

1 WEST SUSSEX COUNTY COUNCIL

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4
5 PLANNING COMMITTEE

6 held on

7
8 Tuesday, 22nd July 2014

9
10 at 10.30 am

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13 CHAIRMAN - PLANNING COMMITTEE

14 Heidi Brunson

Jane Moseley, Principal Planner

15 Mike Elkington, Strategic Planning Manager

Dominic Smith, Principal Highways Planner

16 Don Baker, County Ecologist

Simon Deacon, Technical Specialist Environment Agency

Michael Turner

17 Katie Kam, Solicitor, Legal Services

18 Janet Mockridge, Vice Chairman Planning Committee

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21 (Transcript of the Stenograph Notes of
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1 THE CHAIRMAN: We will now turn to the substantive item on the
2 agenda this morning, which is item 4, land south of Boxall
3 Bridge, North Uckfield, Wisborough Green, which is on page
4 15 of your agenda papers today.

5 In a moment I will take the opportunity to introduce
6 the team, in particular Jane Moseley, the planning officer,
7 who will introduce her report, but I would first like for the
8 members of the public and for the members of the committee to
9 set out how this session will proceed.

10 Following Jane's introduction, we will hear from the
11 speakers who have registered to speak on this application.
12 Please can I remind everyone here present that this is a
13 meeting held in public with defined protocols for the number
14 of speakers permitted to speak. It is not an open public
15 meeting with unrestricted rights to speak.

16 Those objecting to the application will speak first. On
17 this occasion there will be five speakers objecting to the
18 application. Three speakers have registered in accordance
19 with our protocol and I have used my discretion as chairman
20 to allow Kirdford and Wisborough Green Parish Councils a
21 fourth and fifth slot for speaking. Each speaker will be
22 allowed five minutes to address the committee which will be
23 managed by the traffic light system we have up here.

24 Supporters of the application will then speak. The
25 local member, Janet Duncton -- good morning, Janet -- will

1 speak on the application. There is no time limit for
2 Mrs. Duncton to address the committee.

3 Can I just take this opportunity please to ask each
4 member of the public that this is an opportunity for those
5 speakers to speak, so could you please allow no interruptions
6 on that matter.

7 Following the speakers, I will ask the officers to
8 provide points of clarification on the content of the
9 submissions and the committee will debate and determine the
10 application. I would like at this time to introduce the
11 officers who may be speaking and will certainly be helping
12 with queries from members. I have Mr. Mike Elkington on my
13 left; I have Jane Moseley on my far left; Dominic Smith, who
14 will be the principal highways planner, who will be answering
15 matters on transport; Don Baker, senior ecologist for West
16 Sussex, who will be discussing matters of ecology; Simon
17 Deacon -- good morning, Simon -- who is a technical
18 specialist for ground water and contaminated land from the
19 Environment Agency; Michael Turner -- good morning, Michael -
20 - from the environment manager, who is a team leader from the
21 Environment Agency; and to my immediate left, Katie Kam,
22 solicitor, legal services.

23 I did understand that it was going to be difficult
24 to see the screen. I believe everyone can, so hopefully
25 there will not be any difficulty there.

1 Without further ado, I am going to turn to Jane who
2 will make the presentation of her report. Thank you.

3 MRS. JANE MOSELEY: Thank you, chairman. Good morning, chairman.
4 Good morning, members. Today I will be outlining an
5 application for a three-year permission for oil exploration
6 and appraisal on the land south of Boxall Bridge, North
7 Uckfield and Wisborough Green.

8 This slide shows you the application site is a red dot
9 in the centre. The red lines you can see show the proposed
10 route between the site and the A272. You can see the A272 in
11 green just below that. The site is in Chichester district on
12 the eastern boundary of Kirdford Parish adjacent to
13 Wisborough Green Parish, which immediately abuts the site to
14 the east. Wisborough Green itself is around 1.2 km south east
15 of the site. Kirdford is around 1.8 km west of the site.

16 The proposed route between the site and the A272
17 travels along Kirdford Road and then via Durbans Road to link
18 up with this main thoroughfare through West Sussex. You can
19 see also on this slide the pylons cross the area in black and
20 the South Downs National Park Authority is shown in yellow.

21 This slide shows the application site in red. You can
22 see it comprises the surface pad, which is the square, the
23 access road linking to the southern side of Kirdford Road as
24 well as the horizontal drilling well path which will be at
25 around 1800 metres in depth. They would also propose to drill

1 vertically to 2667 metres. The site is 1.66 hectares in area.
2 You can see Boxall Brook is the blue line immediately north
3 of the site. Northup Copse is in green to the north.
4 Residential properties I have shown as red dots. The closest
5 ones are at Skiff Farm, some 520 metres to the north east;
6 Lower Sparr Farm, some 560 metres to the north east; and
7 Barkfold Manor, some 750 metres to the west. You can also see
8 on the very bottom right-hand corner of the slide Wisborough
9 Green to the south east around 1 km away, the closest.

10 This slide shows the environmental designations in the
11 vicinity of the site which are also shown in Appendix 3 of my
12 report on page 57. Northup Copse is immediately north of the
13 pad. It is an ancient woodland and site of conservation
14 interest. There is the Mens European Special Area of
15 Conservation (SAC) and Site of Special Scientific Interest
16 (SSSI) some 500 metres to the south, you can see in green,
17 which is also where the South Downs National Park Authority
18 starts. Ebernoe Common is also some 5 km west of the site,
19 not shown on this slide, but is a Special Area of
20 Conservation as well. Wisborough Green Conservation Area you
21 possibly cannot see, but it is shown in blue stripes and here
22 in Wisborough Green the red dots shown are listed buildings.
23 There are public rights of way shown in pink and green, the
24 closest of which is around 200 metres from the site. This is
25 an aerial shot of the application site, a very indicative

1 drawing outline of the application site, just to show you
2 the surroundings. It is within a rural area and forms part
3 of an agricultural holding which is currently used for
4 cereal farming. The site is surrounded by agricultural uses
5 and woodland. There is a cattle farm to the east and horse
6 equiculture use to the north.

7 To talk you through the proposed development, as I have
8 mentioned, the applicant is seeking a three-year permission
9 to construct a well compound and an access road to carry out
10 exploration and appraisal for oil and gas. This table
11 summarises the proposed phasings and timings and the HGV
12 movements associated with it.

13 The applicant has presented a worst case scenario of the
14 development. It may not require horizontal drilling, extended
15 well testing and so on. It depends what they find when they
16 drill, so the green elements shown on this slide may not
17 happen, but to be clear, in considering the development, we
18 must consider the worst case scenario in terms of the longest
19 time, the tallest rig and those sorts of things, the most
20 HGVs, on the basis that if the worst case scenario is
21 acceptable, anything less than that would be.

22 The other thing to consider is that the phases may not
23 be immediately consecutive. The applicant has sought three
24 years permission to carry this out, but there may be breaks
25 between the phases. So they may carry out drilling but then

1 not carry out short-term testing for some time. The three
2 years allows for a break in the programme.

3 In terms of the phases, phase I, they would construct
4 a well pad and access road and bring equipment to the site
5 over a period of 10 weeks.

6 Phase II, they would carry out vertical drilling with
7 a rig onsite for 24 hours a day undertaking drilling to
8 2667 metres in depth over 15 weeks.

9 Phase III would involve short-term testing over a two-
10 week period with a rig and a flare onsite to flare off any
11 gas which is found through a clean enclosed burner. They are
12 also proposing that if oil or water is found that would be
13 tankered off and the water would be recycled for use in the
14 process if possible.

15 If the testing carried out in this phase shows a
16 potentially viable resource, they would then possibly go to
17 the lateral drilling phase where they would drill horizontally
18 for a period of 13 weeks. That would be at a depth of 1400
19 metres. They would then carry out an extended well test over a
20 period of 28 weeks, again with the flare on site and a rig on
21 site. Then, depending on the findings, they would either
22 restore the site back to agricultural use if nothing viable
23 was found, and they did not want to use the site any further,
24 or they would retain the site, cap the well, remove the
25 equipment and submit an application for further operations.

This slide shows the proposed access to the site.

1 I have highlighted the existing access in purple because
2 members will be aware of the site as it exists. It comes and
3 sweeps around by the existing building on the site. They are
4 proposing to cut off the corner to provide a more direct route
5 to allow HGVs to manoeuvre on to the well pad which is just
6 over here. They would put down a geotextile membrane with
7 crushed stones over. The membrane would enable the trees on
8 either side of the access to be protected. They would widen
9 the access to the east which would result in the loss of a one
10 and a half metres of hedgerow which would be replaced upon the
11 site being restored. No trees would be lost, but there would
12 be some works undertaken at the access.

13 The existing gates would be retained at the site
14 entrance and then there would be double gates towards the
15 access to the site here. They would put two sets of double
16 gates there so the HGVs could come in, the gates could
17 close behind them and then they would open up on to the
18 site for security.

19 Once the access is set up, they would bring the rig on
20 to the site and they would also start installing the
21 accommodation for the workers and create car parking and so
22 forth, which is shown on this slide which shows the proposed
23 site layout during drilling. You can see there is car parking
24 up here to the west of the site. The site would be enclosed
25

1 with a 4-metre high security fence topped with barbed wire.
2 There would be bunds alongside the northern and eastern
3 boundaries of the site created with material from the site to
4 a maximum of 3 metres in height. There would be single-storey
5 cabins around the outside of the site used for workers'
6 accommodation and staff amenities. There would be a clean
7 enclosed burner flare along the eastern boundary over here,
8 enclosed within a one metre high bund which would be used
9 during the testing phases.

10 You can see the rig in the middle of the site, the
11 approximate centre here. The applicant has provided a worst
12 case scenario that a 45-metre high rig would be in place
13 onsite. As you can see, most of the equipment onsite is below
14 the level of the fence, all sorts of cabins and things like
15 that, but the rig itself would protrude 45 metres above
16 ground level. You can also see the security fence around the
17 perimeter of the site which would have screening on it to
18 minimise the light spill from the site and provide bats'
19 mitigation.

20 These are some photos of the proposed site. You can see
21 the woodland surrounding the site. Northup Copse is here and
22 there is woodland around the site on either side. This was
23 some time ago when it was in use as a field, not planted.
24 This shows you looking across the farm land south of the site
25 towards the South Downs National Park area. You can see the

1 pylons which form the backdrop between the site and the
2 national park. This shows looking towards the site entrance.
3 You can see the existing farm buildings. The woods are on the
4 right over here and that would be the route of the proposed
5 access to the site.

6 This is looking into the site from the access facing
7 south. The access road would curve round the edge of the
8 woodland and then turn left into the pad, so it would sit
9 behind the woodland when viewed from Kirdford Road.

10 This is a photo on Kirdford Road facing west towards
11 Kirdford, and this is from the site access facing right as
12 the road heads towards Wisborough Green across Boxall Bridge.

13 This sets out representations. We had two rounds of
14 consultation in response to the application. The initial
15 information was submitted and validated in September 2013. A
16 round of consultation was undertaken. We asked for further
17 information in accordance with the Environmental Impact
18 Assessment Regulations. Further information was provided in
19 April and May 2014, so we had another round of consultation
20 in May and June 2014.

21 We had no objections from the Environment Agency,
22 Chichester District, Natural England Health & Safety Executive
23 and all the others listed on that slide, but West Sussex
24 Highways has objected to the proposals, which I will expand
25 upon later, as have both Kirdford and Wisborough Green Parish

1 Councils, Loxwood Parish Council and the Sussex Wildlife
2 Trust, as well as 2471 other people who have raised
3 objections and 18 representations were received in support.

4 The key issues raised in the representations are set
5 out in your report, but include concerns over impacts on
6 wildlife, ancient woodland, that the roads are unsuitable, it
7 is an inappropriate rural setting with unsuitable geology,
8 concerns over impacts on the water environment, that Boxall
9 Bridge regularly floods, that fracking will be required, too
10 much water will be used, there will be impacts on livestock
11 and impacts on the Wisborough village green.

12 This sets out the key issues which are also set out in
13 my report. There are seven key issues set out here. The first
14 of those relates to need. In terms of this, the national
15 planning policy framework says that minerals can only be
16 worked where they are found and a great weight must be given
17 to the benefits of mineral extraction, including to the
18 economy, although this must be balanced against environmental
19 impacts. There is new planning practice guidance on minerals
20 which reiterates the government policy that energy supplies
21 should come from a variety of sources, including renewable
22 energy but also oil and gas. This links to the annual energy
23 statement which is underpinned by two key factors -- reducing
24 carbon emissions and ensuring energy security with the
25 government committed to maximising indigenous sources. There

1 is therefore a clear steer and support of UK-sourced energy
2 supplies, but this is always balanced against environmental
3 considerations which will be considered later in my
4 presentation.

5 The West Sussex Minerals Local Plan from 2003 has a
6 presumption in favour of temporary hydrocarbon exploration,
7 although again this is subject to environmental factors and
8 where is the best option in the area of search. The applicant
9 has carried out an alternative site search which we consider
10 was robust and showed the site was the best option in the area
11 of search, namely the PEDL area. It is therefore concluded
12 that there is an identified need for hydrocarbon exploration
13 as set out in national guidance, in particular, and there is a
14 need for this particular site. I would note that is a very
15 quick summary of my report.

16 Turning to highway capacity and road safety, as I have
17 already noted, the site is on Kirdford Road. It is 1.2 km via
18 Kirdford Road to the A272 at Wisborough Green. This is the
19 route proposed by the applicant for HGVs and other cars
20 accessing the site.

21 At most the development would result in 40 HGV movements
22 each day, 20 in and 20 out. County highways has objected to
23 the proposal for a number of reasons, including the adequacy
24 of the site access. The applicant provided visibility displays
25 showing how far drivers can see at the access, but

1 these were not shown to be sufficient for average vehicle
2 speeds. The applicant has not demonstrated that two-way HGV
3 movements at the access are possible, meaning there might be
4 a potential obstruction hazard on Kirdford Road at the point
5 of access. The applicant has not shown that right-hand turns
6 from the access on to Kirdford Road can be undertaken using
7 land either in the applicant's control or highway land.
8 Basically, the lorries were shown to swerve on to the other
9 side of the road.

10 There was an inadequate survey of existing traffic which
11 included vehicles of more than one and a half tonnes in weight
12 as heavy goods vehicles (HGVs), whereas the guidance indicates
13 you should only include vehicles of more than 3 1/2 tonnes. This
14 resulted in an inflated baseline HGV numbers, so the applicant
15 concluded that there was an increase of, at most, 13% in HGV
16 traffic along Kirdford Road, but our own interpretation of the
17 figures has shown that it is more like 64%. This was therefore
18 not a realistic appraisal of the impact of the development on
19 highway capacity or road safety.

20 The applicant has not demonstrated you can turn to
21 and from the A272 safely. The highways officer's own
22 tracking raises concerns over turning left on to the A272
23 which may involve the use of the opposite lane, and with
24 vehicles travelling past every six seconds this could have
25 a potentially significant impact.

1 These were considered to be key issues raising concerns
2 over the principle of the development and whether it could
3 come forward safely. The application was therefore not
4 considered acceptable in terms of highway safety and capacity.

5 Turning to the impact on landscape, the site is located
6 in rolling agricultural land in a rural area, but it is well
7 screened, as you have seen from the slides, by mature
8 vegetation and woodland. There is a large stretch of
9 substantial pylons to the south of the site located between
10 the site and the South Downs National Park. In landscape
11 terms the key elements of the development are that it would
12 involve a rig of up to 45 metres in height which would have
13 lighting all the way up. However, there would only be
14 glimpsed views of the site and views into and from the South
15 Downs National Park would be interrupted by pylons. The
16 applicant has also provided mitigation to ensure that
17 lighting is minimised as much as possible.

18 The application is therefore considered acceptable
19 in landscape terms.

20 In terms of amenity and public health and potential
21 impacts on these there are three residential properties within
22 500 metres of the site and 49 properties within 1000 metres of
23 the site. The development will inevitably result in noise,
24 particularly during the drilling period, which would be for 24
25 hours a day. The existing noise levels in the area are low.

1 They are 35 decibels during the day and 19 decibels at night.
2 Measured at the nearest residential properties, operations
3 would reach 41 decibels during construction and restoration
4 works, but these would be undertaken during the day and the
5 guidance indicates that these levels are acceptable. Drilling
6 operations would be carried out for 24 hours a day, as I have
7 mentioned, and would result in noise levels of up to 38
8 decibels, so that is a 19 decibel increase over the existing
9 background levels at night. However, a 38 decibel night time
10 noisy emissions are considered acceptable because 42 decibels
11 is considered acceptable in terms of the minerals guidance,
12 so it is below the threshold. Environmental health officers
13 and our noise consultant note that a 10 decibel increase is
14 likely to be noticeable, but they consider a noise management
15 plan could address this sufficiently if planning permission
16 was granted.

17 HGV movements may affect residential amenity and as I
18 mentioned the applicant has failed to accurately quantify the
19 percentage increase in HGVs on Kirdford Road because they
20 wrongly assessed the increase in HGV numbers, so it is
21 concluded that we have insufficient information to demonstrate
22 that an increase in HGVs would be detrimental to amenity.

23 In terms of impacts on air quality and the impact on
24 amenity and public health, dust and exhaust emissions would be
25 produced, but given the distance to residential properties no

1 impact is anticipated. The development would involve the
2 flaring of natural gas for 14 days during a short-term well
3 test and potentially six months during the extended well test
4 if this is used. However, the impact on air quality of this
5 is not a matter for the County Council. It is considered by
6 the environmental agency through the mining waste permit
7 process. The Environment Agency and Environmental Health
8 officer have raised no objection to the application.

9 The application is therefore considered acceptable in
10 terms of amenity and public health with the exception of
11 the potential impact of HGV movements which the applicant
12 has failed to demonstrate would be acceptable.

13 Turning to the impact on the water environment, the site
14 is not in an area considered to be at risk of flooding. The
15 land slopes downwards towards Boxall Brook, which is 50 metres
16 away, so it is crucial that run-off is managed within the site.
17 The aquifer is not productive, the Environmental Agency has
18 confirmed, and is of low permeability with negligible
19 significance for water supply or river base flow. In terms of
20 groundwater, we must assume that the Environment Agency and
21 Health and Safety Executive would ensure the borehole is
22 constructed and operated properly, and that mining waste is
23 managed appropriately, but we also need to be satisfied that
24 this is the case.

25 The main risks to groundwater are through the failure of

1 well casing and the migration of liquid from the borehole. We
2 have consulted with the Health and Safety Executive,
3 Environment Agency, Southern Water and our own drainage
4 officer and no objections have been raised. As I have
5 mentioned, the Environment Agency concluded that the
6 application poses negligible risk to groundwater.

7 It is therefore concluded that it is acceptable in
8 this regard.

9 In terms of impact on surface water, these would be
10 minimised through the installation of an impermeable
11 membrane under the site including under the drainage
12 gullies. This would be drained to a sump and the water would
13 be taken off site. It would be a sealed contained site. The
14 Environment Agency therefore has no concerns, subject
15 to conditions, if permission was granted.

16 The potential impact on the water environment
17 was therefore considered acceptable.

18 Turning to ecology, as I have mentioned, the site is
19 adjacent to a site of nature conservation interest and 500
20 metres from the Mens SAC and SSSI. It is also 5 km from the
21 Ebernoe SAC and SSSI, which is an internationally
22 designated area, as is the Mens SAC.

23 The main concern for ecologists relates to the
24 installation of lighting and its potential to affect bat
25 species. Information has been submitted by the applicant

1 showing measures to ensure light spill is minimised to 1 lux
2 outside the site, which is considered acceptable by both
3 ecologists and Natural England, who are both satisfied the
4 development would not adversely affect bats. In terms of
5 badgers, a sufficient buffer has been provided between the
6 site and any badger sets in accordance with guidance. So the
7 impact is considered to be acceptable. The use of the site is
8 considered acceptable in terms of impact on ecology.

9 Finally, turning to the impact on the character of the
10 area, the site is within a rural area, as I have already
11 mentioned, and HGVs would travel through the Wisborough
12 Green Conservation Area, including past the village green.
13 A conservation area appraisal undertaken for Chichester
14 District Council notes that the green forms the centre of the
15 conservation area around which village life carries on and
16 that whilst the A272 forms its southern boundary, the busy
17 traffic does not impinge too much. The green is central to
18 the setting and character of the village and the conservation
19 area. The development would result in a total of up to six
20 months of up to 40 HGV movements a day, so 20 HGVs coming to
21 and from the site, although that six months would be spread
22 over the course of the development. It is considered,
23 however, that HGVs would harm the character of the area and
24 the setting of the conservation area. They would be an
25 intrusive disturbing nature which would affect the character

1 of the village. The green is central to Wisborough Green and
2 the frequency that HGVs would travel past it would be out of
3 keeping with the character of the village and be detrimental
4 to its rural character, including the historic character of
5 the conservation area.

6 It is therefore recommended that planning permission
7 is refused for the reasons given out in Appendix 1 on page
8 55 of the report. **(Applause)**

9 However, I would note that further information was
10 submitted in draft by the applicant on Friday, 18th June, the
11 Friday just gone, which has attempted to address the reasons
12 that we have given for refusal, so we must consider the
13 implications of this in determining the application today.

14 Thank you, chairman.

15 THE CHAIRMAN: Thank you very much indeed, Jane. I am now going
16 to move to the speakers objecting to the application and I
17 would like to call Mr. Phil Donoghue, the Keep Kirdford and
18 Wisborough Green. Good morning, Mr. Donoghue.

19 MR. PHIL DONOGHUE: Good morning, Madam Chairman.

20 Members of the Planning Committee, council officers,
21 ladies and gentlemen, my name is Phil Donoghue. I have been
22 a resident of Wisborough Green for over 15 years and I run a
23 B&B and events business. I am speaking today on behalf of
24 KKWG and my presentation will focus on two critical issues -
25 - traffic and protecting the character of the area.

1 Now, the applicant has requested a deferment so that
2 they may have time to suggest ways to mitigate the local
3 highways authority objections and have submitted a report by
4 their traffic consultants, SCP, already. We believe this is
5 an unnecessary and unreasonable request. It is unnecessary
6 because the applicant has been given repeated time extensions
7 to supply the correct information and even after some five
8 months failed to answer adequately all the questions raised
9 by West Sussex. These errors and omissions, and this repeated
10 need for more time, illustrate that the applicant appears not
11 only incapable of understanding the issues involved but it
12 also raises questions about their competence to carry out
13 such experimental mineral exploration.

14 It is unreasonable, because the objections of the LHA,
15 an independent body with no vested interest, cannot be
16 overcome. Let us examine the routes. Route 1 takes all
17 vehicles through the centre of Wisborough Green Village and
18 despite it being both the applicant's and the LHA's preferred
19 direct route, it has been clearly shown to be unsafe. The
20 number and type of vehicle movements required, which we
21 calculate to be in excess of 18,000, far exceed the road's
22 capacity. Articulated lorries cannot turn in and out of the
23 site safely as visibility is not within the statutory site
24 lines. That is just one aspect ignored by SCP. This same
25 insurmountable hazard of site entry and egress also applies to

1 routes 2 and 3. Route 2 would be down a narrow populated
2 unclassified road and route 3 presents exactly the same
3 problems as route 1 by having to go through the heart of
4 Kirdford Village.

5 A SPEAKER: Madam Chairman, someone is either moving the slides or
6 this is not working.

7 THE CHAIRMAN: Can you continue please with speaking. Can you
8 continue to speak, sir. The clock is ticking, sir.

9 MR. PHIL DONOGHUE: The objection and the serious safety concerns
10 they present are impossible to solve and render access to
11 this site totally unsuitable now and in the future. Rather
12 than apply for more time, the applicant should simply abandon
13 this site, and do not just take my word for it. An industry
14 spokesman on 29th January this year in Wisborough Green
15 village hall said, "I realise that this site is far from
16 ideal." That spokesman was Geoff Davies of Celtique. At the
17 same meeting our MP, Nick Herbert, was warmly applauded for
18 saying that this particular site in Wisborough Green is
19 totally unsuitable and he has urged you to refuse the
20 application.

21 The community has suffered from one fatality and several
22 bad collisions involving HGVs in the recent past. Let us
23 focus on making our roads safer, not more dangerous.

24 The applicant is keen to quote the NPPF to justify
25 its request for more time, but they cannot pick and choose

1 which parts they like. It also requires that planners must
2 protect greenbelts and recognise the intrinsic character and
3 beauty of the countryside. Planners should promote the
4 development and diversification of agriculture, support
5 sustainable rural tourism and promote the retention and
6 development of local services and community facilities in
7 villages. For a minimum of three years, the traffic alone
8 would increase noise, congestion, danger, vibration and air
9 pollution. Parking restrictions, traffic control measures and
10 road closures would have a detrimental impact on daily life
11 and make movement around the village extremely difficult,
12 something the Sussex police are acutely aware of.

13 The applicant dismisses the village green as just a
14 cricket ground. It is not. It is very much the hub of village
15 life, enabling hundreds of events to take place each year,
16 events which could not take place if the application were
17 approved. The local economy is dependent upon the steady
18 stream of visitors who come to our beautiful villages
19 throughout the year and an industrial drilling site will
20 significantly reduce these visits.

21 Councillors, granting the applicant more time is
22 unnecessary and unreasonable. There are many compelling
23 reasons to refuse this application, and we need protecting
24 now. Remember, the LHA is a professional and objective body.
25 Celtique's consultants are being well paid to say what the

1 company wants, and they both have a vested commercial
2 interest in this going ahead. Please have the courage of your
3 convictions: do not defer the decision. Refuse this
4 application today. Thank you, Madam Chairman. **(Applause)**

5 THE CHAIRMAN: Thank you very much, Mr. Donoghue. My apologies
6 for the slight technical problems we experienced there. I am
7 now going to call Professor David Smythe, again from the
8 Keep Kirdford and Wisborough Green. Good morning, Professor
9 Smythe.

10 PROFESSOR DAVID SMYTHE: Good morning, Madam Chair. My name is
11 David Smythe, the emeritus professor of geophysics in the
12 University of Glasgow. I am addressing you in my capacity as
13 a disinterested technical expert.

14 Next slide please. Here is a very brief summary of why
15 I object to this application. Firstly, it is incomplete.
16 Secondly, it is incompetent geologically. Thirdly, and not
17 least, it is disingenuous.

18 Next slide please. On the incomplete criticism there
19 are simply insufficient seismic data for looking into the
20 earth to study the site in enough detail. The selection of
21 the locality remains unexplained, despite a request for
22 clarification in December last year by the county planning
23 department.

24 Next please. Here is a detailed map of the preferred
25 search areas chosen by Celtique Energie around the Wisborough

1 Green area, the inner and the outer area. The main problem
2 with these is that there is simply not enough data within
3 either of these two ellipses, so how can they say that
4 these ellipses have been properly defined? My suspicion is
5 that they have been defined in advance using non-geological
6 criteria and then justified subsequently.

7 Next slide please. I have had a look at the recent BGS
8 report on the Weald which came out a couple of months ago and
9 in fact if you take one of Celtique's search criteria -- they
10 have two mutually inconsistent criteria by the way, but if
11 you take one of them and apply it to the new BGS data,
12 basically what it shows is that all the area above and to the
13 west of the dashed red line is as good as anything. If you
14 make the criterion more strict, you are used to the little
15 area outlined in dotted blue at the bottom left-hand corner.
16 But in neither of these two instances does the use of the BGS
17 data lead us to anywhere near Wisborough Green and these
18 ellipses allegedly chosen by Celtique on geological grounds.

19 Next please. In my view the application geologically is
20 incompetent. The original version back in December was full
21 of errors, a lot of which I pointed out, and some still
22 remain. Here is one example.

23 Next slide please. This is a very simple geological
24 cross-section constructed by them of the uppermost 400 metres.
25 It just shows geological layers sloping to the west, but they

1 cannot get this right. The base of the brown layer, which is
2 the Weald clay, they show as 80 metres deeper than I have
3 shown by the correct version in white. Now, this is second
4 year level undergraduate geological exercise and if they
5 cannot get it right in the top 400 metres in elementary
6 geology, what are they going to be doing deeper?

7 Next slide please. Last, and most importantly, the
8 application is disingenuous because the targets that they are
9 seeking are unconventional. This means it requires
10 unconventional methods. There is a letter from Celtique to
11 Deck, dated December 2011, where they state this quite
12 clearly: "We have found unconventional prospectivity. We have
13 unconventional trends proven by drilling", and the letter is
14 complaining that they are going to have to give up 50% of
15 their licensed area after the initial six years.

16 Next please. My basic problem with fracking and so on
17 and exploitation of shale in the UK is that it is completely
18 different in origin from the US basins where the industry is
19 much more advanced. I have calculated that in the Weald Basin
20 where you are here, there are 400 times as many faults as in
21 the average for the US basins that I spent a month studying.
22 The faults are risky to groundwater and the surface because
23 they can be a fast-track for contaminated fluids and methane
24 getting up to the surface.

25 Next please. In my view the application can only have

1 two possible outcomes: either relinquishment of the
2 licence and the applicant just packs up or goes home or it
3 leads to unconventional development.

4 Next please. Unconventional development means long
5 reach horizontal wells which will have to be fracked.

6 In conclusion, geologically speaking, the application is
7 incomplete, incompetent, disingenuous, and I have provided
8 full details for you in a 70-page detailed document.

9 I therefore recommend rejection. I am not a lawyer, but I
10 would imagine that if you accepted the application it might
11 lead to a legal challenge on these grounds among others.

12 Thank you very much. **(Applause)**

13 THE CHAIRMAN: Thank you very much, Professor Smythe,

14 unfortunately you ran over a little bit. I am now going to
15 ask for Sue Jameson to speak. Good morning, Miss Jameson.

16 SUE JAMESON: Good morning, Madam Chair and members of the
17 committee.

18 My name is Sue Jameson and I have lived in Wisborough
19 Green with my family for over 30 years. Early last year was
20 the first time we heard of a company called Celtique Energie
21 and plans to explore for oil and gas at a site between
22 Kirdford and Wisborough Green. We were a bit confused. What
23 were they proposing? Some kind of industrial site? A huge
24 concrete drilling pad, a 45-metre high mast, all sorts of
25 heavy machinery in a farmer's field and right next door to

1 a Sussex wildlife trust nature reserve, a reserve that lies
2 within the setting of the South Downs National Park, part of
3 an important wildlife corridor linking two special areas of
4 conservation, and it is home to abundant wildlife, several
5 rare species, including our own internationally protected
6 barbastelle bats. These bats are much more sensitive to light
7 and noise disturbance than any other bat, and they are
8 supported by a European Directive. There is a stream full of
9 water. It is tributary of the River Kird which runs down into
10 the River Arun. There are wonderful dark night skies with
11 often barely a sound except perhaps a passing car, a
12 nightingale in the spring or the odd hoot of an owl. What
13 would a drill site mean, placed here? Would our birds
14 disappear as the birds did at Balcombe as soon as the
15 drilling started?

16 In this last year between us we have had to learn an
17 awful lot, and I am sorry to say that awful is probably
18 quite an appropriate word in this case.

19 So industrialisation of a field in a quiet country lane,
20 a lane with a beautiful mature overhanging tree canopy, much
21 favoured by cyclists, horse riders, ramblers, with an ancient
22 narrow bridge getting on for 200 years old. This picture was
23 painted by a local farmer back in 1950. Could this bridge
24 possibly take the weight of thousands of big industrial
25 lorries, the underlying faulted geology, all the transport and

1 access issues, not forgetting the regular winter flooding of
2 the Boxall Brook? This photo was taken at Christmas time. The
3 potential for disturbance to livestock and to wildlife all
4 make this a totally unsuitable site. So we welcome the
5 officer's report and are relieved that it identifies the harm
6 that this proposal would do to our villages. But we still do
7 have concerns.

8 As I say, we have had to learn to winkle out
9 information. Luckily we now have some independent
10 consultants' findings supporting us. We have heard from the
11 local highways authority and from Phil just now that the
12 route is unsafe and inaccessible. The information supplied by
13 the applicant did not spell that out. It emerged, despite an
14 environmental statement of over 1000 pages, that there still
15 are some areas of concern. What about noise affecting nearby
16 residents? There is at least two homes within a mile radius
17 or less and several long-established farming livestock
18 businesses close by. Possible contamination of the air or of
19 the brook. Would there be pollution of groundwater affecting
20 these livestock industries? Sussex is a water-stressed area
21 and we cannot afford to pollute or waste one single drop.

22 Last but not least, the possible hazards to local
23 people. Horse riders would disappear from the Kirdford Road,
24 and the cyclists, and the walkers coming to the wildlife
25 reserve, and the children walking to school. There would be

1 no more healthy exercise along that lane, and much less on
2 the village green. The risks and disruption would affect so
3 many things, sporting activities, the natural environment the
4 economy and the whole social life of our villages.

5 We want to leave a legacy of peace and tranquility for
6 our children and grandchildren, not one fraught with the
7 potential for long-term pollution and degradation of our
8 lovely Sussex countryside and its precious wildlife. We are
9 asking you please not to defer this decision. Please refuse
10 this application. Thank you for your attention. **(Applause)**

11 THE CHAIRMAN: Thank you very much, Ms. Jameson. As I said
12 previously, we have two further speakers from Kirdford
13 Parish Council and Wisborough Green Parish Council, so I
14 will call Josef Ransley from Kirdford Parish Council. Good
15 morning, sir.

16 COUNCILLOR JOSEF RANSLEY: Good morning. My name is Joseph
17 Ransley. I am the district councillor for Kirdford and
18 Wisborough Green Ward and the Vice Chairman for Kirdford
19 Parish Council. Thank you for allowing me to address you on
20 behalf of Kirdford Parish Council. I will try and keep it as
21 brief as possible.

22 We consider there to be two main reasons for refusing
23 this application on planning grounds. Firstly, highway safety
24 and capacity upon which grounds the highways authority also
25 objected and your officers have concluded as a reason for

1 recommending refusal. The second is more complex and relates
2 to site location and site selection, both critical to the
3 management of minerals extraction and covered by Policy 26 of
4 the West Sussex County Council's Minerals Local Plan 2003.

5 Policy 26 requires the applicant to demonstrate the
6 best option in comparison with other alternative sites. This
7 is addressed in paragraphs 9.8 to 9.16 of the report before
8 you which sets out how the applicant's licensed area of 3,000
9 square km is reduced to a search area of 10 square km and how
10 within that area there are only three suitable sites of which
11 only one is available after discussions with landowners to
12 provide access for exploration, appraisal and/or production.

13 The process utilised in demonstrating the best option
14 or site selection relies on two criteria: clear geological
15 evidence to identify the search area, such clear geological
16 evidence is absent in the material before you; and the
17 analysis of the historical geological survey information
18 provided by the applicant is disputed by equally valid
19 evidence and analysis submitted on behalf of the Parish
20 Council by Professor Smythe.

21 PPG for minerals, paragraph 0.95, explains that the
22 exploratory phase of hydrocarbon extraction, and I quote,
23 "Seeks to acquire geological data to establish whether
24 hydrocarbons are present. It may involve seismic surveys",
25 etc. we consider that the applicant can provide clear

1 geological evidence by way of a 3-fl seismic survey. The lack
2 of such survey evidence fails to comply with Policy 26 and
3 the latest planning practice guidance for minerals.

4 The second issue relates to access to land for
5 exploration and production which the applicant states is a
6 constraint as it requires the agreement of willing
7 landowners. fleck have been clear on this matter in their
8 recent briefing to your members at County Hall by confirming
9 that the Petroleum Production Act 1934 provides entitlement
10 for licence holders to compulsory access powers if they
11 cannot negotiate with the owners of land they need to find
12 the reserves. Therefore, we conclude willing agreement of
13 landowners is not a constraint in best option or site
14 selection. We would ask members to consider whether they can
15 defend the site selection process as being robust and
16 representative of the best option as required under your own
17 mineral plan policy. If you, like us, conclude it is not, an
18 additional reason for refusal to cover failure to demonstrate
19 the best option needs to be added to the decision statement.

20 Kirdford Parish Council is on record as not being
21 opposed per se to oil and gas exploration, however we consider
22 one of the basic principles of mineral site selection relates
23 to highway safety and capacity, and logic guides us that any
24 such proposed development is best located adjacent to
25 strategic lorry routes. We also consider that exploratory

1 drilling is not limited by vertical boreholes, but that a
2 single borehole can cover a lateral distance of up to 10 km.
3 That radius accesses an area of 314 square km, so we could
4 put a drill rig on this particular location and access oil in
5 Crawley, just to give you an illustration of what we are
6 talking about.

7 In our view the oil industry is its own worst enemy by
8 seeking to pursue development in wholly inappropriate
9 locations when it is not constrained to select sites in less
10 harmful locations and we urge this committee to send a clear
11 message to the industry by supporting the recommendation for
12 refusal with additional reasons referred to. Thank you.

13 **(Applause)**

14 THE CHAIRMAN: Thank you very much, Mr. Ransley. I will now call
15 Andrew Jackson, who comes from Wisborough Green Parish
16 Council. Good morning, Mr. Jackson.

17 MR. ANDREW JACKSON: Good morning. I will just wait for a slide
18 please. It should be a PDF document. Could we have it on the
19 screen, please? Thank you.

20 THE CHAIRMAN: Apologies to everyone. Just technical problems.
21 You will be pleased to know we do not have the timer on yet.

22 MR. ANDREW JACKSON: Thank you very much. Good morning. My name
23 is Andrew Jackson and I am speaking on behalf of Wisborough
24 Green Parish Council.

25 We are objecting on several grounds. Our main objection

1 is the effect of the additional HGV traffic through our
2 village, and we have other objections on the impact of noise to
3 our community, the risk of pollution and impact on wildlife and
4 protected species, but other speakers have covered those
5 issues.

6 This application brings the prospect of a very large
7 number of HGV lorries for a long period of time to travel
8 back and forth through our village and along our narrow
9 country roads. Simply put, the proposed route is unsuitable.

10 The alternatives are even worse. All are unacceptable.
11 None offer direct access to the main highway network.

12 The route runs around our village green through our
13 conservation area. It is at the heart of that. We use the
14 village green every day of the year. There are lots of
15 sporting activities, there are many events on the green,
16 some with thousands of visitors. There is a playground this
17 far from the roadside which is very popular for the young
18 children. It is a classic. There are quintessential views
19 across the conservation area. We are a lucky village to have
20 this asset.

21 So, key characteristics are young people close to the
22 road, also children walking along the edge of the green to
23 school and crossing the roads that form part of the route for
24 this application. We already have parking and road safety
25 issues for our village, as you can see in the photographs.

1 These are things we are having to manage already. So we
2 consider that the additional traffic will cause an
3 unacceptable increased risk to public safety and will
4 cause difficulty for residents to use our own facilities.

5 May I have the second slide please? The route runs
6 along narrow country lanes which are not built for the
7 purpose. HGV lorries passing each other will inevitably
8 damage the side of the road and verges. You can see in a
9 photograph two vehicles passing and there was clearly damage
10 created at that time. There is nowhere on this route to
11 manage any queuing of vehicles and there is quite a
12 substantial section which is residential which has no
13 pavement. This route would be for pedestrians and children to
14 walk to school and clearly with the volume of traffic, it
15 makes that unacceptably unsafe for those residents.

16 We are working on neighbourhood planning. A key
17 criteria for that is sustainability, and that expects to
18 have safe pedestrian access for residents to come into the
19 centre of the village to use the facilities.

20 Third slide please. The route includes several sharp
21 turns. Your officers have highlighted to you that the site
22 turning cannot be safely achieved within the entrance and the
23 highway, and also that the Durbans Road and A272 turnings both
24 involve using the opposite side of the carriageway to make the
25 turn, which is clearly seen in the photograph. Finally, the

1 Durbans Road crossroads has very poor visibility and a
2 history of accidents.

3 I will comment that several minor improvements were
4 added to the application earlier this year, but please do
5 not be fooled. These are incremental, but do not resolve any
6 of our key objectives.

7 So I would like to summarise, we all need fuel, we all
8 want to preserve the places we live in and the beautiful
9 countryside around us. Today you make history to establish
10 what is acceptable and what is not acceptable. Past approvals
11 have had adequate access to the main highway network. This
12 application does not. Your decision today is hugely important
13 in setting a precedent. Your officers advise refusal. We ask
14 that you follow their professional advice for the sake of our
15 villages of Wisborough Green and Kirdford and for the sake of
16 all the other villages in the southern counties. Thank you
17 very much. **(Applause)**

18 THE CHAIRMAN: Thank you very much, Mr. Jackson. I am now going
19 to call for the speakers in support of the application and
20 I am going to call Mr. Gareth Wilson from Barton Willmore.
21 Mr. Wilson, good morning.

22 MR. GARETH WILSON: Good morning. Thank you for providing the
23 opportunity to speak at the Planning Committee today. I am
24 Gareth Wilson, planning and environmental consultant on
25 behalf of the Celtique Energie.

1 We want to make clear that the proposals are to
2 explore the potential of this site to produce hydrocarbons
3 in the conventional way. It is not the intention to
4 undertake hydraulic fracturing or fracking as part of this
5 planning application or on this exploration well.

6 The national planning policy framework is the principal
7 planning document against which the proposal should be
8 assessed. This recognises that minerals are essential to
9 support sustainable economic growth and our quality of life
10 can only work where they are found.

11 When determining planning applications, the NPPF advises
12 local authorities to give great weight to the benefits of
13 mineral extraction, including to the economy. The government
14 is encouraging a shift away from fossil fuel to low carbon and
15 renewable energy generation. It recognises, however, that the
16 supply of renewable sources alone can be intermittent and
17 insufficient to meet the UK's energy demand. To ensure a
18 sufficient and stable supply of energy, the aim in the UK is
19 to have a diverse energy mix, including from renewables,
20 nuclear and hydrocarbons. The UK is becoming increasingly
21 reliant on gas and oil imported from abroad. The department
22 for energy and climate change estimates that by 2030 the UK
23 will import three-quarters of its gas. Deck figures also show
24 the UK is in steep decline for indigenous oil production and
25 is a net importer with reducing security of supply.

1 Celtique has been issued with an exploration development
2 licence from Decc to explore the potential for oil and gas
3 production in the central Weald Basin. Decc expects
4 organisations that have been granted a licence to fully
5 explore the potential of the area that the licence covers.

6 There are three stages covered by the licence:
7 exploratory, appraisal and production. This application
8 relates to the exploratory stage and seeks permission to
9 explore the potential of the well only. The planning
10 permission would be for a period of three years, but
11 works onsite would occur for a limited number of weeks.

12 This well would be similar to those already operating
13 in West Sussex at Singleton, Storrington , Markwells Wood and
14 Lidsey. If hydrocarbons are found, a separate planning
15 application and environmental permit would be required to
16 proceed to the production stage.

17 It is understandable that local communities have
18 concerns about the impact of this type of development. To
19 understand these concerns and to explain what is proposed in
20 the process involved, the applicant has engaged the local
21 community and interest groups through a series of exhibitions,
22 letters, drop in surgeries and parish council presentations.
23 The consultation has been extensive and has resulted in
24 additional work being undertaken. This includes additional
25 highways works undertaken to address the comments and

1 objections received from the highways officer on 2nd July.

2 The applicant is committed to the responsible
3 stretching of hydrocarbons and has undertaken a comprehensive
4 environmental impact assessment with the input of a wide
5 range of specialists. This has assessed the effects of the
6 proposals on ecology, landscape, traffic and transport, air
7 quality, noise, vibration and groundwater. With appropriate
8 mitigation, that would be secured by planning condition. The
9 environmental statement concludes that the majority of
10 effects would be negligible and temporary in nature.

11 In summary, this application is to explore the
12 potential of this site for conventional hydrocarbon
13 extraction in line with the government's objectives and the
14 licence granted to Celtique Energie. It does not involve
15 fracking. The proposals are supported by comprehensive and
16 detailed geological engineering and environmental evidence,
17 informed by extensive consultation with local communities
18 groups and statutory bodies.

19 West Sussex Highways Department issued an objection to
20 the application on 2nd July. We have reviewed the concerns of
21 the highways officers and responded positively and in full to
22 the matters raised. In addition, the applicant has instructed
23 an independent highways consultant to provide a peer-review to
24 all work prepared. The additional information was submitted on
25 18th July and addresses all of the highways' concerns.

1 There are now no outstanding planning reasons to refuse
2 this application.

3 We would therefore ask members to defer this application
4 to allow officers sufficient time to give due consideration to
5 the important additional highways information submitted. My
6 colleague John Russell is here to discuss the highways in more
7 detail.

8 THE CHAIRMAN: Thank you very much, Mr. Wilson.

9 I will now call Mr. John Russell from FCP
10 Highways Consultants. Good morning, Mr. Russell.

11 MR. RUSSELL: Good morning. First of all, thank you for providing
12 me the opportunity to speak to the committee today.

13 Throughout the whole planning process we have sought to
14 maintain a dialogue with county highways. This included the
15 provision of a draft copy of the completed Wisborough Green
16 assessment to officers prior to the application being
17 submitted. This was back in 2013. No concerns the regarding
18 assessment methodology, baseline data or impact assessment
19 conclusions were raised in respect to this draft assessment.

20 As recently as May this year we had confirmation from
21 county highways that from a technical perspective they were
22 satisfied that the proposed access route was not detrimental
23 to safety or capacity. The county highways consultation
24 response received in early July clearly contradicts this and
25 suggests they are now unable to confirm the suitability of the

1 proposals in terms of highway capacity and safety for the
2 reasons of detail set out in the application response which
3 we have looked at.

4 Continuing our openness with this application and
5 responding to the county highways, the applicant has submitted
6 further detailed work. This further detailed work is based on
7 information already submitted with the planning application.
8 This work demonstrates that there remain no valid highways
9 grounds to object to the proposed development. I will just
10 draw some of the points out of this. I believe you have the
11 report.

12 The total volume of baseline traffic in this further
13 submission is the same as the information already submitted
14 with the planning application. The one exception is, as time
15 has moved on, there is a more up-to-date traffic survey for
16 the A272 which we have taken advantage of to make it current.
17 The classification of the baseline traffic survey in this
18 further submission reflects what the highways' response to the
19 consultation was, but I would note that the classification of
20 traffic and the planning application submitted had not been
21 questioned by county highways in previous planning
22 applications that were subsequently accepted.

23 In terms of the volume of development traffic on which
24 the assessment is based, both the planning application and
25 this further information, the number of heavy vehicle

1 movements arising from the proposed development is no
2 different between this and the previous submission. The number
3 of vehicles and the type of vehicles needed to establish and
4 serve the drilling operation has not changed. The further
5 information has gone through the assessment again. It is
6 assessed to have a negligible impact with respect to the A272,
7 and this is the same outcome as the planning application
8 submission. It has also concluded that the proposed
9 development is assessed to have a negligible significance of
10 impact with respect to Kirdford Road, and this is the same as
11 the outcome in the April submission.

12 In terms of the access, the further information we have
13 provided explicitly demonstrates that the proposed site
14 access can safely accommodate all movements of the worst case
15 designed vehicle. The visibility from the proposed site
16 access complies with the desirable minimum stopping site
17 distances for the road speeds which are observed at around 41
18 miles per hour, that is 85 percentile. A waiting area is
19 clearly provided onsite within clear visibility of the access
20 with Kirdford Ford which will enable heavy vehicles to pass
21 each other on the site without interfering with the highway.
22 We are also committed to detail a construction traffic
23 management plan which, amongst other matters, would control
24 the arrival and departure of vehicles to the site.

25 An independent stage 1 road safety order of the access

1 junction was prepared and provided with the submission. All
2 the audit recommendations are responded to. In addition to
3 the audit of the access junction, an independent safety audit
4 of the route between the site access and the A272 was
5 commissioned. It was not undertaken by ourselves or Celtique;
6 it was an independent auditor. That was at the suggestion of
7 the county highways. The conclusion of the auditor is that
8 the route is generally considered acceptable with some
9 intervention required. His audit is in the context of the
10 number of sites of development vehicles proposed.

11 We have undertaken additional path assessments following
12 the response from county highways. These do not support the
13 auditor's conclusions and all the recommended interventions of
14 the independent safety auditor have been incorporated into the
15 design or could be conditioned.

16 In summary, we have reviewed the concerns of the
17 county's highway officer and have responded positively and in
18 full to the matters raised, addressing each issue in turn in
19 a submission made in July to ensure that there can be no
20 doubt there are no valid highway grounds to object to the
21 temporary development. We would therefore ask members to
22 defer determination of this application to allow your
23 officers sufficient time to give due consideration to the
24 additional highway information submitted.

25 I will stop there as it has gone red.

1 THE CHAIRMAN: Thank you very much, Mr. Russell. Right, I have
2 been informed that the air-conditioning has failed. My
3 apologies. An engineer is trying to fix it, so please bear
4 with us.

5 I am now going to call the local member, Mrs. Janet
6 Duncton. As local member, Mrs. Duncton has an unlimited
7 amount of time to speak. Good morning, Mrs. Duncton. I am
8 sure you will not abuse that privilege.

9 MRS. JANET DUNCTON: I might. In actual fact, Chairman, you will
10 probably find that I will not take as long as other speakers.
11 I am not sitting here today as a scientist or a geologist or
12 anything else, but I am going to speak from what I hope you
13 will all consider is from the heart as a local girl who has
14 these villages within a division that she has the privilege
15 to look after.

16 I have spent the last year learning more about oil
17 extraction than I ever thought I wanted to know or would
18 need to know. What I do know about though, Chairman, is the
19 local area. I know the roads. I fully concur with the
20 recommendation because what I have said from the very
21 beginning, and although when you put your first slide up it
22 said that Chichester District Council were one that did not
23 put in an objection, I thought there had been an objection
24 because I was on the committee and I actually put forward,
25 although I was told I could not, because we were asked to

1 comment on environmental grounds which apparently did not
2 include the traffic using the roads, but I insisted that
3 the traffic was a huge environmental impact on those
4 country roads. **(Applause)**

5 Having said that, Chairman, you can all see where I am
6 coming from. Celtique would have been very sensible to have
7 found these things out before they even started spending
8 money on their sites. Yes, it has been stated before. We have
9 got some very good oil sites in West Sussex. They all come
10 straight out on to main A roads. I have to talk about
11 Wisborough Green, although Kirdford is just as precious to
12 me. Wisborough Green is a visible quintessential English
13 village, and as you have seen by the photographs it is not
14 just a cricket match place. Fantastic fetes, fantastic
15 balloon events, you name it, they have it. Chairman, I will
16 not take a lot more of your time. I want you to notice what
17 everybody has said here, the technical people, a lot of which
18 I do not understand the technicalities. I am not a scientist.
19 I am a councillor who cares for her patch. What I would say
20 is one that of the things that was brought out was, well, you
21 have already got a line of pylons spoiling things. Yes, they
22 go through my farm, but do we need to increase the amount of
23 things that are going to spoil things by putting something
24 else there that will not look too good in their beautiful
25 countryside? In fact I think Celtique would probably only

1 have chosen one worst village in my division, and that would
2 be which would be Lurgashall, and then you would not even
3 get the lorries down there, but we are not talking about
4 Lurgashall. We are talking about the two quintessential
5 villages of Kirdford and Wisborough Green.

6 Chairman, I can only ask my fellow members of the
7 county council to please listen to what they have heard
8 today. I really would not ever want to put my name to ruining
9 these two lovely villages. I cannot speak for the
10 technicalities of oil and gas, I really cannot. I want to use
11 my car. I want to switch my lights on. I am not stupid enough
12 to say that I do not need oil and gas and I would like it to
13 come from this country. I would not like it to come from
14 Northup Copse, whether there is or is not gas there. I guess
15 we also have to face that might stand three years of hell and
16 then find absolutely nothing. Probably that would be worse.
17 At least there would be something at the end of the tunnel,
18 but having said that, Chairman, this is the wrong place. That
19 is all there is to say about it. It is the wrong place. Thank
20 you. **(Applause)**

21 THE CHAIRMAN: Thank you very much, Mrs. Duncton. I am now going
22 to ask for points of clarification from the officers and I
23 am going to ask Jane Moseley to lead with Dominic Smith
24 pitching in where he feels appropriately. I will deal with
25 the new information in a moment.

1 I just wanted to clarify a couple of points first off.
2 There was the access accommodation issues, visibility and
3 stopping speeds at Kirdford Road. It did not sound to me like
4 there was additional information that conflicted with that.
5 There were the outstanding issues of volume and baselines and
6 the A272 traffic issues, the classification of the baseline
7 assessment and site selection, if I may take that first. Then
8 there are a couple more issues I would like to speak to the
9 legal people about. Thank you.

10 Sorry, the final thing was CDC objection,
11 the clarification on their objection. Thank you.

12 MRS. JANE MOSELEY: Thank you, Chairman. I will pass straight
13 over to Mr. Smith, if I may, to respond to the issues
14 regarding highways. Thank you.

15 MR. DOMINIC SMITH: To clarify on some of the points, the comments
16 that we have made our recommendation on was based upon the
17 second submission of information after the initial request
18 for more information. At that time the visibility displays
19 were shown to be inaccurate, not in compliance with design
20 manual for (unclear) bridges guidelines and standards which
21 would be the required standards on this occasion.

22 The volume and baseline traffic data, we did make a
23 request in our original submission for the classification
24 and categorisation to be changed to 3.5 tonne weight limit
25 as a minimum HGV. The resubmission retained the existing

1 classification and no changes were made.

2 In terms of the access accommodation, we requested in
3 our initial response for further evidence to be provided in
4 terms of the routes to and from the site, including sweat
5 path tracking and that sort of information.

6 I am obviously aware that additional information has
7 been submitted in the last few days. It is a 200-page
8 document. I have not had time yet to go through it in detail,
9 but some of the issues there have started to be worked upon.
10 I still think there is room for improvement on the access to
11 accommodation and further work will be required to make it
12 accord with standards.

13 The baseline traffic data, as I say, there is obviously
14 a lot of work to go through there in terms of numbers. There
15 is not enough work done on the access to and from the sites.
16 The applicant has indicated that mitigation will be put in
17 place, but it has not identified what type of mitigation that
18 would be, what would be required or whether it is even
19 possible given the sensitivity and the conservation area
20 location. I think that is probably summarised all the highway
21 points.

22 THE CHAIRMAN: Thank you very much, Mr. Smith. Site selection,
23 CDC.

24 MRS. JANE MOSELEY: Turning first to site selection, I can only
25 really echo what we have said in the report. We consider that

1 the site selection and the consideration of alternative sites
2 was entirely adequate, and that this was the best option.
3 They went through 11 sites put before us and they did have
4 considerable pre-application discussions with us in
5 considering those sites and the environmental constraints,
6 and that sort of thing. We do consider that it was the best
7 option presented to us.

8 MR. MIKE ELKINGTON: Just to say further that the minerals local
9 plan does not define what best means. It is not necessarily
10 talking about the best environmental option. In terms of
11 comparison, in terms of site selection, in terms of if you
12 are preparing a policy document, whether that is a minerals
13 local plan or waste local plan, the issues of availability
14 and deliverability of a site would be material in terms of
15 site selection. The report in paragraph 9.13 on page 39
16 states that of those 11 sites only three remained after the
17 applicant had discussed matters with landowners. So I think
18 availability is material. Of those sites within the area they
19 have reduced it from 11 down to 3. Whether that is the best,
20 say, it is a matter of judgment, but in terms of those issues
21 of availability and desirability, we think those should be
22 taken into account.

23 THE CHAIRMAN: Thank you very much, Mr. Elkington. I am now going
24 to turn to CDC.

25 MRS. JANE MOSELEY: Thank you, Chairman. Chichester District

1 Council raised a range of issues in terms of environmental
2 health issues that they considered needed to be addressed
3 through condition, otherwise they would raise an objection.
4 They said essentially, if we did not add these conditions
5 to any approval that we gave, they would have an objection.
6 Thank you, Chairman.

7 THE CHAIRMAN: Thank you very much. I am now going to turn to the
8 solicitor of the Council and ask Katie if they would give me
9 the significance, from a legal perspective, on the new
10 information received, and I would ask Mike to chip in on that
11 one as well if you could.

12 MRS. KATIE KAM: Thank you, Chairman. Yes, there is no denying
13 that additional information was submitted late last week. The
14 significance of it at this time is difficult to ascertain
15 because officers have not had the chance to go thoroughly
16 through it, so there is a question mark on how significant
17 this new information is.

18 The fact is though that it is in existence. Members may
19 consider that it could be significant and the information
20 could go to the heart of the reasons for refusal that are
21 attached to the current report. Members may therefore
22 consider that it is reasonable and in the public interests
23 for officers to have time to consider it and also members of
24 the public to look at it in depth too.

25 However, on the flip-side of that, members may think

1 that they have heard a lot of information this morning and
2 that they are in receipt of sufficient information to come to
3 a decision based on the report and what the speakers have
4 said and what the officers have clarified. However, I would
5 advise members to take further advice from the planning
6 officers as to the early indications of the material and how
7 significant it may be. I will pass over to Mike.

8 MR. MIKE ELKINGTON: Thank you. I think the key issue here comes
9 down to whether the planning authority has been reasonable
10 in terms of considering this proposal. In terms of the
11 chronology of when the information was asked for, I will
12 pass over to Jane to deal with that. Thank you.

13 MRS. JANE MOSELEY: Thank you, Mr. Elkington.

14 THE CHAIRMAN: You cannot get the staff.

15 MR. MIKE ELKINGTON: I can. **(Laughter)**

16 MRS. JANE MOSELEY: The applicant has had a couple of
17 conversations with county highways since 2012, as I think
18 they have alluded to. We provided a formal pre-application
19 response, so before the application came in they had in
20 writing what was likely to be required on 3rd July 2013. The
21 application was valid in September.

22 On 20th December 2013 we sent out a Regulation 22
23 response, so a response to the submitted information saying
24 this is what we need to determine the application. In
25 highways terms that set out all of the issues which have now

1 been raised in the highways refusal. They included matters
2 around the classification of what is an HGV and what is not.
3 That was raised in December 2013. The applicant has, we
4 consider, had sufficient time since December 2013 to respond
5 to that issue, which they did on 18th July, and some of the
6 other issues.

7 Further information was provided by the applicant on
8 25th April 2014, which we have subsequently carried out a
9 consultation on in May and June, but that did not cover some
10 of the issues. It did not respond to the issues that highways
11 had raised. In fact they provided information that then
12 flagged up other issues. They have addressed some of the
13 issues, but not others in full, such that an objection was
14 raised by highways on 2nd July 2014. Just to confirm what
15 Mike said, I do think that we have been reasonable and
16 maintained a dialogue throughout the process. Thank you.

17 THE CHAIRMAN: I think believe, Mike, you wish to come back.

18 MR. MIKE ELKINGTON: I think the other thing to say is that the
19 government encourages planning authorities to move towards
20 making decisions on planning applications as soon as possible.
21 I think in this case there has been pre-application
22 discussion. There has been a formal request for further
23 information. So based upon that, I think that is why we
24 thought it was appropriate to bring the report to this meeting
25 because we thought the applicant has had sufficient time to

1 address the issues raised, including those relating to
2 issues of highway capacity and road safety.

3 THE CHAIRMAN: I am now going to ask the members for an indication
4 as to whether you wish to consider the new information and
5 request a deferral or whether you wish to consider the
6 substantive recommendation before you and go to the
7 substantive debate. I have Mr. Rogers wishing to speak.

8 MR. JOHN ROGERS: Thank you, Chairman. Those dates are pretty
9 revealing. One would expect a professional organisation to
10 provide information in a proper way at the proper time.

11 **(Applause)** I have got a few questions on the traffic side
12 of it, but I have heard enough this morning for us to make
13 a decision without having to consider the additional
14 information. **(Applause)**

15 THE CHAIRMAN: Thank you very much, Mr. Rogers. Mr. Andrew
16 Barrett-Miles.

17 COUNCILLOR ANDREW BARRETT-MILES: I agree with Mr. Rogers
18 entirely. Having run the route last week to see what it is
19 like, and given the time that the applicant had to come
20 back and answer the questions, I think we should go ahead
21 and determine this straight away. **(Applause)**

22 THE CHAIRMAN: Right. I have Mr. Lionel Parsons.

23 COUNCILLOR LIONEL PARSONS: Thank you, Madam Chairman. I support
24 the other two members. I think I have heard enough to
25 understand exactly what the situation is regarding this

1 application and I am happy that we should carry on and
2 make a decision here and now. Thank you, Madam Chairman.

3 **(Applause)**

4 THE CHAIRMAN: I am not going to take a vote on this, but I would
5 like to have an indicative viewpoint as to members taking
6 this forward, so can I just have a brief raise of hands to
7 indicate that they wish to take it forward. I believe that is
8 unanimous. Thank you, members. Apologies.

9 Members, we are now going to turn to the debate and the
10 decision and so I can ask members if they wish to indicate
11 their intention to speak. During the course of the debate, I
12 will ask officers to respond to any queries to provide any
13 clarification that you require. If, members, you decide to
14 move any amendments to the recommendation, please can you
15 provide planning reasons for any amendment consistent with
16 planning material grounds and I will call for members to
17 propose and second any amendments which will then be taken
18 prior to the substantive vote at the end of the debate. Thank
19 you very much.

20 I have Mr. Rogers indicating he wishes to speak.

21 Mr. Rogers.

22 MR. JOHN ROGERS: Thank you, Chairman. I just want to pick out a
23 few bits on this report, page 23, 4.8. Phase I construction
24 of the access and well site, 10 weeks of intensive HGV
25 movements, it says. At the bottom of the page, 4.16, the most

1 intensive phase there is 40 a day, 20 HGVs travelling to
2 and from the site for a period of 70 days. That equals to
3 four HGV movements each hour. That is every 15 minutes,
4 just in case anybody could not work that out.

5 Going over to page 24, 4.18, we are now down to 24
6 HGV movements.

7 Now also, going back to the previous page on page 23,
8 in 4.12 it says about an impermeable geo membrane being laid
9 on the site with an inceptor ditch that would be created,
10 etc., etc., to collect run-off water, and so on. Then in 4.20
11 -- I am back on page 24 -- it says that this water is going
12 to be collect in purpose built tanks and transported from the
13 site by road for disposal at an authorised waste disposal
14 facility. Is that additional vehicle movements to the 24? I
15 cannot picture -- I do not know whether anybody else can --
16 what 11 days' water usage looks like. 3,000 cubic metres
17 sounds like a lot of water. I do not know how much a tanker
18 holds, but the question is, are those tanker movements
19 included in that 24 or are they in addition to the 24 that
20 has been mentioned just now?

21 Then on page 30 -- it is mentioned in the report, so I
22 am going to mention it -- at 6.36 it says that planning
23 authorities should take account of government energy policy.
24 Is this oil, if it is found, going to be sold for UK use or
25 is it going to go abroad like North Sea gas did?

1 6.44 on page 31, Policy 39 requires development to,
2 amongst other things, provide for the access and transport
3 demands not to create or add problems of safety, congestion,
4 air pollution or other damage to the environment and to have
5 safe and adequate means of access. I think that sums it up.
6 This application, Madam Chairman, does not comply with that
7 6.44. Thank you.

8 THE CHAIRMAN: Thank you very much, Mr. Rogers. **(Applause)** I am
9 just going to ask about the additional vehicle movements and
10 the clarification as to whether or not the water tankers
11 have been included in the 24 vehicle movements that have
12 been put in the report. Thank you.

13 MRS. JANE MOSELEY: Thank you, chairman, I can confirm that, yes,
14 they have been included in the vehicle movements. The
15 applicant has indicated that they estimate there will be
16 eight water tankers each day for three days during phase II
17 of the drill filling operations and drill rig mobilisation.
18 It will be eight water tankers coming to and from the site
19 each day for three days and then there will be two per day
20 after that for the rest of the phase. Thank you, Chairman.

21 THE CHAIRMAN: Thank you. Correct me if I am wrong, whether or not
22 there is oil or any hydrocarbon extraction, it is not a
23 material planning ground for this particular committee at
24 this particular occasion in terms of where it is then sold on
25 to.

1 MRS. JANE MOSELEY: That is correct, Chairman.

2 THE CHAIRMAN: I now have Mr. Parsons.

3 COUNCILLOR LIONEL PARSONS: Thank you, Madam Chairman. One of the
4 speakers mentioned about the lack of seismic assessment.

5 I would like clarification on that item please, if you could.

6 Heart and head issue this is. Heart and head, both of them,

7 tell me to run these vehicles through Wisborough Green

8 village with village activity such as we have seen and had

9 demonstrated here today is to me very difficult to accept and

10 I find it a big key issue that we need to look seriously at

11 this application. Village life will to my mind be absolutely

12 decimated through the introduction of this service. Thank

13 you, Madam Chairman. **(Applause)**

14 THE CHAIRMAN: Thank you very much, Mr. Parsons. I think your

15 question was regarding the seismic data that has been

16 submitted regarding whether or not the MPPF, paragraph 26,

17 was actually appropriate in these circumstances. That was

18 robust, am I correct?

19 COUNCILLOR LIONEL PARSONS: Yes, that was my question.

20 THE CHAIRMAN: Thank you. Mr. Elkington will come back.

21 MRS. JANE MOSELEY: Sorry, thank you, Chairman. I think

22 I understand what Councillor Parsons is referring to. One of

23 the speakers referred to seismic surveys can form part of the

24 exploration stage, which they can. I think the guidance is

25 just flagging up the various activities that can take place at

1 each stage, so drilling, seismic surveys and the banging on
2 the ground seismic surveys and things. Sorry, layman's terms.
3 They can form part of the activities that are carried out.
4 That does not mean that they then need to send us the results
5 of the surveys any more than they need to send us the results
6 of the drilling log and all that sort of thing. Those are
7 matters for the department of energy and climate change. The
8 department of energy and climate change would be interested
9 in the results of the seismic surveys rather than us as the
10 planning authority.

11 THE CHAIRMAN: I have Mr. Simon Oakley.

12 COUNCILLOR SIMON OAKLEY: Thank you, Madam Chairman. I spent a
13 fair bit of last night going through the late submission from
14 the applicant and overall I do not see anything significant
15 in that information that would change the recommendation. My
16 particular areas of concern are at the site access. I have
17 not seen anything from the applicant that would reasonably
18 mitigate the concerns at that point, particularly the right
19 turns, any control on speeds at that point, two-way movement
20 in and out and potential for having to wait on the highway
21 for outbound vehicle to clear.

22 On the Durbans Road A272 junction the manoeuvring on to
23 the opposite carriageway of outbound vehicles is a clear
24 safety risk, given the level of traffic on the A272, and no
25 apparent traffic mitigation measures have come forward, though

1 I would like to hear if that is correct, whether
2 any mitigation has been proposed or not.

3 On Boxall Bridge, has an assessment been made of the
4 cumulative impact of the whole site development traffic,
5 heavy traffic movement, on the structure of that bridge and
6 also on the unclassified road network which has not been, as
7 I understand it, constructed to take regular and prolonged
8 heavy goods vehicle traffic? On a slightly more technical
9 one, is the horizontal profile of Boxall Bridge suitable
10 for the free passage of low loaders?

11 With the tanker movements, due to liquid arising from
12 the site, though I have heard an assurance that the off site
13 tanker movements from liquid arising from the actual
14 drilling operation have been taken into account, what has
15 been taken into account of rainfall being collected within
16 the site on top of that? Given that we have had some recent
17 significant rainfall periods, has that additional offsite
18 movement also been factored into the numbers?

19 On the economic impact, as I say, I have mentioned
20 before the cumulative impact on the road network and any
21 gain there may be locally would be taken out by having to
22 apparently rectify damage to the road network as arising
23 from this development.

24 On site selection, considerably conflicting information
25 has been provided as to what the substrata is and I have low

1 confidence that there is sufficient confidence in what is
2 down below for the Environment Agency and others to make an
3 informed and full decision. **(Applause)**

4 On site selection, Councillor Ransley made the very
5 good point that though discussions on site selection have
6 centred around willing landowners, there is an Act of
7 Parliament saying that a CPO option for other sites is
8 available, and that has not been explored. Therefore, I want
9 to explore whether additional reason for refusal lies within
10 site selection.

11 THE CHAIRMAN: Thank you very much, Mr. Oakley. We have the issue
12 of Boxall Bridge, the rainfall and there are some transport
13 issues that I would like to pick up with Dominic. The
14 Environment Agency, Simon, would you just give us your
15 viewpoint on the competency of the geology report? I would
16 tend to agree about the site selections and the limitations
17 that that has provided us with. Would officers would like to
18 respond to those questions please? Dominic, if you would like
19 to crack on.

20 MR. DOMINIC SMITH: Thanks, Chairman. I will probably start with
21 the easy one, which is mitigation. Throughout the pre-app
22 process and for our original responses we have maintained the
23 position that we would want to see what sort of mitigation the
24 applicant proposes to manage the issues of the access road and
25 also the access of the junction itself. They have intimated

1 that there could be several things, speed limits that sort of
2 thing, put in place. We have never had a clear idea of what
3 the actual mitigation package is they are proposing. We did
4 indicate at the pre-application stage that advance warning
5 signage would not be sufficient and that we would require
6 something more comprehensive. Obviously we have to be
7 cautious that it is a conservation area, so anything we do
8 there has to be in keeping, which is why we want to see it at
9 this planning stage to make sure that anything they do
10 propose can be guaranteed and provided in the future, should
11 permission be granted.

12 In relation to the structures, weight limits and
13 suitability of the bridge, it is not something I would
14 comment on directly, but we have undertaken internal
15 consultation of our structures team. They have indicated that
16 they have reviewed information submitted by the applicant and
17 determined that the weights and the construction of the roads
18 and the bridge is suitable and that the largest vehicle used
19 by a developer would be able to access it without any undue
20 damage to the road.

21 I think reference was made also to damage to the roads.
22 There are processes of the section 59 agreement that could be
23 pursued to ensure that any damage is made good. Thank you.

24 THE CHAIRMAN: Thank you very much, Dominic. I would like to go
25 to the Environment Agency, so Simon Deacon please.

1 MR. SIMON DEACON: In terms of site selection, we have not only
2 evaluated this site so we have not been consulted on any of
3 the site selections, but based on the information on this
4 site, yes, Celtique provided information on the geology
5 profile and Professor Smythe has counteracted that saying,
6 no, it is less thick. Even so, with that thickness, it is
7 still 200 metres thick of low permeability Weald clay. So in
8 terms of our comments on the risk to groundwater, in terms of
9 groundwater resources, they would still be the same. We see
10 that there is not a significant risk there for groundwater.

11 In terms of surface water, it is still on the clay. We
12 do have some concerns. Hence why we have recommended planning
13 condition to put on for site construction and for surface
14 water drainage, but overall we will also address lots of
15 operational issues associated with the activity through an
16 environmental permit. We have not received an environmental
17 permit application to date for this site. Thank you.

18 THE CHAIRMAN: Thank you. Mr. Oakley, did you wish to come back?

19 COUNCILLOR SIMON OAKLEY: Not at this time.

20 THE CHAIRMAN: Thank you. In that case I would like to call
21 Mr. Crow.

22 COUNCILLOR DUNCAN CROW: Thank you, Chairman. I think it is worth
23 reiterating that at this committee we are not here to discuss
24 the merits or otherwise of drilling, energy supply, of the
25 extraction of oil, gas or coal or minerals. They are all

1 policy areas that this committee is not here to discuss. We
2 are here to look at this planning application purely on its
3 merits on planning grounds. When I do so, for me the highways
4 grounds to object, they feel overwhelming. They feel
5 conclusive. The County Council's highways department do not
6 object to planning applications on a whim. If anything, they
7 are often criticised for not being robust enough, quite
8 frankly, in terms of planning applications. **(Applause)** The
9 reasons given for me as laid out in Appendix 1 feel very
10 sound. I will be refusing this application.

11 THE CHAIRMAN: Thank you very much, Mr. Crow. I am just going to
12 turn to Mike Elkington to give me some idea as to whether or
13 not an additional site selection refusal could be put in and
14 whether that would stand up, thank you.

15 MR. MIKE ELKINGTON: Thank you for that, Chairman. I think the key
16 issue in terms of site selection is that the government
17 guidance, whether it is the NPPF or the guidance to that, is
18 on the issue of site selection. The minerals local plan talks
19 about it being the best option does not define what best
20 means. In some respects I think it is a matter of being
21 reasonable. What I referred back to earlier is how would we
22 go about this if we were trying to identify sites for mineral
23 sites or for waste sites. We would look at all the usual
24 constraints around environmental issues and access to the
25 highway network, etc., but we would also look at the

1 availability of a site and whether it could actually
2 come forward within the appropriate timeframe.

3 I would argue that those are material, but you could
4 probably argue, well, there is nothing to say that they
5 are material, so I think it could go either way.

6 THE CHAIRMAN: A 50/50 split then. Can I urge members if they
7 wish to make a recommendation, an added recommendation
8 for refusal, that they consider a set of wording. I have
9 now Mr. Robin Rogers.

10 COUNCILLOR ROBIN ROGERS: You looked rather puzzled there. I think
11 I know you there, do I not? **(Laughter)** Yes, after a number of
12 years. In principle I actually support oil and gas extraction
13 and exploration, because I think it is something that this
14 country needs to look at. However, I have also looked at this
15 application and I listened intently to Professor Smythe, who
16 obviously knows an awful lot more than I do about it, and he
17 convinced me that the site is unsound. I have got nothing to
18 say that could contradict that, so thank you for telling us
19 that.

20 I am very concerned about the impact on the environment.
21 It is a really nice area. West Sussex is a great place to be
22 and to live, and Wisborough Green and Kirdford and the area
23 around. I took the supporters saying it is. That leads me to
24 think about the HGVs. Yes, we need them, but I cannot imagine
25 the impact it will have on the roads around that area and on

1 the people living perhaps quite close to the roads. I simply
2 do not believe the roads could cope. Although Dominic Smith
3 said that he thinks everything would be okay, and obviously
4 we could repair the bridge if anything happens, I do not like
5 that idea. I am sorry, that is not suitable.

6 I also listened to Mrs. Duncton. As a planning
7 committee we need to take note of what the local members say.
8 She is definitely against it. So I would support that one.

9 This time I believe the officers have made a
10 really accurate assessment and I support the officers'
11 recommendation. We ought to refuse this one. **(Applause)**

12 THE CHAIRMAN: Mr. Clark?

13 COUNCILLOR ANDREW CLARK: Thank you, chairman. I have listened
14 intently to this and I take on board all my colleagues.
15 I kind of concur, but I have looked through here and I cannot
16 see the weight of the bridge. I want to find out what that
17 bridge can take. I cannot find in the paperwork what that
18 bridge will take. Can someone tell me what the weight of the
19 bridge is. What will it take? Because if we cannot say that,
20 it looks a frail, old bridge and we are going to put 44 tonne
21 lorries across a bridge constantly, then it is a no-brainer.
22 I do not think it should happen. Can you tell me that,
23 Dominic? **(Applause)**

24 MR. DOMINIC SMITH: If you can give me a couple of seconds

25 I should be able to find the consultation response from my

1 structures team. Mike Theobold has provided the response to
2 West Sussex.

3 COUNCILLOR MICK CLARK: Obviously a bridge is defined as a safe
4 load it can take. It looks like a very ancient structure.

5 MR. DOMINIC SMITH: Yes. Give me a couple of seconds and I will
6 look into it and try and give you a response.

7 THE CHAIRMAN: While Dominic looks for his response, I am going to
8 ask Mr. Andrew Barrett-miles.

9 COUNCILLOR ANDREW BARRETT-MILES: I do not have much to add from
10 what the other speakers have said, Chairman, so I am not going
11 to waste our time, but I would like to support your view about
12 site selection and the word "best". Obviously because of the
13 highways issues and the impact that the lorries will have on
14 amenity, that cannot be the best site with regard to that
15 aspect. I do believe that the applicant needs to look further
16 to see whether there is a more appropriate site which is
17 actually closer to the main highway network. So I would
18 support an additional reason for refusal along those lines.

19 THE CHAIRMAN: Thank you, Mr. Barrett-Miles. Dominic, have you
20 managed to find an answer?

21 MR. DOMINIC SMITH: Yes. To answer to the question about the
22 bridge, our structures team were involved and the applicant
23 identified that the maximum bearing axle load would be 11.8
24 tonnes with the standard vehicle being 2.5 metres wide with an
25 overhang of 3 metres. Our structures team have confirmed that

1 the bridge would be suitable to take that weight load, but
2 they would be required to submit an STGO prior to the movement
3 of any vehicles with an indemnity form from the haulier to put
4 such movements across the bridge.

5 THE CHAIRMAN: Mr. Clark, you wish to come back.

6 COUNCILLOR MICK CLARK: Yes, please. I am having trouble with
7 what you are saying. What you are saying is 11 tonne per
8 axle, and that is what that bridge can take?

9 MR. DOMINIC SMITH: 11.8 tonnes is the maximum weight of the
10 vehicle that the applicant would be using and the bridge
11 would be able to take that tonnage.

12 COUNCILLOR MICK CLARK: So does that meet the legalities for a 44-
13 tonne vehicle? That is what I want to know.

14 MR. DOMINIC SMITH: Yes, there are no abnormal loads required
15 here.

16 COUNCILLOR MICK CLARK: You said STO. Is that not a category of
17 wide load/heavy vehicle?

18 MR. DOMINIC SMITH: There are some vehicles that would require
19 police escorts and those sorts of vehicles there.

20 COUNCILLOR MICK CLARK: They would be extra heavy and wide ----

21 MR. DOMINIC SMITH: Yes, but they are not the standard notification
22 period for a normal load. It is quite a complex area. Our
23 structures team would require the applicant to approach them
24 to get an STGO in order to provide the insurance indemnity to
25 take that vehicle over the bridge. That is

1 really all I can say on this subject because I do not
2 know much more than that.

3 COUNCILLOR MICK CLARK: So what you are saying, to clarify, is we
4 might have heavy wide loads going over this and they have
5 even got to pay an indemnity for maybe ruining and breaking
6 the bridge?

7 MR. DOMINIC SMITH: I cannot really answer much more to say this
8 is not an area we are consulted on. Primarily we look at
9 safety and capacity. The structures team are an independent
10 part of the County Council. They are consulted by us
11 internally to get those sorts of comments and queries on the
12 matter. That is really all I can offer in terms of comment.

13 COUNCILLOR MICK CLARK: All I can say is that I think this is the
14 wrong site for this development. We cannot put that volume of
15 traffic down a small road like that with a small bridge.

16 THE CHAIRMAN: Thank you very much, Mr. Clark. I am going to make
17 an amendment. I am going to propose the following wording as
18 a reason for refusal. All options have not been pursued to
19 ensure that the best option with the -- I cannot even read my
20 own handwriting. **(Laughter)** Best comparison to site
21 selection. That is my amendment. That needs to be seconded.
22 Do I have a seconder? Mr. Andrew Barrett-miles. I will take
23 that amendment just before the substantive vote. I now have
24 my Vice Chairman.

25 COUNCILLOR JANET MOCKRIDGE: I would like some points of

1 clarification please. This is a temporary permission for
2 three years. The operation will take place over 560 days and
3 there would during that period be a maximum of 20 vehicles in
4 and 20 vehicles out for 70 days, which is 12 1/2% of the time;
5 12 in and 12 out for 14 days, which is 2.5% of the time; 10
6 in and 10 out on 98 days, which is 17 1/2% of the time; 3 in
7 and 3 out for 198 days, which is 35 1/2% of the time; and 2 in
8 and 2 out for 182 days, which is 32.5% of the time. That is
9 if all the phases are gone through.

10 Would you also confirm if this is a designated HGV
11 route, because I did hear you, I think, say that, the
12 highway issues, who are the main objection, were the only
13 objection from all the statutory authorities? Is that true?

14 THE CHAIRMAN: Dominic, if you would like to come back on that
15 comprehensive question.

16 MR. DOMINIC SMITH: In terms of designated lorry routes the A272
17 does form part of the local lorry network, but obviously the
18 roads leading to the A272 would not. We have to consider the
19 access on to the advisory network which would then be used
20 to cater for the lorry loads.

21 COUNCILLOR JANET MOCKRIDGE: So the road leading to the A272 is
22 not an HGV route?

23 MR. DOMINIC SMITH: That is correct. It is just the A272.

24 COUNCILLOR JANET MOCKRIDGE: And am I correct in the amount and
25 percentage of the vehicles going through to and from the site?

1 MR. DOMINIC SMITH: I think probably Jane will need to come back
2 on that point.

3 MRS. JANE MOSELEY: My response is I do not know. In terms of the
4 percentages, I have not calculated in terms of the way that
5 you have done it. I can only refer you to Table 1 of my
6 report where I have got the amount of HGVs over the various
7 periods given. Apologies for that.

8 COUNCILLOR JANET MOCKRIDGE: I did take it from your table. Okay.

9 THE CHAIRMAN: Thank you very much, Janet.

10 MRS. JANE MOSELEY: Sorry, Chairman ----

11 THE CHAIRMAN: Did you want to come back on something?

12 MRS. JANE MOSELEY: In terms of statutory objections I think was
13 your other question. Yes, county highways were the only
14 statutory body that objected, but obviously the three
15 parish councils objected as well.

16 THE CHAIRMAN: Yes, to be sure. Thank you. I have Mr. Lionel
17 Parsons wishing to come back, but there is Mr. Quinn who
18 has not spoken before, so I am going to allow Mr. Quinn and
19 then Mr. Parsons. Mr. Quinn.

20 COUNCILLOR BRIAN QUINN: Thank you, Madam Chairman. I will be very
21 brief and you may find a bit of Celtique with me here as
22 well. Like Robin, I am not against drilling in general. Like
23 Mrs. Duncton, it will have to come to some part of the
24 country. Talking on site selections, I had the pleasure of
25 conducting a site visit to a gas and island drilling at

1 Singleton. This is a very fine example of where a drilling
2 site should take place, away from housing and a very good
3 highway access. My reason for refusal is the impact on the
4 highway capacity and road safety. Also, it will be a capital
5 huge impact on the character of those lovely villages. Thank
6 you.

7 THE CHAIRMAN: Thank you very much, Mr. Quinn. I have Mr. Lionel
8 Parsons wishing to come back and then Mr. Oakley, finally.

9 COUNCILLOR LIONEL PARSONS: Thank you, Madam Chairman. My concern
10 is that we do not seem to have heard a great deal about the
11 environmental impact as regards wildlife in that area. That
12 place must be absolutely full of wildlife and habitat for all
13 kinds of species. I find it hard to accept that the flaring
14 and the noise that we are going to get from that site, as well
15 as the lorry noise, the pollution and all of the activities
16 that are going to take place with this project, are not going
17 to have any effect on wildlife. I find that very difficult to
18 accept. Thank you, Madam Chairman. **(Applause)**

19 THE CHAIRMAN: Thank you very much, Mr. Parsons. I will allow Don
20 Baker to come back on the mitigation.

21 MR. DON BAKER: One of the points that you have made there was
22 noise. The level of noise on the site will peak during the
23 day when the site is being constructed and at night when it
24 is likely to have most impact on sensitive species, in this
25 particular instance bats, and during operation the noise

1 levels drop down to I believe 45 decibels at the woodland
2 edge. Of all of the studies that were done, a quiet area is
3 considered to be -- do you mind if I just look at some notes?

4 THE CHAIRMAN: While Mr. Baker looks at that, I have Mr. Oakley
5 wishing to come back.

6 COUNCILLOR SIMON OAKLEY: Thank you, Madam Chairman. I do not
7 think I have got an answer to whether there would be
8 additional lorry movements to take off rainwater from the
9 site. Also on the Boxall Bridge issue, I have not seen
10 sufficient evidence to say that that bridge can sustain this
11 level of heavy traffic across it. We are going to look at
12 axle modes, but I have not seen the assessment of whether
13 the dynamic load on that bridge, given the unevenness of the
14 surface and of the road construction, is going to be able to
15 take this without severe or significant damage. **(Applause)**

16 THE CHAIRMAN: Thank you very much, Mr. Oakley. Mr. Baker, could
17 you come back on the ecology aspects?

18 MR. DON BAKER: Yes. I just wanted to check the numbers. A study
19 that was actually recently undertaken in West Sussex showed
20 that barbastelles, which are the key species that we are
21 concerned about here, were still active in noise zones of
22 between 58 and 65 decibels. The predicted decibel level is
23 supposed to be 45 during the sensitive periods alongside the
24 woodland edge, so that comes well underneath that.

25 Now, I believe that you also mentioned about pollution.

1 I can only go by the Environment Agency's recommendations
2 there and their satisfaction that those particular issues
3 would be addressed through the appropriate interceptors.
4 However, should there be some kind of pollution event
5 inexplicable into the water zone, my understanding is that
6 it does not directly affect the European protected sites
7 with which this is concerned.

8 THE CHAIRMAN: Simon, did you wish to come back on anything that
9 Mr. Baker has put before you? It is Mr. Turner. Thank you.

10 MR. MICHAEL TURNER: In respect of the European Special Science, I
11 think Natural England and of course the local authority are
12 the relevant authority to advise on those. In respect of
13 pollution mitigation, we have given our advice to the local
14 authority. We view that as being sufficient. Of course if the
15 applicant were to want to conduct drilling operations there,
16 they would need a mining waste permit, regulated by the
17 Environment Agency, which would also cover those aspects of
18 surface water pollution risk that have been mentioned.

19 THE CHAIRMAN: Thank you very much, Mr. Turner. We turn to
20 Mr. Oakley's questions of rainwater and the bridge. Thank
21 you.

22 MR. DOMINIC SMITH: With regards to rainwater, it was not clear
23 from the original assessment whether that was the case. As
24 part of the regulation request for information, we requested
25 clarification on that point. I have yet to review obviously

1 the further assessment work, whether it has been included
2 or not, but, yes, that is a question that we have also
3 asked as well.

4 With regard to the bridge, again it is difficult one
5 for me to answer other than what I have got here from our
6 structures team. I have managed to pull up the full e-mail
7 trail now and they have identified that there would be a
8 handful of vehicles with a total laden weight with 50 tonnes.
9 That would require a five-day notification period for our
10 normal loads request notification process. The dynamic weight
11 of an axle is going to be 11.8 tonnes at a maximum. There
12 will be three of those crossing the bridge and obviously
13 going back as well when they are unladen. The vehicles'
14 standard widths are 2.5 metres. The overhang would be 3. Our
15 structures team have confirmed that they have reviewed the
16 bridge, they have had assessments undertaken on the bridge
17 previously and have confirmed that the bridge would be able
18 to take that dynamic weight of 11.8 metres when crossing and
19 clear the bridge sufficiently. Thank you.

20 THE CHAIRMAN: Thank you very much. I now have Mr. John Rogers
21 who wishes to come back.

22 MR. JOHN ROGERS: Thank you, Madam Chairman. I wanted to pay
23 tribute and thank all the people who have bothered to write to
24 me, either e-mails or letters, and to all the people who have
25 come along today. I live in a town and I cannot imagine what

1 it is like to live in the countryside and have all this
2 worry over your heads. It must be terrible. I think you are
3 very brave coming along today. Thank you very much. I wish
4 you good luck for the future. **(Applause)**

5 THE CHAIRMAN: Thank you very much, Mr. Rogers. I have Mr. Clark
6 who wishes to come back.

7 COUNCILLOR MICK CLARK: I have actually had my question answered,
8 thank you.

9 THE CHAIRMAN: Fantastic. Thank you very much. I did have one
10 question outstanding, which is on page 43, 9.43. It talks
11 about the maximum noise levels. Could you confirm that these
12 are considered in the rural and the urban landscape, and if
13 there is any difference in measuring them? Thank you.

14 MRS. JANE MOSELEY: Thank you, Chairman. In terms of the
15 guidance, that is just a standard allowable level, but it is
16 for minerals and a lot of mineral sites are in rural areas.

17 THE CHAIRMAN: Thank you very much for that. I have no further
18 speakers wishing to comment today, so I am now going to
19 formally take the amendments.

20 Now, in order for those to go through I am going to ask
21 the legal team to give an update. There have been some slight
22 tweak ings to the amendment which I would like to just
23 formally have your approval to. The amendment was put by me
24 and the wording is?

25 MRS. KATIE KAM: The suggested wording is as follows. "The

1 applicant has not demonstrated to the satisfaction of the
2 county planning authority that the application site presents
3 the best option in comparison with other alternative sites
4 within the area of search", and then in brackets "(the
5 pebble area)", and this is contrary to Policy 26 of the
6 Minerals Local Plan 2003.

7 THE CHAIRMAN: I will take that amendment. That has been seconded
8 by Andrew Barrett-Miles and I will ask for a show of hands.
9 Please can members vote in favour of that amendment? That is
10 carried, I believe. Thank you very much indeed.

11 I will now go to the substantive recommendation, which
12 is on page 19 of your report. The reasons for refusal are on
13 page 55 with the addition of the amendment which has been
14 moved, seconded and approved. I would like to have a proposer
15 for that recommendation. I have Mr. Rogers. And a seconder?
16 Mr. Robin Rogers. And by a show of hands can I please have
17 members vote in favour of the substantive recommendation?
18 That is carried unanimously. **(Applause and cheers)**

19 Can I thank the audience for being extremely considerate
20 of this meeting. It has been very much appreciated by myself
21 and by the members of the committee I know, so thank you very
22 much indeed. **(Applause)**

23 I will now adjourn the meeting which will recommence
24 in due course to consider the new circular technology park
25 application. Good afternoon.

(Adjourned)

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