

West Sussex County Council
Development Control
County Hall Tower Street
Chichester
West Sussex
PO19 1RH

Our ref: HA/2019/121694/01-L01
Your ref: WSCC/071/19

Date: 11 November 2019

Dear Sir/Madam

REMOVE DRILLING FLUIDS AND CARRY OUT AN EXTENDED WELL TEST. THIS PROPOSAL IS A TWO-STAGE ACTIVITY:

- 1) PUMPING OUT PREVIOUSLY USED DRILLING FLUIDS TO ASCERTAIN ANY OIL FLOW (UP TO 4 WEEKS)**
- 2) SHOULD OIL BE SEEN TO FLOW, AN EXTENDED WELL TEST WOULD BE CARRIED OUT OVER A PERIOD OF 3 YEARS.**

LOWER STUMBLE EXPLORATION SITE OFF LONDON ROAD BALCOMBE RH17 6JH

Thank you for the consultation on the above application, please quote our reference on all correspondence.

We have reviewed the information as submitted and have the following comments.

Environment Agency Position

Although we have **no objection in principal** to the proposed development, we currently **object** to the planning application as submitted due to **insufficient information**.

Reason

The submitted proposal does not include a Hydrogeological Risk Assessment (HRA), assessing risk to groundwater.

Designated secondary bedrock aquifers occur at depths beneath the site. As such there are potential groundwater receptors, which should be accounted for in any risks assessment.

The current application does not contain sufficient information to assess the risk to groundwater.

Environment Agency
Guildbourne House Chatsworth Road, Worthing, West Sussex, BN11 1LD.
Customer services line: 03708 506 506
www.gov.uk/environment-agency

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Overcoming our Objection

We note that section 10.5.6 of the Planning Statement concludes that there should be no risk to groundwater from the proposed works. This statement alone is not sufficient and we would require a fully justified assessment of the risks.

Whilst there are no particularly highly sensitive receptors, such as Source protection zones or shallow principal aquifers associated with this site, there are secondary aquifers that are associated with this site.

Previously the planning application for the initial well tests WSCC/040/17/BA contained a HRA within section 10 of the environmental report, which was reviewed by ourselves. We accepted that this previous HRA sufficiently assessed possible issues relating to groundwater quality.

The current proposal though is for a longer duration and larger scope than the previous application. As such in line with the previous application we would require an equivalent/updated HRA, which accounts for the existing proposal.

Until a HRA, which reflects all aspects of the current application is provided we are not able to verify that the proposal is acceptable from a groundwater protection standpoint.

In accordance with the Planning Practice Guidance (Ref. ID: 20150415), please notify us by email within 2 weeks of a decision being made or application withdrawn. Please provide us with a URL of the decision notice, or an electronic copy of the decision notice or outcome.

The Environment Agency will always support and substantiate its objections to major development proposals at appeal wherever a refusal is lodged in line with its advice. If you are minded to grant permission against the Environment Agency's advice, please contact the Planning Liaison Officer named below before making a formal decision to discuss the conditions and informatives that the Environment Agency would wish to apply to this proposal.

If you are minded to approve the application contrary to our objection, we would be grateful if you could re-notify the Environment Agency to explain why material considerations outweigh our objection, and to give us the opportunity to make further representations. Should our objection detailed above be removed, it is likely we will recommend planning conditions to be included on any subsequent approval.

Advice to Applicant/LPA

In addition to the above we wish to raise the following with regards to the application.

Drainage Details Principal Issues

We note that the proposal includes the option to construct a permanent liner, during the Extended Well Test Phase. We have some concerns that no details of the construction of this permanent liner is provided within the application.

While we could be in a position to accept proposed system for short term pollution control, we would need to be satisfied of the durability of this system for longer term activities. We would not regard more than 1 year of testing as a short term activity. We would need to be satisfied that the system outlined in section 8.5 of the Planning Statement is not sufficiently robust for the proposed duration of the pump testing.

While we may not require a fully engineered impermeable subbase system as per a permanent installation, we require additional safeguards to ensure that the proposed system is sufficiently robust.

Any system should be robust enough for the proposed 3 years of activity, accounting for the potential heavy vehicle movements etc.

In addition to the above we would raise the following drainage comments:

- Calculations for the bund size in section 8.5.1 are just for the initial stage 1 water lift. They do not reflect the site in Phase 2 extended well test. The calculations also do not account for structures within the bund. We would require calculations which account for all significant structures within the bund area for both the phase 1 water lift and the extended well test as well.
- We also note that no bund is specifically identified in the key on the submitted plan for the extended well test. For clarity this should be added.

Flare/Stack

There appears to be discrepancy and missing information/assessment in the supplied documents in relation to potential flare use. In particular in section 8.4.4 of the planning statement, a surge tank appears on the list of equipment, but there are no details about any potential associated flare. While the Environment Agency involvement with this will be primarily be at the permitting stage, we would take the opportunity to flag this up now.

Environmental Permit

Additional permit and a variation of existing permit may be required in association of the proposed works. This could include additional combustion permit for any combustion engines. We will assess details associated with the activities during permit determination. We would recommend early dialog with ourselves on likely requirements and use of our pre-app permitting services.

The applicant must ensure that the operations at the site are in accordance with the Environmental permitting regulations 2008. The applicant is advised to contact the national Customer contact centre on 03708 506 506.

The need for an environmental permit is separate to the need for planning permission. The granting of planning permission does not necessarily lead to the granting of a permit.

Please note that this response relates solely to matters that are relevant to the Environment Agency's planning remit. This response does not represent endorsement or opposition to the proposed development as submitted. Ultimately it is for the Local Planning Authority to determine this planning application.

Please do not hesitate to contact me on the number below should you have any queries on the above information.

Yours faithfully

Sophie Brown
Sustainable Places Planning Adviser
PlanningSSD@environment-agency.gov.uk

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