

To: Planning & Regulatory Committee

Date: 26 March 2025

By: Planning Development Manager

District(s) Mole Valley

Electoral Division(s):

Dorking Rural

Mrs Clack

Case Officer:

Chris Turner

Purpose: For Decision

Grid Ref: 519003 148681

Title: Minerals/Waste MO/2024/1975

Summary Report

Brockham Wellsite, Land at Felton's Farm, Old School Lane, Brockham, Betchworth, Surrey RH3 7AU

Importation and re-injection of non-site derived produced water into Portland Sandstone beds to support hydrocarbon production.

Brockham Wellsite is an existing wellsite extending to 1.2 hectares, which currently has three well heads (BRX2Y, BRX3 and BRX4) and is located on land at Felton's Farm, approximately 570 metres from Old School Lane, Brockham. The application site is located within the Metropolitan Green Belt some 870 metres east of the Surrey Hills National Landscape (NL) and Area of Great Landscape Value (AGLV). Brockham Wellsite is accessed via a dedicated track leading from School Lane for some 570 metres. Footpath 86 crosses this dedicated access track 260 metres from the wellsite compound.

The proposal seeks planning permission for non-site derived waste water to be imported to the site for reinjection into the Portland Sandstone beds, to support hydrocarbon (oil) extraction as approved under application ref: MO06/1294. This application is required because the water is a waste product derived from elsewhere. The non-site derived waste water would be brought to site via HGV tankers. This would require up to 2 HGV tankers per day to deliver waste water to the site, transferred for storage and then injected into the Portland Sandstone formation. The injected water would restore reservoir pressure to the target pressure which would assist with the recovery of oil from the well.

The produced water from the existing wellhead is insufficient in quantity to restore reservoir pressure and freshwater is not suitable for water reinjection as it should be of a broadly similar salinity as the existing produced water to avoid swelling and mobilisation of clays and deposition of salts. The re-injection therefore requires water that has an appropriately matched salinity to the existing produced water to be imported to the site.

The site as existing has arrangements for the injection of fluid and this proposal would not necessitate any change to existing surface equipment. Delivery and operations to the site would take place during normal operating hours. The importation of the water to the site would continue for the life of the minerals consent, which runs to December 2036.

The site would be continued to be accessed via an existing access track and no changes are proposed to this access. In line with previously agreed routing all HGVs accessing the site would do so from the south, therefore avoiding the need to pass through Brockham village. This would be secured via a legal agreement.

The principle of mineral development in this location has already been established through previous planning permissions and so too has the cessation date of the wellsite. The re-injection of water has already been consented as part of these wider operations; this application is only required because of the importation of waste water.

No harm has been identified to the water environment, visual amenity, biodiversity, highways, heritage or residential amenity.

The proposal constitutes inappropriate development in the Green Belt, however sufficient very special circumstances to clearly outweigh the harm to the Green Belt are considered to exist. Very limited harm to the openness of the Green Belt has been identified, and the impact would be for a temporary period until the cessation and restoration of the wellsite. Officers consider that with the imposition of appropriate conditions where necessary the proposed development would not give rise to significant adverse environmental or amenity impacts and should therefore be approved.

The recommendation is that subject to the prior completion of a Legal Agreement to secure a routing agreement for HGVs accessing and egressing the site, to PERMIT application MO/2024/1975 subject to conditions.

Application details

Applicant

Angus Energy Weald Basin No.3 Limited

Date application valid

17 October 2024

Period for Determination

16 January 2025

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	
Principle of Development	Yes	59-60
Green Belt	Yes	61-79

Water Environment	Yes	80-100
Design, Landscape and Impact on Visual Amenity	Yes	101-113
Impact on Biodiversity	Yes	114-122
Highways Impacts	Yes	123-141
Heritage	Yes	142-151
Impact on Residential Amenity	Yes	152-164
Climate Change	Yes	166-172
Other Matters Raised in Representations	Yes	173-188
Green Belt Very Special Circumstances	Yes	190-199

Illustrative material

Site Plan

Figure 07 Proposed Site Layout Phase 2 - Workover RIG dated September 2021
Plan 1

Aerial Photographs

Aerial 1: Surrounding area

Background

Site Description

1. The Brockham Well Site is situated on land at Felton's Farm. It is served by an existing private access track which connects the well site to Old School Lane, which is located approximately 570 metres (m) to the east. The site lies within the Metropolitan Green Belt approximately 1 kilometres (km) south west of Brockham Village and 2km south east of Dorking. The Horsham railway line runs approximately 250m to the west of the well site compound. Tanners Brook is situated some 465m to the east of the well site and Footpath No 86 crosses the access track some 260m to the east of the compound. Surrey Hills AONB (and the AGLV) lies approximately 870m to the west and 840m to the north of the site.
2. The well site compound, the associated bunds and access track extend to 1.2 hectares (ha). The site lies within a rural landscape and is surrounded to the north, south, east and west by agricultural land. The closest residential property to the well site compound is Scammells Farm. This property is situated approximately 520m to the south-southwest of the well site on Tilehurst Lane. It is located on the opposite side of the Dorking to Horsham railway line with views in the direction of the well site being partly obscured by a railway embankment. Felton's Cottage and Felton's Farmhouse are situated just off Old School Lane approximately 585m to the east of the well site compound and around 150m south east of the site access track. All operational plant is located within the well

site compound which extends to 0.5ha.

3. To avoid the village of Brockham, access for heavy goods vehicles (HGVs) is only permissible to and from the south. This requires HGVs to travel to and from the A24 at South Holmwood via Old School Lane, Bushbury Lane, Roothill Lane, Red Lane, Blackbrook Road and Mill Road.
4. The compound is secured by 2.4 metre high palisade fencing, with vehicle access gates in the south east corner of the site. Soils stripped during the site's original construction are stored in grassed bunds of around 3 metres in height, which extend along the northern and eastern boundaries of the site.
5. The site contains a number of buildings/ container units ranging between approximately 2.4 and 2.6 metres in height. To the west of the wellheads, beyond an 'L' shaped site drain, lies a containerised steam boiler, an electrical control building, a diesel generator unit and two diesel fuel tanks. A security office, site toilet facility and mess facility, each consisting of self-contained steel cabins, are located to the west of the site entrance immediately beyond which is an area set aside for car parking. To the north of the site entrance is a site office and two storage containers. The wellsite and its associated equipment has planning permission until 31 December 2036 by which date the site is required to be restored to agricultural use.
6. There are three existing well heads located centrally within the wellsite compound. These comprise Brockham 1 (BRX1), Brockham 2 (BRX2) and Brockham 4 (BRX4). BRX1 and BRX2 have both been plugged and abandoned. A side-track off BRX1, known as BRX3, is used for water reinjection. There are two side-tracks off BRX2. These comprise BRX2Z which is a former production well that has been abandoned and BRX2Y which is a production well where planning permission exists to extract hydrocarbons from the Portland Sandstone Formation. BRX4 did have planning permission for a sidetrack known as BRX4Z for the appraisal of hydrocarbons from the Kimmeridge formation for a temporary period of three years.

Planning History

7. Planning permission (ref: MO86/1112) was originally granted in May 1987 for the drilling of an exploratory well and access road. The exploratory well head BRX was drilled in August 1987.
8. Planning permission (ref: MO92/0969) was granted in January 1995 for the retention of the existing well site for further appraisal, the drilling of up to five additional wells and the installation of production and road tanker facilities. This included the drilling of well head BRX2 which was drilled in 1998. This planning permission was also subject to a Section 106 Legal Agreement for lorry routeing to/from the well site, which restricted the number of tankers to 6 loads (12 movements) per day for a maximum of 6-months for the duration of flow testing.
9. Planning permission (ref: MO00/1706) was granted in December 2000 for the retention of an existing well site and access road for a temporary period of 12 months and the temporary installation of equipment for the carrying out of production testing operations over a 3 month period. This testing was for BRX1 and was completed in May 2001.
10. Planning permission (ref. MO01/1288) was granted in December 2001 for the retention of the existing 1.2 ha well site and access road, the erection of production equipment and the production of oil for export by tanker. Condition 4 required the development to cease on or before 31 December 2006. This application was primarily for BRX1, as BRX2 required further evaluation and appraisal. Condition 5 restricted the applicant's permitted development rights.

11. Planning permission (ref: MO06/1294) was granted in May 2007 for the continued use of 1.2ha of land for the production, treatment and export of crude oil from an existing well site without compliance with Condition 4 of planning permission ref: MO01/1288 dated 11 December 2001 such that the development shall cease and the site be restored by 31 December 2036. The applicant's permitted development rights were restricted under Condition 4. This permission allowed production from both the BRX1 and BRX2 wellheads.
12. Planning permission (ref: MO07/0161) was granted in June 2007 for the installation and operation of a drilling rig for a workover programme on an existing well (BRX1) and the drilling of a new well (BRX4). This permission was time limited and required all works to cease by 31 December 2008. The BRX4 well was subsequently drilled in July 2007 and was intended to replace lost production from BRX1.
13. Planning permission (ref: MO08/0894) was granted in September 2008 for the construction of a concrete hardstanding of some 1,841 square metres. This was required as a result of an environmental review and discussions with the Environment Agency. The hardstanding is to be removed from the site on or before 31 December 2036 and the land restored in accordance with the approved restoration scheme.
14. Planning permission (ref: MO/2017/0196) was granted retrospectively in September 2017 for the installation of on-site facilities comprising: hardstanding; site office; site toilet facilities; site security office and mess facility; storage containers; lighting units incorporating CCTV equipment; 2.4 metres high palisade fencing and gates; electrical control buildings; portable site generator with 2 no. enclosed fuel tanks and a parking area for cars and vans until 31 December 2036 with restoration to agriculture.
15. Planning permission (ref: MO/2018/0444) was granted (in part retrospectively) for the retention of the BRX4 well; the regularisation of the BRX4Z sidetrack; the appraisal of BRX4Z using production plant and equipment within the existing site, for a temporary period of three years.
16. Approval was given in January 2019 (ref: MO/2019/0061) for the installation of an electric linear rod pump on BRX4.
17. Approval was given under planning permission (ref: MO/2021/2103) for the retention of the BRX4 well for reperforation to allow for appraisal and production of hydrocarbons for a temporary period. Granted 17 November 2022 (temporary period to 17 November 2025 for appraisal to take place).
18. Under planning permission ref: MO/2021/2103 a condition (Condition 9) was attached to the permission which stated that:

Condition: Only site derived fluids shall be used in connection with the development hereby permitted. No wastewater or other liquid waste produced at other sites shall be imported to, or used for injection at, the site.

Reason: To comply with the terms of the application and in order to retain planning control over the development to accord with Policy MC14 and MC5 of the Surrey Minerals Plan 2011 Core Strategy. Importation and injection of fluids derived from other sites falls outside the scope of the development applied for and would require separate planning permission.
19. It should be noted that the permission MO/2021/2103 does not conflict with the application for consideration (MO/2024/1975) as the current application relates to waste

water injection into well BRX3 and production from BRX2. The 2022 permission related to BRX4 which is currently isolated in a different formation from the Portland sandstone related to the current application and is not connected to any of the pipes or other infrastructure related to BRX3 and BRX2.

20. It should be noted that the 2022 planning permission has not yet been implemented (three years for implementation runs until November 2025) and therefore this planning condition is not in force. In the event that the current application is granted and that the applicant was to implement it and then chose to also implement the development granted under permission MO/2021/2103 they would need to apply to vary the above condition to allow importation and injection of waste water in relation to well BRX4. Any such application would need to be considered by the MPA on its merits.

The proposal

21. This application seeks planning permission for the importation of non-site derived waste water and its re-injection into Portland Sandstone beds to support hydrocarbon production.
22. Whilst the re-injection of waste water already forms part of the authorised use of the site for oil extraction, there is insufficient water available for this purpose on-site. This is set out in the Planning Statement as follows:

At the beginning of June 2024, Brockham 2Y well is producing around 120 barrels of liquid a day, of which about 40% is oil. The expectation is that production of around 30-40 barrels of oil per day will be sustained. It is estimated that there is still a recovery of 8% OIIP (Oil Initially in Place). The reservoir pressure has dropped by circa 500 pounds per square inch, which represents a major reduction in reservoir energy.

Good reservoir practice would be for secondary recovery, typically through water injection to maintain reservoir pressure, to allow for the production of 20 - 30% OIIP. Brockham has successfully had some minor water injection in the past with re-injection of produced water...

The...re-injection of produced water alone does not allow for stabilisation or recovery of reservoir pressure. It is proposed that water injection for pressure support be conducted to restore reservoir pressure to 65-80% of the original pressure, in line with good oilfield practices. Brockham's current reservoir pressure after net fluid extraction of 490,000 bbls of fluid (78,400m³) is thought to be less than 50% of the original pressure. Based on a simple estimation of additional recovery that could be achieved through increasing the recovery, incremental production of 300,000 bbls of indigenous-produced oil can be achieved by the injection of produced water into Unit 1 of the Portland Sandstone Beds via the well Brockham 3 (BRX3).

23. The Planning Statement states further:

Produced water volume from well BRX2-Y is alone insufficient to restore reservoir pressure to the target pressure. Freshwater is not suitable for water injection and typically, injected water should be of a broadly similar salinity to the water present in the reservoir to avoid swelling and mobilisation of clays and deposition of salts.

24. The waste water would be brought to site from other oil fields via HGV tankers. This may require up to 2 HGV tankers per day to deliver the waste water to the site, transferred for storage and then injected into the Portland Sandstone formation. In the submission the applicant sets out that the proposal would inject approximately 25m³ of liquid in any 24

hours period.

25. The site has the arrangements for the re-injection of waste water and the application does not propose any changes to the existing surface equipment in this regard. Delivery and operations would take place during normal operating hours in accordance with conditions outlined in MO06/1294.
26. The duration of the importation of waste water and its re-injection would be until December 2036. This would be consistent with the previous planning permissions.
27. The site would continue to be accessed via an access track that links to Old School Lane, to the east of the wellsite. No changes are proposed to the existing access. In line with previously agreed routeing, all HGVs accessing the Site would do so from the south, thereby avoiding the need to pass through Brockham. Vehicles leaving the Site would turn right (south) along Old School Lane, Bushbury Lane, Roothill Lane, Red Lane and Mill Road to access the A24.

Consultations and publicity

District Council

28. Mole Valley District Council – Objects on the grounds of:
 - Continued extraction of fossil fuels should not be considered sustainable development in accordance with the NPPF.
 - Mole Valley District Council has announced a Climate Emergency and made a commitment to be carbon neutral by 2030.
 - It resolved to commit to reducing the extraction and use of fossil fuels and opposition to further fossil fuel extraction in the district. It determined to reiterate this commitment in all future consultation responses, inform SCC, companies and organisations promoting the extraction and use of fossil fuels of this commitment and request that SCC do not renew existing fossil fuel permissions when any come up for renewal.
 - MVDC made a stand against fossil fuel extraction within Mole Valley and therefore objects to the application.

Consultees (Statutory and Non-Statutory)

29. District Environmental Health Officer Noise – No objection as there is not anticipated to be any change to the noise environment.
30. Transport Development Planning – No objection
31. County Ecologist – No objection
32. Environment Agency – No objection
33. County Geologist – No comments to make
34. Health and Safety Executive - No objection
35. Landscape – No objection
36. LLFA – No further comment

Parish/Town Council and Amenity Groups

37. Brockham Parish Council – No comment received.
38. Weald Action Group – Objection

- The categorisation of waste water is inconsistent and therefore wastewater from injection operations may be inadequately defined.
- Insufficient data on salinity of the water in the Weald Basin.
- There is a lack of research on the impacts of produced water and potential chemical reactions in the subsurface.
- Risk to groundwater from the migration of toxic fluids.
- Insufficient risk analysis has been undertaken as there is no explicit industry guidance on management or mitigation of geo-mechanical risks.
- Angus Energy have not conducted any modelling of natural fractures from the target formation.
- No detailed seismic data has been submitted with the application.
- Injection wells are more likely to leak than conventional wells which are in freshwater aquifers.
- There is potential for harm from radioactivity from the site.
- The proposal could release carcinogens.
- Angus has a poor track record for following regulation.

39. Save Surrey Countryside

- The proposal will increase the risk of earthquakes in the area.
- The proposal risks polluting groundwater and aquifers
- The proposal will increase oil production which will in turn increase greenhouse gas emissions through their use.
- HGVs will cause pollution to the surrounding area.
- There is potential evidence that oil extraction at Brockham Wellsite or Horsehill Wellsite caused increase in seismic activity.

40. Dorking Climate Emergency

- The applicant has not demonstrated the need for the proposal as there is limited future viability of the Portland Sandstone.
- The other sites where the applicant is proposing to import the water from have not been productive.

41. Weald Action Group (2nd Submission)

- The Brockham Wellsite has a poor production record.
- The Brockham Wellsite has a poor record for following regulation.
- There is no evidence submitted with the application to support the estimates of oil recovery.
- There is no evidence that further applications will not be submitted in order to amend conditions on any consent granted.
- There are economic reasons for Angus Energy to dispose of wastewater from one other site.
- There is no concept of indigenous oil and conflation of onshore oil production and energy security is disingenuous.
- The societal benefits quoted by the applicant do not justify the ongoing impacts and increased risks.
- The justifications for the application are contrived and no 'Very Special Circumstances' exist to justify the proposal.

Summary of publicity undertaken and key issues raised by public

42. The application was publicised by the posting of 2 site notices and an advert was placed in the local newspaper. A total of 4 of owner/occupiers of neighbouring properties were directly notified by letter.

There were 41 number of letters of representation received objecting on the grounds of:

- The dangers of radioactive waste
- The volume of water that is proposed to be injected should be limited

- This is a waste disposal
- The proposal could impact on people's health and wellbeing
- The proposal could render an area unsafe
- This would amount to an environmental disaster
- The toxic waste water will remain an issue for generations to come
- The proposal will poison the aquifer
- There is a risk to groundwater
- There is potential for seismic risks
- Reinjection could contravene the climate change act
- The proposal may introduce pollutants into the water table
- The proposal will result in unacceptable HGV traffic
- The proposal will release greenhouse gases
- The proposal is not in line with Climate Change Policies
- Drill site may be flooded in future
- This should be considered as fracking
- The Environmental Impact from the proposal will be significant
- The proposal may contaminate Brockham Local water supply
- The proposal may result in more tanker movements through the village
- The application should be refused unless there is no objection from the EA
- This is against the Mole Valley District Council Climate Strategy
- Potential impact on traffic
- The proposal would facilitate the extraction of oil which would not be sustainable development
- This conflicts with SCCs Climate Emergency
- The area has experienced minor earthquakes previously
- Air pollution is a concern

43. One letter of support was received which supported the application on the grounds of:

- It is best to produce energy locally

Other representations made by members of the public include:

- Drilling for oil should stop
- Object to the applicant carrying out the monitoring on the site
- The area is within an AONB
- The proposal is an uncontrolled experiment
- The scheme is only a money making exercise

44. Regarding these points Officers make the following comments:

- The principle of mineral extraction has already been established on the site with an established cessation date.
- The applicant is required to monitor the site and report to the EA as part of the conditions of their environmental permit.
- The area is not located within an Area of Outstanding Natural Beauty (Now called National Landscapes). Landscape considerations generally will be considered as part of this report.
- The proposal is following standard oil well practice.
- The commercial activities of the applicant are not considered to be material planning considerations.

Planning considerations

Introduction

45. The guidance on the determination of planning applications, found at the end of this report, is expressly incorporated into this report and must be read in conjunction with the following paragraphs.
46. In this case the statutory development plan for consideration of the application consists of the Surrey Minerals Local Plan 2011, Surrey Waste Local Plan 2020, Mole Valley Local Plan 2020-2039.
47. In considering this application the acceptability of the proposed development will be assessed against relevant development plan policies and material considerations.
48. In assessing the application against development plan policy it will be necessary to determine whether the proposed measures for mitigating any environmental impact of the development are satisfactory. In this case the main planning considerations are: Green Belt, Water Environment, Highways Impacts, Impact on Residential Amenity and Climate Change.

PRINCIPLE OF DEVELOPMENT

Surrey Waste Local Plan 2020 (SWLP 2020)

Policy 1 – Need for Waste Development

Surrey Minerals Plan 2011 (SMP 2011)

Policy MC1: Spatial Strategy – Location of mineral development in Surrey

Policy MC12 – Oil and gas development

Policy MC14 – Reducing the adverse impacts of mineral development

49. The NPPF (2024), does not contain policies specifically related to the management of waste. National waste management policies are contained within the Waste Management Plan for England (WMPE) 2021 and set out in the National Planning Policy for Waste (NPPW) 2014. The WMPE 2021 advocates the recovery or recycling of inert waste where possible, in accordance with the Waste Hierarchy and the sustainable management of waste. In this regard, the Waste Hierarchy is enshrined in law and gives priority to waste prevention, followed by preparing for re-use, to recycling, and then other types of recovery (including energy recovery) and last of all disposal e.g. landfill. The NPPW (2014) outlines that Waste Planning Authorities should drive waste management up the Waste Hierarchy, recognising a need for a mixture of facilities in terms of type and scale, and that adequate provision must be made for waste disposal.
50. Paragraph 8 of the NPPF states that Planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt.
51. Paragraph 222 of the NPPF states that it is essential that there is a sufficient supply of minerals to provide the infrastructure, buildings, energy and goods that the country needs. Since minerals are a finite natural resource, and can only be worked where they are found, best use needs to be made of them to secure their long-term conservation.
52. Paragraph 228 of the NPPF goes on to say that Minerals planning authorities should: when planning for on-shore oil and gas development, clearly distinguish between, and plan positively for, the three phases of development (exploration, appraisal and production).
53. The Minerals PPG sets out Guidance on the planning for mineral extraction in plan making and the application process. Paragraph 124 sets out that mineral planning

authorities should take account of government energy policy, which makes it clear that energy supplies should come from a variety of sources. This includes onshore oil and gas.

54. This application seeks planning permission for the importation of non-site derived waste water and its re-injection into Portland Sandstone beds to support hydrocarbon production.
55. The principle of hydrocarbon development at Brockham wellsite was established under planning permission MO06/1294 which granted permission for the production, treatment and export of crude oil until 31 December 2036. This permission allows for the injection of site derived water as part of the extraction process.
56. The applicant's Planning Statement sets out that waste water will be imported from other well sites in the UK. The need for waste water to be imported has been set out in paragraphs 22 and 23 above. In accordance with Directive 2008/98/EC the water constitutes 'waste' as per the description under article 3(1). The proposal is therefore considered a form of waste development, however it is acknowledged that it would contribute to maximising extraction of oil at an existing well site.
57. As set out in the applicant's Planning Statement, the water used for the injection at the site will be utilised rather than disposed as it will support the extraction of oil at the site. However, the Environmental Permit for this activity is for the disposal of waste to land as defined by Annex IIA of the 'Environmental Permitting Guidance: The Waste Framework Directive' and specifies well simulation fluid remaining in situ as opposed to a recovery operation. The County Planning Authority therefore considers the activity to be waste disposal for the purposes of this assessment. However, consideration will be given to the benefits of the disposal for the purposes of mineral extraction as the activity has the potential to maximise mineral extraction.
58. The policy framework for assessing waste development is primarily contained within the Surrey Waste Local Plan 2020 (SWLP 2020). However, whilst categorised as waste development, this proposal does not fall under any specific policy in that Plan, the purpose of which is to (1) ensure that land is available to be developed so that there are sufficient waste management facilities to handle the equivalent amount of waste arising in Surrey and (2) to ensure that those facilities are well located and do not result in significant adverse impacts on amenity and the environment (SWLP paragraph 1.1.1.2).
59. On the basis that the proposal broadly accords with SWLP 2020 Policy 1 (which supports the recovery of waste and its diversion from disposal, such that it can be managed at the highest point practical in the Waste Hierarchy), it is considered acceptable in principle in this regard. The amenity and environmental implications of the development are set out as part of relevant sections later in this report.
60. In terms of the principle of the development in relation to minerals extraction, for the reasons set out above (paragraphs 22 and 23), and on the basis that the proposal would help maximise the recovery of hydrocarbons from an existing, authorised wellsite, it is considered in line with SMP 2011 Policies MC12 and MC14.

GREEN BELT

Surrey Waste Local Plan 2020 (SWLP 2020)

Policy 9 – Green Belt

Surrey Minerals Plan 2011 (SMP 2011)

Policy MC3: Spatial Strategy - Mineral Development in the Green Belt

Mole Valley Local Plan 2020-2039

Policy EN1 – The Green Belt

61. Policy 9 of the Surrey Waste Local Plan states that planning permission will not be granted for inappropriate waste management development in the Green Belt unless it is shown that very special circumstances exist. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness and any other harm resulting from the proposal is clearly outweighed by other considerations associated with the proposal, either on their own or in combination.
62. Policy MC3 of the Surrey Minerals Plan states that Proposals in the Green Belt for mineral development other than extraction and primary treatment, will only be permitted where the applicant has demonstrated that very special circumstances exist to outweigh the harm by reason of its inappropriateness and any other harm.
63. Policy EN1 of the Mole Valley Local Plan sets out that the Green Belt will be protected against inappropriate Development. Inappropriate development will not be permitted in the Green Belt, unless very special circumstances are demonstrated which are concluded to outweigh the potential harm, including harm to the openness of the Green Belt and the purposes of including land within it. It goes on to set out a range of criteria which are considered acceptable forms of development in the green belt. These criteria are largely consistent with the National Planning Policy Framework.
64. The NPPF 2024 sets out that when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt, including harm to its openness except for development on previously developed land and grey belt.
65. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.
66. Paragraph 154 sets out a range of exceptions for development which is not considered inappropriate development.
67. Paragraph 155 goes on to say that other development in the Green Belt should also not be regarded as inappropriate where:
- a) The development would be on Grey Belt land and would not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan;
 - b) There is a demonstrable unmet need for the type of development proposed
 - c) The development would be in a sustainable location, with particular reference to paragraphs 110 and 115 of this Framework
 - d) Where applicable the development proposed meets the 'Golden Rules' requirements set out in paragraphs 156-157
68. Whilst the proposal could be classified as 'other development' in the Green Belt as the NPPF is not specific as to what this could include, Officers have considered the criteria of the above paragraph. They are satisfied that the proposal is not located on Grey Belt land, as per the definition within the NPPF, there is no unmet need for this kind of waste activity as the proposal is not addressing a waste need but is utilising a waste product and is not in a sustainable location as it does not have any sustainable transport methods to the site as a rural site within the Green Belt. Therefore, the proposal would not be appropriate development under the criteria of paragraph 155.
69. The proposal does not fall under any of the exceptions listed in paragraphs 154 or 155 and therefore is considered inappropriate development.
70. As the proposal is considered to be inappropriate development within the Green Belt, in accordance with Policy EN1 of the Mole Valley Local Plan and the NPPF, very special

circumstances will need to be demonstrated that clearly outweigh the harm by reason of its inappropriateness and any other harm.

71. In support of the application, the applicant has provided a list of very special circumstances which have been assessed in the very special circumstances section towards the end of this report. This report also provides an assessment of the other harms associated with the proposal.
72. The NPPF (2024) states that the fundamental aim of the Green Belt is to prevent sprawl by keeping land permanently open and it is therefore necessary to assess the impact of any proposal on the openness of the Green Belt. As per the Planning Practice Guidance on Green Belt it is well established in caselaw that the assessment of openness is not only visual but spatial and other considerations include the duration of development and its reversibility, any remediation and the degree of activity likely to be generated.
73. The proposal would involve transporting a maximum of 25 cubic metres of waste water to the site per day. No increase in the physical extent of the developed land of the site is proposed. The proposal involves the injection of imported waste water via an existing borehole to improve well pressure and support the ongoing production of oil. Reinjection of indigenous production water to support oil production is already permitted and undertaken via the BRX3 well under the extant planning permissions.
74. The proposal would result in up to 2 HGV loads (4 trips) to and from the wellsite per day (Monday to Saturday), potentially for the remaining operational life of the wellsite, that is for a production period of 11 years. Those movements would involve the vehicles travelling on an existing specified HGV route secured through a Section 106 Legal Agreement. Traffic to and from the wellsite is routed south and east to the A24. The agreement prevents wellsite traffic from travelling through the village of Brockham.
75. Such an increase in vehicle movements would be of a small scale and would not result in significant impacts on highway capacity along the specified HGV route.
76. As the proposal would not result in additional buildings or infrastructure on the site and the injection would take place below ground meaning there would be no visual impact from the proposal, the main Green Belt impact would be the increase in vehicular movements to the site. An additional 4 HGV trips to the site would not materially increase the activity on the site to the extent of it being harmful to the openness of the Green Belt. Additionally, any impact would be temporary for the remaining life of the wellsite and would cease when the site is restored. No above ground development is proposed as part of this application and therefore, spatially and visually there would be very limited harm to the openness of the Green Belt.
77. Paragraph 143 of the NPPF (2024) sets out the purposes of the Green Belt. Of these purposes 'c' is the only one applicable to this proposal which is:
 - c) to assist in safeguarding the countryside from encroachment;
78. As there is no above ground visual development within the proposal and there would be a limited number of HGV movements, Officers are satisfied that the proposal would not encroach on the countryside and therefore would not conflict with the purposes of the Green Belt.
79. The proposal is considered inappropriate development in the Green Belt and therefore 'very special circumstances' are needed to exist which clearly outweigh any harm to the Green Belt and any other harm resulting from the proposal. However, it is concluded that the proposal would have a limited impact on the openness of the Green Belt and would not conflict with the purposes of the Green Belt. Before concluding whether sufficient very special circumstances exist, it is necessary to assess other matters to establish whether any other harm would result from the development.

Surrey Waste Local Plan (SWLP 2020)

Policy 14 – Protecting Communities and the Environment

Surrey Minerals Plan 2011 (SMP 2011)

Policy MC14 – Reducing the adverse impacts of mineral development

Mole Valley Local Plan 2020-2039

Policy INF3 – Flood Risk Policy EN12 – Pollution Control

National Planning Policy for Waste 2014

80. According to the Environment Agency's Flood Maps the application site lies primarily within Flood Zone 1, having less than a 1 in 1,000 annual probability of river or sea flooding. This includes the wellsite compound where all operational activity will take place. The eastern end of the access track is within Flood Zones 2 and 3 in the vicinity of Tanner's Brook. The application site does not lie within a Groundwater Protection Zone.
81. SMP2011 Policy MC14 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, including potential impacts in relation to flood risk, water quality and land drainage.
82. Policy INF3 of the Mole Valley Local Plan 2020-2039 states that all development will seek to avoid, reduce or mitigate flood risk. It sets a range of criteria including following the sequential test where appropriate, site specific flood risk assessments and incorporating mitigation measures and preventing the pollution of local ecosystems and groundwater with consideration of Groundwater Protection Zones.
83. The National Planning Policy for Waste sets out at Appendix B the suitability for waste sites for local plans and in planning decisions. It sets a range of criteria part 'a' requires consideration of: protection of water quality and resources and flood risk management. It goes on to state that considerations will include the proximity of vulnerable surface and groundwater or aquifers. For landfill or land-raising, geological conditions and the behaviour of surface water and groundwater should be assessed both for the site under consideration and the surrounding area. The suitability of locations subject to flooding, with consequent issues relating to the management of potential risk posed to water quality from waste contamination, will also need particular care.
84. The applicant has in support of the application resubmitted a Flood Risk Assessment (FRA). This is the same FRA submitted for application 2021/0165, which was for Reperforation and Retention of Well BRX4 to Produce Hydrocarbons, on the basis that the site plan on the current application is the same as this previous application and no additional built form is included in the proposal.
85. The FRA identifies that the wellsite lies within an area of primarily Flood Zone 1 but part of the access track is in Flood Zones 2 and 3 and that as there are no changes to the permeability of the site, the existing risk of flooding generated by runoff from the site is therefore not expected to change as a result of these proposals.
86. The National Planning Policy Guidance for Flood Risk and Coastal Change advises that for major development in areas at risk for flooding a sequential test should be applied. The aim of the sequential test is to steer development away from areas at the highest risk of flooding (Flood Zone 2 and 3). As part of the access is within Flood Zone 2, Officers have carried out a sequential test. As the proposal is for a specific need on an existing minerals site, the sequential test is considered passed as there are no other reasonable sites where the proposal could be developed. Annex 3 of the NPPF

identifies flood risk vulnerability categories. As the proposal is within a working, extant minerals site, and the proposal is associated with the further mineral workings at the site, Officers consider it to form a less vulnerable category of development. In accordance with table 2, of the Flood Risk NPPG, the proposal is not therefore required to pass the exception test and the proposal is considered compatible with the Flood Zones 1 and 2.

87. Furthermore, it should be noted that the Flood Risk NPPG advises that for minerals sites, they may afford opportunities for applying the sequential approach at the site level, locating ancillary facilities such as processing plant and offices in areas at lowest flood risk. Whilst there is no built form associated with this proposal, the existing facilities, wellheads etc are located within Flood Zone 1.
88. The site is underlain by an impermeable membrane, with localised areas of concrete hardstanding around the wells. In addition to this, the main processing area includes a reinforced concrete bunded area within which all processing equipment is located and all liquids (hydrocarbons, produced waters and any fuels/chemicals) are stored. The operational area of the site drains to an interceptor ditch to the west and south which collects all surface drainage and rainfall from the lined wellsite footprint. There are no proposed changes to this.
89. As the proposal is within an existing wellsite and there are no changes to the impermeable area of the site the proposal would not increase the risk of surface water flooding generated by the site and therefore there would be no increase in runoff rate or volume. Officers are satisfied the proposal would not introduce any new flood risk to the area.
90. As the site currently uses produced water for reinjection, the importation of water for the injection to the well is not considered more harmful than this existing injection in terms of flood risk.
91. On flood risk and drainage the County Geologist has been consulted and they note that there have been no changes to the site working area, plant, equipment or drainage etc. Therefore, they consider that the proposal would not adversely affect current flood risk and drainage and therefore raise no objection.
92. The Lead Local Flood Authority were also consulted on the proposal. They advise that as there is no change to the drainage strategy or Surface Water drainage system no objection is raised to the proposal.
93. The applicant sets out within their planning statement that the water will be from other producing fields within Angus Energy's portfolio of assets within the Weald Basin as produced water across the Weald Basin is generally considered to be of an acceptable type. The assets listed within their planning statement, besides Brockham Well Site, are listed as:
 - Lidsey oil field, near Bognor Regis, in Petroleum Exploration and Development Licence (PEDL) 241; and
 - Balcombe wellsite, near Crawley (PEDL 244).
94. Angus Energy also has an interest in PEDL 143 in Surrey and operates Saltfleet by A and B wellsite in Lincolnshire.
95. The water to be injected will need to have the required salinity to match the water present in the existing oil reservoir as water without the required salinity such as freshwater could lead to swelling and mobilisation of clays and deposition of salts. The applicant firstly intends to exhaust the existing produced water from the BRX2 well, before then supplementing it with appropriate imported water from other well sites.

96. The County Geologist has been consulted on the proposal. They advise that whilst no specific information has been submitted with the application to demonstrate potential groundwater impacts from the proposed development, as there-injection of water (site produced) is already covered by extant consents, and on the basis that the EA have approved a variation to the existing Environmental Permit to allow re-injection of non site produced water, they raise no objection on this matter. The applicant has also provided information to show that as part of the application for the environmental permit, a Groundwater Impact Assessment was submitted to the Environment Agency.
97. The Environment Agency were consulted on the current proposal and have raised no objection to the proposal.
98. Representations have raised concerns with potential impact on polluting the water table at this location, however, as this operation is covered by the Environmental Permit which determines whether the operation can be managed to minimise pollution, it would be unreasonable to refuse the permission based on the potential for pollution arising from the operation. Furthermore, as part of this planning application the Environment Agency have been consulted on the proposal. They have raised no objection to the proposal.
99. Officers are satisfied that the proposal would not result in flood risk on the site or increase the flood risk elsewhere on the site in accordance with the Flood Risk National Planning Policy Guidance and the NPPF and in accordance with the Waste Planning Policy the proposal would not result in harm to vulnerable ground water aquifers. Furthermore, Officers are satisfied the proposal would not result in ground contamination or pollution and draw attention to the granting of the Environmental Permit by the Environment Agency.
100. The proposal would therefore conform with Policy MC14 of the Surrey Minerals Core Strategy, Policy INF3 of the Mole Valley Local Plan 2020-2039 and part 'a' of the Waste Planning Policy 2014.

DESIGN, LANDSCAPE AND IMPACT ON VISUAL AMENITY

Surrey Waste Local Plan 2020 (SWLP 2020)

Policy 13 – Sustainable Design

Policy 14 – Protecting Communities and the Environment

Surrey Minerals Plan 2011 (SMP2011)

Policy MC2 – Spatial Strategy

Policy MC14: Reducing the Adverse Impacts of Mineral Development

Mole Valley Local Plan 2020-2039

Policy EN4 – Character and Design

Policy EN8 - Landscape Character

Waste Planning Policy 2014

101. Policy MC14 of the SMP2011 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 includes a range of criteria of issues which may be considered where relevant. Part III includes the appearance, quality and character of the landscape.
102. Policy EN4 of the Mole Valley Local Plan 2020-2039 states that all new development must be of high-quality design that makes a positive contribution to its local character. All development proposals must demonstrate a thorough understanding of the site and how they relate to the existing area. It goes on to state that on landscape development should retain existing trees, hedges and other flora, where practicable, and,

where not, replace them in accordance with Policy EN9. It also states that development should ensure the amenity of future occupiers and of residents occupying properties in the surrounding area is not significantly affected and expands on this by saying development should not result in an unacceptable visual impact.

103. Local Plan Policy EN8 relates to landscape character. The policy states that it will encourage developments that, where appropriate, are sensitive to their landscape and cultural context.
104. The site is located within the WF1 (Dorking to Hookwood Low Weald Farmland) landscape character area as defined by the Surrey Landscape Character Assessment 2015. There is also an area of predominantly plantation woodland (but including some ancient woodland) to the north-west of the wellsite. The site is not within a nationally or locally designated landscape, however the boundary of the Surrey Hills National Landscape (and the AGLV) lie approximately 870m to the west and 840m to the north of the site.
105. Part c of Annex B of the Waste Planning Policy states that consideration of the landscape and visual impacts of the proposal should be considered, seeking design led solutions to acceptable development which respects landscape character and the need to protect landscapes or designated areas of national importance.
106. The wellsite is a long-established feature within the landscape with reasonably strong visual screening by a combination of earth bunding (c.3m height) and vegetation, including scrub and mature trees. The current infrastructure onsite is of a modest height (circa 3m) so is well screened by these boundary features.
107. The wellsite is in a relatively isolated location within agricultural fields. The nearest visual receptors having views towards the site (which may be open views or views screened/filtered by intervening vegetation) would be a combination of: a) passengers on the railway running north-south 250m to the west of the site; b) people travelling along Tilehurst Lane, Parkpale Lane, Bushbury Lane and Old School Lane; c) users of public rights of way; and d) residents of neighbouring properties.
108. In terms of rights of way, there are a number in the vicinity including Footpath 92 260m to the east, Footpath 86 260m to the east and 570m to the south, and Footpath 84 (forming part of the Greensand Way) 400m to the north. Residential properties are located at Pondtail Farm 500m to the north-east, and along Old School Lane, Bushbury Lane and Parkpale Lane to the east. The site is largely screened from properties on Tilehurst Lane to the south-west by the intervening railway embankment.
109. This proposal would not require additional built infrastructure on the site. The proposal would utilise existing infrastructure, and there is therefore no built development associated with this proposal. Therefore, in terms of the impact on landscape character, the impact from the proposal would be limited to the impact from vehicles travelling to the site.
110. The County Landscape Officer has been consulted on the proposals and advise that an additional 4 movements to and from the site per day are unlikely to result in significant adverse effects on landscape character and/or views and visual amenity.
111. The proposals would not result in additional landscape impact through either short or long range views of the site. The introduction of additional vehicles of the quantity specified by the applicant would be unlikely to result in a harmful impact on the landscape character of the area.
112. As the proposal is well separated from any surrounding neighbours and the proposal would not have any built form, the proposal would not result in harm to the

visual amenity of the surrounding neighbours.

113. The proposal is therefore considered to accord with Policies MC2 and MC14 of the Surrey Minerals Plan 2011, Policies EN4 and EN8 of the Mole Valley Local Plan 2020-2039 and Part c of Annex B of the Waste Planning Policy 2014.

IMPACT ON BIODIVERSITY

Surrey Waste Local Plan 2020 (SWLP 2020)

Policy 14 – Protecting Communities and the Environment

Surrey Minerals Plan 2011 (SMP 2011)

Policy MC14: Reducing the Adverse Impacts of Mineral Development

Mole Valley Local Plan 2020-2039

Policy EN9 – Natural Assets

Waste Planning Policy 2014

114. Policy EN9 of the Mole Valley Local Plan states that where development proposals are likely to affect natural assets, planning applications will be required to include an assessment of the impact of their proposals on native biodiversity, protected, otherwise endangered or vulnerable, species and habitats. The policy goes on to state that proposals will be supported where they demonstrate consideration has been given to conservation and enhancements of biodiversity. On Biodiversity Net Gain (BNG) the policy states that planning applications, other than those exemptions specified in the regulations, must be accompanied by a Biodiversity Statement containing the minimum information specified in the regulations.
115. Appendix B of the Waste Planning Policy states that in testing the suitability of sites and areas in determining planning applications consideration should be given to Nature Conservation, any adverse effect on a site of international importance for nature conservation and ecological networks and protected species.
116. Policy 14 of the Surrey Waste Plan states that planning permission will only be granted where it will be consistent with relevant national planning policy with respect to key environmental assets including the Surrey Hills AONB (now National Landscape), Sites of international or European importance for biodiversity, the natural environment, including biodiversity, protected species and irreplaceable habitats.
117. Schedule 7A of the Town and Country Planning Act 1990 sets out that every grant of planning permission is deemed to have been granted subject to the condition that the biodiversity gain objective is met (“the biodiversity gain condition”). This objective is for development to deliver at least a 10% increase in biodiversity value relative to the pre-development biodiversity value of the onsite habitat. This increase can be achieved through onsite biodiversity gains, registered offsite biodiversity gains or statutory biodiversity credits. Exceptions to this are set out within the Biodiversity Net Gain: Exempt Developments guidance dated 29 November 2023 produced by the Department for Environment, Food & Rural Affairs. In accordance with this guidance a development that does not impact a priority habitat and impacts less than 25 square metres (5m by 5m) of on-site habitat and 5 metres of on-site linear habitats is considered to fall under the ‘de minimis’ exemption and would not be subject to the statutory biodiversity gain condition and would not therefore be required to deliver a 10% increase in biodiversity value.
118. In support of the application the applicant has set out in their Planning Statement the potential impacts on biodiversity. In this document the applicant states that habitat impact will be on a small area of bare ground and therefore will impact less than 25

square meters of on-site habitat or 5 meters of on site linear habitat. The County ecologist agrees with this view.

119. This proposal is therefore considered to fall under the 'de minimis' exemption and would not be subject to the statutory biodiversity gain condition. It is not therefore required to deliver a 10% increase in biodiversity value.
120. The planning statement (AECOM Limited, July 2024) submitted by the applicant states that there will be no loss or impact of the existing habitats on site (developed land; sealed surface, a hedgerow and part of a tree canopy) as part of the proposals. This is supported by the existing site layout plan and proposed site layout plan which remain the same.
121. Based on the information provided, and the nature of the proposals, the proposals will have no impacts to any designated sites, priority habitats or protected species. The County Ecologist has raised no objection to the proposal.
122. The Proposal is therefore considered to accord with Policy EN9 of the Mole Valley Local Plan, Policy 14 of the Surrey Waste Plan and the Waste Planning Policy 2014

HIGHWAYS IMPACTS

Surrey Waste Local Plan 2020 (SWLP 2020)

Policy 15 – Transport and Connectivity

Surrey Minerals Plan 2011 (SMP 2011)

Policy MC15: Transport for Minerals

Mole Valley Local Plan 2020-2039

Policy INF1: Transport

Waste Planning Policy 2014

123. SMP2011 paragraph 7.1 recognises that lorry traffic is one of the most significant impacts of mineral working in Surrey, and the one that usually causes the most public concern. This is because they are usually noisier and more intimidating than ordinary traffic. Paragraph 7.7 explains that it is important that mineral development does not compromise highway safety and to consider the needs of pedestrians, cyclists, horse riders and other vulnerable road users. Paragraph 7.9 refers to the need to ensure that the effects of mineral traffic on local communities, the environment and the local road network, are carefully considered. Paragraph 7.10 recognises the need to consider the routing of vehicles between the proposed development and the motorway and primary route network including the use of lorry routing agreements where appropriate.
124. Policy MC15 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.
125. 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.

126. Policy INF1 of the Mole Valley Local Plan states that development proposals will be assessed for their impact on the highway and public transport network as well as the local environment and should be located so as to eliminate any unacceptable impact on highway safety and severe adverse impact on the highway network, either individually or cumulatively, and maximise the use of sustainable modes of transport.

127. Policy 15 of the Surrey Waste Plan states that Planning permission for waste development will be granted where it can be demonstrated that:

i) Where practicable and economically viable, the development makes use of rail or water for the transportation of materials to and from the site.

ii) Transport links are adequate to serve the development or can be improved to an appropriate standard.

128. Criteria F of Annex B of the Waste Planning Policy states that considerations for planning applications will include the suitability of the road network and the extent to which access would require reliance on local roads.

129. It goes on to say that where the need for road transport has been demonstrated the development will ensure that: waste is able to be transported using the best roads available; the distance and number of vehicle movements associated with the development are minimised; the residual cumulative impact on the road network of vehicle movements associated with the development will not be severe; there is safe and adequate means of access to the highway network and the vehicle movements associated with the development will not have an unacceptable impact on highway safety when compared against current national and local guidance. It seeks to ensure that low emission vehicles are used and that satisfactory provision is provided for the safe manoeuvring of vehicles.

130. The wellsite is served by a private access track running west from Old School Lane. This access track is already in place and has been used for some time in association with hydrocarbon activity at Brockham wellsite.

131. Old School Lane is a relatively narrow and lightly trafficked rural lane and is largely devoid of any road markings. A complex of agricultural buildings, including the residential properties of Felton's Cottage and Felton's Farmhouse, are situated to the south of the site access.

132. Historically vehicular movements at the wellsite have been secured with lorry routing agreements which have been secured via legal agreements. Whilst these are secure and in place for previous planning applications, the powers/direction of these agreements are not automatically carried forward into other planning applications.

133. The application proposes that waste water will be brought to the site via heavy goods vehicles (HGVs). There will be a maximum of 2 HGVs per day which will comprise 4 trips to and from the wellsite six days per week, (no HGV movements on a Sunday) potentially for the remaining operational life of the wellsite, that is for a production period of 11 years.

134. The application site is not located within proximity of a railway line or waterway. Therefore, the waste water can only be brought to the site by road. Officers are satisfied that there is no practicable alternative to the use of road based transport that would have a lower impact on communities and the environment as required by Policy MC15(i) of the Surrey Minerals Plan and Part 15 of the Surrey Waste Plan.

135. The County Highway Authority has been consulted on the proposals. They have undertaken an assessment in terms of the likely net additional traffic generation, access arrangements and parking provision and are satisfied that the application would not have a material impact on the safety and operation of the adjoining public highway. The County Highway Authority therefore has no highway requirements.
136. The County Highway Authority has in their comments advised that the proposal should have conditions which are the same as the most recently application on the site MO/2021/2103. Whilst legal agreements are in place for the previous planning applications in order to ensure that access arrangements are sufficiently clear for the current application, the granting of permission of this application would be subject to a legal agreement being completed which will provide an agreed route for HGV traffic to and from the site.
137. The County Highway Authority has also recommended conditions that restrict movement of HGVs (except in the case of emergencies) to the hours of 07:00 – 08:00, 09:00 – 15:30, and 18:00 – 19:00 on Monday to Friday and 08:00 – 13:00 on Saturday, nor shall the contractor permit any HGVs associated with the development or associated operations at the site to be laid up, waiting, in Old School Lane or Bushbury Lane during these times.
138. The County Highway Authority also recommended a condition that in the event of any damage to the public highway between the site and Red Lane caused by the development hereby permitted the applicant or operator shall repair such damage in liaison with the County Highway Authority.
139. The recommendation of the application is subject to the completion of a legal agreement to secure the routing of the HGVs to and from the site. The agreement would be a legally binding means of ensuring HGVs leaving the site and arriving at the site would not pass through Brockham Village.
140. Neighbour representations have raised concern with the potential number of HGVs that will travel to this site as part of this proposed application. The County Highway Authority have not raised any concerns with the proposal subject to the implementation of conditions and the completion of a legal agreement which will secure the HGV routing to and from the site. County Authority is mindful of the time period and that this level of movement may exist for the life of the wellsite.
141. On the basis that the proposal would be using the best roads available, the cumulative residual impact on the highway network would not be severe and the vehicular movements to the site and means of access would not have an unacceptable impact on highway safety, the proposal is considered to be in accordance with Policy 15 of the Waste Plan, Policy 15 of the Surrey Minerals Plan, Policy INF1 of the Mole Valley Local Plan and Part F of Annex B of the Waste Planning Policy 2014, subject to the imposition of conditions and the completion of a legal agreement.

HERITAGE

Surrey Waste Local Plan (SWLP 2020)

Policy 14 – Protecting Communities and the Environment

Surrey Minerals Plan 2011 (SMP 2011)

Policy MC14 – Reducing the adverse impacts of mineral development

Mole Valley Local Plan 2020-2039

Policy EN6: Heritage Assets

Waste Planning Policy 2014

142. Paragraph 208 of the NPPF states that Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal.
143. Part E of Annex B of the Waste Planning Policy states that considerations for waste development will include the potential effects on the significance of heritage assets, whether designated or not, including any contribution made by their setting.
144. Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that:
- In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.*
145. With regards to conservation areas, Section 72 of the 1990 Act requires special attention to be paid to the desirability of preserving or enhancing the character or appearance of that area.
146. Policy MC14 of the SMP2011 states that in determining planning applications for mineral development impacts related to certain issues where relevant will be considered. It goes on to list suggested criteria for consideration. It states that consideration should be given to the historic landscape, sites or structures of architectural and historic interest and their settings and sites of existing or potential archaeological interest or their setting.
147. Policy EN6 of the Mole Valley Local Plan states that when conserving and enhancing designated and non-designated heritage assets, the Council will have regard to the impact of new development on their fabric, integrity and significance, and their settings. It lists a range of criteria for assessing heritage assets which include the significance and importance of the asset.
148. The application site is situated approximately 700 metres to the south west of the Brockham Conservation area containing a number of listed buildings. The nearest listed building is Grade II listed Felton's Farm Cottage which is situated on Old School Lane around 585m east of the wellsite. There are two further Grade II listed buildings situated around 600m north west of the wellsite comprising Dairy at Park Farm and Home Farmhouse. The nearest Scheduled Monument is 'Betchworth Castle' which is situated 1.3km to the north and the nearest Registered Park and Garden (the Grade II* 'The Deepdene (including Chart Park)') is situated around 880m to the west.
149. The proposal site is well separated from any heritage assets on a site which is an established well site. Owing to the separation distance to these heritage assets Officers are satisfied that the proposal would not result in harm to the historic landscape, sites or structure of architectural and historic interest and their setting. HGVs serving the site would be routed in a way which would avoid the Brockham Conservation Area.
150. As the proposal does not involve any new excavations there would be no impact on sites of existing or potential archaeological interest or their settings.
151. The proposed development would therefore accord with Policy EN6 of the Mole Valley Local Plan 2020-2036, Policy MC14 of the Surrey Mineral Plan Development Plan document, and the Waste Planning Policy 2014.

IMPACT ON RESIDENTIAL AMENITY

Surrey Waste Plan 2020 (SWLP 2020)

Policy 14 – Protecting Communities and the Environment

Surrey Minerals Local Plan Plan 2011 (SMP 2011)

MC14 – Reducing the Impacts of Mineral Development

Mole Valley Local Plan 2020-2039

Policy EN4 – Character and Design

Policy EN12 Pollution Control

National Planning Policy for Waste 2014.

152. Policy EN12 of the Mole Valley Local Plan states that development should minimise exposure to the emission of pollutants including noise, odour, air and light pollution. Proposals should ensure that they mitigate or avoid any adverse site-specific or environmental impact that arises as a consequence of the development.
153. Policy MC14 of SMP2011 states that mineral development will be permitted only where the planning authority can be satisfied there would not be significant adverse impacts. It goes on list a range of criteria which may be considered as part of the decision making process including noise and the cumulative impacts arising from the interactions between mineral developments and other forms of development.
154. Policy 14 of the Surrey Waste Plan states that Planning permission for waste development will be granted where it can be demonstrated that it would not result in unacceptable impacts on communities and the environment. This includes impacts caused by noise, vibration and air quality.
155. Appendix B of the Planning Policy for Waste Document sets out that in testing the suitability of sites and areas in determining planning applications waste planning authorities should consider noise and light including noise and vibration from goods vehicle traffic movements to and from a site.

Overbearing Impact, Loss of light, Privacy

156. The application site is well separated from residential dwellings. The closest residential dwellings are 48 and 47 Tilehurst Lane which measure approximately 550m from the site to the south west and Felton's Farm is located to the east of the site and measures approximately 600m.
157. No additional built form is proposed to serve the development site. For this reason, the proposal would not result in an overbearing impact, harmful loss of light or outlook.

Noise

158. Unwanted sound may have an adverse effect on the environment and on the quality of life enjoyed by individuals and communities. The NPPF states that planning decisions should ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should:

- mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development – and avoid noise giving rise to significant adverse impacts on health and quality of life;
- identify and protect tranquil areas which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason; and
- Limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.

159. Specifically in relation to noise from minerals development proposals, paragraph 217 of the NPPF states that when determining planning applications, local planning authorities should ensure that unavoidable noise is controlled, mitigated or removed at source, and establish appropriate noise limits for extraction in proximity to noise sensitive properties.

160. The proposal would not result in additional noise pollution as the site already has permission for the reinjection of waste water and the proposal is for the importation of waste water and therefore no additional activities are proposed to take place as part of this proposal.

161. Under the permission MO06/1294, noise conditions limit the noise impacts of mineral operations on the site, including the requirement for acoustic enclosures on equipment and limiting the hours of operation on the site.

162. The application proposes two HGV movements per day associated with the proposal. The District Environmental Health Officer has been consulted on the proposal. They have raised no objection to the scheme as the principle has already been established and the proposal will only result in 4 HGV trips to the site and therefore there would be no material change to the noise environment. As such the proposal would not result in a materially harmful impact on the residential amenity of the surrounding neighbours in relation to noise.

Lighting

163. No additional lighting is proposed as part of this application and therefore the proposal is not considered to result in unacceptable material harm to the residential amenity of the nearby local residents.

164. In relation to noise and lighting, conditions are recommended to ensure the proposals do not lead to unacceptable noise or light pollution.

165. The proposal therefore would not result in an unacceptable impact on the residential amenity of surrounding neighbours and therefore would be in accordance with Policy EN12 and EN4 of the Mole Valley Local Plan, MC14 of the Surrey Minerals Plan, Policy 14 of the Surrey Waste Plan and Appendix B of the Planning Policy for Waste Document.

CLIMATE CHANGE

Mole Valley Local Plan 2020-2039

Policy S2 – Combatting the Climate Emergency

166. It is recognised that representations have been made on this application in relation to carbon emissions and climate change. It is also acknowledged, as referenced in representations, that both Surrey County Council and Mole Valley District Council have adopted climate change strategies, these primarily relating to the minimisation carbon emissions in relation to their own operations and activities, and the promotion of energy efficiency in all its forms.

167. Policy S2 of the Mole Valley Local Plan 2020-2039 seeks to combat the climate emergency. It covers a range of measures to tackle the Climate Emergency by seeking to reduce carbon emissions from new development and reduce carbon emissions in the transport sector. It does not refer to the cessation of fossil fuel extraction.
168. The principle of hydrocarbon development at Brockham wellsite was established under Planning Permission MO06/1294 which granted planning permission for the production, treatment and export of crude oil until 31 December 2036. This permission placed no limit on the volume of oil which could be extracted at the site, and the maximisation of production which this proposed development would enable therefore falls within the scope of that permission. It is also noted that for the 10-year period 2014-2023 oil production in Surrey accounted for 1% of production in the South and South-east of England (7,156,197 tonnes) and 0.02% of UK production (443,000,000 tonnes). During this period, Brockham wellsite produced the smallest amount of oil across the four Surrey sites (Albury wellsite, Palmers Wood (Godstone) and Horse Hill) (Source: The Energy Institute's Statistical View of World Energy 2024).
169. The proposal would result in the increase of 4 HGV trips to the site per day. The proposal would maximise oil extraction from the existing well site. The impact on climate change from the operations associated with this application would be limited therefore to the HGV movements as the extraction of mineral has already been established and the proposal is not seeking to increase production beyond what has already been established.
170. At a local level the proposed development would maximise the existing wellsite and would not require additional construction of ancillary fences, foundations or otherwise to support the proposal.
171. At a national level the proposed development would provide hydrocarbon extraction at an existing wellsite whereby there are clear advantages to reducing transport and production greenhouse gases when compared to sourcing fossil fuels from other countries.
172. As the principle of mineral extraction has already been established, Officers are minded to consider only the additional HGV movements associated with the proposal in relation to the impact on climate change. As these are limited to a maximum of 4 HGV movements per day, Officers are satisfied that the extent of this level of movement would not be in conflict with Policy S2 of the Mole Valley Local Plan 2020-2039.

OTHER MATTERS RAISED IN REPRESENTATIONS

173. 42 Representations have been made objecting to this proposal and 1 letter of support has been received. In addition to these, letters have been received from interest groups including Weald Action Group, Save Surrey Countryside and Dorking Climate Emergency.
174. This section of the report seeks to address those points raised in representations which are not covered by the main body of the report.
175. Reference has been made in neighbour representations to the fact that the waste water is radioactive and potential harm arising from this.
176. The classification of the produced water which is generated and subsequently imported from other sites is regulated by the Environment Agency Radioactive Substance Regulation (RSR) permit. The classification of the produced water is a consequence of the produced water containing NORM (Naturally Occurring Radioactive Waste).

177. The Strategy for the management of Naturally Occurring Radioactive Material (NORM) waste in the United Kingdom 2014 states that NORM arise naturally in the Earth's crust as a result of radioactive elements created through cosmic processes, and radionuclides created through radioactive decay of these elements.
178. NORM wastes arise when these materials are concentrated through industrial activities, for example mining and mineral processing. They are distinct from anthropogenic radioactive wastes, which arise as a result of activities that deliberately process and use materials for their radioactive, fissile or fertile properties.
179. Concerns have been raised in representations that the proposal may result in issues of land stability and potentially seismic activity.
180. This application is for the conventional oil exploration and does not involve hydraulic fracturing. The technical consultees have carefully reviewed the proposal and the mitigation measures for hydrological and geotechnical impacts and raised no objections. In addition, the process of reinjection is already allowed on site under the existing permission. Officers are therefore satisfied that the proposal would not result in land instability.
181. Concerns have been raised by the increase in oil production potentially leading to additional greenhouse gas emissions.
182. As part of the EIA (Environmental Impact Assessment) screening opinion, the County Planning Authority has determined that the proposal is not EIA development.
183. Concerns have been raised about the way in which Angus Energy operates the site. This is not a planning consideration.
184. Concerns have been made in relation to the overall productivity of the well site and the argument presented by the applicant that the proposal would increase indigenous oil supplies and therefore increase energy security.
185. The NPPF is clear that planning decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. The proposal would represent a commercial decision by the applicant. The principle for oil extraction at this site has already been established.
186. Concerns have been raised that no evidence has been submitted with the application which support the estimates of oil recovery by the applicant.
187. The principle of oil extraction at the site has already been established and water reinjection at the site already takes place. The previous planning applications did not limit the quantity of oil to be extracted at the site.
188. Concern has been raised that the proposal could increase in air pollution.
189. On the basis that the proposal would result in an additional 4 HGV trips to the site per day, no objection is raised in relation to air pollution.

GREEN BELT VERY SPECIAL CIRCUMSTANCES

190. The NPPF (2024) requires that substantial weight is given to any harm to the Green Belt. Very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

191. The proposal would constitute inappropriate Green Belt development; however, Officers have assessed the impact on the openness of the Green Belt, both spatially and visually and have concluded that the proposal would have a limited spatial and visual impact on the openness of the Green Belt and would not conflict with its purposes.
192. Paragraph 153 of the NPPF (2024) requires the consideration of other harm to the Green Belt beyond inappropriateness and conflict with the purposes of Green Belt.
193. As discussed within this report, no other harm beyond the inappropriateness of the development in the Green Belt has been identified by the proposal. Substantial weight must nevertheless be given to any harm to the Green Belt.
194. The applicant states the following as part of the Green Belt section of the Planning Statement:

'There is a demonstrable need for the development. The reinjection of produced water from other wellsites will enable the reservoir pressure to increase and stimulate higher levels of production of indigenous oil. There is a proven growing demand for oil and oil products identified in the latest Digest of UK Energy Statistics (DUKES) published in July 2023. The Government recognises that there is a need to maintain a stable and reliable of indigenous energy sources, including oil. Regardless of how small in scale, indigenous supplies should be properly husbanded to make a valuable contribution by maximising the recovery of supplies of oil.'

'The proposal will help to sustain employment associated with the wellsite and make a small contribution towards supporting the NPPF's economic objective of helping to build a strong, responsive and competitive economy.'

195. The UK Government's Net Zero Strategy paper (2021) recognises that despite ambitions to halve oil and gas demand by 2037, oil will continue to make an important contribution towards meeting UK energy demand. Although the demand for fossil fuels will decline in a net-zero economy, there will continue to be a demand for oil, and the extraction and processing of these resources within the UK is more environmentally sustainable than importation. Energy security is also a consideration, the 2022 British Energy Security Strategy stating that:

'...the long-term solution is to address our underlying vulnerability to international oil and gas prices by reducing our dependence on imported oil and gas...'

And

'...even as we reduce imports, we will continue to need gas to heat our homes and oil to fill up our tanks for many years to come – so the cleanest and most secure way to do this is to source more of it domestically...'

196. Paragraph 222 of the NPPF (2024) states that it is essential that there is a sufficient supply of minerals to provide the infrastructure, buildings, energy and goods that the country needs. Since minerals are a finite natural resource, and can only be worked where they are found, best use needs to be made of them to secure their long-term conservation. Paragraph 224 of the NPPF sets out that when determining planning applications, great weight should be given to the benefits of mineral extraction, including to the economy.
197. This application seeks to maximise the efficiency of a wellsite for which an existing permission exists. Whilst comparatively small in scale, the increased efficiency of oil recovery facilitated by this proposal is in line with objectives in relation to the extraction of indigenous sources of oil and their contribution to UK energy needs.

Significant weight is given in this regard.

198. Sufficient very special circumstances are therefore considered to exist which clearly outweigh the Green Belt harm of this proposal.
199. The proposal is therefore considered to accord with Policy MC3 of the Surrey Minerals Plan Core Strategy 2011 and Policy EN1 of the Mole Valley Local Plan 2020-2039.

Human Rights and Equalities Implications

200. 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.
201. It is the view of Officers that the scale of any potential impacts is not considered sufficient to engage Articles 6 or 8, or Article 1 of the Protocol 1 and that potential impacts can be mitigated by planning conditions, taking into account the environmental impact of the development. As a consequence, this proposal is not considered to interfere with any Convention rights.
202. The Council is required by section 149 of the Equality Act 2010 to have due regard to the need to eliminate conduct prohibited by the act, advance equality of opportunity and foster good relations between people with protected characteristics and people who do not. The level of “due regard” considered sufficient in any particular context depends on the facts.
203. In this instance, the Council has considered its duty under the Equality Act 2010 and has concluded that this application does not give rise to any equalities considerations.

Conclusion

204. The proposal seeks planning permission for the importation of non-site derived waste water and its re-injection into the Portland Sandstone beds to support hydrocarbon extraction. This would result in up to 2 additional HGV tankers deliveries per day.
205. Whilst the proposal constitutes inappropriate development in the Green Belt (as it is waste development to which none of the Green Belt ‘exceptions’ apply), harm to the Green Belt is considered very limited. Sufficient very special circumstances are therefore considered to exist to clearly outweigh the harm identified, these primarily relating to the need to work minerals where they are located and the need for indigenous oil production.
206. The proposal is considered acceptable in relation to the water environment, visual amenity, biodiversity, highways, heritage and residential amenity.
207. Representations made in relation to the principle of oil extraction and climate change are noted and have been addressed. In response and as set out above, the principle of the oil extraction has already been established through an existing planning permission, and matters for consideration under this proposal relate only to the importation of waste water for re-injection. The process of re-injection itself has already been approved and takes place under the existing permission.
208. Officers consider that with the imposition of appropriate conditions where necessary and the completion of a legal agreement for the routing of HGV traffic, the

proposed development would not give rise to significant adverse environmental or amenity impacts and should therefore be approved.

Recommendation

The recommendation is that subject to the prior completion of a Legal Agreement to secure a routing agreement for HGVs accessing and egressing the site to PERMIT application MO/2024/1975 subject to following conditions.

Conditions:

1. The development hereby permitted shall be carried out in accordance with the following Plans / drawings:
 - Figure 1 Angus Energy Brockham Site Location dated July 2021
 - Figure 05 Existing Site Layout dated September 2021
 - Figure 02 Planning Application Boundary and Land Ownership Plan dated July 2021
 - Figure A2 Brockham 10 km Constraints Plan undated
 - Figure A1 Brockham 2 km Constraints Plan undated
 - Figure A5 Brockham 2 km Water Environment Constrains Plan undated
 - Figure A4 Brockham 2 km Heritage Constraints Plan undated
 - Figure A3 Brockham 2 km Ecological Constraints Plan undated
 - Figure 07 Proposed Site Layout Phase 2 - Workover RIG dated September 2021
2. The permission hereby permitted shall be begun before the expiration of three years from the date of this permission.
3. Except for the case of emergency, no HGV movements to or from the site shall take place except between the hours of 07:00 – 08:00, 09:00 – 15:30, and 18:00 – 19:00 on Monday to Friday and 08:00 – 13:00 on Saturday, nor shall the contractor permit any HGVs associated with the development or associated operations at the site to be laid up, waiting, in Old School Lane or Bushbury Lane during these times.
4. In the event of any damage to the public highway between the site and Red Lane caused by the development hereby permitted the applicant or operator shall repair such damage in liaison with the County Highway Authority.
5. The development hereby permitted shall cease prior to 31 December 2036.
6. No more than 4 HGV movements (2 in/2 out) per day are allowed in association with the development hereby permitted. No vehicles associated with the development hereby permitted shall be stored or parked on the site outside of the site operating times.

Reasons:

1. To ensure the permission is implemented in accordance with the terms of the application and to enable the County Planning Authority to exercise planning control over the development pursuant to Surrey Minerals Plan 2011 Policy MC14.
2. To comply with Section 91 of the Town and Country Planning Act 1990

3. In order to ensure that the development should not prejudice the free flow and condition or safety on the highway, nor cause inconvenience to other highway users and to comply with the terms of Policy MC15 of the Surrey Minerals Plan 2011, Policy 15 of the Surrey Waste Plan and Policy INF1 of the Mole Valley Local Plan 2020-2039.
4. In order to ensure that the development should not prejudice the free flow and condition or safety on the highway, nor cause inconvenience to other highway users and to comply with the terms of Policy MC15 of the Surrey Minerals Plan 2011, Policy 15 of the Surrey Waste Plan and Policy INF1 of the Mole Valley Local Plan 2020-2039.
5. To ensure minimum disturbance from operations and avoidance of nuisance to the local community in accordance with Policy MC14 of the Surrey Minerals Plan 2011, Policy 14 of the Surrey Waste Plan 2020 and EN12 of the Mole Valley Local Plan 2020-2039 and to ensure the prompt and effective restoration to comply with Schedule 5 paragraph 1 of the Town and Country Planning Act 1990 and Policy MC17 of the Surrey Minerals Plan 2011 Core Strategy.
6. In order to ensure that the development should not prejudice the free flow and condition or safety on the highway, nor cause inconvenience to other highway users and to comply with the terms of Policy MC15 of the Surrey Minerals Plan 2011, Policy 15 of the Surrey Waste Plan and Policy INF1 of the Mole Valley Local Plan 2020-2039.

Contact Chris Turner

Tel. no. 07812 776002

Background papers

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

For this application, the deposited application documents and plans, are available to view on our [online register](#). The representations received are also available to view here.

The Mole Valley District Council planning register entry for this application can be found under application reference MO/2024/1975.

The following were also referred to in the preparation of this report:

Government Guidance

[National Planning Policy Framework](#)

[Planning Practice Guidance](#)

National Planning Policy for Waste

The Development Plan

[Surrey Waste Local Plan 2020](#)

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

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

<https://www.surreycc.gov.uk/land-planning-and-development/minerals-and-waste/minerals-core-strategy-development-plan/aggregates-recycling-joint-development-plan>

Mole Valley Local Plan 2020-2039

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