prior to the erection of the boxes, a box location plan shall be submitted to the County Planning Authority for approval in writing. The boxes shall be erected in the agreed locations.

Lighting

- 26 Obstacle lighting consisting of 200 candelas shall be placed on the top of the drillrig for the duration that the drillrig is on site. The periods of illumination of obstacle lights, obstacle light locations and obstacle light photometric performance must all be in accordance with the requirements of 'CAP 168 Licensing of Aerodromes'.
- 27 With the exception of the aircraft warning light referred to in Condition 26 above, all practical efforts shall be taken to minimise any upward waste of light from site luminaries and to minimise light spill into the nearby hedgerows, by the fitting and use of appropriate masks or shields.

Contamination

28 Pre and post development geochemical soil testing shall be carried out across the drilling compound and separate reports shall be submitted to the County Planning Authority, before site operations commence and within two weeks of decommissioning, for approval in writing. The methodology and scope of the pre and post development geochemical testing shall be agreed in writing with the County Planning Authority before commencement. The pre development report shall set out details of:

- 1) The collection of soil samples on the exposed soil formation after the compound has been cut down to final formation level, in a grid pattern (not greater than 20 m spacing). This shall be carried out prior to the laying of the membrane and placement of the compound crushed rock hardstanding at the commencement of development. The locations and elevations shall be recorded using accurate GPS measurement or other survey techniques.
- 2) The results of testing undertaken for a range of potential contaminants relevant to the proposed works.

A post development soil sampling report shall be submitted after decommissioning but prior to the commencement of restoration shall set out details of:

- 1) The soil samples collected from adjacent to the same sampling points after removal of the hardstanding and membrane. Any areas of soil showing discolouration or other signs of contamination below the membrane shall be sampled and tested as well.
- 2) Comparison of the laboratory results for the pre and post phases.

The CPA shall be informed when the post decommissioning sampling is due to take place and shall be afforded the opportunity to inspect the ground surface before the site is restored.

Where the post decommissioning report shows some contamination impact, a scheme for the design and implementation of any remediation shall be submitted to the County Planning Authority for approval within one month of the submission of the post commissioning report.

The final restoration of the site shall take place in accordance with the approved scheme.

Drainage

- 29 All areas where waste is to be stored, handled or transferred shall be underlain by impervious hard-standing with dedicated drainage to foul sewer or sealed tank.
- 30 Prior to the commencement of the development hereby permitted, a scheme to dispose of surface water shall be submitted to, and approved in writing by, the County Planning Authority. Included within the drainage scheme, details shall be provided of:
- drainage during the construction phase,
 - MicroDrainage outputs detailing the critical storm derivation;
 - a section through the whole compound area revising the one submitted in the Flood Risk Assessment as SK001 which should include a section showing the construction of the gravel swale.

The scheme shall be implemented as approved.

Dust

- 31 No activity hereby permitted shall cause dust to be emitted so as to adversely affect adjacent residential properties and/or other sensitive uses and/or the local environment.

Should such an emission occur, the activity shall be suspended until as a result of different methods of working, the addition of additional dust suppression measure or changed weather conditions, it can be resumed without giving rise to that level of dust emissions.

Soils

- 32 All topsoil and subsoil shall be permanently retained on the site for subsequent use in restoration. No soils or soil making material for use in the restoration shall be brought onto the site.
- 33 The restoration soils shall be spread over the site at an even depth and shall not exceed the final levels shown on the Restoration Plan dated 1 September 2010 but stamped received by the County Planning Authority 11 August 2011.

Restoration

- 34 The agricultural restoration of the access track within the field, the farmers track and the drillsite shall be carried out in accordance with the principles set out in Appendix G of the planning application. Prior to the commencement of the development hereby permitted, further details of the restoration to be implemented on the cessation of the site decommissioning shall be submitted to the County Planning Authority for approval in writing. Details shall be provided of:
- 1) the programme for the implementation of the restoration;
 - 2) the removal of the site access and its tarmac surface, the restoration of the access to woodland shall extend 20m from the boundary of Horse Hill and include the bellmouth radii and vehicle passing place;
 - 3) planting specification including details of species, size and spacing for the woodland area;
 - 4) the regeneration of the access track;
 - 5) the planting specification for the agricultural restoration of the access track, farmers track and drillsite including planting specification.

The details as approved shall be carried out in full.

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

Aftercare

- 36 The restored land shall be brought to the required standard for agricultural and woodland use. The applicant shall notify the County Planning Authority when the planting or seeding has been completed and not more than one year after that date there shall be a meeting at the site which shall be attended by representatives of the applicant, the owners or their successors in title and the County Planning Authority, to monitor the success of the aftercare. Should it prove necessary, further meetings will be held within the period of five years from the commencement of aftercare.

REASONS

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

- 3 To comply with Section 91 of the Town and Country Planning Act 1990
- 4 To enable the County Planning Authority to exercise planning control over the operation so as to minimise the impact on local amenity and to ensure the prompt and effective restoration to comply with Schedule 5 paragraph 1 of the Town and Country Planning Act 1990 and Surrey Minerals Plan Core Strategy Development Plan Document 2011 Policy MC17.
- 5 To enable the County Planning Authority to exercise planning control over the operation so as to minimise the impact on local amenity to accord with Surrey Minerals Plan Core Strategy Development Plan Document 2011 Policy MC14.
- 6 To enable the County Planning Authority to exercise planning control over the operation so as to minimise the impact on local amenity to accord with Surrey Minerals Plan Core Strategy Development Plan Document 2011 Policies MC3 and MC14.
- 7 To enable the County Planning Authority to exercise planning control over the development so as to safeguard the environment and protect the amenities of local residents in accordance with the terms of the Surrey Minerals Plan Core Strategy Development Plan Document 2011 Policy MC14.
- 8 To safeguard the environment and protect the amenities of the locality in accordance with the terms of The South East Plan 2009 Policy SP5; Surrey Minerals Plan Core Strategy Development Plan Document 2011 Policy MC3, MC12 and MC14: Reigate & Banstead Borough Local Plan 2001 Policy Co 1.
- 9 & 10 In order that the development should not prejudice highway safety nor cause inconvenience to other road users in accordance with Surrey Minerals Plan Core Strategy Development Plan Document 2011 Policy MC15 and Reigate & Banstead Borough Local Plan 2001 Policy Mo 5.
- 11 In order that the development should not prejudice highway safety nor cause inconvenience to other road users in accordance with Surrey Minerals Plan Core Strategy Development Plan Document 2011 Policy MC15 and Reigate & Banstead Borough Local Plan 2001 Policy Mo 6.
- 12 In order that the development should not prejudice highway safety nor cause inconvenience to other road users in accordance with Surrey Minerals Plan Core Strategy Development Plan Document 2011 Policy MC15 and Reigate & Banstead Borough Local Plan 2001 Policy Mo 5.
- 13 To secure the restoration of the site and assist in absorbing the site back into the local landscape in accordance with Surrey Minerals Plan Core Strategy Development Plan Document 2011 Policy MC3, MC15 and MC17 and Reigate & Banstead Borough Local Plan 2001 Policy Co 1.
- 14 To afford the County Planning Authority a reasonable opportunity to examine any remains of archaeological interest which are unearthed and decide on any action required for the preservation or recording of such remains in accordance with the terms of The South East Plan 2009 Policy BE6; Surrey Minerals Plan Core Strategy Development Plan Document 2011 Policy MC14 and Reigate & Banstead Borough Local Plan 2001 Policy Pc 8.
- 15 To ensure the minimum disturbance and avoid nuisance to the locality to comply with The South East Plan 2009 Policy C3 and Surrey Minerals Plan Core Strategy Development Plan Document 2011 Policy MC14.

- 16 To ensure the minimum disturbance and avoid nuisance to the locality to comply with The South East Plan 2009 Policy C3 and Surrey Minerals Plan Core Strategy Development Plan Document 2011 Policy MC14.
- 17 To ensure the minimum disturbance and avoid nuisance to the locality to comply with The South East Plan 2009 Policy C3 and Surrey Minerals Plan Core Strategy Development Plan Document 2011 Policy MC14.
- 18 To ensure the minimum disturbance and avoid nuisance to the locality to comply with The South East Plan 2009 Policy C3 and Surrey Minerals Plan Core Strategy Development Plan Document 2011 Policy MC14.
- 19 To ensure the minimum disturbance and avoid nuisance to the locality to comply with The South East Plan 2009 Policy C3 and Surrey Minerals Plan Core Strategy Development Plan Document 2011 Policy MC14.
- 20 To ensure the minimum disturbance and avoid nuisance to the locality to comply with The South East Plan 2009 Policy C3 and Surrey Minerals Plan Core Strategy Development Plan Document 2011 Policy MC14.
- 21 In order to safeguard and protect species and habitats to accord with The South East Plan 2009 Policy NRM5; Surrey Minerals Plan Core Strategy Development Plan Document 2011 Policy MC14 and the Habitats Regulations 2010.
- 22 In order to safeguard and protect great crested newts in accordance with The South East Plan 2009 Policy NRM5; Surrey Minerals Plan Core Strategy Development Plan Document 2011 Policy MC14 and the Habitats Regulations 2010.
- 23 To ensure that breeding birds are not disturbed by the removal of habitat, to comply with Surrey Minerals Plan Core Strategy Development Plan Document 2011 Policy MC14.
- 24 To comply with the requirements of the Habitat Regulations 2010 and to protect species of conservation concern in accordance with The South East Plan 2009 Policy NRM5 and Surrey Minerals Plan Core Strategy Development Plan Document 2011 Policy MC14.
- 25 To enhance biodiversity in accordance with PPS9; The South East Plan 2009 Policy NRM5 and Surrey Minerals Plan Core Strategy Development Plan Document 2011 Policy MC18.
- 26 Permanently illuminated obstacle lighting is required for the duration of the exploration while the drill rig is on site to avoid endangering the safe movement of aircraft and the operation of Gatwick Airport.
- 27 In the interest of residential amenity and the local environment and to comply with Surrey Minerals Plan Core Strategy Development Plan Document 2011 Policy MC14.
- 28 To demonstrate that there has been no long term contamination of the near surface natural soils at the site as a result of the development and to ensure the site can be suitably restored in accordance with the terms of Surrey Minerals Plan Core Strategy Development Plan Document 2011 Policies MC12 and MC14.
- 29 To prevent pollution of the water environment to comply with The South East Plan 2009 Policy NRM2 and Surrey Minerals Plan Core Strategy Development Plan Document 2011 Policy MC14.
- 30 To prevent the increased risk of flooding and to protect water quality in accordance with The South East Plan 2009 Policies NRM1, NRM2 and NRM4 and Surrey Minerals Plan Core Strategy Development Plan Document 2011 Policy MC14.

- 31 In the interests of local amenity and to comply with Surrey Minerals Plan Core Strategy Development Plan Document 2011 Policy MC14.
- 32 To prevent loss or damage of soil and to ensure that the land is restored to a condition capable of beneficial afteruse to comply with The South East Plan 2009 Policies SP5 and C3; Surrey Minerals Plan Core Strategy Development Plan Document 2011 Policies MC14 and MC17.
- 33 To enable the County Planning Authority to adequately control the development and to secure restoration of the site to a condition capable of beneficial afteruse to comply with Surrey Minerals Plan Core Strategy Development Plan Document 2011 Policies MC14 and MC17.
- 34 To secure restoration and assist in absorbing the site back into the local landscape as soon as practical to accord with The South East Plan 2009 Policy NRM7; Surrey Minerals Plan Core Strategy Development Plan Document 2011 Policies MC3, MC14 and MC17; and Reigate & Banstead Borough Local Plan 2001 Policy Co 1.
- 35 To comply with Section 197 of the Town and Country Planning Act 1990, and to assist in absorbing the site back into the local landscape to comply with The South East Plan 2009 Policy NRM7; Surrey Minerals Plan Core Strategy Development Plan Document 2011 Policies MC3, MC14 and MC17 and Reigate & Banstead Borough Local Plan 2001 Policy Co 1.
- 36 To secure restoration to the required standard and assist in absorbing the site back into the local landscape in compliance with Schedule 5 paragraph 2 of the Town and Country Planning Act 1990 and Surrey Minerals Plan Core Strategy Development Plan Document 2011 Policy MC17.

INFORMATIVES

- 1 The applicant's attention is drawn to the Environment Agency's letter dated 26 Jan 2011 which provides advice relating to impacts on groundwater quality, pollution prevention, waste handling and hazardous waste, water quality advice, consents and permits and site waste management plans.
- 2 The applicant's attention is drawn to Gatwick Airport Limited's letter dated 13 January 2011 in relation to the requirements set out within the British Standard Code of Practice for the Safe Use of Cranes.
- 3 All alterations, piping or culverting, whether temporary or permanent, of any Land Drainage Ditch/Ordinary Watercourse will require prior written consent, under the Land Drainage Act 1991, from the Local Land Drainage Authority. Land Drainage Application Forms can be obtained from Reigate and Banstead's Land Drainage Engineer on 01737 276606. Land Drainage Applications are separate from any requirements under the Town and Country Planning Act, and could be refused.
- 4 Where it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0845 850 2777.
- 5 The applicant's attention is drawn to the County Landscape Officer's view that if an application was to be submitted in the future for a longer term proposal, provision for some form of screening along the woodland edge, preferably additional planting, would be necessary.

- 6 Notwithstanding any permission granted under the Planning Acts, no signs, devices or other apparatus may be erected within the limits of the highway without the express approval of the Highway Authority. It is not the policy of the Highway Authority to approve the erection of signs or other devices of a non-statutory nature within the limits of the highway.
- 7 The permission hereby granted shall not be construed as authority to obstruct the public highway by the erection of scaffolding, hoarding or any other device or apparatus for which a licence must be sought from the Highway Authority Local Transportation Service.
- 8 The permission hereby granted shall not be construed as authority to carry out works on the highway. The applicant is advised that a licence must be obtained from the Highway Authority Local Transportation Service before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway.
- 9 The developer is reminded that it is an offence to allow materials to be carried from the site and deposited on or damage the highway from uncleaned wheels or badly loaded vehicles or in any other way. The Highway Authority will seek, wherever possible, to recover any expenses incurred in clearing, cleaning or repairing highway surfaces and prosecutes persistent offenders. (Highways Act 1980 Sections 131, 148, 149).

THE TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (ENGLAND) ORDER 2010

Reasons for the grant of planning permission and development plan policies/proposals relevant to the decision.

- 1 The development will provide the benefit of facilitating the confirmation of whether a hydrocarbon reserve exists in accordance with national policy for maximising the potential of the United Kingdom's oil and gas reserves.
- 2 The development is in accordance with the development plan policies so far as they are relevant to the application and there are no material considerations which indicate otherwise.
- 3 Any other harm in terms of visual amenity, transportation and access, ecology, noise, air quality, the water environment, lighting, and archaeology can be adequately mitigated by the measures proposed in the application and conditions subject to which planning permission is granted and the additional controls afforded through other regulatory regimes.

The proposal has been considered against the following development plan policies/provisions:

The South East Plan May 2009

Policy SP5 Green Belts
 Policy NRM1 Sustainable Water Resources and Groundwater Quality
 Policy NRM2 Water Quality
 Policy NRM4 Sustainable Flood Risk Management
 Policy NRM5 Conservation and Improvement of Biodiversity
 Policy NRM7 Woodlands
 Policy NRM9 Air Quality
 Policy BE6 Management of the Historic Environment

Surrey Minerals Plan Core Strategy Development Plan Document (DPD) July 2011

Policy MC3 Mineral Development in the Green Belt
 Policy MC12 Oil and Gas Development

Policy MC14 Reducing the Adverse Impacts of Minerals Development
 Policy MC15 Transport of Minerals
 Policy MC17 Restoring Mineral Workings

Reigate & Banstead Borough Local Plan 2005 (saved Policies)

Policy Co 1 Setting and Maintenance of the Green Belt
 Policy Mo 5 Design of Roads within New Development
 Policy Mo 6 Service Provision within New Development
 Policy Pc 2D Potential SNCI's
 Policy Pc3 Woodland
 Policy Pc4 Tree Protection
 Policy Ho10 Noise
 Policy Ut4 Flooding

CONTACT

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BACKGROUND PAPERS

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

Government Guidance and Policy

Our Energy Future – Creating a Low Carbon Economy – DTI 2003
 Energy Review – DTI July 2006
 Energy White Paper 'Meeting the Energy Challenge' – BERR 23 May 2007
 UK Renewable Energy Strategy 2009
 The Air Quality Strategy 2007

Planning Policy Guidance Note 2 (PPG2) Green Belts - January 1995
 Planning Policy Guidance Note 13 (PPG13) Transport – April 2001 updated November 2010
 Planning Policy Guidance Note 24 (PPG24) Planning and Noise - 1994
 Planning Policy Statement 1 (PPS1) Delivering Sustainable Development – 2005
 Planning and Climate Change a supplement to PPS1 – December 2007
 Planning Policy Statement 7 (PPS7) Sustainable Development in Rural Areas – August 2004
 Planning Policy Statement 9 (PPS9) Biodiversity and Geological Conservation – August 2005
 Planning Policy Statement 23 (PPS23) Planning and Pollution Control - November 2004
 Planning Policy Statement 25 (PPS25) Development and Flood Risk and associated Practice Guide - March 2010
 Minerals Policy Statement 1 (MPS1) Planning and Minerals and associated Practice Guide - November 2006
 Minerals Policy Statement 2 (MPS2) Controlling and Mitigating the Environmental Effects of Mineral Extraction in England - March 2005
 Minerals Planning Guidance Note 7 (MPG7) Reclamation of Mineral Workings - November 1996
 Circular 06/05: Biodiversity and Geological Conservation- Statutory Obligations and their Impact Within The Planning System August 2005
 Statutory Instrument 20011 No 1824 The Town and Country Planning (Environmental Impact Assessment) Regulations 2011 (EIA Regulations)

The Development Plan

The South East Plan May 2009
 Surrey Minerals Plan Core Strategy Development Plan Document 2011
 Reigate & Banstead Borough Local Plan 2005

Other Documents

Annual Energy Statement - DECC 27 July 2010

Energy Trends – DECC September 2011

UK Energy in Brief - DECC 2011

Minister of State for DECC speech 'UK Security of Supply: The Westminster Viewpoint – 10 February 2009

Mineral Planning Factsheet - Onshore Oil and Gas - British Geological Survey for the Department of Communities and Local Government 2011

Hydrocarbon Prospectivity of Britain's Onshore Basins - DECC 2010

Oil Production 1975 onwards - DECC website updated August 2011

Gas Production - DECC website updated 2011

Guidelines for Noise Control Minerals and Waste Disposal – Surrey County Council September 1994

The Future of Surrey's Landscape and Woodlands – Surrey County Council 1997

Ancient Woodland Standing Advice - Natural England February 2009

Protected Species Standing Advice - Natural England February 2009

Development Control: Planning for Air Quality 2010 - Environmental Protection UK 2010 update
Guidance Notes for the Reduction of Obtrusive Light – The Institution of Lighting Engineers 2005

Bats and Lighting in the UK Version 3 - The Bat Conservation Trust and the Institute of Lighting Engineers May 2009

Local Air Quality Management Technical Guidance - DEFRA 2009