

**MINUTES** of the meeting of the **PLANNING AND REGULATORY COMMITTEE** held at 10.30 am on 26 March 2025 at Council Chamber, Woodhatch Place, 11 Cockshot Hill, Reigate, Surrey, RH2 8EF.

These minutes are subject to confirmation by the Committee at its next meeting.

### **Members**

\*= in attendance

Ernest Mallett MBE\*  
 Jeffrey Gray\*  
 Victor Lewanski\*  
 Scott Lewis\*  
 Catherine Powell\*  
 Jeremy Webster\*  
 Edward Hawkins (Chairman)\*  
 Jonathan Hulley\*  
 Chris Farr\*  
 John Robini

### **19/25 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS [Item 1]**

Apologies for absence were received from John Robini.

### **20/25 MINUTES OF THE LAST MEETING [Item 2]**

The Chairman acknowledged that, due to a technical issue, the minutes from the previous meeting were omitted from the published agenda. It was agreed that the minutes would be carried over for approval at the next meeting.

### **21/25 PETITIONS [Item 3]**

There were none.

### **22/25 PUBLIC QUESTION TIME [Item 4]**

Two Public Questions were submitted. The questions and responses were published within a supplementary agenda on 25 March 2025.

1. Jackie Macey asked the following supplementary question:

Are the committee aware of a recent study by researchers at University College London? It suggests that oil production at Horse Hill may have triggered a series of over 100 small earthquakes in and around Newdigate during 2018 and 2019. This research contradicts previous assessments of the likelihood of there being a connection between the drilling Horse Hill and the earthquakes. The earthquakes caused injury and damaged property as well as considerable anxiety to residents across a wide area. Is the Committee willing to consider this new evidence and will they be giving this serious consideration when examining the planning application for fluid injection of Brockham, or is the risk of further earthquakes one it is willing to take?

In response, the Planning Development Manager clarified that the issue regarding Brockham would be addressed when it was formally considered by the Committee. The purpose of public questions was to focus on matters unrelated to live planning applications, which would be debated by the Committee at a later date. The Committee would review any new evidence when the Horse Hill application was presented to them at a future, yet-to-be-determined date.

2. Sarah Freeman asked the following supplementary question:

Thank you for your answer for describing the latest moves by UKOG to leave the Horse Hill site. Given that the Supreme Court ruling in June 2024 made it compulsory that Surrey County Council withdraw its approval for any ongoing drilling at Horse Hill, why isn't a final date for the site clearance being arranged between the Council and UKOG?

In response, the Planning Development Manager explained that this matter had been the subject of ongoing discussions. The Council had been working closely with UKOG to understand progress towards site clearance and to establish an agreed-upon date for the completion of the process.

#### **23/25 MEMBERS' QUESTION TIME [Item 5]**

One Member Question was submitted. The question and response were published in a supplementary agenda on 25 March 2025.

1. Cllr Victor Lewanski asked the following supplementary question:

Has any pre-application been submitted for this particular proposal? It has been several months now, and my residents are growing increasingly concerned. The ongoing uncertainty is troubling, as they are unsure whether any progress is being made on this site.

In response, the Planning Development Manager confirmed that no further pre-application had been submitted to the Planning Authority. The decision on the next steps ultimately rested with the applicant.

#### **24/25 DECLARATIONS OF INTERESTS [Item 6]**

There were none.

#### **25/25 MINERALS/WASTE MO/2024/1975 - BROCKHAM WELLSITE, LAND AT FELTON'S FARM, OLD SCHOOL LANE, BROCKHAM, BETCHWORTH, SURREY, RH3 7AU [Item 7]**

##### **Officers:**

David Maxwell, Senior Planning Policy Officer

##### **Officer Introduction:**

The Senior Planning Policy Officer introduced the report and update sheet and provided a brief summary. It was noted that the application was for the Importation and re-injection of non-site derived produced water into Portland Sandstone beds to support hydrocarbon production. Full details of the application were outlined in the published agenda.

### Speakers:

Jerry Hamilton made the following comments in objection to the application:

1. That nothing more than being woken up with the earth tremors highlighted the importance of making sure proper due diligence was carried out before further development is allowed.
2. Professor David Smyth reports Angus Energy had made serious errors in the interpretation of the geological wolf structure of the oil field. It should be required to undertake a high-resolution 3D seismic survey. Angus Energy say this is too expensive.
3. In January University College London published an in-depth study indicating the Surrey swarm of Earth tremors could be linked to pressure changes in the Portland Sandstone.
4. Seismic activity was an identified risk from water reinjection.
5. The aim of this proposal was to significantly raise the pressure of the Portland strata. According to the report, technical consultees had carefully reviewed the proposal and raised no objections, however the consultee had offered no comment on the hydrological aspects of this application. Lack of suitable assessment to this identified risk could render Surrey County Council liable for any ensuing impacts.
6. Stated that it is clear that oil from Brockham was being taken to Hamble Export terminal to be exported, incurring climate impacts additional to those of its end use.
7. As some 80% of UK produced oil is exported, there is no unmet need for this development.
8. That 25 years of data show that this site is spent.
9. The local community were promised that the site would be restored to farmland at the end of its natural life cycle. The speaker asked that Members not be fooled into approving an unofficial waste disposal site.

Points of clarification:

None.

On behalf of the applicant, Nick Mace, made the following comments:

1. That the Brockham Wellsite had been established for over 30 years and continued to produce oil today.
2. With the life of the site reaching its final stages of production, the application is to use a well-used technique within the oil and gas industry of fluid injection. The purpose of this process was to maintain the pressure in the reservoir as oil is extracted. This allows us to maximise oil recovery without increasing site infrastructure.
3. This process is already happening at Brockham with existing production fluids being reinjected into the reservoir.

4. The existing water injection is always less than the total fluid extracted from the reservoir because the oil is sold. The result is a continually declining reservoir pressure and in turn production rates.
5. To increase the pressure within the reservoir, this will require an increased volume of fluid injected into the reservoir. The additional water to be injected will be sourced from an existing hydrocarbon reservoir to ensure fluid compatibility and conserve potable water.
6. The rate and controls of fluid injection are regulated by the Environment Agency, which we have received permission for.
7. The injection pressure will not fracture the formation and will be below the original reservoir pressure, so subsequently there'll be no risk to seismicity.
8. By extracting the remaining barrels of oil as efficiently as possible, the proposed development will maximise oil recovery using the existing infrastructure.
9. The proposed development will be kept relatively small with an increase of two HGV movements per day.
10. The amount injected is about 25 cubic metres per day. This is roughly the size of a small HGV tanker.
11. The use of the existing site to extract oil remains the most sustainable way of producing oil in the UK. Government policy remains supportive of this approach.
12. Angus Energy will maintain open and transparent relationship with the local parish council and its neighbours.

Points of clarification:

A Member inquired if the applicant had an Environmental Agency permit already granted for water injection and if that permit was originally granted for the re-injection of water on the site, which was then expanded to include re-injection of other water. The applicant confirmed that this was correct.

A Member asked if the pressure in the reservoir would be maintained or increased due to the additional water injection, and if the additional injection was necessary for enhanced oil recovery. The applicant confirmed that this was correct.

A member asked about the proposal, particularly regarding whether very special circumstances exist for the application, which is located on Greenbelt land. The member referred to paragraphs 194 to 199 of the report, which focus on convincing the Committee that the production already permitted is beneficial. They sought clarification on why this specific process was necessary to enable the production that has already been permitted. In response, the applicant explained that the site was experiencing a decline in reservoir pressure. As fluid is extracted and oil is sent to the refinery, the pressure gradually decreases. To counteract this, the applicant noted the need to top up the fluid, which would increase the pressure and allow the remaining oil to be extracted from the existing site. The process, referred to as enhanced oil recovery, would utilise the existing infrastructure, making it a more sustainable option than drilling new wells or exploring new areas. The

applicant emphasised that this is a well-established process in the industry aimed at extracting the last remaining oil from the site.

A Member asked whether the variation of the existing commercial permit granted by the Environment Agency (EA), mentioned in paragraph 9B of the report, had been included in the application. In response, the applicant explained that Surrey County Council, as the statutory consultee, would have had visibility of the permit application. However, the permit itself was not included with the current application. The permit was publicly available and had undergone the required consultation process.

A Member referred to the 2022 permission related to oil well number 4 and asked for clarification on the physical distance between the three oil wells on the site. They inquired about the lack of connection between the pipes of these oil wells and the relevance of this to the permission granted in 2022. They sought an explanation on how close the wells were to each other, particularly in terms of the subsurface formations they targeted. In response, the applicant explained that the three wellheads were several metres apart on the surface. From a subsurface perspective, the BRX 4 well targets a completely different formation than the ones being targeted by the other wells. As a result, there is no connectivity between the wells in terms of the hydrocarbon formation they are extracting from or injecting into. The applicant noted that the formations were naturally isolated, with BRX 4 entering a formation above, while BRX 2 and BRX 3 target formations below. Therefore, despite the physical proximity of the wells on the surface, they were separated by different subsurface formations.

The Local Member, Cllr Helyn Clack, was unable to attend. The Chairman agreed to read the following statement submitted by the Local Member:

1. There are concerns that the applicants will want to store the wastewater on site before injection. Should the committee be minded to agree the officers recommendation, I would like the committee to agree a condition that no storage facilities should be allowed on site, and that importation and injection should match the extraction of oil at its current rate exactly.

The Chairman allowed Cllr Jonathan Essex to make the following comments. It was noted that Cllr Essex was not a local councillor to the application:

1. The Member raised concerns that the site, initially approved for oil extraction, had seen a significant decline in oil production. The amount of fluid needing to be recovered was now almost equal to the oil, with increasing amounts of external fluid being brought in.
2. The Member expressed worry that the shift from oil extraction to the disposal of fluid from other drill sites could alter the primary function of the site. They noted that the site might transition from oil extraction to waste processing, which could be seen as an industrialisation of the site.
3. The Member highlighted the concern that this could set a precedent for how oil wells in Surrey would be managed once they reached the end of their productive life. They compared the introduction of waste processing to practices commonly seen on quarry sites, which had not yet been applied to oil well sites.

4. The Member stated a preference for oil wells to be restored when they reached the end of their useful life, ensuring that the temporary intrusion on the Greenbelt was minimised.
5. The Member expressed concern that the shift from a profit-generating oil extraction site to one focused on waste processing could lead to the industrialisation of the site and questioned whether this change was suitable for the long-term management of oil sites in Surrey.
6. The Member raised concerns about whether the site was being properly regulated and whether approving the application could result in a loss of control over the future use of the site.

Points of clarification:

None.

**Key points raised during the discussion:**

1. A Member expressed his support for the application, stating that the site is very isolated and has minimal impact on the local population. He emphasized that oil is needed for the national economy and that the disturbance from traffic or other reasons is very minimal. He also mentioned that the detailed analysis in the report shows no significant impact on anyone or anything in terms of the oil well continuing with extraction.
2. A Member asked the officers to clarify why the decision regarding Horse Hill had not impacted their decision on this application. The Member expressed concerns about the environmental impact associated with enhanced oil recovery and requested a clear statement on why these factors were not relevant to their decision. Officers responded by explaining that the Horse Hill decision had been based on the Environmental Impact Assessment (EIA) regulations, which required an environmental statement for applications meeting certain thresholds. They clarified that the current application did not meet those thresholds and, as a result, did not require an environmental statement. Officers further mentioned that the screening report had considered the additional oil recovery and concluded that it would not have a significant environmental impact.
3. A Member asked whether very special circumstances existed to justify the proposal, given concerns about inappropriate development on the Greenbelt. In response, Officers explained that the original 2006 permission had placed no limitations on what could be extracted from the site, so there had been the capability to extract as much oil as possible. Officers further emphasised that very special circumstances had existed to outweigh the harm to the Greenbelt, noting that the harm to openness had been very limited. They also highlighted that the benefits of mineral extraction were supported by government planning policy, which gave great weight to the benefits of such extraction.
4. Members noted that, if there was a need for further water storage, a new application would be required. They explained that the existing green tank had permission, but any additional tanks would require further approval.
5. A Member asked about the 2021 permission and condition 9, which restricts the use of only site-derived materials and prohibits the import of wastewater or other liquid waste from other sites. They queried



what made this application different, given the condition imposed in 2021, and how it aligns with policies MC14 and MC5 of the minerals plan. The Member also raised concerns about potential risks, including groundwater contamination from toxic fluids and seismic shifts, and asked whether these issues should be addressed by conditions. In response, Officers clarified that the 2022 permission referenced was a different permission from the one currently being considered. They explained that this permission had not yet been implemented, as the extraction it authorised had not yet commenced. As such, the condition attached to it was not yet enforced. Officers confirmed that, should the 2022 permission be implemented, which would expire in November of this year, no wastewater could be imported or injected in connection with the wellhead unless the applicant secured a separate planning permission for such activities. Regarding the concerns raised about groundwater risk, Officers explained that this issue had been considered in the report and falls under the remit of the Environment Agency. The site already has existing infrastructure and membranes to manage water, surface water, and groundwater, and no concerns had been raised in relation to groundwater pollution. From a planning perspective, no issues were identified. On the topic of seismic activity, Officers referenced planning practice guidance, which states that seismic risks are the responsibility of the Department of Energy and Climate Change. The guidance also indicates that planning authorities should presume that other regulatory controls, such as those from the Department of Energy and Climate Change, will be properly implemented. Officers concluded that there was nothing to suggest seismic activity would be an issue for this application, and therefore, there were no grounds to prevent the granting of planning permission.

6. Officers advised that, if a motion for refusal were considered, it would be essential to be clear about the weight given to the various factors involved. They emphasised that the decision should be based on the balance between any harm arising from the application and the very special circumstances presented. Officers highlighted that the National Planning Policy Framework instructs giving significant weight to the benefits of mineral extraction, and that the final decision rested with the committee.
7. A Member expressed concerns about the environmental permit not specifying a volume limit for water injection, while the report mentioned a limit of 25 cubic metres per day. They highlighted that injecting a higher volume than the oil extracted could increase pressure rather than maintain it, raising concerns about the safety of the reservoir pressure. The Member suggested including an informative to ensure the Environment Agency reviewed the impact of the research referenced earlier and the volume limits. Further to this, a Member objected to the need for an informative and emphasised that the committee should focus on planning matters.
8. It was agreed that an informative would be included, advising the applicant to ensure the Environment Agency reviewed the impact of the referenced research and the volume limits for water injection. The wording of the informative would be finalised by the officers, Vice Chairman, and Chairman after the meeting.
9. The Chairman moved the recommendation with the agreed informative, which received nine votes for, one against and zero abstentions.

**Actions / Further information to be provided:**

None.

**Resolved:**

That subject to the prior completion of a Legal Agreement to secure a routing agreement for HGVs accessing and egressing the site, the committee agreed to PERMIT application MO/2024/1975 subject to conditions outlined in the report and update sheet, and the additional informative agreed during the meeting which is due to be finalised by the officers, Vice Chairman, and Chairman following the meeting.

**26/25 PROPOSAL WA/2024/01669 - WEYDON ACADEMY, WEYDON LANE, FARNHAM, SURREY GU9 8UG [Item 8]**

This item was withdrawn.

**27/25 PROPOSAL WA/2024/01525 - WEYDON ACADEMY, WEYDON LANE, FARNHAM, SURREY GU9 8UG [Item 9]**

This item was withdrawn.

**28/25 DATE OF NEXT MEETING [Item 10]**

The date of the next meeting was noted as 23 April 2025.

Meeting closed at 11.50 am

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**Chairman**