

**From:** [REDACTED]  
**To:** [PL Planning Applications](#)  
**Subject:** Objection to planning application WSCC/040/17/BA  
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## **Objection to planning application WSCC/040/17/BA Cuadrilla, Lower Stumble, Balcombe, flow test, acidising**

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### **NO SOCIAL LICENCE**

Above all, Cuadrilla has no social licence to prospect for oil in our village. Our village has voted three times, and each time a clear majority rejected the presence of Cuadrilla in our village, whether they are f'ing (I use this abbreviation just in case you are following a previous policy of disregarding objections that mention f'ing), whether they are acidising, or whether they are extracting oil from free-flowing, permeable rocks, aka conventional oil sources. We simply do not want them here, and we as local people should have a say. We feel violated and bullied. This is our village, our land, our countryside, our way of life, our rapidly warming planet, and we are entitled to feel emotional and protective about it. Cuadrilla's unwanted attentions have caused great strife and division in our village. They have politicised us. For many of us they have destroyed all former confidence in democracy, fairness, justice, government at all levels, the planning system, and the police.

## **TIMING OF WORKS**

Under the conditions of their PEDL licence, Cuadrilla must have completed flow testing by June 30<sup>th</sup>, 2019. West Sussex County Council could (God forbid) therefore grant planning permission only until that date, not the requested two years, which would probably take us until January 9<sup>th</sup>, 2020. Planning permission could therefore be granted, considering the PEDL conditions alone, for **JUST UNDER 18 MONTHS**

According to the RSK 'Bat activity report', researched over the summer of 2017, the five species of **BATS** who frequent the oil site, the nearby ancient woodland, tree plantations and hedgerows are most active from May to September. June is the 'maternity season' when the baby bats especially require nurture and the parents are especially active, foraging across the habitat.

RSK thus recommend that works should be 'planned to occur' from November to April, when the bats are less active, to avoid disturbing their foraging and commuting. RSK also recommend unspecific 'daily working hours' that would least disturb the bats

On to **BIRDS**. According to the RSPB, there should be no flaring from March to August, the most important months here for reproduction of birds. The Sussex Ornithological Society has local records of grey partridge, turtle dove, cuckoo, lesser spotted woodpecker, willow tit, marsh tit, skylark, starling, song thrush, sparrow, yellow wagtail, tree pipit, linnets and yellow hammer. There are also records of sensitive amber-listed birds, including osprey, red kite, little egret, kestrel, kingfisher and whinchat. The month of May is again an especially sensitive time.

Paying due regard to the wellbeing of local wildlife, including protected species, WSCC can (God forbid) permit works only from November to February. Given the time restraints of the planning meeting in January 2018 and the testing deadline under the PEDL of June 2019, this would leave Cuadrilla possible working windows of:

<!--[if !supportLists]-->- <!--[endif]-->mid-January to February 2018  
<!--[if !supportLists]-->- <!--[endif]-->November 2018 to February 2019

## **CONTAINMENT MEASURES**

It is so interesting that the Environment Agency is minded to object unless Cuadrilla abide by their conditions in respect of the 'containment measures'. 'Containment measures' are curiously super-highlighted in this year's objection. Could it be that the EA 'have got the wind up them' on this subject after the containment membrane took centre stage at the Egdon Resources oil exploration planning appeal a couple of weeks ago in Wressle, North Lincolnshire? The barrister for North Lincolnshire County Council argued that the council had been right to reject Egdon's applications, because Egdon had chosen the 'lowest spec' membrane, had laid it over squishy, peaty ground and covered it with pointy stones rather than rounded gravel, risking tearing and stretching under the stress of heavy site machinery. Egdon Resources grudgingly agreed to rip it all up and start again with a better grade of membrane, They also admitted that the membrane was not intended to be permanent, but to hold in a spill or a flood just while emergency action was taken.

Here's the comparison of the previous and current requirements:

2014 version

The Statement shall provide for:

- Details of how the impermeable membrane is constructed
- Details of remediation to the existing membrane
- Details of inspection and maintenance

2017 version

- Details of the inspection of the existing containment measures
- Details of any remediation or replacement of the containment measures
- Details of containment construction and quality assurance
- Details of future inspection and maintenance

Cuadrilla should indeed be asked to provide 'details of containment construction and quality assurance' for the membrane beneath their site and the nature of the earth and stonework below and above.

## **TRAFFIC**

All site traffic has to take a route from and to Junction 10A of the M23. Since 2013 there have been 26 accidents along the B2036 between the roundabout by the M23 and Lower Stumble, some slight, some serious incidents. Two took place along the built-up stretch of the village along London Road, between the church and the station. One was immediately outside our primary school. <http://www.crashmap.co.uk/Search>

The school is barely set back from the road, a narrow play area dividing the buildings from the footpath and road. Our children already breathe more than enough diesel fumes without hugely increasing the load.

For the acidising process, chemicals will be transported past our school. What if another accident should happen?

## **THE FLARE**

Cuadrilla seriously underplay the potential impact of the flare emissions, even if one imagines that the flare will work at 100% efficiency. If efficiency drops to 95%, perhaps because of reduced temperature, the flare could emit seriously noxious pollution. These are likely to include oxides of nitrogen, sulphur compounds, chlorine compounds, polycyclic aromatic hydrocarbons, radioactive substances...

The top of the flare will be about on a level with the nearest house, Kemps Farm, and the prevailing wind and lie of the land will carry contaminants from the flare up into the village, where our nursery school is in direct line of fire.

Cuadrilla has been obliged this year to rethink its flare requirements, but this application gives scant detail. Cuadrilla should be asked to provide precise details of their proposed flare and the way it will function, its theoretical efficiency, the noise it will make and the light pollution it will emit.

WSCC should ask Cuadrilla and the Environment Agency to confirm that the new RSK air dispersal modelling document has been officially approved by the Environment Agency. We are not aware that the Environment Agency has put this RSK document out for public consultation. Would this make the application illegal?

In 2014, Cuadrilla admitted that they needed to monitor and mitigate flare emissions. RSK now claim there is no need to mitigate emissions from the flare. 'This is not true, it's a requirement of the Environment Agency permit,' contends Professor Laurence Dunne, who lives in Balcombe and has participated in scientific studies on combustion of hydrocarbons in flares and chimneys. 'Constant monitoring of the efficiency of the flare is absolutely vital.' Monitoring should be constant, highlighting peaks of emissions rather than an average over time.

The new RSK report does not assess the noise of the flare. As FFBRA have pointed out: 'Section 3 of the Noise Impact Assessment states that *'predictions have been made in accordance with guidelines and procedures contained in BS 5228-1:2009'*. BS 5228 states that all main items of plant and equipment used on the site should be included. But within section 3.4 (Noise Appraisal) of the planning application, Cuadrilla say that they have deliberately excluded the noise generated by the flare.

### **SHINING A LIGHT ON BATS**

The site lights and the flare will disturb, disorientate and potentially fry the bats. Despite having tiny eyes, all bats can see, and are sensitive to changes in light. Many can see as well as humans, although they see better than humans at night. They will forage for insects, which will congregate around the lights and flame. Bats eat up to half of their weight in mosquitoes, moths and flies every night, and in early summer they take yet more home to their young. That's a lot of flying.

According to Dr Matthews in an Exeter University study of bats and light pollution publishes in 2015, 'We already knew that lighting was bad news for rare species such as horseshoe bats. Now we have demonstrated that, for the common species of vital importance to our ecosystem, lighting is not helpful. (...)' 'When we walk out of a lit house into the dark, it takes a while for our eyes to adapt to the darkness. The same is true in bats -- they are dazzled by bright light and it takes time for their eyes to re-adjust. This could affect their ability to navigate. In addition, it seems that their ability to hunt insects is reduced in the light. So although a bat may be seen flying round and round a streetlamp, it may actually be struggling to catch anything.'

I know that you, as planners, are obliged to be myopic (unlike bats, now you know) and are not allowed to consider future planning applications. But I would like you, even though you are planners, to consider the plight of the bats as planning permissions creep on, and you feel obliged, having permitted expenditure on exploration, to allow production. There would be a flare, a permanent flare. There would be site lights (more of those below). The air would be polluted. More wells would be

drilled. Oh yes, in this tight rock they will want to drill more wells on this site. And the bats will be blighted.

Note this bat legislation appendix in Cuadrilla's new bat document:

#### 7 APPENDIX 1 – BAT LEGISLATION

All species of British bat are protected by The Wildlife and Countryside Act 1981 (as amended) extended by the Countryside and Rights of Way Act 2000. This legislation makes it an offence to (I have edited out the irrelevant offences):

- intentionally or recklessly damage, destroy or obstruct access to a bat roost;

and

- intentionally or recklessly disturb a bat whilst it occupies a bat roost.

- Bats are also European Protected Species listed on The Conservation (Natural Habitats, & c.) Regulations 1994 (as amended). This legislation makes it an offence to:

- deliberately disturb a bat (in such a way as to be likely to significantly affect: (i) the ability of a significant group of bats to survive, breed or rear/nuture their young; or (ii) the local distribution or abundance of the species concerned);

Where it is necessary to carry out an action that could result in an offence under The Conservation (Natural Habitats, & c.) Regulations 2010 (as amended) it is possible to apply for a European Protected Species (EPS) licence from Natural England. Licences are only issued where Natural England are satisfied that there is no satisfactory alternative, works are for overriding reasons of public interest and that the favourable conservation status of bat populations will not be detrimentally

affected.

I contend that Cuadrilla's plans are reckless and intentional and that they need to apply for a European Protected Species (EPS) licence from Natural England.

### **WEASEL WORDS**

The micrite through which Cuadrilla have drilled laterally, is tight, of poor permeability, and therefore not conventional, despite the inaccurate definition in National Minerals Planning Guidance of 2014 of all sources of hydrocarbons in limestone and sandstone as '**conventional**'. This is clearly rubbish, as the British Geological Survey has agreed.

Cuadrilla call the fluids that will flow back '**salty water**'. This very highly saline waste fluid will contain Naturally Occurring Radioactive materials (NORM), heavy metals, hydrocarbons, some of the originally injected acids and other chemicals and their products. Acidising used far greater concentrations of chemicals than high volume hydraulic fring. Such waste is a hazard on site and in transport. It will need careful storage in vented or flared tanks. Its composition will change rapidly as it flows, and it will present a headache to those responsible for its treatment and disposal. Cuadrilla hugely downplays its significance.

An '**acid wash**' has traditionally been confined more or less to the well bore. Cuadrilla told us in 2013 that they intended to take the pressure of the acidisation up to just below fracture pressure. Cuadrilla clearly want to matrix acidise at this stage, out into the formation (and at a later production stage that you are obliged not to consider, they will want to acid frack the micrite (aka Kimmeridge limestone, which is really just limestone-rich shale).

But since the government redefined '**fracking**' in the Infrastructure Act 2015, an acid frack, using somewhat less water, will no longer be called a frack. 88% of all oil wells that have been fracked in the USA would conveniently not be considered to have been fracked under current UK law.

And then one stage beyond, they will apply to frack the shale that lies above and below the micrite. And that was the plan all along. We have a letter to the DECC to prove it. 'If we can't frack,



we won't be able to produce at Balcombe.'

Weasel words.

Please see through them and understand that this time you really can determine against Cuadrilla.

