

2011/00812/FUL Received on 17 August 2011

Coastal Oil and Gas Limited, 9, Bridgend Business Centre, Bridgend Industrial Estate, Bridgend., CF31 3SH
Coastal Oil and Gas Limited, 9, Bridgend Business Centre, Bridgend Industrial Estate, Bridgend., CF31 3SH

Unit 1, Llandow Industrial Estate, Llandow

Drill and test the insitu lower limestone and associated strata for the presence of gas

SITE AND CONTEXT

The application relates to a site of just under 0.2 ha within the Vale Business Park (Llandow Industrial Estate). The site is an open area of level concrete hardstanding, probably originating in the wartime use of the site as an airfield. The site is surrounded by industrial units, many of which are vacant.

DESCRIPTION OF DEVELOPMENT

This planning application is a revised version of a previous submission (ref: 2011/00115/FUL) which was withdrawn on 12 April 2011 due to the discovery of a dwelling house within the Llandow Business Park which had not been taken into account in the submitted noise assessment. Further noise assessment work has since been carried out to address this omission, and additional information on proposed traffic movements has also been included as part of this submission.

This is a full application for the drilling of a single 160 mm diameter borehole to investigate potential gas resources that may exist in the Carboniferous Lower Limestone Shales and Upper Devonian measures.

The application is made by Coastal Oil and Gas Limited for the purpose (as defined in their submissions) of "drilling to take core samples of Limestone shales with a view to future possible capture and supply of shale gas (unconventional gas) as a clean energy supply and also to penetrate the Upper Devonian measures to test for the presence of conventional gas".

The drilling is estimated to be to a depth of approximately 650m, and forms part of a continuing program of sampling across South Wales, permissions having previously been granted in Bridgend County Borough Council and Neath Port Talbot County Borough Council. The applicant advises that further applications are pending in both these areas and one is due to be submitted to Rhondda Cynon Taf Council.

In supporting information, the applicants advise that shale gas (natural gas produced from shale) is becoming an increasingly important source of gas in North America and potential resources exist in many other parts of the world.

This application does not propose hydraulic fracturing, often known as 'fracking', but rather relates to exploration to see if there is any potential for such viable exploration at the site in future.

The applicants hold a 50% share in a Petroleum Exploration and Development Licence covering the western Vale of Glamorgan granted under the Petroleum Act 1998 by the former Secretary of State for Business, Enterprise and Regulatory Reform in July 2008. Whilst exploratory boreholes such as this are normally permitted development under Part 22 of the Town & Country Planning (General Permitted Development) Order 1995 (as amended), that Part specifically excludes boreholes for petroleum exploration, including hydrocarbon gases, so that planning permission is required for this proposal.

The submissions indicate that the drilling operation as a whole will take up to 10 weeks, this being sub-divided into the following stages:

- Site Establishment (up to) 1 week;
- Drilling (up to) 5;
- Testing (up to) 2;
- Borehole Restoration (up to) 1; and
- Site Clearance (up to) 1.

The hours of work during the site establishment and site clearance period will be 10 hours per day 08.00 hrs until 18.00 hrs excluding Sunday, with the drilling, testing and restoration period being 24 hour, seven days per week.

Manufacturer's specifications for the proposed drilling rig (DCR 18 Conrad Combi 500 HD) have been submitted. The drill rig would be a standard lorry size or track mounted and carried on a trailer. The rig would be transported to the site very early in the morning when traffic is limited. Ancillary equipment, including tanks and mess cabins, will be delivered similarly.

On completion all machinery and buildings will be removed and the hole will be plugged with concrete prior to restoration of the surface to a state similar to the existing concrete slab.

To assist Members consideration, the applicant's supporting statement is provided at Appendix A.

PLANNING HISTORY

There is an extensive planning history on the industrial estate, but the only application of relevance relates to the following:

2011/00115/FUL : Unit 1, Llandow Industrial Estate, Cowbridge. Drill and test the insitu lower limestone shale and associated strata. Withdrawn 12 April 2011.

CONSULTATIONS

Llandow Community Council objects due to the inherent risks associated with drilling and testing, and request the Council take the precautionary approach and refuse on the grounds of potential pollution to important water resources.

Colwinston Community Council has responded as follows:

"Colwinston Community Council wishes to record its opposition to the above proposed exploratory shale gas drilling application. World-wide evidence indicates that even exploratory exercises are extremely noisy and, in view of their 24/7 nature, invasive and disruptive, and because of the geological nature of the underlying rock strata, there is also the probability that a much wider area, even wider than that of the drill site, will be affected by the transmission of noise and seepage of pollutants associated with the process. The environmental risks are therefore, in the view of this Community Council, unacceptable and the application should therefore be refused.

However, in the event that approval is considered appropriate, it should be conditional on the provision of adequate Public Liability Insurance. In terms of the exploration exercise the evidence of such projects elsewhere suggests that a minimum un-conditional cover of £500 million would be required with up to £2000 million for any extraction programme.

Colwinston Community Council also wishes to place on record its objection to the assertion that any objections to a future extraction application and its consequences are unacceptable in the context of this application. The whole objective of the proposed exploration is to determine the viability of extraction and therefore if the results are commercially positive the results will be used to negate and dismiss the grounds for environmental opposition. Since the environmental and, not to say the least, resource ownership questions are potentially extreme, these factors also justify refusal of the current application."

St. Donats Community Council has responded as follows:

"There is great concern regarding potential noise pollution, particularly because of the intended 24-hour operation throughout the duration of the test. The settlements of Marcross, St. Donats and Monknash are significantly close to the site, and it must be stressed that existing sources of noise from the area are often clearly heard. It is felt that the additional noise from this drilling process would be intrusive, both to the residents of the area and to the large amount of livestock in the surrounding agricultural land, particularly during the hours of darkness.

We consider that the emphasis on attracting tourists, and on a sustainable 'green' local and national agenda, could only be compromised by the implications of this application in a location which is very close to the Heritage Coast and other notable Conservation Areas and is due to host Wales's great cultural festival, the National Eisteddfod, during 2012.

We are also concerned that this re-submission is, by the applicants own admission, apparently made necessary because a major omission was made on the original application regarding a dwelling house near the site. This provides us with no confidence as to the ability of the applicants to adequately survey the area and provide environmental assurances."

Llanmaes Community Council advises that its members are extremely concerned at the effect this exploration work for gas could have on the local environment and urge the Council to reject this application.

Cowbridge with Llanblethian Town Council. Requested that they be officially consulted, and that they are aware of a number of concerns from local residents about the impact this might have on the community of Llanblethian.

Environment Agency Wales has no objection subject to conditions controlling the disposal of foul and surface water, the approval of a working method statement, and the provision of precautionary facilities for the storage of oils, fuels or chemicals. They also offer advice to the applicant on their requirements to address such matters, as well as informing of the need for their Environment Officer to carry out a pollution prevention visit at the site during any future site preparation and drilling/testing, as well as advice on other permitting regimes. Their letter is attached in full as Appendix B.

The Council's Highway Development Team raise no highway objections subject to the applicant adhering to the access arrangements identified within item, 6.6 of their supporting information (namely number of movements and the movement of large vehicles from the south via the A4050, A4226 and B4265 to avoid Llysworney Village).

The Director of Legal, Public Protection and Housing Services (Environmental Health : Pollution) have made a number of representations on the application and response to subsequent information. The final conclusions are summarised as follows:

- “1. A noise impact assessment with regard to surface plant and drilling operations. We understand drilling is a 24hr, seven day week operation. In isolation and in combination.

The noise assessment provided ref: 2594/ENS1 alludes to the low background noise levels experienced during the night time period in the vicinity. Having received technical specifications of the drill rig, he has confirmed he is happy with the submitted noise assessment and offers no objection on noise grounds. He also confirms this is based upon noise based on plant layout and recently provided drill rig noise and that he is happy that the nearby site users are unlikely to be affected at the given level, concurring with Hunter Acoustics submission in respect of calculating noise impact on nearby office uses.

2. An agreed vibration impact assessment will be required prior to and during any permitted drilling. Whilst this is an exploratory borehole it may well be challenged and an assessment agreed with the Local Planning Authority can provide useful information on any impact upon local amenity. This can be appropriately conditioned.
3. An agreed scheme will be required on the control of dusts from any surface storage of arisings.
4. I have checked our known private water supplies database. There are none within a 4.9km radius. There may be others we are not aware of however.”

Local Ward Members (Llantwit and Llandow-Ewenny) were also consulted. To date, **Councillor Gwyn John (Llantwit Major Ward)** has written in objecting on grounds including the impact on the environment, on health, and tourism. His correspondence is provided at Appendix F.

Dwr Cymru / Welsh Water. To date no representations have been received. On the previous application, however, they advised that on the basis that this application is for an exploratory borehole, DCWW has no adverse comments to make. They did, however, advise that future proposals for gas extraction have the potential for contamination of groundwater, such that any future application should be accompanied by an Environmental Statement considering such matters. Any representations on the current application will be reported at Committee.

Members should note that both the Environment Agency and Welsh Water were written to on 30 September 2011 at Committee's request, asking that they confirm their comments and if possible substantiate these further.

Campaign for the Protection of Rural Wales (CPRW) objects on grounds that the process of shale gas exploration and exploitation has the potential to significantly detract from the rural nature and amenity of the vale of Glamorgan. A copy of their representations are provided at Appendix G.

Health and Safety Executive have responded by advising that the public fears about hydraulic fracturing are unfounded and advising that drilling for oil and gas has been undertaken in the UK since the early 1900s and more than 2000 onshore wells have been drilled. The email is attached at Appendix K.

REPRESENTATIONS

Given its location within the industrial estate, there are no immediate residential neighbours, although a single house – Six Wells Farmhouse – is located in the industrial estate approximately 250 metres to the north. The other two closest dwellings to the site are The Grove, over 500 metres to the west and Sheepleys' Farm, some 500 metres to the north.

In addition to the above residential properties, extensive notifications have been undertaken with all premises within the industrial estate and other nearby residential properties, while notification was also given to those persons who submitted representations on the previous application (approximately 250 individual letters having been sent out as a result of the above). The application was also advertised by site notice on 22nd August 2010.

In response, at the time of writing in excess of 320 letters of objections have been received to the development, raising objections which can generally be categorised into concerns over:- traffic, noise, ground water pollution, chemical pollution, the potential for this proposal to lead to further drilling / significant objections to the impact of 'fracking', potential impact on next year's Eisteddfod.

A number of these letters are based upon a 'standard' text which, for Members information, reads as follows:

"I want to express our concerns regarding the resubmitted application for an exploratory bore hole at the site in Llandow to search for shale gas. As you will note this application is close to our village and I am concerned about the impact it will have upon our environment and quality of life in the village particularly noise pollution, additional transport through the village, contamination of our local water supply and general impact upon this beautiful area and the many tourists we are currently attracting. How can you justify the financial and economic support the council is currently offering for the Welsh Eisteddfod, which will be sited at Llandow next year - which will greatly promote our area as a wonderful tourist destination and then accept this planning application?

I am alarmed and very concerned by this planning application. Whilst I appreciate that this is an application for merely exploration purposes, the concerns I have are for the potentially far-reaching consequences of this research activity for communities across the Vale. If shale gas were to be found, an application would be much harder to refuse, no matter how Councillors, residents and farmers of the area feel, due to current financial circumstances. So please, help us stop this application now before the beautiful countryside we all enjoy is gone forever.

This is one of the most precious parts of South Wales and it is hard to understand how any company would consider such an activity in such a sensitive area. It is close to the Heritage Coast and is next to areas of Grade 1 agricultural land, very little of which exists across Wales."

My main concerns regarding this exploratory application are:

- The noise levels during the proposed 7 weeks. Not only will the drilling machinery itself create a substantial amount of noise 24 hours a day, but the associated noise levels of movement of the metal rods + equipment associated with the drilling process will be significant and in addition to the data provided.
- The impact on local businesses is already an issue, with several businesses located on the industrial estate noting that they will move premises and away from the area should this application be approved. The Llandow business park is an essential employer for the Western Vale and allowing the exploration for gas would undermine existing businesses and reinforce low status, prejudicing their future role and potential for inward investment in and for the Vale.
- The impact on residents in the area will be significant too – from constant noise levels, increased traffic in the area, and concern over potential environmental and health concerns regarding escaping gases and water contamination. A big threat too of course is the substantial drop in house prices, devastating the whole local economy, should shale gas be found.

- Water pollution is a real concern, with several private bore holes in the immediate vicinity – though Welsh Water do not record this in their response to the planning application.
- The presence of gas drilling + mining would also be incompatible with and undermine the investment made by the Vale in securing the National Eisteddfod at Llandow, as a shop window for general economic and tourism investments in the Vale of Glamorgan.
- There will be a detrimental impact on the already anticipated boom in tourism in the Vale of Glamorgan if this exploratory gas mining application is approved, as many investors and visitors alike will turn away from a potential gas mining area.

The use of the land at Llandow for local businesses and recreational purposes is important to the Llandow, Wick, Llantwit Major and Cowbridge communities, to the Vale Authority's strategy and to Welsh Government policies. I trust that you will take my strong objections into account.

These objections include letters received from Alun Cairns MP and Jane Hutt AM, copies of these representations being provided at Appendices C and D. Andrew RT Davies AM, also objects on grounds including the impact on the environment, on health, and tourism (see Appendix H).

In addition, a number of the objections have been received from local businesses in and around the Llandow area, both within the Business Park and from further afield, expressing concern about the impact on their businesses, largely as a result of potential impacts from noise, vibration and additional traffic.

A number of examples of the letters of objection are provided at Appendix E.

A local group called 'The Vale Says No' has also provided a copy of a letter sent to the Welsh Government requesting that they call the application in (see Appendix I). For Members information, since the last Committee a letter has been received from the Welsh Government advising that they do not consider the issues to be of more than local importance and, accordingly, that they do not intend to call the application in for determination by Welsh Ministers. A copy of the WG letter is provided at Appendix J.

REPORT

Planning Policies

The Development Plan for the area comprises the Vale of Glamorgan Adopted Unitary Development Plan 1996-2011, which was formally adopted by the Council on 18 April 2005, and within which the following policies are of relevance:

ENV27 - DESIGN OF NEW DEVELOPMENTS

ENV29 - PROTECTION OF ENVIRONMENTAL QUALITY

MIN1 - MINERAL EXPLORATION

Report Update

Members will recall that this application was deferred at the 29th September meeting for Members to undertake a site visit. In addition, Members resolved that Officers write to Welsh Water, the Environment Agency Wales and Environmental Health, requesting that further confirmation is provided that each consultee has no concerns about possible pollution of underground water.

This report is that which was presented to the last Committee, amended to take into account the late representations.

A response has been received from the Environment Agency (see Appendix K) advising that they have no further comments or advice to offer at this stage, and that they are satisfied that all matters within their environmental remit can be satisfied through the relevant planning measures.

A response has also been received from Welsh Water stating as follows:

"We would have some concern if significant volumes of drilling fluid were lost to the formation as this would provide a potential source of pollution to Dwy Cymru groundwater sources. With respect to this, we would like to understand the content of the drilling fluid to be used and assurance that loss of drilling fluid to the formation during the drilling process will be monitored and how this will be minimised.

We wish to reaffirm the comments made within our letter of the 22 March 2011, and would appreciate your advice on the next steps in the process. We also request details on how the applicant can alleviate our concerns mentioned above".

In reply to the Dwr Cymru queries, the applicant was contacted and has responded as follows:

"The drilling of the borehole utilises drilling fluids in a closed loop system that will be closely monitored. The returns from the borehole flow back over the shaker into the tanks. As the borehole increases in depth more fluids are required in the loop, the fluid is constantly monitored for specific gravity and viscosity by the drilling crew.

In the case of excessive fluid losses in the borehole, lost circulation prevention material can be added to the fluids, these swell in the water and block the fractures where water is being lost. The limestone measures will be completely cased with steel to prevent fluid losses or gains from the limestone before drilling into deeper measures.

A viscosifier will be added to the drilling fluids to increase the viscosity, this would typically be "Pure Bore" (available on file). The increase in the viscosity of the fluid will also reduce the possibility of loss of fluid into the formation.

In essence the drilling through the limestone is no different from drilling a water well to extract ground water for drinking purposes. The same approved substances are utilised to effect control. Once the entire thickness of the Limestone has been penetrated, the whole of the Limestone measure will be cased off and cemented to surface to ensure no ground water pollution could possibly occur.

To summarise all drilling products used will be approved by both the Environment Agency and the Health and Safety Executive before drilling starts. This drilling operation is nothing to do with fracking or ground stimulation, similar drilling operations are taking place throughout the country for water extraction on a daily basis”.

This response has been directed to Welsh Water and Members will be advised of their further response at Committee. Nevertheless, on the basis of the above, it is considered that the potentials impacts of drilling on groundwater would be acceptably managed, while the recommended Condition No. 4 in respect of submission of and compliance with a required method statement would cover the operations at the site.

As detailed above, the Welsh Government’s ‘non-intervention’ letter to a recent call-in request is attached at Appendix J.

Issues

Members will recall that a previous application, ref: 2011/00115/FUL, for the same development was previously withdrawn by the applicants prior to being determined at Committee.

Having regard to the nature of submissions, the local context and the nature of representations received to this application, the main issues to consider relate to the principle of the proposed operations, including the risks of pollution from the works proposed, and any impact on local amenity as a consequence of such operations, with particular regard to noise, vibration, dust, and the impact on the local highway network.

The Hydraulic Fracturing / Fracking Process

Exploitation of proven shale gas resources elsewhere in the world has received mixed publicity, with some developments in the USA allegedly having had detrimental effects on water resources. Whilst any application for exploitation here would have to be considered very carefully, and would undoubtedly require the submission of extensive environmental information as part of an Environmental Impact Assessment, this should not be confused with the current proposal which involves the drilling of a single borehole to assess the bedrock strata. No ‘fracturing’ of the rock using high pressure chemicals, as may be needed to extract any gas found, is proposed. In this respect, the operation currently proposed is very similar to other geological exploration boreholes that have been drilled in the Vale in recent years.

While a large number of representations have raised objection to the knock-on implications of allowing the test drilling, insofar as a successful test may lead to subsequent applications for commercial exploitation in the area, the current application is for test drilling only. In this respect, while the objections are acknowledged and understood, as are the potential implications of such test drilling leading to further application(s) for commercial exploitation, nevertheless it is considered that there are no justifiable or sustainable grounds for objection to the current proposal on the basis that it may lead to such future development. In this regard it is again emphasised that the impacts of any future proposal can only be made at that time.

Principle of Drilling

Policy MIN1 of the Unitary Development Plan supports mineral exploration works unless there would be an unacceptable impact on landscape character, visual amenity, nature conservation, residential amenity, the Glamorgan Heritage Coast, surface water and ground water resources or scheduled ancient monuments and historic landscapes. The only criteria relevant to this case are residential amenity and water resources, although these are broadened to consideration of matters relating to noise/ vibration, traffic and potential impacts on the local area in general. Individual impacts are addressed below.

The supporting text to Policy MIN1 also makes clear that the grant of planning permission for exploratory work will not indicate a presumption in favour of future exploitation.

Visual Impact

The site forms part of a wider industrial site and is largely surrounded by other buildings. The site is also in a relatively poor condition at present, being used for little other than storage of lorries etc. In this context, the temporary siting of the 12m high rig and associated equipment will have minimal impact in local views. In any respect, the rig and equipment will only be in place for a limited time, such that any impacts are temporary.

Noise Impacts

As detailed above, the revised application has been supported by an updated noise report carried out by Hunter Acoustics, which includes assessment of the impact on the nearest residential property at Six Wells Farmhouse. In addition, following contact with the agent, further submissions have identified the technical specifications of the proposed drilling rig, as well as given further consideration to the impact on nearby office uses.

The report submitted with the application concludes that *"we would not therefore assess noise from the drilling works to be an issue on this site"*.

The Council's EHO initially stated that the noise assessment could not be relied upon since it relied on as yet (at that time) unsupported data for the sound power and or pressure level for the drill rig and other associated plant. The subsequent technical specifications of the drill rig, however, together with details on generator, compressor and vibrating screens have been assessed, and the EHO has now made it clear that he has no objection to the proposal in terms of any impact of noise on nearby homes or businesses.

In response to local concerns about the impact of local businesses from the drilling noise, Hunter Acoustics have further stated as follows:

"The closest offices are approximately 60m from the drill site – predicted noise levels from the drill (source rating 74dB(A) @ 1m) would be around 48dB(A) outside the office.

Taking a 15dB loss through a partially open window gives 33dB(A) (around NR28).

BS8233 'Sound Insulation and Noise Reduction for Buildings' quotes 40-50dB(A) for offices – we are therefore predicting levels well within office criteria."

The Council's EHO concurs with this calculation and similarly raises no objections in this regard.

In conclusion on noise matters, therefore, it is emphasised that the application site is located within an industrial area, with the nearest residential dwellings being some 260m and 500+ metres away, these being generally well-screened by large industrial buildings. In this respect, and having regard to the Council's Environmental Health Officer's assessment of the impacts associated with this temporary proposal, it is concluded that although drilling is to take place 24 hours per day, the limited timescale, distance from dwellings and degree of screening are such that any noise impact on residential amenity would be minimal, and transitory at worst. In addition, any impact from noise associated with the proposal on local businesses would not be so great as to justify withholding consent, especially bearing in mind the temporary (maximum 10 weeks, 5 weeks for drilling) duration of the works.

Vibration

The impact of ground vibration from the operation has also been considered but from extensive experience with drilling in quarries it appears that any ground vibration created by drilling is restricted to a very small area around the rig.

In their submissions, the applicant states that a number of factors will limit the effects on vibration on local residents, including the formation of local bedrock, and the use of rotary drilling methods to minimise vibration. They also that they will, if required, undertake a vibration monitoring scheme prior to and during the drilling period in accordance with BS 6472-1:2008 and BS 5228-2:2009.

In this regard, the EHO has raised no objections but considers it is appropriate to require a Vibration Impact Assessment (before and during) to inform their analysis of impacts at the site in the expectation that complaints may be received.

Dust

The EHO has raised no objection subject to an appropriate condition requiring an agreed scheme on the control of dusts from any surface storage of arisings.

Water Resources

Issues of water resource protection from a single exploratory borehole are also likely to be limited. The submissions indicate that the control of ground water during the drilling of this well will be by the density of the drilling fluids which would prevent any major water ingress. The main aquifer has been identified in the Carboniferous Limestone and this will be completely sealed with steel casing cemented into place, which they advise is a recognised method of sealing an aquifer by the Environment Agency.

In this regard, the Environment Agency has raised no objection subject to the imposition of appropriate conditions to prevent pollution and the EHO has advised that their *known* private water supplies database shows none within a 4.9km radius. There may be others they are not aware of however.

The schemes required by the EAW conditions will need to be approved and implemented on site before any drilling takes place.

Impact on Highway Safety / Transport Network

Given the relatively low level of traffic associated with the proposal, there would be no adverse impact on the highway network as a result of the use itself. The highway officer has raised no objections to the development, but considers that the use should be conditioned to accord with the supporting information about movements which is primarily related to the movement of HGVs from the south via the A4050, A4226 and B4265 to avoid Llysworney Village. An appropriate condition is therefore recommended to that effect.

Similar Test Drilling Approvals

Members should be aware that Bridgend CBC has approved at least two similar exploratory boreholes, these being on the former St. Johns Colliery site (Bridgend reference P/06/999/FUL and P/06/999/FUL).

Other Matters

A number of local residents have raised concerns about the impact on the Eisteddfod planned for Llandow next year. The impacts as described above, however, are considered to be minor in nature and to have no material impact on such an event, even if they were to be conducted at the same time. Should Members consider such concerns to be of overriding importance, then a condition could be recommended requiring that the drilling operations are not undertaken during the 2012 Eisteddfod (between 4th and 11th August 2012).

Concluding Comments

In conclusion, it is noted that there have been a substantial number of objections to the proposal, both in terms of the physical impacts of the drilling itself and to the potential impacts associated with any future commercial exploitation as a direct result of the test drilling. Nevertheless, while these views are wholly acknowledged, and the extent of concern about the test drilling itself and any future exploitation as a consequence, a factual analysis of the proposals leads to the conclusion that, whilst the potential environmental impacts of gas exploitation would require very careful consideration of any subsequent planning application, there are no reasonable or sustainable grounds on which to refuse this specific small-scale, temporary, proposal for a single exploratory borehole subject to the precautionary conditions to control environmental impacts as outlined in the recommended conditions below.

CONCLUSION

The decision to recommend that planning permission be granted has been taken in accordance with Section 38 of The Planning and Compulsory Purchase Act 2004, which requires that, in determining a planning application the determination must be in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan comprises the Vale of Glamorgan Adopted Unitary Development Plan 1996-2011.

Having regard to the provisions of Policies MIN 1, ENV27 and ENV29 of the adopted Unitary Development Plan it is concluded that the proposal meets the objectives of those policies in respect of amenity, protection of ground and surface water resources and the character and appearance of the local area.

RECOMMENDATION

APPROVE subject to the following condition(s):

1. The development hereby permitted shall be begun before the expiration of five years from the date of this permission.

Reason:

To comply with the requirements of Section 91 of the Town and Country Planning Act 1990.

2. No operations authorised by this permission, with the exception of the site restoration works set out in Section 7.10 of the supporting statement submitted with the application, shall take place after a period of eight weeks following the commencement of drilling operations on the site.

Reason:

In the interests of amenity and to meet the objectives of Policy MIN 1 of the adopted Unitary Development Plan.

3. The drilling rig to be used in the drilling operations hereby approved shall be a DCR 18 Conrad Combi 500 HD (with a typical noise level at 1 metre not exceeding 74 dBa) in accordance with the submitted equipment profile and specification, unless otherwise approved in writing by the local planning authority.

Reason:

In order to protect local amenity in accordance with Policy ENV29 of the adopted Unitary development Plan, since the impact on nearby properties has only been assessed by the submitted noise assessment on the basis of a 74dBa noise level at 1m as identified on the manufacturers equipment profile and specification.

4. Notwithstanding the submitted documents, prior to any drilling taking place on the site a detailed working method statement shall be submitted in writing to and approved by the Local Planning Authority, and all operations shall thereafter be carried out in accordance with the approved details.

Reason:

Since the construction phase of any proposed development poses significant risks to controlled waters, specifically diffuse pollution to the water environment arising from ground works, and in the interests of amenity and to meet the objectives of Policies MIN 1 and ENV27 of the adopted Unitary Development Plan.

5. Drilling shall not commence until such time as a Vibration Impact Assessment – covering monitoring prior to and during the drilling period in accordance with BS 6472-1:2008 and BS 5228-2:2009 - has been submitted to and agreed in writing by the local planning authority, and the development shall thereafter be monitored in accordance with such agreed scheme.

Reason:

To inform the Council's analysis of any impacts at the site from vibration caused as a result of the drilling hereby approved, and to comply with Policy ENV29 of the Adopted Unitary Development Plan.

6. Any facilities for the storage of oils, fuels and chemicals shall be sited on impervious bases and surrounded by impervious bund walls. The size of the bunded compound shall be at least equivalent to the capacity of the tank plus 10%. If there is a multiple tankage, the compound should be at least equivalent to the capacity of the largest tank plus 10%. All filling points, vents and sight glasses must be located within the bund. There must be no drain through the bund floor or walls.

Reason:

To prevent pollution of the water environment, and to ensure compliance with the terms of Policy ENV27 of the Unitary Development Plan.

7. Full details of a scheme for the disposal of foul and surface water drainage shall be submitted to and approved in writing by the Local Planning Authority and the approved scheme shall be fully implemented in accordance with the approved details prior to any drilling operations or site preparation taking place on the site. The approved scheme shall include proposals for the treatment and disposal of suspended solids from surface water run-off and shall include emergency procedures to be implemented where any failure results in the pollution of controlled waters.

Reason:

To mitigate the risks of pollution and to ensure compliance with the terms of Policy ENV27 of the Unitary Development Plan.

8. Within three months of the completion of drilling operations all plant, machinery and buildings shall be removed from the site and the site shall be restored in accordance with the details set out in Section 7.10 of the statement accompanying the application or any alternative scheme that may first be agreed in writing by the Local Planning Authority.

Reason:

In the interests of amenity and to meet the objectives of Policies MIN 1 and ENV27 of the adopted Unitary Development Plan.

9. Prior to any drilling operations taking place, a scheme for the treatment, storage and disposal of any dust created by the operation shall be submitted in writing to and approved by the Local Planning Authority and the approved scheme shall thereafter be retained in operation throughout any periods of drilling on the site.

Reason:

In the interests of amenity and to meet the objectives of Policies MIN 1 and ENV27 of the adopted Unitary Development Plan.

10. Vehicular access to the site shall only be made in accordance with section 6.6 of the supporting information and, in particular heavy traffic (such as the rig, drill pipe and cabins) shall approach and leave the site only from / to the south via the A4050, A4226 and B4265 to avoid Llysworney Village.

Reason:

In the interests of highway safety and to ensure compliance with Policy ENV27 of the Adopted Unitary Development Plan.

NOTE:

Please note that this consent is specific to the plans and particulars approved as part of the application. Any departure from the approved plans will constitute unauthorised development and may be liable to enforcement action. You (or any subsequent developer) should advise the Council of any actual or proposed variations from the approved plans immediately so that you can be advised how to best resolve the matter.

In addition, any conditions that the Council has imposed on this consent will be listed above and should be read carefully. It is your (or any subsequent developers) responsibility to ensure that the terms of all conditions are met in full at the appropriate time (as outlined in the specific condition).

The commencement of development without firstly meeting in full the terms of any conditions that require the submission of details prior to the commencement of development will constitute unauthorised development. This will necessitate the submission of a further application to retain the unauthorised development and may render you liable to formal enforcement action.

Failure on the part of the developer to observe the requirements of any other conditions could result in the Council pursuing formal enforcement action in the form of a Breach of Condition Notice.

ACCOMPANYING
INFORMATION

1100812 FULL

CONTENTS

1. Introduction 1

2. Supporting Information 1

3. The Applicant 1

4. Gas Quality 2

5. Regulation of Onshore Oil and Gas 2

6. The Site 3

7. Details of Proposal 4

8. Conclusions 10

Plans

Description	Scale	Reference
Borehole Location Site Plan	1/10000	PEDL217/SS87/LLANDOW/DRAWING/LOC120811
Site Plan	1/1250	PEDL217/SS87/LLANDOW/PLANNING/SITEAREA120811
Site Layout Plan	1/250	PEDL217/SS87/LLANDOW/PLANNING/SITELAYOUT120811
East – West Cross Section	1/250	PEDL217/SS87/LLANDOW/PLANNING/E-WSEC120811
North - South Cross Section	1/250	PEDL217/SS87/LLANDOW/PLANNING/N-SSEC120811
Surface Site drainage	1/250	PEDL217/SS87/LLANDOW/PLANNING/DRAINLAYOUT120811
Lighting Layout Plan	1/250	PEDL217/SS87/LLANDOW/PLANNING/LIGHTLAYOUT120811

Appendices

Description	Scale	Reference
Details of Site Office	1/50	APPENDIX I
Details of Site Cabins	1/50	APPENDIX II
Details of Temporary Fencing		APPENDIX III
Noise Assessment		APPENDIX IV

1. Introduction

The applicant seeks consent for one test borehole at Llandow Business Park. The scheme will be managed so as to facilitate *minimisation of risk*, both physical and financial, *and minimisation of disturbance*.

This application does **not** include fracking.

The application is made by Coastal Oil and Gas Limited for the purpose of drilling to take core samples of Limestone shales with a view to future possible capture and supply of shale gas (unconventional gas) as a clean energy supply and also to penetrate the Upper Devonian measures to test for the presence of conventional gas. This is estimated to be a depth of approximately 650m. This is part of a continuing program of sampling across South Wales, permissions have previously been granted in Bridgend County Borough Council and Neath Port Talbot County Borough Council. Further applications are pending in both these areas and one is due to be submitted to Rhondda Cynon Taf Council.

The application seeks permission to drill an exploratory borehole for the purpose of taking core samples for analysis on land at Llandow Business Park as indicated on the accompanying plan marked "Borehole Location Plan". The borehole is aimed primarily at the Lower Limestone Shales below the Limestone measures.

This planning application is a revised version of a previous submission which was withdrawn due to the discovery of a dwelling house within the Llandow Business Park. Further noise assessment work has been carried out [report attached as Appendix IV] and has indicated that noise levels at the dwelling will be within guidelines. More detailed information on proposed traffic movements has also been included.

2. Supporting Information

The information contained within this supporting documentation to the formal Planning Application is given to help promote the understanding of the operations involved and thereby to assist in the planning process. The supporting documentation has been expanded to include additional information, which will only be relevant to certain individual consultees. Others, who may be interested in the development scheme, will be able to better understand the concept of the overall project by reference to this document.

This supporting documentation and site design has been prepared giving consideration to the purposes of the current legislation governing planning and environmental matters. The aim being, to ensure as far as is practicably possible, that the development will not knowingly permit the introduction into the environment of any substances or energy liable to cause hazards to human health, harm to living resources and ecological systems, loss of any amenity, or interference with the legitimate use of the environment by the general public and especially those that are neighbours to the development.

3. The Applicant

Coastal Oil and Gas Limited is based at the Bridgend Business Centre. It is principally involved in the exploration of UK onshore gas reserves. It has a 50% interest in approximately 99.7sq. km. of Petroleum Exploration and Development Licence (PEDL) 217 and is approved as an operator for this licence by the Crown. The remaining 50% is

CORE SAMPLING AND TESTING	1	AUGUST 2011
---------------------------	---	-------------

held by Coastal's Australian partner Eden Energy UK Limited whose registered offices is the same as that of Coastal Oil and Gas Limited at Bridgend.

4. Gas Quality

Geological modelling shows that the Llandow Business Park sits on a geological structure that could be a trap for Devonian conventional gas; the Devonian Measures are renowned for USA gas production. The borehole will be designed to test the presence of this gas.

International drilling and testing of similar gas resources has proved a resultant high quality, clean gas.

5. Regulation of Onshore Oil and Gas

"The Petroleum (Production) Act 1934, as amended by Section 18 of the Oil and Gas (Enterprise) Act 1982, provided for exploration of and production of onshore hydrocarbon resources. The Act vests ownership of petroleum underground in the Crown and empowers the Secretary of State for Energy to grant to such persons as he thinks fit, Licences to search, bore for and get petroleum.

The main objectives of the Licensing regime are to further the general Government policy of establishing the extent of the Country's indigenous hydrocarbon resources. The regime is also intended to provide a framework within which the search for and production of oil and gas onshore can be undertaken in a safe and orderly manner, and to provide a satisfactory balance of safeguards and rights between the Government and Licensees. This regime also maintained unproved acreage on short licence and provided a satisfactory longer-term licence for production.

The framework comprises a single exclusive and unitary licence now known as a "PEDL", Petroleum Exploration and Development Licence. Licences are still awarded for an initial period of six years although some flexibility is allowed and then, if required, for a further term of twenty years.

Planning permission will be required before the deep drilling of exploratory wells can be undertaken, and the Government will continue to require proof that the necessary planning permission has been obtained for deep drilling and production, and that all necessary consultations have been completed before authorising commencement of these activities.

The government still supports the development of coal-derived methane as part of its clean coal technology programme.

Forecast future energy shortages are putting pressure on onshore gas producers to develop suitable fields.

Excerpt from DECC Annual Energy Statement July 2010

***ACTION 11:** In the forthcoming Energy Security and Green Economy Bill, we will seek to ensure that access to UK oil and gas infrastructure is available to all companies. This will help the exploitation of smaller and more difficult oil and gas fields, allowing us to make the most of our natural resources.*

***ACTION 12:** We will introduce further measures on gas security as promised in the Coalition Programme for Government. In the future, we need more gas storage capacity, more gas import capacity, and greater assurance that our market will deliver*

gas when it is needed. This means that our gas market arrangements must have a sharper focus on increased flexibility and resilience.

6. The Site

6.1 Location

The site is located at Llandow Business Park. The national grid co-ordinates for the site are Eastings 295851 Northings 172167. Shown on the Borehole Location Plan – PEDL217/SS87/LLANDOW/DRAWING/LOC120811

6.2 Current Use

The land is disused apart from the unauthorised parking of lorry trailers and other vehicles. Unauthorised rubbish is also being dumped on the site. The site will be cleaned up as part of this scheme.

6.3 Ownership

The landowner is Elete Design Limited; R/O 10-12 Dunraven Place, Bridgend CF31 1JD.

6.4 Site Infrastructure

The site requires minimal moving of material apart from that required to tidy the area. There is an existing, level concrete base and no further ground preparation will be required for drilling or siting cabins/offices.

6.5 Ground Conditions

Initial investigation shows that the land is comprised of a small thickness of glacial material overlying the Porthkerry Formation (Lower Lias) of Jurassic age. A detailed survey will be conducted during the development process.

6.6 Access

The proposed access from the main highway network will be the same as the Llandow Business Park off the Llantwit Major Road, the B4270. To minimise risk the proposal for site access is to travel in very early in the morning when traffic is minimal. The drill rig is a standard lorry size or track mounted and carried on a trailer. Albeit heavy traffic, such as the rig, drill pipe and cabins, will only travel to the site once and from the site once; site entry will be from the south via the A4050, A4226 and B4265 to avoid Llysworney Village. Once on site, traffic will consist of cars and vans at the beginning and end of shift and deliveries. The rig does not require specialist escort. The vehicles create no more noise than other heavy goods vehicles. No additional highway amendments are required.

A summary of proposed traffic flows into the site is as follows: -

Singular Movements

<i>Drill rig</i>	<i>1</i>
<i>Drill Rods</i>	<i>3</i>
<i>Casing</i>	<i>4</i>
<i>Tanks and other equipment</i>	<i>3</i>
<i>Compressors</i>	<i>1</i>
<i>Generators</i>	<i>1</i>
<i>Survey equipment</i>	<i>1</i>
<i>Cabins & Portaloos</i>	<i>4</i>

Regular Movements

<i>Tankers</i>	<i>2 per week</i>
<i>Foul sewerage tanker</i>	<i>1 per week</i>
<i>Skips</i>	<i>4 per week</i>
<i>Drilling supplies</i>	<i>1 per week</i>
<i>Personnel (cars/vans)</i>	<i>2/3 per 12 hr shift</i>

6.7 Environment Agency - Development and Flood Risk

TAN15 maps from the Welsh Assembly Government indicate the site to be in Zone A: Considered to be at little or no risk of fluvial or tidal/coastal flooding. The site is not on a recognised flood plain.

6.8 Area

The enclosed area of the application site is 0.17 hectares.

7. Details of Proposal**7.1 The Construction of the Exploration Borehole**

The borehole will be constructed to comply with current legislation and applicable codes and rules. The hole will be constructed under the governance of the Health and Safety Executive Oil and Gas Division. A final Department of Environment and Climate Change permission in the form of a Well Operation Notice is required before work can commence.

CORE SAMPLING AND TESTING	4	AUGUST 2011
---------------------------	---	-------------

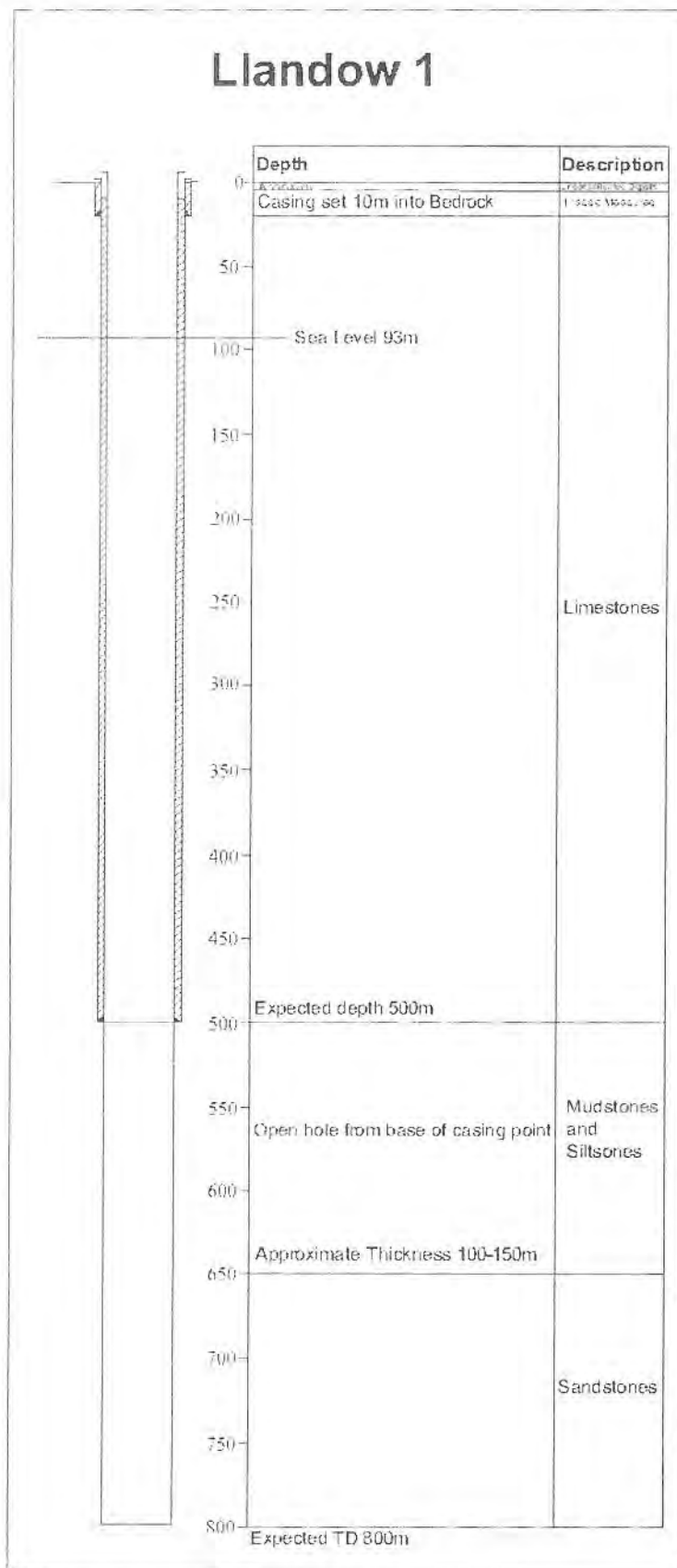


Figure 1: Approximate depths of the boreholes

The works for the boreholes will include: -

- ❖ Drilling a surface completion hole at approximately 30cm Diameter up to 25 metres well depth into rockhead.
- ❖ Cementing the surface completion in place.
- ❖ Drilling through the Carboniferous Limestone to a depth of approximately 500 metres
- ❖ Casing off the Carboniferous Limestone and cementing in place
- ❖ Pressure testing the 500 metre casing string after allowing adequate curing time.
- ❖ Drilling into the strata below the limestone utilising suitable Well Head Protection and Diversion System to a suitable vent system.
- ❖ Utilising suitable monitoring systems to test the borehole.

Well Testing Procedure: -

- ❖ Samples of the strata will be taken from the borehole and tested both in the on-site and at an external laboratory
- ❖ Running a suite of geophysical logs
- ❖ Any gas flow that may take place will be measured for quantity and quality using suitable instruments and meters.

7.2 Site Location

The location of the proposed borehole site is included in this application and indicated on the attached plan reference: -

PEDL217/SS87/LLANDOW/DRAWING/LOC120811

A site layout plan reference: -

PEDL217/SS87/LLANDOW/PLANNING/SITEAREA120811

is also attached.

7.3 Site Construction

The site is located on a level area of concrete in an industrial surrounding. The offices and cabins will be located on the concreted area. The drilling rig will also be located on the concreted area. Drip trays will be placed where required. Drilling water will be recycled. Please see detailed site layout drawing: -

PEDL217/SS87/LLANDOW/PLANNING/SITELAYOUT120811

CORE SAMPLING AND TESTING	6	AUGUST 2011
---------------------------	---	-------------

7.4 Summary of Geology

The borehole area is situated on the Porthkerry Formation (Lower Lias) of Jurassic age. This shallow dipping strata is up to 50m thick overlying Cornelley Oolite (Viséan) Lower Carboniferous age. From the geological model constructed by Coastal Oil and Gas Limited there is a high in the Devonian Strata below Llandow.

7.5 Gas Control

If gas is encountered during drilling operations the drilling fluid will safely contain that gas. On completion of drilling and testing the well will be shut in using the well head control mechanism.

The control mechanism is housed on a well head assembly that effects well control. Entries are available for water inféed while drilling and to divert gas. A suitable BOP (Blow Out Preventor) will be utilised.

7.6 Monitoring Operations

Gas flows, purities, pressures including Hydrogen Sulphide values will be monitored during the drilling period. Drilling will be 24 hours per day. Twenty-Four hour security will be present with the site manned at all times.

7.7 Environmental Control

The control of ground water during the drilling of this well will be by the density of the drilling fluids which would prevent any major water ingress. The main aquifer has been identified in the Carboniferous Limestone and this will be completely sealed with steel casing cemented into place, this is a recognised method of sealing an aquifer by the Environment Agency. This coupled with the restoration proposals outlined below will insure that there will be no risk to aquifers and licensed abstractions during this stage.

The water / fluids used for drilling are contained in a closed loop system; the volume of fluid required will depend on the depth of the well. The drilling fluid will be held in tanks on the surface so that they can be checked for levels and leaks.

- Shaker screen – the drilling fluid is passed over a fine vibrating sieve of various sizes to allow the drill cuttings to pass into a covered skip for disposal and the drilling fluid to drop through and return to the closed loop system. This separates the solid drill cuttings from the fluid so that it can be re-circulated back down the wellbore. In oilfield industry, linear motion shale shakers are widely used.
- At the end of the drilling operation all excess drilling fluid will be tankered off site to a licensed disposal facility.

As all drilling fluids are maintained in a closed loop system this can easily be monitored for leaks. In the event of a loss of fluid to the system then the source of that loss will be investigated. If there is a leak to a tank / pipe then this will be repaired as soon as practical. The tanks will be placed so that they can be observed by the drilling crew and site staff. In the event that there is an increase in drilling fluid that may allow a spillage

from the tanks, drilling will cease until additional tanks can allow for the increase in fluid or the additional fluid is tankered off site to and appropriate facility.

The storage of all oils and fuels will be within a bunded fuel tank where the volume of the bund is 1.5 times the capacity of the tank. During fuel transfer absorbent matting will be placed below the fuel fill point to catch any drips. Drip trays lined with absorbent matting will be placed under the drilling rig at all times.

The storage of drilling muds, prior to mixing the drilling muds are in powder form in bags. These will be stored in the drilling store shown on the site layout plan.

Foul sewage will be from the site toilet; this will be a hired 'portaloos' type and will be emptied weekly by a licensed operator.

Control of surface water will be affected by constructing a single block wall around the site and installing a sealed inceptor tank. Waste water will be tankered off site to a licensed disposal site. See plan Reference: -

PEDL217/SS87/LLANDOW/PLANNING/SURFACE/GW120811

7.8 Vibration Assessment

At the proposed drilling site in Llandow Business Park are a number of factors that will limit the effects on vibration on local residents.

- The nearest properties a dwelling house in the centre of the business park some 260m North North-East, Sheeplys Farm 513m North North-West, Two Semis on Sulton Road 588m North West, Detached House on The Grove 538m West, Springfield Nursery 750m West are all over 500m away. There are closer industrial units.
- There is up to 5m of made ground/Glacial till consisting of a gravely clay (this will absorb surface vibrations)
- The local bedrock is Carboniferous limestone; the individual beds are generally less than 5m thick.
- The drilling method will be utilising rotary drilling methods to minimise vibration.
- If required a vibration monitoring scheme prior to and during the drilling period will be conducted in accordance with BS 6472-1:2008 and BS 5228-2:2009
- If vibration levels are deemed excessive when recorded at the residential property then the drilling will cease until additional remedial measures can be put in place.

7.8 Noise

A noise report carried out by Hunter Acoustics is submitted with the application which concludes that, "We would not therefore assess noise from the drilling works to be an issue on this site."

CORE SAMPLING AND TESTING	8	AUGUST 2011
---------------------------	---	-------------

7.9 Visual Amenity

The site is not prominent in the landscape and is shielded by industrial units and hedges. Any views of the drilling rig, which will have an approximate height of 12 metres when fully extended, will be fleeting and the structure will not be dissimilar to other temporary structures/masts that are located in such areas. The rig and equipment will only be in place for a short period of time.

7.10 Restoration

Upon completion of the drilling and testing, the borehole will be completely filled with cement. Cement will be mixed on the surface in a grout mixer then pumped to the base of the borehole via a tremmy pipe. The tremmy pipe will be lifted out of the borehole in stages and more cement will be pumped into the borehole. The volume of the borehole will be confirmed by the results of the geophysical logging. The casing that has been cemented in place in the limestones will be left in situ. The multi stage filling will ensure that the borehole is completely filled. The cement will have similar density to the surrounding rock. The filling of the borehole will seal the hole to stop the vertical migration of groundwater.

The borehole will be sealed in accordance with the guidelines presented by the Environment Agency publication 'Decommissioning Redundant Boreholes and Wells'. (Indicated in C in the diagram below)

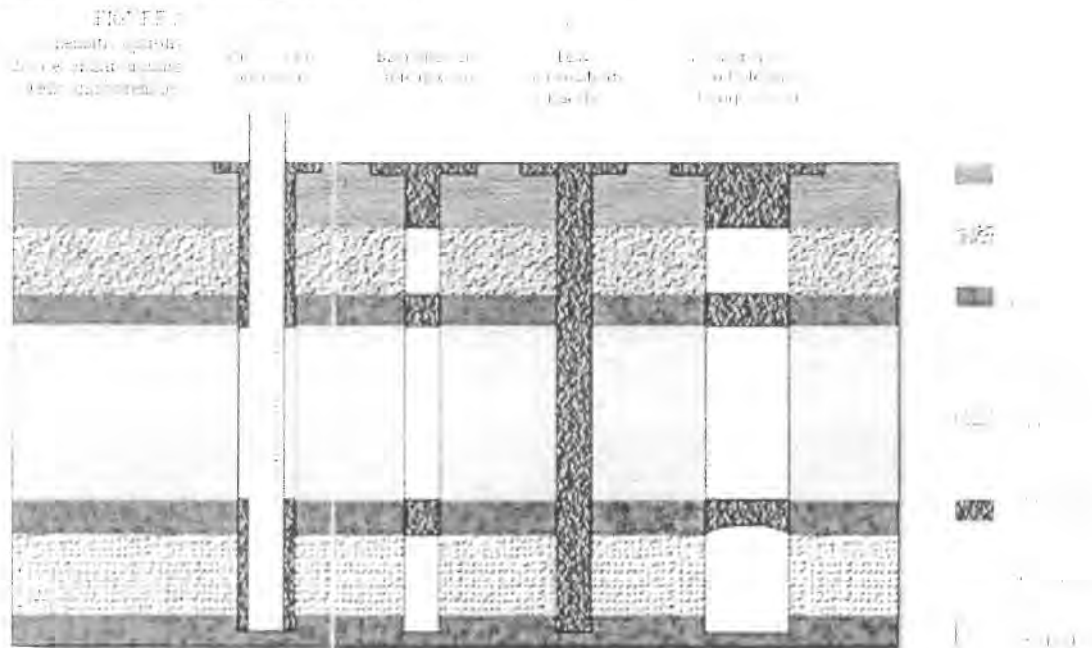


Figure 2 – C Backfilled completely with a low permeability backfill (cement)

g) Recording details on site plan

Complete and accurate records should be kept of the abandonment procedures for possible future reference.

These records should include the following;

- The reasons for abandonment (e.g. water quality problems).
- Measurement of groundwater level prior to backfilling.
- The depth and position of each layer of backfilling and sealing materials.

- The type and quantity of backfilling and sealing materials used.
- Any changes made to the borehole/well during the abandonment (e.g. casing removal).
- Any problems encountered during the abandonment procedure.

Abandoned borehole and well locations should be marked on site records and, if possible, on the ground. Details of any decommissioning or modifications to borehole construction should also be forwarded to the British Geological Survey.

7.11 Permissions to Drill

All permissions to drill will be in place before work commences.

Permissions required are: -

Petroleum Licence from the DECC – In place PEDI.217
 Planning Permission from Vale of Glamorgan Council
 Approval for Drilling from the Health and Safety Executive
 Well Operations Notice from the DECC

7.12 Construction Period

Summary of Time Scale

	Weeks
Site Establishment	(up to) 1
Drilling	(up to) 5
Testing	(up to) 2
Borehole Restoration	(up to) 1
Site Clearance	(up to) 1

7.13 Hours of Work

Hours of work during the site establishment and site clearance period will be 10 hours per day 08.00 hrs until 18.00 hrs excluding Sunday and drilling, testing and restoration period will be 24 hour, seven days per week.

8. Conclusions

It should be noted that this application is only for exploratory drilling and testing it does not involve fracing or the commercial extraction of gas. It is considered that due to the scale, duration and nature of this proposal it would not create adverse environmental impacts, given the industrial location.

End

The Vale Of Glamorgan Council
Planning and Transport
Docks Office
Subway Road
Barry
Vale of Glamorgan
CF63 4RT

Ein cyf/Our ref: SE/2011/114437/01-L01
Eich cyf/Your ref: 2011/00812/FUL

Dyddiad/Date: 12 September 2011

FAO: Steve Ball

Annwyl / Dear Mr Ball

Drill and test the insitu lower limestone and associated strata for the presence of gas at Unit 1, Llandow Industrial Estate, Llandow

Thank you for referring the above application in your e-mail dated 19 August 2011.

We have no objection to the application as submitted. However, the proposed works will only be acceptable if the following measures are implemented and secured by way of planning conditions on any planning permission:

Condition

The development hereby permitted shall not be commenced until such time as a scheme for the disposal of foul and surface water drainage has been submitted to, and approved in writing by, the local planning authority.

Reasons

To prevent pollution to controlled waters. Protection of the water environment is a material planning consideration and development proposals should ensure that new development does not harm the water environment.

Condition

Prior to the commencement of development, a working method statement to cover the works shall be submitted to and agreed in writing by the local planning authority. Thereafter the development shall be carried out in accordance with the approved scheme and any subsequent amendments shall be agreed in writing with the local planning authority.

Reason

The construction phase of any proposed development poses significant risks to controlled waters, specifically diffuse pollution to the water environment arising from ground works.

Condition

Any facilities for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls. The volume of the bunded compound should be at least equivalent to the capacity of the tank plus 10%. If there is multiple tankage, the compound should be at least equivalent to the capacity of the largest tank, or the combined capacity of interconnected tanks, plus 10%. All filling points, vents, gauges and sight glasses must be located within the bund. The drainage system of the bund shall be sealed with no discharge to any watercourse, land or underground strata. Associated pipework should be located above ground and protected from accidental damage. All filling points and tank overflow pipe outlets should be detailed to discharge downwards into the bund.

Reason

To prevent pollution of the water environment. In this instance, the proposal poses a threat to water quality because of the storage of potentially polluting materials on site and the associated risks with leaks and spillages.

We note the comments in section 7.7: Environmental Control in the accompanying information document. This Section includes details of ground, surface and foul water management, storage of oils and fuels and management of drilling fluids. We have the following comments to make on this section:

- The document mentions the monitoring of drilling fluid on site and identifying leaks by noting any losses. This should be accompanied by regular monitoring of any nearby receptors (such as open drains / watercourses). Such receptors should be identified as part of the site set-up before drilling commences;
- The document states that control of surface water will be affected by constructing a single block wall around the site and installing a sealed interceptor tank. Waste water will be tankered off site to a licensed disposal site. If this is the method that is to be used then the block wall surrounding the site must be watertight (and presumably keyed into the concrete floor of the site). If all site surface water is to be collected in the sealed tank then the tank must have sufficient volume to cope with prolonged rainfall onto the concrete floor of the site.

With regard to post use drilling muds, these are a notoriously difficult waste to dispose of / recover, particularly those composed of bentonite clay. We advise that the applicant sources an output for this waste prior to its generation on site.

We request that our Environment Officer for the area is invited to carry out a pollution prevention visit at the site during any future site preparation and drilling/testing.

The works should be carried out in accordance with our Pollution Prevention Guidelines which can be found on our website:

<http://www.netregs.gov.uk/netregs/links/107968.aspx>

Advice for the applicant

WR-11: Notice of intention to construct or extend a boring for the purpose of searching for or extracting minerals

Under Section 199 of the Water Resources Act 1991, the applicant is required to complete form WR-11 'Notice of intention to construct or extend a boring for the purpose of searching for or extracting minerals'. A copy is enclosed for the

applicants attention, and when completed, this form should include details of the proposed works and the methods of water disposal. It will also provide information on the types of licences or permits that may be required for the abstraction and disposal of water.

Following the submission of the WR-11 form, we will either accept the form, or issue a 'Notice to conserve water resources' (form WR-12). This notice details the measures needed to protect water quality and quantity and to minimise impacts on nearby water users.

Environmental Permit

Under the Environmental Permitting (England and Wales) Regulations 2010, a permit (water discharge or groundwater activities) may be required for the discharge of water from the site. Our Permitting Support Centre can be contacted on 03708 506 506 to discuss these requirements.

Waste

The accompanying information mentions that the applicant will be cleaning up the site which has suffered from unauthorised dumping. If any controlled waste is to be removed off site, then site operator must ensure a registered waste carrier is used to convey the waste material off site to a suitably authorised facility.

The Duty of Care regulations for dealing with waste materials are applicable for any off-site movements of wastes. The developer as waste producer therefore has a duty of care to ensure all materials removed go to an appropriate licensed disposal site and all relevant documentation is completed and kept in line with regulations.

If the applicant / operator wishes more specific advice regarding waste / pollution prevention, our local Environment Management team can be contacted on 01792 325 650. Alternatively, available guidance is available on our website:

www.environment-agency.gov.uk/subjects/waste/

Please contact me if you have any further queries.

Yn gywir / Yours faithfully

Christian Servini
Planning Liaison Officer 1

Deialu uniongyrchol/Direct dial 02920 245 235
Ffacs uniongyrchol/Direct fax 02920 362920
E-bost uniongyrchol/Direct e-mail christian.servini@environment-agency.wales.gov.uk

cc. Coastal Oil and Gas Ltd.



Mark Pottréns
Cabinet Officer
Vale of Glamorgan Council
Docks Offices
Barry SA63 4RT

2nd September 2011

Dear Mark,

Exploratory gas bore hole application – objection, planning ref: 2011/00812/FUL

I want to express my grave concerns regarding the resubmitted application for an exploratory bore hole at the site in Llandow to search for shale gas. I have been inundated with a great deal of correspondence and many calls from worried residents and business owners in the Vale.

I am alarmed and very concerned by this planning application, as I was when the first application from Coastal Oil & Gas was submitted earlier this year. Whilst I appreciate that this is an application for merely exploration purposes, the concerns I have are for the potentially far reaching consequences of this research activity for communities across the Vale.

This is one of the most precious parts of South Wales and it is hard to understand how any company would consider such an activity in such a sensitive area. It is close to the Heritage Coast and is next to areas of Grade 1 agricultural land, very little of which exists across Wales.

My main concerns regarding this exploratory application are:

- The noise levels during the proposed 7 weeks. Not only will the drilling machinery itself create a substantial amount of noise 24 hours a day, but the associated noise levels of movement of the metal rods + equipment associated with the drilling process will be significant and in addition to the data provided.
- The impact on local businesses is already an issue, with several businesses located on the industrial estate noting that they will move premises and away from the area should this application be approved. The Llandow business park is an essential employer for the Western Vale and allowing the exploration for gas would undermine existing businesses and reinforce low status, prejudicing their future role and potential for inward investment in and for the Vale.
- The impact on residents in the area will be significant too – from constant noise levels, increased traffic in the area, and concern over potential environmental and health concerns regarding escaping gases and water contamination. A big threat too

Alun Cairns MP
Welsh Conservative



THE HOUSE OF COMMONS
WELSH CONSERVATIVE

of course is the substantial drop in house prices, devastating the whole local economy, should shale gas be found.

- Water pollution is a real concern, with several private bore holes in the immediate vicinity – though Welsh Water do not record this in their response to the planning application.
- The presence of gas drilling & mining would also be incompatible with and undermine the investment made by the Vale in securing the National Ffesteddod at Llanidloes, as a shop window for general economic and tourism investments in the Vale of Glamorgan.
- There will be a detrimental impact on the already anticipated boom in tourism in the Vale of Glamorgan if this exploratory gas mining application is approved, as many investors and visitors alike will turn away from a potential gas mining area.

The use of the land at Llanidloes for local businesses and recreational purposes is important to the Llanidloes, Llantwit Major and Llanwrda communities, to the Vale Authority's strategy and to Welsh Government policies. I trust that you will take my strong objections into account.

Yours sincerely,

Alun Cairns MP

Mr Jeff James, Cabinet Member for Planning + Transportation, YOG Council
John Griffiths, Minister for Environment & Sustainable Environment, Welsh Government

01446 344444
01446 344444

Alun Cairns MP MS
alun.cairns@wales.parliament.wales.nps.gov.uk
01446 344444
01446 344444

01446 344444
01446 344444

Cynulliad Cenedlaethol Cymru
Sae Caerdydd
Caerdydd CF99 1NA
www.cymru.gov.uk

National Assembly for Wales
Cardiff City
Cardiff CF99 1NA
www.assembly.wales



Our ref: JH/CB

Mark Petherick
Cabinet Officer
Vale of Glamorgan Council
Civic offices
Horton Road
Barty
CF63 4RU

23 August 2011

FAD: Cllr Jeff James

Re: Application: 2011/00812/FUL Coastal Oil and Gas Test Drilling at Liandow, Vale of Glamorgan

In light of the recently resubmitted application from Coastal Oil and Gas, to test drill for shale gas at Liandow, I would like to reiterate on behalf of my constituents, the serious and numerous objections to this proposal.

My constituents are aware that this application is for test drilling only, but if gas is found, consideration will be given to how it could be exploited and my constituents feel very strongly against the hydraulic fracturing or 'fracking' method which enables the production of natural gas from rock formations deep below the earth's surface.

I understand the process is highly controversial and has the potential to cause earthquakes and contaminate ground water and farm land. Furthermore, some of this contamination derives from the toxic chemicals, including carcinogens, which are

Sae Caerdydd
Caerdydd
CF99 1NA
0300 0600
0300 0600
0300 0600

Yn eiddo Cynulliad Cenedlaethol Cymru
Ffôn: 0300 0600 0600

discussed in the licensing process. I am told that there have been incidents of contamination posing threats to public health and the environment in the USA and that a report from Manchester University's Tyndall Centre for Climate Change Research has insisted that a 'precautionary approach' to development of shale gas extraction is the only responsible action to take in the UK and Europe.

Given the recent earth tremors in Blackpool after shale gas drilling at a site by Cuadrilla, there is a greater need to seriously consider the consequences of approving this application.

There are also concerns amongst constituents about the potential increase in heavy traffic levels at the site which this application would bring about, and the ability of the current road infrastructure to cope. In addition, I have been contacted by constituents who have expressed worries about the levels of noise pollution which a 24 hour drilling operation would generate in this quiet rural area.

I would be very grateful if these extremely important and potentially very serious public health and safety concerns could be accorded due and urgent consideration.

With very best wishes,

Yours sincerely,



JANE HUTT AM VALE OF GLAMORGAN



Steve Ball
Principal Planning Officer
Planning & Transportation Services
Vale of Glamorgan Council
Docks Offices
Barry
CF63 4RT

07th September 2011

Dear Mr Ball,

Re: Planning Application No. 2011/00812/FUL

Please accept this letter as official notification of our strong opposition to the above planning application submitted by Coastal Oil and Gas Limited. The proposed operation to 'Drill and test the insitu lower limestone and associated strata for the presence of gas' is of grave concern to ourselves as local residents and as business owners in Llandow and we wholeheartedly oppose this application.

We strongly oppose the existing application for testing not only to inhibit any further stages in the gas drilling process, but also because the initial phase will be extremely disruptive to our caravan park. We have worked hard to build up a great reputation as somewhere our visitors can come to relax in a peaceful, rural setting that, especially throughout the night, provides peace and tranquillity. Having been voted in the 2011 Top 100 parks in the UK by readers of Practical Caravan Magazine, we have been enjoying our busiest season to date bringing many visitors to the area. As we have been unable to satisfy demand, we are currently embarking on a project that will expand our capacity by 75%, encouraging further visitors who eat, drink and shop in the Vale

Should it be allowed, the proposed drilling will proceed for 24 hours a day, 7 days a week for 6 weeks, creating continuous noise pollution, and our customers will simply not withstand this level of disruption. Our reputation could suffer greatly as people not only tell their friends and peers of their holiday experiences, but are now able to voice their dissatisfaction online via social media and review sites – something which we heavily rely on for new business.

We are concerned at the unprofessional sound report submitted with this new application. To base a report around a noise level 'as advised in email from Oliver Taylor' is wholly unacceptable. I cannot believe that an 11m drill rig, drilling a 30cm diameter well to a 500m depth is only going to generate 75db, when the manufacturers specifications for a hand drill are 98db (see http://www.amazon.co.uk/dp/B0009VX32C/ref=asc_df_B0009VX32C4319736?smid=A31KFXAXTTNB_QF&tag=googlecouk06-21&linkCode=asn&creative=22218&creativeASIN=B0009VX32C). For a comparison of noise levels please see <http://www.gcaudio.com/resources/howtos/loudness.html>.

There is also no comment made on additional noise created at the site from the generator and compressor mentioned in the 'Accompanying Information' document. Surely these create noise and will be running 24 hours a day so should therefore be factored into the report.

As stated in the sound report, the area has 'Exceptionally low background night time noise levels', the noise of a drill throughout the night will most certainly cause a disruption to us and our visitors. Also, the report does not consider the business units right next door to the drill site. Not industrial units, but offices where people conduct a large majority of their work on the phone. Surely the impact on their businesses must be considered too.

We also feel, the threat of gas drilling would also undermine the investment made by the Vale in securing the National Eisteddfod to come to Llandow. If granted permission, could this drilling potentially take place during the event?

We are aware that this is merely an application to undertake exploratory operations at Llandow, but we are severely concerned that should these tests prove successful for Coastal Oil and Gas Limited, then what follows could have irreparable, long-term, disastrous effects on the Vale and its residents for generations to come. The Vale of Glamorgan Development Plan specifically states in section 1.7.2 that one of its guiding principles is "To manage natural resources wisely avoiding irreversible damage wherever possible in order to maintain and enhance their value for future generations;"

We appeal to you to thoroughly consider this abhorrent practice of gas drilling before encouraging it in the Vale. We are gravely concerned that should application be granted, then it sets a precedent for the entire area and any further applications will therefore be allowed. It is my understanding that, once allowed, drilling doesn't stop with one drill rig. It will result in many drill rigs around the Vale that could cause damage of on a catastrophic scale.

Investment should be encouraged in investigating and deploying renewable and sustainable sources of energy, we cannot continue to encourage new ways of taking the earth's limited resources.

Yours Sincerely,

Louise Evans
Llandow Caravan Park Ltd.



Six Wells Farmhouse
Vale Business Park
Cowbridge
Vale of Glamorgan
CF71 7PF

Phone: 01446 771318
Fax: 05601 500460
Mobile: 07793 226631
Email: phil@sixwells.net

FAO Mr S J Ball
Principal Planning Officer
Planning and Transportation Services
The Vale of Glamorgan Council
Dock Office, Barry Docks
BARRY
CF63 4RT

8 September 2011

Re: Application No. 2011/00812/FUL

Proposal: To drill and test the insitu lower limestone and associated strata for the presence of gas.

Representation from nearby residence: We wish to oppose this planning application.

Dear Mr Ball

We are disturbed and very concerned by this planning application within the Vale of Glamorgan, which is one of the most precious parts of South Wales with its Heritage Coast and areas of Grade 1 agricultural land. We would like to express our grave concerns regarding the resubmitted application for an exploratory bore hole on the Vale Business Park to test for the presence of shale gas.

Our main concerns regarding this application are:

- The noise levels during the proposed 7 weeks drilling. Not only will the drilling machinery itself create a substantial amount of noise 24 hours a day, **(Please see the attachment to this letter regarding the noise assessment submitted in support of this application)** but the associated noise levels created by extra traffic, operation and movement of the ancillary equipment and constant manipulation of drilling materials (mud mixing and metal rods), will be significant. These additional activities and noise fluctuations have not been factored into the data provided.
- The impact on local businesses is already an issue, with several businesses located on the industrial estate noting that they will move premises and away from the area should this application be approved. High noise levels over a sustained period, with no potential for respite, would seriously compromise the ability of some businesses to conduct their day to day business. The Vale Business Park is an essential employer for the Western Vale and allowing the exploration for gas would undermine existing businesses and reinforce low status, prejudicing their future role and potential for inward investment in and for the Vale.
- The impact on residents in the area will be significant due to concerns over potential environmental and health issues with regard to escaping gases and water contamination.
- Water pollution is a real concern, with several private bore holes in the immediate vicinity. The application contains a site drainage plan and refers to rainwater collection and removal offsite (ref: application form item 13). Please note that the concrete pad upon which the site is to be based is not intact and also not perfectly level. Both of these factors will mean that the installed 4inch bund and sealed interceptor will not be effective because both surface rainwater and any spillage will

simply seep away to groundwater. The use of tankers for offsite disposal will not be practicable unless the rainwater and spillages are collected effectively.

- The presence of exploratory drilling would also be incompatible with and undermine the investment made by the Vale in securing the National Eisteddfod at Llandow as a shop window for general economic and tourism investments in the Vale of Glamorgan.
- There will be a detrimental impact on the already anticipated boom in tourism in the Vale of Glamorgan if this exploratory drilling application is approved, as many investors and visitors alike will turn away from a potential gas mining area.
- The use of the land at Llandow for local businesses and recreational purposes is important to the Llandow, Llantwit Major and Cowbridge communities, to the Vale Authority's strategy and to Welsh Government policies.

I trust that you will take our strong objections into account whilst considering your recommendations to the Planning Committee.

Furthermore, please consider the following:

- We believe that this planning application should not be judged and assessed in isolation because the activity that has been applied for is an integral first step in a foreseen commercial exploitation process for shale gas (if confirmed) which has much higher risks of environmental contamination on a very large and widespread scale. In assessing this exploratory application, account should be taken of the risks represented for the whole process from exploration to commercial exploitation.
- National Planning in Wales is governed by Planning Policy Wales which states in its section on the environment, paragraphs 13.1.1 and 13.12.1 that:
"the planning system has an important role in avoiding or minimising the adverse effects of any environmental risks on present or future use and that the potential for pollution affecting the use of land will be a material consideration in deciding whether to grant planning permission".

Should your decision be to recommend approval of this application, I would strongly urge you to also consider that the following conditions be additionally met:

- There should be a full investigative survey made by an independent body (preferably the Environment Agency) of baseline readings for groundwater contamination, air pollution, noise and vibration levels around the site for comparative purposes should there be any cause for investigation during or following the exploratory drilling or any subsequent activity on the site.
- It is possible that the assumptions made in their noise assessment will not match the reality on a consistent basis, therefore CO&G should be required to give their assurance that they will cease operations immediately and take whatever remedial action may be necessary to eliminate any noise nuisance should it occur at any point during operations.

Yours sincerely

Capt. PM & Mrs DJ Bowers

Attachment:-

Comments regarding the contents of the Applications Appendix 4 Document entitled "Llandow Noise Assessment" with supporting documentation.

Comments regarding the contents of the Applications Appendix 4 Document entitled "Llandow Noise Assessment"

Re: Application No. 2011/00812/FUL

Proposal: To drill and test the insitu lower limestone and associated strata for the presence of gas.

I am not qualified in any way to assess this document from an expert's point of view, however, I would like to document my observations on the contents of the assessment for the record:

1:

Section 5.2 Predicted Noise Levels

The source noise level used in the Assessment is 74dB as advised to the consultants in an email from Oliver Taylor of CO&G dated 21/01/2011. Manufacturers specification for a drill rig has been supplied in the last few days following enquiries from a local group but surely, since this activity has already been started in other parts of the UK and in the USA, then the applicants should be able to provide actual data collected during operations rather than theoretical figures?

I believe that the source sound level has been seriously understated, thereby rendering the entire Assessment unreliable. My reasoning is based on the following:

- At a Public meeting in Cowbridge in April, Mr G Williams of Coastal Oil & Gas, when asked, stated that the sound level of the drilling rig would be 85dB.
- I have a portable suitcase generator, manufactured by Honda. This is the quietest generator on the market for domestic use and the sound output in the specification is 75dB (see document 1 attached). Can a large drilling rig really operate more quietly than this generator?
- Actual measurements (as opposed to specification data) from sound tests on several different types of operating rigs in the UK for various contractors have shown the noise levels from the drilling rigs to be in the range 103-106dB, far in excess of the stated level for this application.
Source: Measurement data by Spectrum Acoustic Consultants as published in a noise assessment survey submitted for similar drilling activity in Lancashire in 2010 (see pages 6/7 in document 2 attached).
- The source figure quoted by CO&G is for a specific drill rig only. It does not consider the possibility that the specific drill rig that they propose to use may not be available when they need it nor does it consider the cumulative impact of noise from ancillary equipment and operational activities on site, e.g. generators, compressors, traffic and equipment handling.

2:

Section 4.1 World Health Organisation Guidance:

Their report states that BS4142:1997 (which is the method normally used for assessing the effect of industrial noise on residential premises) advises "The method is not suitable for assessing the noise measured in buildings or when the **background and rating** noise levels **are both** very low.

Their report further states that "Minimum consistent background noise levels measured are therefore considered to be very low".

These statements appear to contradict each other which seems to suggest that as both background and rating noise levels are **not both** low, then BS4142:1997 should be used? Why has it not been?

Furthermore, the guidelines that have been used in the report (WHO sleep disturbance limits) are specifically for community noise assessment which is not applicable in this case as the noise is clearly from an industrial source. What would be the outcome if BS 4142:1997 were to be used?

3:

The report does not show any details of the calculations or allowances made in assessing the noise impact on residences in the area. The impact of weather conditions and wind direction on the results do not appear to have been considered nor is there any consideration of the effects of frequency variations in the noise profile.

Signed:

Captain PM Bowers

8th September 2011

2011/00812 - Appendix E (iii)

Ball, Steve J

From: Susan Dean [ridgelea@btinternet.com]
Sent: 05 September 2011 17:02
To: Planning & Transportation (Customer Care)
Subject: Objection: Planning REF 2011/00812/FUL

Sirs

**Gas Bore Hall Application Ref 2011/00812/FUL
Unit 1 Vale Business Park, Llandow**

With reference to the above I wish to register my concerns with the application. I am a landlord for a number of the industrial units directly adjoining the site in this application and I list the concerns as follows:

1. The noise levels will cause direct interference with the running of the businesses next to the site. The noise survey attached to the planning application does not address this issue, it was not requested and it only assesses the noise level of domestic properties within the general area.
2. The vibration levels have not been considered in the application. A number of our tenants use sensitive computing equipment which will be directly impacted by vibration causing loss of production and ultimately loss of trade.
3. A number of tenants for the two reasons above have indicated they will look to re site their businesses should the application be granted. This will result in job losses and business being lost on the estate.
4. Water pollution is a real concern, not only in the direct vicinity but for the Vale of Glamorgan in general.
5. The planning categories associated with this industrial estate do not permit any drilling on the site. By allowing such significant changes to the planning rules to include drilling and mining on the estate would encourage further heavy industry to the area. This can not be acceptable in an area renowned for its wildlife, unspoilt beauty and tranquillity.

For the above reasons I strongly recommend the application be rejected.

Yours faithfully

Susan Dean
Company Secretary
Dovrill Limited

Cowbridge and Llanblethian Residents Group

Mr D.R.Thomas
 Head of Planning and Transportation
 The Vale of Glamorgan Council
 Dock Office, Barry Docks
 Barry
 CF63 4RT

2, Darren Close
 Cowbridge
 Vale of Glamorgan
 CF71 7DE

Tel: 01446 774001
 email: chris@cpearces.plus.com

11th September 2011

Planning Application No. 2011/00812/FUL Coastal Oil and Gas Limited
Drill and test the insitu lower limestone and associated strata for the presence of gas

Dear Mr Thomas,

In reply to your letter to me of 22nd August re the above planning application, we wish to **oppose this application for the following reasons:-**

1) Local Aquifer Contamination Risk

The proposed drilling poses a risk of contamination of the Carboniferous Limestone aquifer which will be penetrated during the exploratory drilling.

The limestone aquifers beneath the Vale of Glamorgan have been and potentially can still be used to supply drinking water from wells and boreholes. Many of these boreholes are privately owned and may not be recorded.

The Vale of Glamorgan's drinking water was supplied locally from the Carboniferous Limestone aquifer by Welsh Water until 1996, after which the water supply was sourced from the Llyn Brienne reservoir in the Towy Valley.

At that time, Welsh Water "mothballed" the borehole so that it could be brought back into supply in an emergency (ref. 1)

These aquifers are referred to by the Environment Agency as sensitive and in need of protection against contamination when planning permission is sought from developers for construction projects above them.

Although the present application proposes measures to case the borehole, it is the failure of the integrity of such encasement which has led to aquifer and drinking water contamination from some shale gas extraction boreholes in America (ref 2, pp 62-64).

This emphasises the need to apply the precautionary principle, to wait until the protective technology is developed to a high enough safety standard before this type of exploration and commercialisation is undertaken.

(It should be noted that the present planning application document is not consistent in the depth of the outer casing designed to protect the land on the surrounding drill site from contamination. The accompanying Information document, Fig 1 shows a casing depth 10 m into bedrock but Section 7.1 states a surface completion hole up to 25 m well depth into bedrock)

Also a survey needs to be made of the degree of present contamination of the drilling site which has been in industrial use since world war 2. Any contamination could be migrated underground towards the aquifer during the drilling process.

The proposed drilling is to a total depth of 800 metres. The sensitive aquifers are at a much shallower depth than this and will therefore be penetrated during the drilling operation.

It is at this aquifer penetration stage, before the proposed steel and cement casing operation is in place and set, that contamination of the water in the aquifer by drilling aids, lubricants and other chemical additives can occur and pose a significant risk.

Such contamination would be permanent and irreversible, and contrary to the Environment Agency's requirements and conditions for planning applications in this area.

2) Exploration as an Integral Step in Exploitation

We submit that this planning application cannot be judged and assessed in isolation because it is an integral first step in a foreseen commercial exploitation process for shale gas extraction (if found) which then has significant risks of environmental contamination on a large and widespread scale, as has already been experienced in several parts of the United States (ref. 2, pp 53-68)).

In assessing this exploratory application, account should be taken of the risks represented for the whole process from exploration to commercial exploitation.

3) Planning Policy Wales and Pollution Potential

National planning policy in Wales is set out in Planning Policy Wales (ref. 3). Chapter 13 deals with Minimising and Managing Environmental Risks and Pollution

Paragraph 13.1.1 states that “By controlling where development can take place and what operations may be carried out, the planning system has an important role in avoiding or minimising the adverse effects of any environmental risks on present or future land use.”

Paragraph 13.12.1 states that “The potential for pollution affecting the use of land will be a material consideration in deciding whether to grant planning permission”

4) Tyndall Centre Report Conclusions

The most recent, authoritative and independent assessment and report on the environmental impacts of shale gas was published in January 2011 by the Tyndall Centre at the University of Manchester.

Under key conclusions (ref. 2, p5). this report states that:

“Evidence from the US suggests shale gas extraction brings a significant risk of ground and surface water contamination and until the evidence base is developed a precautionary approach to development in the UK and Europe is the only responsible action.”

5) Development of Global Policies

The European Union, Planning Policy Wales and The Tyndall Centre report all advocate the precautionary principle in authorising projects which carry significant risks and are insufficiently understood. Shale gas exploitation (and therefore exploration) comes into this category.

The US Environmental Protection Agency has launched a research programme to improve understanding of the risk, with initial results expected towards the end of 2012

The UK Energy and Climate Change parliamentary select committee inquiry report on shale gas recommended that on balance, a moratorium in the UK was not justified but that drilling should be monitored extremely closely by the regulatory agencies to assess its impact on air and water quality.

The lower house of the French parliament voted on 11th May 2011 to ban all unconventional exploration of hydrocarbons using fracking techniques.

The German State of North Rhine Westphalia, a key area for shale gas, also recently called a halt to plans for fracking..

6) Legal Liabilities

Legal liability can occur for compensation to parties affected by resultant contamination.

This is illustrated by the recent case reported in the Wall Street Journal in May 2011 in which the Pennsylvania Department of Environmental Protection has fined Chesapeake Energy Corp nearly \$1.09 million for contaminating the drinking water of 16 families with natural gas and separately, for an explosion at a condensate storage tank.

The state agency said that throughout 2010 it investigated complaints of methane contamination in the drinking water of several residential water wells in northeastern Pennsylvania's Bradford County.

Investigators determined that "improper well casing and cementing in shallow zones" allowed gas from deep basins to seep into drinking water aquifers.

7) Noise, Vibration and Dust Disturbance

There are 5 residents' houses and a number of small businesses less than 600m (656yds) from the proposed drilling site at Llandow.

Drilling will operate for 24 hours a day, 7 days a week for up to 5 weeks during the proposed exploration operations; significantly disturbing the peaceful enjoyment of the occupants because of the noise, vibration and dust caused in these operations.

We therefore recommend that this planning application is refused for the reasons stated above

Yours sincerely, Chris Pearce

Dr C.A.Pearce (Coordinator) Cowbridge and Llanblethian Residents Group

References:

- (1) Letter from M.Brooker, Divisional Director, Welsh Water to Cowbridge customers re Cowbridge Water Supply 20th February, 1996
- (2) Report by the Tyndall Centre, University of Manchester on "Shale Gas: a provisional assessment of climate change and environmental impacts", January 2011 (78 pages)
- (3) Planning Policy Wales (Wales Assembly Government) Edition 4 February 2011

cc: Councillor J.James VOG Planning Committee chairman
 Councillor G C Kemp VOG Council Leader
 Councillor G.A.Cox
 Councillor V.Ellis
 Councillor H.Jarvie
 Mr.A Cairns MP
 Mrs J.Hutt AM
 The Town Clerk, Cowbridge with Llanblethian Town Council
 Clerk to the Council, Penllyn Community Council

2011/00812 - Appendix E (v)

From: Nicola Thomas [nicola@highfieldtylarhosyr.freemove.co.uk]
Sent: 12 September 2011 16:31
To: Thomas, Rob; Ball, Steve J
Subject: Planning Application No. 2011/00812/FUL OBJECTION.
Importance: High

HIGHFIELD
1 Tyla Rhosyr, Cowbridge, Vale of Glamorgan, CF71 7AU
Tel: (0)1446) 772630

Robert Thomas, Esq.,
Head of Planning
Vale of Glamorgan Planning Department,
Barry,
Vale of Glamorgan.

Dear Mr. Thomas

**Re: Planning Application No. 2011/00812/FUL
Drilling for Gas on Llandow Trading Estate – Coastal Oil and Gas.**

I wish to place objections to the above planning application on the basis that:

1. This application is in direct conflict with The Vale of Glamorgan Land Contamination Inspection Strategy Plan 2005 in which The Vale of Glamorgan Council's written policy/aims is, and I quote,

"The overall aim of the Vale of Glamorgan Council, with regard to contaminated land, is to PROTECT PUBLIC HEALTH, PREVENT HARM TO ITS ENVIRONMENT AND TO ENSURE THAT LAND CONTAMINATION WITHIN ITS AREA IS DEALT WITH SATISFACTORILY." This can be achieved by using the PART IIA OF THE ENVIRONMENTAL PROTECTION ACT 1990.

UNDER PART IIA, THE STATUTORY DEFINITION OF CONTAMINATED LAND IS:

"Any land which appears to the local authority in whose area it is situated to be in such a condition, by reason of substances in, on **or under the land**, that:

- Significant harm is being caused **OR THERE IS SIGNIFICANT POSSIBILITY** of such harm being caused;
or
- Pollution of controlled waters is being caused **OR IS LIKELY TO BE CAUSED."**

2. In my opinion there is no department, within the Vale of Glamorgan, adequately equipped with the necessary level of specialized expertise in the field of deep bore hole gas exploration or indeed any ongoing gas fracing/extraction processes, should gas be found in the area, as a result of this gas exploration application.

The Vale of Glamorgan Council, their planning department and committee have an obligation to recognize **the future implications** of this particular planning application and **identify any problems** which could present themselves as a **result of this particular planning application.**

In that context, the possibility of future Gas fracking and its subsequent possible dangers to both the local environment, the well being to public health, and the tourist industry and agricultural food production in The Vale of Glamorgan must be taken into consideration as it is my belief that should any exploration of this nature find substantial gas resources, then Coastal Oil and Gas, not being a big enough company nor having the necessary equipment necessary to move forward with such a project, would undoubtedly make their money by selling out to a much bigger oil or Gas company to extract the gas. In this instance, one has to consider whether the Vale of Glamorgan Council would have either the specialized expertise to police any resulting ongoing production of gas, or, more importantly, the financial resources in hand to cover any probably litigation and legal costs were an extraction company, such as Shell, BP, or any other large company, found to be in breach of regulations.

With this in mind, should this application be irresponsibly approved, then one would hope that huge and extensively comprehensive section 106 conditions to pay for the setting up and running of such a specialized department as mentioned above which could monitor and police any such projects in The Vale of Glamorgan on a 24/7 basis, 356 days a year, so that the additional costs incurred would not come out of already stretched local or national tax payer resources.

3. I object also on the basis that this seemingly innocent planning application, to explore for gas, would, if gas were to be found, open up an invitation for many more gas/oil companies coming into the Vale of Glamorgan, independent of this application but **because of the knowledge gained from this particular application**, to either explore or drill further extraction sites in the area.

3. I would like to draw to the attention of all planning officers and planning committee members "THE WATER RESOURCES ACT 1991".
The Water Resources Act 1991 made it A CRIMINAL OFFENCE to cause, or UNKNOWINGLY PERMIT WATER POLLUTION. Under Section 161 of the WRA 1991 the Environment Agency, who regulate the ACT, have powers to require action to be taken to prevent water pollution.

Will The Vale of Glamorgan Council be happy to take full responsibility for their actions in permitting the work which they have been warned by so many could lead to the possible contamination of the Aqueous Limestone layer which provides or could provide for the future clean drinking water to the population in this area? Would The Vale of Glamorgan Council therefore be seen to have committed a criminal offence under Part IIA of the EPA 1990 by virtue of their giving the go ahead for "the possible contamination/pollution of controlled waters" and therefore leave themselves open to Judicial Review?

I do not need to remind you that the Vale of Glamorgan council is a body elected by the public, running on public/tax payers money, and any liabilities they incur, either legally or otherwise will necessitate the use of public funds and will therefore put an increased burden on the tax payers of The Vale of Glamorgan and there is an obligation, therefore, to take the views of the taxpayers into serious consideration on such an important matters as those that this particular planning application lays open the door to.

4. I object on the basis also that according to the list of neighbors informed on your planning register documentation, whereby planning officers have managed to inform people living some eight to ten miles away from the site, such as St. Hilary, St. Athan, even as far afield as addresses in Cardiff, they have omitted to inform hardly any of the local land owners whose land totally surrounds the Llandow Trading Estate. These are the people who, if land or water table contamination were ever to be a future problem, as a result of the knock on effects of this planning application, would be seriously effected both in terms of their health and the viability of their businesses. This is a serious under-sight and negligence on the part of the planning officers in this matter and would leave The Vale of Glamorgan Council in my opinion negligent if it is not corrected before this application is heard.

5. The Vale of Glamorgan in the 1700's was one of the largest lead mining areas in Wales and the land in and around the Vale still holds an extremely high lead content, this is a serious consideration to be taken

into account should this application for exploration of GAS resources be fruitful and bearing in mind that this particular planning application could be the catalyst which opens up the door to many more applications to extract gas in the area with the self same problem.

6. The Vale of Glamorgan is an area with existing, known, pockets of extremely high levels of Radon in the geological rock underground and this being a highly radio-active substance/gas, which is both invisible and undetectable by the human senses. The possible release of this gas and the contamination of any water waste from the site or future sites, is also a serious consideration to be taken into account. Any water used in the operation could well, therefore, be radio-actively contaminated and my concerns are for the safe disposal of such waste.

Bearing in mind that The Vale of Glamorgan is a ward with many conservation areas and is highly attractive and boosts its economy through tourism boasting the wonderful Heritage coastline as well as many other ancient monuments and areas of particular beauty, and furthermore bearing in mind that The Vale of Glamorgan has the resources at hand of the second highest tide in the world around its coastline and therefore the possibility is endless for investment in the production of Hydro energy which is both clean and provides no danger to public health or to the environment, I object strongly to any Planning application such as 2011/00812/FUL, which goes ahead and will inevitably put the Whole of the Vale of Glamorgan, as we know it today, at risk of turning into a dirty, contaminated, environmentally unfriendly and unhealthy energy park.

Yours sincerely

Nicola C. Thomas.

Cllr. Mrs. Nicola C. Thomas.

Craig Roberts
Forgeside
Forest Road
Llanharry
CF72 9JW

12 Sept 2011

Steve Ball
Principal Planning Officer
Planning and Transportation Services
Vale of Glamorgan Council
Docks Offices
Barry
CF63 4RT

Dear Mr Ball,

Exploratory gas borehole application – objection (Panning ref: 2011/00812/FUL)

I write to formally object to the resubmitted application for an exploratory borehole at the site in Llandow to investigate the potential for commercial extraction of shale gas. My concerns and comments are detailed below.

1.0 Introductory Statement

I note that this is an application for exploration purposes only, however exploration is clearly, directly and inherently linked to commercialisation of any potential resource. My concerns relate to this planning application (Ref:2011/00812/Ful), to the potential socio and environmental risks associated with shale gas extraction in the area and to the principal of the activity.

This is one of the most precious parts of South Wales. It is close to the Heritage Coast. As I am sure you are aware one of the key objectives behind the designation of the heritage coast is to ensure that the undeveloped character of the coastline is conserved and to enable the provision of appropriate recreational facilities. The potential conflicts associated with commercial gas extraction in close proximity to the Heritage Coast are clear to all.

2.0 Summary of Key Concerns

My concerns regarding this exploratory application are:

- The noise levels during the proposed 7 weeks. The drill process will create a substantial amount of noise 24 hours a day, noise will result from the operation of the drilling rig, movement and placement of steel casing (500m of) and drilling rods (800m of), lighting gantries & associated generators, shaker tables, concrete batching plants (needed for appropriate decommissioning to the borehole) and vacuum tankers required to tanker off extracted waters / drilling fluids. The Vale of Glamorgan (VOG) will have no doubt noted that the submitted noise assessment only includes the noise from the drilling rig not for the noise associated with the total plant required to complete the proposed activity.
- I also understand that several employers located on the industrial estate have indicated that they will move their premises away from the area should this application be approved. The Llandow business park is an essential employer for the Western Vale and allowing the exploration for gas would undermine existing businesses and reinforce low status, prejudicing their future role and potential for inward investment in the Vale.
- The impact on residents in the area will also be significant – noise levels, increased traffic and concern over potential environmental and health impacts regarding escaping ground gases and water contamination. These risks, both real and perceived have the potential to blight the local area and economy, should shale gas be found.

- Impact on controlled waters is of particular concern, with several private boreholes in the immediate vicinity – though Welsh Water does not record this in their response to the planning application. It is noted that Local Authority records for private water abstractions do not appear to have been consulted.
- Gas drilling and extraction would also be incompatible with and undermine the investment made by the Vale in securing the National Eisteddfod at Llandow, as a shop window for general economic and tourism investments in the Vale of Glamorgan.
- There will be a detrimental impact on the already anticipated boom in tourism in the Vale of Glamorgan if this exploratory gas mining application is approved, as many investors and visitors alike will turn away from a potential gas mining area.

The use of the land at Llandow for local businesses and recreational purposes is important to the Llandow, Llantwit Major and Cowbridge communities, to the Vale Authority's strategy and to Welsh Government policies.

3.0 Comments on Planning Applications and Supporting Information

In reviewing the information provided I noted the following:

3.1 Planning Application

Section 15 – Existing Use

Coastal Oil and Gas UK Ltd has indicated that they consider that the site is not contaminated nor is it land on which contamination is suspected. They have also indicated that the proposed end use would not be susceptible to contamination.

The site is located on the Llandow industrial estate, within Section 6.2 of the Accompanying Information provided by Coastal Oil and Gas Ltd indicates that the site is currently used for the unauthorised parking of lorry trailers and other vehicles and that unauthorised rubbish is also being dumped on the site. Both these activities have the potential to result in land contamination.

Furthermore and potentially more concerning is Coastal Oil and Gas UK Ltd failure to note that the site is a former operational WWII airfield. Llandow airfield operated for nearly 20 years, during the latter part of this operation it is known that the site was used for the breaking up of aircraft.

The potential for land contamination resulting from such operations is widely documented. Details of the operations completed and potential contaminants of concern are published by Environment Agency within Department of the Environment Industry Profiles, these include airfields and aircraft manufacturing specific profiles.

In light of the above Section 15 of the application is incorrect.

Section 23

Typographical Error "borehle"

Noted that an "800m" borehle is proposed.

Section 25

Coastal Oil and Gas UK Ltd has indicated that no hazardous materials will be stored on site.

In light of known history of the site, the potential for hazardous waste to be produced during the drilling can not be discounted. It is noted that drilling waste will be stored on site prior to off site disposal. Whilst Coastal Oil and Gas Ltd may not of been aware to the potential for contaminated

waste to be encountered a conservative approach to its potential presence would have been expected and an indication of the potential for such materials would have therefore been expected under the heading 'other'. Furthermore fuel oils and drilling muds / fluids will be stored neither of which have been stated by Coastal Oil and Gas Ltd.

3.2 Coastal Oil and Gas UK Ltd Accompanying Information

I have also noted a number of inconsistencies within the Accompanying Information, these relate to the sites superficial and bedrock geology, proposed drilling depth and targeted strata reported by Coastal Oil and Gas Ltd. These are outlined below.

Section 1.0 para 3 states "to take core samples of Limestone shales with a view to future possible capture and supply of shale gas (unconventional gas) as a clean energy supply and also to penetrate the *Upper* Devonian measures to test for the presence of conventional gas." Section 1.0 Para 4 states that "The borehole is aimed primarily at the *Lower* Limestone Shales below the Limestone measures".

Section 1.0 para 3 states the borehole will be advanced to "a depth of approximately 650m". This is inconsistent with the depth indicated in Section 23 of the planning application, which is stated as 800m.

Section 6.5 indicates that a "a small thickness of glacial material overlying the Porthkerry Formation (Lower Lias) of Jurassic age". Section 7.8 indicates the presence of up to 5m of Made Ground (with which there is an inherent risk of man made contaminants) and that bedrock targeted is Carboniferous Limestone. It is also noted that Figure 1 indicates the borehole will be terminated in sandstone, not shale.

Based on the above it appears that superficial and bedrock geology underlying the site appears unclear to Coastal Oil and Gas Ltd as too are the objectives and targets for the proposed borehole.

Within Section 7.9, Coastal Oil and Gas Ltd have indicated the rig will be 12m high. The scale figures provided suggest a drill rig height of 8m high. The Drillcrop drilling rig specification on which the noise assessment has been based indicates a total mast height approaching 11m. The rig specification seems also therefore uncertain. This uncertainty suggests that the Noise Impact Assessment, discussed in more detail below, lacks robustness and may not be representative of the activities should they be completed.

Further to the above I question whether the use of the single string drilling technique is in accordance with industry best practise and guidance for investigation of sites on which there is the potential for land contamination. This is of particular concern given the sensitivity of the underlying Secondary A Aquifer. It is noted that Coastal Oil and Gas Ltd incorrectly define this as a 'main' aquifer.

3.3 Hunter Acoustics Noise Impact Assessment (Ref 2594/ENS1) May 2011

Section 3.1 para 1 appears to be an incomplete sentence. The time frame over which the baseline noise monitoring works were completed is not stated. It is also noted that the assessment has been based on a 6 week programme. Coastal Oil and Gas UK Ltd have indicated a 7-week programme with a 5-week drilling programme.

Review of the data provided within the monitoring time histograms provided as an addendum to the report indicates that 24hour monitoring was not completed.

Monitoring was undertaken over a 19hour period between 16.00 and 10:00 hrs. Monitoring has therefore not been undertaken through out the proposed working period and I question therefore if the monitoring results are representative / typical of the time when the sources of noise will be operating?

Only a single round of monitoring has been completed. Given that the site is an exposed position meteorological conditions are likely to be a significant variable at the site. Does this potential not therefore raise the question of how representative / robust the data is?

The report only relates to the drilling rig. All associated activities have been excluded. Noise associated with the following have therefore not been considered.

- vehicle movements
- movement and placement of steel casing (est. 500m of)
- Movement and placement of drilling rods (est. 800m of)
- Generators associated with lighting gantries
- Generators associated with welfare facilities
- Grout batching plant needed for appropriate decommissioning to the borehole
- Vacuum tankers required to tanker off extracted waters / drilling fluids.

It is also noted that Coastal Oil and Gas Ltd has not committed to drilling the rig on which the noise assessment has been based. Is there therefore not uncertainty regards the actual noise level that will be generated as different drilling rigs no doubt generate different noise levels?

Uncertainty regarding the rig used is highlighted by the inconsistencies reported with the mast height information provided by Coastal Oil and Gas Limited (see section 3.2 above). In light of the uncertainty regards the rig type would it not have been more conservative and appropriate to use a range of noise levels?

It is noted that Hunter Acoustics have undertaken the noise monitoring in accordance with the methodology defined within BS 4142:1997 and with reference to World Health Organisation (WHO) sleep disturbance limits to assess noise levels at Noise Sensitive Premises at night. The predication methodology used by Hunter Acoustics to determine noise levels at the defined Noise Sensitive Premises isn't as far I can see stated within the document, therefore the assessment cannot be peer reviewed.

Hunter Acoustics conclude that night-time noise levels at the site are low. Given that night levels of noise as low, surely annoyance posed by the operations is likely to be greater than within an area with a higher background noise? I also note that the methodology used aims to assess noise risk posed by longer-term sources, not sporadic and shorter-term sources of noise pollution, which can have a greater nuisance affect.

4.0 Closing Comment

The significant number of typographical errors, not all of which are discussed above and inconsistencies draw into question the quality of the submission and consequently cast in my eyes doubt on the ability of Coastal Oil and Gas Ltd to manage the works to an appropriate standard.

Further to the above and on a wider subject I believe that VOG should consider if the extraction of a diminishing resource is an operation that is consummate with the Welsh Government's commitment to Sustainable Development?

Yours sincerely,



Craig Roberts

cc. Cllr Jeff James, Cabinet Member for Planning + Transportation, VOG Council
John Griffiths, Minister for Environment & Sustainable Environment, Welsh Government
Alun Cairns MP for the Vale of Glamorgan

Gareth Clark
Marcross Farm
Llantwit Major
Vale of Glamorgan
CF61 1ZG
23rd September 2011

Steve Ball
Principal Planning Officer
Planning and Transportation Services
Vale of Glamorgan Council
Docks Offices
Barry
CF63 4RT

Dear Mr Ball,

Exploratory gas borehole application - objection (Planning ref: 2011/00812/FUL)

I write to formally object to the resubmitted application for an exploratory borehole at the site in Llandow to investigate the potential for commercial extraction of shale gas. My concerns and comments are detailed below.

I have attended all public meetings relating to this issue, - Llandow, Llantwit Major and Cowbridge - and have been carefully studying the Noise Impact Assessment with particular interest, as it's a subject I have encountered many times in my profession.

I have my own electrical business and have installed PA systems on many large construction sites around the UK, including Wembley Stadium and the O2 Arena in London. As a supervisor for Honeywell, I've sat in many meetings with some of the country's leading acoustic engineers, architects and surveyors. I have also helped design, build and soundproof Wales' largest rehearsal and recording facility, Musicbox, in Cardiff, where I consulted with producers, sound engineers and musicians, with noise impact to the local community, integral to the design and construction.

Noise Impact Assessment 2594/ENS1 - May 2011

I have studied the Noise Impact Survey commissioned by Coastal Oil and Gas, and met with many of the people I have mentioned above to get their viewpoints, and the general consensus is this survey is very vague, and nowhere nearly thorough enough for an issue as massive as this.

I have obtained Noise Impact Assessments undertaken by Spectrum Acoustics, for two separate drill test sites in Lancashire (Caudrilla) and carefully compared with the Hunter Acoustics survey. There are many differences between the two thorough Spectrum surveys (both 19 pages) and the Hunter survey (12 pages), which conveniently suits Coastal Oil and Gas's needs for this application.

I believe an independent thorough survey should be undertaken by a company outside of the drilling licence area, with the following additional information.

Test drilling rig sound power levels (LW) - (Manufacturer's specs) - This information is critical to any calculations put into the computer model, to calculate precisely the dB (A) . It's vital the proposed test drill sound levels are measured from various distances, not just from 1m, to get an overall sound level reading. (Hunters survey have used a private e-mail from Coastal Oil and Gas, not the manufacturer's data or a separate sound survey done at another test site using the same test drilling equipment. 74dB(A) at 1 metre is very dubious. (The same as a car engine running from the same distance .They have also used two separate test instruments, from two different manufacturers, which could result in irregular data)

DEER
RECEIVED
ANTHONY
23/09/11
ACK

A noise contour map (local topography) - This should be a scaled map, with the proposed drilling site at it's centre, with increasing circles of 5dB , showing how the sound levels decrease/ increase – taking into account the local topography. (Hunters survey has an unscaled map, with no comparable data or measurements. Also there are no compass points, showing North)

A noise contour map –(local meteorology.) – Again this should be a scaled map, but taking into account the local weather conditions, such as the prevailing south-westerlies. Wind can affect distance sound levels travel by up to 50%. (Hunters do not mention the prevailing wind, which blows from the south west 70% of the time in the Llandow area, and the effect it would have on the drilling sound levels, measured at Six Wells Cottage, which is 260m North East of the proposed drilling site)

Photographs of views of all locations relevant to the survey

These pictures can show the landscape and indicate scale. An aerial photograph showing scale and the direction of North would also assist the survey. The area in question is an old airport, and the landscape is a natural plateau, which is critical to how far the projected sound levels would carry,

Calculating a 3-D computer model - Most industrial sound surveys use measurements from different distances from the source, and many complex calculations result in a 3-D image of the predicted sound levels, the image is spherical in shape. (Hunters survey use a 2-D graph which does not accurately show dispersion of the soundwaves, both through the substrate and atmosphere.

Overall sound levels – A sound level calculation should be made to include all the other plant, generators and machinery. Such as –

- Vehicle movements
- Movement and placement of steel casing (est. 500m of)
- Movement and placement of drilling rods (est. 800m of)
- Generators associated with lighting gantries
- Generators associated with welfare facilities
- Grout batching plant needed for appropriate decommissioning to the borehole
- Vacuum tankers required to tanker off extracted waters / drilling fluids.

(Hunters survey does not mention any of the above – The initial application submitted levels of 85dB (A), and when I questioned Coastal Oil and Gas's Oliver Taylor at the public meeting in Cowbridge, if this allowed for all generators, he replied yes. The question and answer was recorded.)

Background noise levels at local businesses - There should be a sound level survey undertaken at the neighbouring businesses to the proposed drilling site, not just properties. The businesses types should be determined, such as commerce, on an individual basis, and a noise assessment from each premises undertaken.(Hunters survey only account for four properties (NSP's), not any businesses, some of which are even closer than Six Wells Cottage.)

Construction noise – predictions for the construction site noise levels, which would affect the business premises that are very close to the proposed drilling site.

Psychoacoustics – the highest sound levels from drilling are in the very low frequencies or dB(C), which although inaudible to the human ear , have detrimental effects on human health. This is a whole separate science, but requires special sonic probes to measure these sub sonic levels, as the test equipment used for dB (A), in the human range, are not suitable.

Summary

Although Hunter's Acoustics are a very well respected company within the industry, the survey is vague and often misleading, for example, 15dB(A) loss due to an open window is insignificant in a noise impact assessment as only the measurements outside of a property count.(the information supplied by Coastal Oil and Gas suggests one of two things.

1 - The survey was done economically, resulting in very vague results, thus meeting Coastal Oil and Gas's needs.

2 - The survey was actually more thorough than submitted, but information from it was held back by Coastal Oil and Gas, as it would expose flaws in their application.

The noise level of the test drilling rig is critical. As Coastal Oil and Gas do not own their own equipment, this suits them as they do not have to commit to any sound levels until they know what equipment they will be given. The availability of equipment is not known until the date of hire arrives. A test drilling rig of 12m in height, able to drill down to 800m, strongly suggests a very large mobile drilling rig. The company from Sunderland (Drillcore) must be able to supply the data. (Spectrum's survey for Caudrilla, uses their own database with 4 drill rigs having an average of 105dB (A))

The initial application was withdrawn as the noise impact on Six Wells Cottage, (when discovered) fell inside the accepted levels that Coastal Oil and Gas proposed (84dB). It seems that the new amended figure of 74dB, allows the cottage to fall conveniently outside the accepted levels, and thus persuading the committee to pass the application. Before the planning committee make a decision, I urge you to consider one of the following -

- a) Coastal Oil and Gas submit all of Hunters survey, if there is more, for the public to see, including the drilling sound levels as supplied in Oliver Taylor's e-mail to Hunters
Or, Coastal Oil and Gas instruct Hunter's to undertake a more thorough and detailed survey, including the above mentioned information.
- b) Coastal Oil and Gas instruct another company to submit a thorough survey, using a company from further afield, who are based outside the boundaries of their drilling licence.
- c) The Vale Council undertakes it's own independent survey, again using an outside company. (There are many other noise impact assessment companies working in the UK, who have substantial experience in industrial drilling surveys.)

I believe it's very difficult to calculate the unique conditions which will occur at the test drilling site in Llandow, and some would say that the only time to measure and calculate exactly, would be after the rig is built in the exact location. But, if a further survey was undertaken the public and committee would be clearer in understanding the complex nature of acoustics, and the terminology used. Also a site visit to an existing test drilling rig, would be advantageous.

If the council permitted the application, conditions must be applied to ensure the drilling levels do not exceed the acceptable levels for the residents and businesses.

Other issues

Although my main objection centres around the noise impact assessment there are five other issues I'd like to raise.

1 - Water boreholes - the issue of risking contamination of the local aquifers. What contaminants will be left and chemicals used in the test stages of drilling? Last year's severe winter caused damage to several water mains near Cowbridge, which came very close to using the local aquifer to supply water to it's residents, creating the same situation as Northern Ireland. A very severe winter has been forecast again this Winter. The aquifers must be kept clean at all costs.

2 - Impact on local businesses - what businesses will leave the Vale Business Park due to noise and disruption? There are many businesses of light commerce, offices and small warehouses, who are not even light industry, who have co-existed with their neighbours who are. Many of these businesses will relocate away from the Western Vale area, and may suffer as a result. These vital businesses need your full support in these uncertain economic times.

3 - Impact on tourism - what will happen to the caravan park during the 7 week drilling period? Tourism is key to the long term economy of the Vale, and small family run businesses are the life

blood of this undervalued industry. Once visitors are affected by the potential noise, sight and disruption of the test drilling, I fear they will never return to this area again and find other parts of the country to spend their holidays, weekends, day trips and money.

4 – Impact on the Eisteddfod – The Vale has worked tirelessly to find a suitable area of the Vale to host a summer Eisteddfod, and has finally won over the Eisteddfod committee to bring the massive event to the county for the first time. With estimated figures of 180,000 people expected to visit the event, and TV companies from around the world (it's the second largest outside broadcast covered by the BBC behind Wimbledon Tennis), what a publicity disaster it would be for the county, to see a gas drilling rig in the field next to the famous Maes tent.

5 – Impact on infrastructure- what state will the severely pot-holed roads be left in after the vehicle movements finish? Although the land on Unit 1 in the Vale Business Park is a bit run down, and an empty property has rubbish around it, the rest of the Business Park is well kept by the landowners and tenants. The roads leading around the estate has had problems of the last couple of winters and the temporary pot-holes will inevitably open up again with any more heavy traffic.

Closing comment

I believe Coastal Oil and Gas opted to choose Llandow because an infrastructure existed for them to take advantage of. Their use of the words 'Industrial estate' , instead of 'Business park' is intended to win over the council, and their intention to ' clean up a scruffy bit of land' does the same. The fields adjoining the proposed drilling site, outside the Business park, are very well kept by local farmers, and preparation of the fields for use by the Eisteddfod has already begun.

The very fact Coastal Oil and Gas missed a property 260m away from the site worries me, and suggests a company who aren't thorough enough, as reflected in the noise impact assessment. I'm concerned the company will not be able to manage the works to a suitable and safe standard.

But mostly I fall into doubt, the integrity of the Noise Impact Assessment, and therefore, object to the planning application.

Yours sincerely

Gareth Edward Clark



Steve Ball
Principal Planning Officer
Planning & Transportation Services
Vale of Glamorgan Council
Docks Offices
Barry
CF63 4RT

07th September 2011

Dear Mr Ball,

Re: Planning Application No. 2011/00812/FUL

Please accept this letter as official notification of our strong opposition to the above planning application submitted by Coastal Oil and Gas Limited. The proposed operation to 'Drill and test the insitu lower limestone and associated strata for the presence of gas' is of grave concern to ourselves as local residents and as business owners in Llandow and we wholeheartedly oppose this application.

We strongly oppose the existing application for testing not only to inhibit any further stages in the gas drilling process, but also because the initial phase will be extremely disruptive to our caravan park. We have worked hard to build up a great reputation as somewhere our visitors can come to relax in a peaceful, rural setting that, especially throughout the night, provides peace and tranquillity. Having been voted in the 2011 Top 100 parks in the UK by readers of Practical Caravan Magazine, we have been enjoying our busiest season to date bringing many visitors to the area. As we have been unable to satisfy demand, we are currently embarking on a project that will expand our capacity by 75%, encouraging further visitors who eat, drink and shop in the Vale.

Should it be allowed, the proposed drilling will proceed for 24 hours a day, 7 days a week for 6 weeks, creating continuous noise pollution, and our customers will simply not withstand this level of disruption. Our reputation could suffer greatly as people not only tell their friends and peers of their holiday experiences, but are now able to voice their dissatisfaction online via social media and review sites – something which we heavily rely on for new business.

We are concerned at the unprofessional sound report submitted with this new application. To base a report around a noise level 'as advised in email from Oliver Taylor' is wholly unacceptable. I cannot believe that an 11m drill rig, drilling a 30cm diameter well to a 500m depth is only going to generate 75db, when the manufacturers specifications for a hand drill are 98db (see http://www.amazon.co.uk/dp/B0009VX32C/ref=asc_df_B0009VX32C4319736?simd=A31510&AMT=10_Q&tag=googlecouk06-21&linkCode=asn&creative=22718&creativeASIN=B0009VX32C). For a comparison of noise levels please see <http://www.gcaravan.com/egw/2009/06/whatsnew.htm>

Llandow Caravan Park Ltd, Llandow, Cowbridge, Vale of Glamorgan CF71 7PB
01446 792462 info@llandowcaravanpark.com

There is also no comment made on additional noise created at the site from the generator and compressor mentioned in the 'Accompanying Information' document. Surely these create noise and will be running 24 hours a day so should therefore be factored into the report.

As stated in the sound report, the area has 'exceptionally low background night time noise levels', the noise of a drill through at the night will most certainly cause a disruption to us and our visitors. As the report does not consider the business units right next door to the drill site. Not industrial units, but offices where people conduct a large majority of their work on the phone. Surely the impact on their businesses must be considered too.

We also feel, the threat of gas drilling would also undermine the investment made by the Vale in securing the National Eisteddfod to come to Llandow. If granted permission, could this drilling essentially take place during the event?

We are aware that this is merely an application to undertake exploratory operations at Llandow, but we are severely concerned that should these tests prove successful for Coastal Oil and Gas Limited then what follows could have irreparable, long-term, disastrous effect on the Vale and its residents for generations to come. The Vale of Glamorgan Development Plan specifically states in section 1.7.2 (b) one of its guiding principles is "To manage natural resources wisely avoiding irreversible damage wherever possible in order to maintain and enhance their value for future generations."

We appeal to you to thoroughly consider this abhorrent practice of gas drilling before encouraging it in the Vale. We are gravely concerned that should application be granted, then it sets a precedent for the entire area and any further applications will therefore be allowed. It is my understanding that, once a gas drill doesn't stop with one drilling. It will result in many drill rigs around the Vale that could cause damage of on a catastrophic scale.

Investment should be encouraged in investigating and deploying renewable and sustainable sources of energy, we cannot continue to encourage new ways of taking the earth's limited resources.

Yours Sincerely,

Louise Evans
Llandow Caravan Park Ltd.

From: Isaac Benjuya [mailto:isaac.ander.assoc@gmail.com]
Sent: 27 September 2011 10:09
To: James, Jeffery (Cllr)
Cc: Jane Hutt; kate.bacon@wales.gsi.gov.uk; Alun Cairns; andrewrt.davies@wales.gov.uk; Thomas, Rob; Planning & Transportation (Customer Care)
Subject: Application to drill for shale gas exploration at Llandow, Ref: 2011/00812/FUL, recommended for approval by the Planning Department

Dear Mr. James,

I am sorry to have to write to you again on the above matter, and I will appreciate it very much if you could copy this letter to the other Councillors of the Planning Committee, when you meet on the 29th instant to determine this application.

On my previous letter to the Welsh Ministers, copied to you, I have tried to give factual reasons why this application can not be determined by the Council, and should be referred to the Welsh Government, for future study and determination.

Again, we all know that this application is only for the exploration and not the extraction of shell gas. In my previous letter I noted the relevant Paragraphs of **Planning Policy Wales** applying in this case as a basis for the action of the Council to refer this application to the Welsh Government.

The Planning Officers did not comment on the fact that there are no proper relevant Planning Policies concerning the above application.

In their recommendation for approval it is mentioned that they believe only Policies: **Min1** (Mineral exploration), **Env 27**(Design of new developments), and **Env 29** (Protection of Environmental quality) do apply in this case.

With due respect to the Planning Officers, I believe that **these Policies not only do not apply to the above application, but that these Policies are also contrary to this proposal**

I already discussed **Policy Min1** in my previous letter, and found the above application is in conflict with this Policy. **Policy Env27** (Design of new developments), could hardly be considered as relevant to this application. This Policy establishes that: " Proposals for new developments must have full regard to the context of the local natural and built environment and its special features. New development will be permitted where it:

(i) Complements or enhances the local character of buildings and open spaces; (ii) Meets the Council approved standards of amenity and open spaces; (iii) Ensures adequacy or availability of utility services and adequate provision for waste management; (iv) Minimises any detrimental impact on adjacent areas.

This Policy continues to define a total of 9 requirements of sustainability of any new proposal. This Policy would more adequately be aimed at new building developments and does not apply to the above type of application.

Conversely **Policy Env29** (Protection of environmental quality), can hardly apply to the above proposal. This Policy establishes that: " Development will not be permitted if it would be liable to have an unacceptable effect on either people's health and safety or the environment: (i) By releasing pollutants into water, soil or air, either on or off site; or (ii) From smoke, fumes, gases, dust, smell, noise, vibration, light or other polluting emissions".

So the Planning Policy basis from which the Planning Officers are concluding with their recommendation for the approval of this application, are faulty and not applicable to this proposal.

I suggest that one last Planning Policy that does apply fully to this proposal is **Policy EMP4: (Protection of land for employment use)**. This Policy establishes that:
" On existing employment sites and sites identified in **Policy Emp1** (Llandow Industrial Estate is identified in this Policy Emp1), development of uses that are not contained in

classes B1, B2 and B8 of the Town and Country Planning (Use Classes) order 1987 (as amended) will not be permitted.

Classes: B1 (Business), B2 (General Industry) and B8 (storage or distribution), are the uses allocated to the Llandow Industrial Estate, by Policy EMP1

The above application does not fall within these uses, and therefore is not permitted to be located at the Llandow Industrial Estate.

For all the above I would respectfully urge the Councillors either to refuse this application, or refer it to the Welsh Government.

Yours sincerely,

Isaac Benjuya MCIAT B Arch
Anderson and Associates (S. Wales) Ltd
Architectural Consultants, Surveyors & Planners
39 High Street, Cowbridge, CF71 7AE
Tel/Fax: 01446 772180

2011/00812 - Appendix F

From: John, Gwyn (Cllr)
Sent: 25 September 2011 19:57
To: Thomas, Rob
Cc: Hacker, Eric (Cllr)
Subject: Planning Application 2011/00812/FUL

Rob Thomas
Head of Planning & Transportation
Vale of Glamorgan Council

25th September 2011

Dear Rob,

Re : Planning Application 2011/00812/FUL

I strongly object as the Council Member for Llantwit Major Ward to the above application for test drilling at Unit 1, Llandow Industrial Estate, Llandow.

I have considered all aspects of this application and the impact it will have on my ward and the residents living therein.

Llandow Industrial Estate is a major employment area for many living at Llantwit Major and the surrounding villages. many people have developed their businesses and put all their savings into their business and in turn have employed local people. Drilling on this site will have a major impact on everyone working at Llandow, and I know from many people working there, that they have strong objections and fears for their future.

Residents living throughout the Vale of Glamorgan have major concerns over the environment and what it could mean to their future health and living in the Vale of Glamorgan, including all the points already raised by many other objectors.

The Vale of Glamorgan Council has developed tourism and in recent years we have seen a great increase in visitors to the Vale. Llantwit Major, a couple of years ago, was rated the fourth most desirable place to live in the UK. I am sure our Tourism will be destroyed if this application goes ahead. Who will want to visit the Vale of Glamorgan, just check the tourism figures at Blackpool this year, where this drilling has gone ahead, many hotels are going out of business.

It has been said that ' the application is only to allow test drilling ', absolute rubbish, this application is the introductory stage to a much more dangerous manoeuvre and a future planning application for Fracking would NEVER be rejected. This is just the start of a process which greedy people who have no care for the Vale of Glamorgan are waiting to get their mucky hands on. They may think they can kid some people but the applicant certainly cannot fool me – this is all about money and what some people will do to get rich quick !!

If your Officers took time to watch the documentary Gaslands, yes I have watched the film about the impact the drilling process has done to American states and caused mayhem, they would not want to put their name to supporting this application.

With due respect to your Officers, they do not have the expertise and the vast knowledge needed to make a recommendation for this application to go ahead, in fact nobody in the UK has this knowledge.

The UK Government are currently carrying out studies and research into the eventual Fracking which will be the outcome of this test drill. National Governments across the world have stopped test drilling until further research has been done, so how can a recommendation be made to the Planning Committee to approve this application – this is absolute madness.

Yours Sincerely,
Councillor Gwyn John
Llantwit Major Ward

2011/00812 - Appendix G

Ymgyrch Diogelu Cymru Wledig
Campaign for the Protection of Rural Wales

CANGEN CANOL A DE MORGANNWYG
MID AND SOUTH GLAMORGAN BRANCH



Tuesday, 27th September 2011

From : Robin Simpson, Chairman, 3 Parc-y-Bryn, Creigiau, Cardiff, CF15 9SE.
Tel: 02920 891165
To: Mr D.R.Thomas, Head of Planning and Transportation, The Vale of Glamorgan
Council, Dock Office, Barry Docks, Barry, CF63 4RT
c.c. Councillor J.James, Chairman, VOG Planning Committee

Planning Application No. 2011/00812/FUL Coastal Oil and Gas Limited
Drill and test the in situ lower limestone and associated strata
for the presence of gas

Dear Mr Thomas,

It was agreed unanimously at tonight's meeting of our committee
to oppose the above planning application for the following reasons:

A. The process of shale gas exploration and exploitation could have a significant deleterious effect on the Vale of Glamorgan countryside and landscape.

The dispersed processes and infrastructure involved in the whole shale gas process, from exploration to commercialisation, are incompatible with the rural nature and relatively open landscape characteristics of the Vale.

B. The sensitive aquifers, which lie in the limestone strata beneath the Vale, can potentially be irreversibly contaminated by the shale gas processes.

Chapter 13 of **Planning Policy Wales** deals with "*Minimising and Managing Environmental Risks and Pollution*". It states that

"the planning system has an important role in avoiding or minimising the adverse effects of any environmental risks on present or future land use".

It also states that

"The potential for pollution affecting the use of land will be a material consideration in deciding whether to grant planning permission".

We consider that the process of shale gas exploration and exploitation has the potential to significantly detract from the rural nature and amenity of the Vale of Glamorgan and that this application should be refused.

Yours sincerely,

Robin Simpson, Chairman

Cadeirydd/Chairman, Ysgrifennydd/Secretary, Robin Simpson
3 Parc y Bryn, Creigiau, Cardiff, CF15 9SE Phone/Tel: 02920 891165
ELUSEN GOFRESTREDIG REGISTERED CHARITY 239899

www.cprw.org.uk

Andrew RT Davies AM

Welsh Conservative Member for South Wales Central
Aelod y Ceiwadwyr (Ymreig drs Gamol De Cymru)

Cllr Gordon Kemp
Leader
Vale of Glamorgan Council
Civic Offices
Holtón Road
Barry

Please reply to:
Llandŷ Bay, Cardiff, CF10 1AA
Rheolfa, Caerdydd, CF10 1AA
Ffôn: 01 222 808508
Ffôn Ffacs: 011 222 808507
AndrewRT.Davies@wales.gov.uk

Sin cyfeirnod Ref: AD/HEM

Monday 26th September 2011

Dear Gordon,

Re: 2011/00812/FUL: drilling for shell gas exploration at Unit 1, Llandow Industrial Estate, Llandow, Vale of Glamorgan

Ahead of your meeting on Thursday 29th September, I am writing to you having been contacted by several constituents regarding the proposed plans for exploratory drilling at the Llandow site. As you are no doubt aware, concerns have been raised regarding the environmental impact such activity would have on the surrounding area and the negative implications it poses for the tourism industry in the Vale of Glamorgan.

I consider that as the proposed exploration has consequences beyond the Vale's borders, the Welsh Government should call-in the application and issues guidance to local authorities. I urge the Vale of Glamorgan Council to refer this matter to the Welsh Government.

I look forward to hearing the outcome of the Council's deliberations.

Yours sincerely,



Andrew RT Davies AM
Welsh Conservative Assembly Member for
South Wales Central



South Wales Central comprises Cardiff, Rhondda Cynon Taf and the Vale of Glamorgan

Dear Minister Mr. John Griffiths,

I hereby, on behalf of The Vale Says No group, would respectfully request that the Welsh Government considers the calling in of the above controversial application.

The reasons for this request are based on those recommended on Planning Policy Wales, Section 3.12.1:

1. The above application is in conflict with National Planning Policies

This application is in conflict with Policy MIN1 Mineral Exploration which says that: Proposals would be permitted unless there would be an unacceptable impact on any of the following.

- I- Landscape character
- II- Visual amenity
- III- Nature conservation
- IV- Residential amenity
- V- The Glamorgan Heritage Coast
- VI- Surface water and ground water resources
- VII- Scheduled Ancient Monuments and Historic Landscapes

We would contend that the above application would affect and impact the items described in paragraphs I ; II ; IV and VI.

PPW continues listing items that would be reasons to call in the application, as:

2. The above application could have wide effects beyond their immediate locality

This application can have wider effects and impact areas beyond the immediate locality of Llandow, as the exploration proposed will be down to at least 600m depth and could affect the water basin on which the Vale of Glamorgan sits. The proposal involves also the horizontal exploration once the depth of 600m is achieved, so the area involved could be even bigger and wider, affecting areas of Cowbridge, Llantwit Major and the hinterland of the Vale of Glamorgan where houses and farms are located.

3. May give rise to substantial controversy beyond the immediate locality

This application in addition to the possibility of affecting the underground drinking water basin of the Vale of Glamorgan, will also create high levels of noise, air pollution, and increased traffic that will affect and impact much wider areas than the immediate locality.

This will create controversy in the whole of the Vale of Glamorgan and beyond, as these areas can be also affected.

6. This application will raise new planning issues, presently unknown

The exploration for shell gas is a new activity that needs new Planning Policy to establish the relevant parameters that will preserve the Public Health and the protection of the Environment. In other words there is an absence of Planning Policies in connection with this kind of exploration, and in these circumstances the population of Wales needs the Planning Authorities and the Welsh Government to establish the required study groups, to be informed and later on rule on safeguards and the kind of protections to the Population of Wales and the Environment that this controversial explorative activity should comply with.

Also the Local Authorities in Wales need to consider the scale, nature and location of this type of exploration for gas, if it would significantly prejudice the implementation of their development plan policies and proposals.

For all the above factors we petition the Welsh Government Ministers to call in this application for further independent studies that will better protect the Population and the Environment not only of the Vale of Glamorgan but also of the whole of Wales.

Yours sincerely,

Isaac Benjuya MCIAT, B.Arch.
Anderson and Associates (South Wales)Ltd
Architectural Consultants, Surveyors & Planners
39 High Street, Cowbridge, CF71 7AE
Tel/Fax 01446 772180

Amgylchedd a Datblygu Cynaliadwy
Environment and Sustainable Development



Llywodraeth Cymru
Welsh Government

Mr Rob Thomas
Head of Planning Services
Vale of Glamorgan Council
Dock Office
Barry Dock
Barry
CF63 4RT

Ein Cyf/Our ref: qA964529/1
Eich Cyf/Your ref:

Date 29 September 2011

Dear Sir,

**TOWN AND COUNTRY PLANNING ACT 1990 – SECTION 77 CALL IN REQUEST
PROPOSED DRILLING OPERATIONS TO TEST THE LOWER LIMESTONE AND ASSOCIATED
STRATA FOR THE PRESENCE OF GAS AT UNIT 1, LLANDOW INDUSTRIAL ESTATE,
COWBRIDGE
APPLICATION NUMBER 11/00812FUL**

I am writing to inform you that the Welsh Ministers have been requested to call in the planning application referred to in the title of this letter.

I am authorised, by the Minister for Environment and Sustainable Development, to consider whether the application should be called in for determination by the Welsh Ministers.

I have considered the issues associated with the application in the light of the Welsh Government's policy on call-in (detailed in Planning Policy Wales) and, on the information available, conclude that they are not of more than local importance. In view of this, I do not consider that the application should be called in for determination by the Welsh Ministers and it is now for your Council to determine the application as it sees fit.

In reaching my decision I did not consider the planning merits of the proposed development and my decision not to call in the application should not in any way be taken as a reflection on the planning merits of the proposal.

Your Council has jurisdiction for deciding whether environmental impact assessment (EIA) is required for this proposal and I have not considered the matter. Any screening opinion will need to be made available for public inspection.

It would assist us if a copy of any planning decision which your Council issues could be sent to my colleague, John Saunders (Ext 3878).

Yours faithfully

A handwritten signature in black ink, appearing to read 'Andrew Ward', written in a cursive style.

ANDREW WARD MRTPI
Decisions Manager
Planning Division

Signed under authority of the Minister for Environment and Sustainable Development
one of the Welsh Ministers

APPENDIX K

FAO Mr. S. J. Ball
The Vale Of Glamorgan Council
Dock Office
Barry Docks
Barry
CF63 4RT

Ein cyf/Our ref: SE/2011/114437/02-L01
Eich cyf/Your ref:
P/DC/SJB/2011/00812/FUL

Dyddiad/Date: 10 October 2011

Annwyl / Dear Mr. Ball,

DRILL AND TEST THE INSITU LOWER LIMESTONE SHALE AND ASSOCIATED STRATA FOR THE PRESENCE OF GAS AT UNIT 1, LLANDOW INDUSTRIAL ESTATE, LLANDOW

Thank you for your letter, dated 30 September 2011, requesting further comments on the above application.

As you are aware, we responded to this application (your ref: 2011/00812/FUL) on 12 September 2011 (our ref: SE/2011/114437/01-L01) stating that we do not have any objection to the proposal, as submitted, on the proviso that our requested planning conditions are included on any planning permission granted.

Given that the proposed plans have not changed, we have no further comments or advice to offer at this stage. We are aware of the local publicity and increasing concerns regarding the issue of fracking, however, this application is for one exploratory borehole for the purpose of testing and analysis. We are satisfied that that all matters within our environmental remit can be satisfied through the relevant planning measures.

Should the operator wish to expand activities and commercially extract shale gas then we wish to be reconciled on any future planning application. Further assessment will also be required to establish whether related operations require an environmental permit and/or abstraction license.

We trust our advice is clear, but please get in touch if you have any queries.

Yn gywir / Yours faithfully,

Mr. Gwion Thorpe
Planning Liaison Officer / Swyddog Cynllunio

Deialu uniongyrchol/Direct dial 029 20 245046
Ffacs uniongyrchol/Direct fax 02920 362920
E-bost uniongyrchol/Direct e-mail gwion.thorpe@environment-agency.wales.gov.uk
Asiantaeth yr Amgylchedd Cymru/Environment Agency Wales
St. Mellons Business Park (Rivers House) Fortran Road, St. Mellons, Cardiff, CF3 0EY.
Llinell gwasanaethau cwsmeriaid/Customer services line: 03708 506 506
www.environment-agency.gov.uk

Cont/d..

PA.107

LATE ITEMS FOR COMMITTEE

COMMITTEE DATE : 20 October 2011

Application No.: 2011/00812/FUL	Case Officer: Mr. S. J. Ball
Location: Unit 1, Llandow Industrial Estate, Llandow	
Proposal: Drill and test the insitu lower limestone and associated strata for the presence of gas	

Summary of Comments:

1. **Dinas Powys Community Council** – Expressing concerns about the effect that drilling and exploration for shale gas could have on the environment.
2. **Barry / Vale Friends of the Earth** - have written to the Local Planning Authority in relation to a previously withdrawn planning application (which is not being considered at this Committee). The letter raises objections and advises that this is the initial part of a staged application and therefore the lack of an Environmental Impact Assessment is sufficient reason for rejecting the application.

Local Planning Authority response:

It is noted that the application was 'screened' at registration stage and that it was concluded that the development did not exceed the stated threshold for 'deep drilling' and therefore is not an EIA development as described in the Regulations.

3. Approximately 12 additional letters and emails of objection from locals, including one from Dr Ian Johnson (attached) who advises that any plans to test or exploit reserves should wait until guidance and regulation is brought out by the European Commission.
4. Letter of objection from Valesaysno.com campaign.
5. Comments of Health & Safety Executive.
6. Letter from Welsh Water

Dinas Powys Community Council

Cyngor Cymuned Dinas Powys

Swyddfa'r Cyngor
Neuadd y Plwyf
2 Heol Britway
Dinas Powys
Brô Morgannwg
CF64 4AF
Ffôn 029 2051 3114
Epost: theclerk@dinaspowys.org
Mr. D. R. Thomas
Head of Planning & Transportation
The Vale of Glamorgan Council
Dock Offices, Barry Docks
BARRY, Vale of Glamorgan CF63 4RT



Council Office
Parish Hall
2 Britway Road
Dinas Powys
Vale of Glamorgan
CF64 4AF
Telephone 029 2051 3114
Email: theclerk@dinaspowys.org
www.dinaspowys.org

18th October 2011

Dear Sir,

RE: **PLANNING APPLICATION NO. 2011/00812/FUL - LLANDOW INDUSTRIAL ESTATE -
DRILL AND TEST FOR THE PRESENCE OF SHALE GAS**

Although Dinas Powys Community Council has not been invited to comment on the above application, Councillors are keen to let the Planning Committee know how extremely concerned they are of the effect that the drilling and exploration for shale gas could have on the environment across the whole of the Vale now that it is being reported that shale gas could be present from Swansea through to Cardiff.

The process of drilling down, creating tiny explosions to shatter and crack hard shale rocks to release the gas inside which is assisted by the pumping of a liquid cocktail of water, chemical and sand into rock under high pressure to release methane gas, represents real and substantial risks to people, the environment groundwater and water supplies.

In light of the suspension of operations and pending investigation at the Cuadrilla Site in Lancashire near Blackpool following two small earthquakes of 1.5 and 2.2 magnitude while fracking operations were ongoing, it is clear that there is a need to appraise all the evidence before any agreement is given to drilling operations at Llandow.

The EU, Planning Policy Wales and The Tyndall Centre all advocate precaution in authorising projects which carry significant risks and are insufficiently understood.

The US Environmental Protection Agency has launched a research programme to improve understanding of the risk with initial results expected towards the end of 2012.

The UK Energy and Climate Change Parliamentary Select Committee Inquiry has recommended that on balance there should be a moratorium on shale gas exploration.

France has also banned fracking and the German State of North Rhine Westphalia has recently called for a halt to plans for fracking.

As our regulators seem to be hopelessly ill-prepared for the rapid development of shale gas exploration in the UK, Dinas Powys Community Council therefore urges the Planning Committee to refuse this application and call for a moratorium on any activity in the Vale.

Hopefully this decision albeit not on sound planning principles will result in an Appeal to the Welsh Government which hopefully will lead to the Department of Energy and Climate Change calling for a UK moratorium on shale gas exploration until such time that there has been an appraisal of all worldwide evidence, a full risk assessment and the appropriateness of the current regulatory framework has been established.

Yours faithfully

F. A. BUTLER (MRS)
Acting Clerk

To: "James, Jeffery (Cllr)" <HJWJames@valeofglamorgan.gov.uk>
developmentcontrol@valeofglamorgan.gov.uk

LATE REPS FOR 20th OCTOBER PLANNING COMMITTEE

Barry/Vale Friends of the Earth
Cyfeillion Y Ddaear, Y Barri/A'r Fro
Co-ordinator Keith Stockdale,
14 Robert Street, Barry CF63 3NX

19th October 2011

to Chair and Members of the Planning Committee,
Vale of Glamorgan Council.

Vale of Glamorgan planning application on Fracking at Llandow 2011/00115/FUL

We write on the assumption that Councillors might wish to reject this application, but are unable to find the Officers' report helpful in this regard. We draw support from the 29th Sept. letter to Gordon Kemp from Carwyn Jones.

Our case is that this letter gave the Council a clear steer for shale gas to be given wider consideration and treated more restrictively than applications for well-known coal and conventional oil/gas extraction. You can best do that by treating it as *staged EIA-development*.

The applicants say "*with a view to future possible capture and supply of shale gas (unconventional gas) as a clean energy supply*".

- ▲ This accepts it is not simply test drilling, but exploration leading to exploitation. It could and should be treated as the initial part of a staged application.
- ▲ This dismisses environmental impacts with the assertion it is a "clean energy supply", which can and should be challenged at this stage.
The officers dismiss the first point with "there are no justifiable or sustainable grounds for objection to the current proposal on the basis that it may lead to such future development".
- ▲ Let's point out this statement is not planning law, and is in particular contrary to Environmental Impact Assessment law, under which secondary, cumulative, short and long-term, permanent and temporary, as well as direct impacts including uncertainties have to be assessed (EIA Regs 1999 as amended)
- ▲ The First Minister's letter of 29th October to the VoG Leader stated a "precautionary approach should be taken" and "additional environmental considerations" included. It referred to Minerals Planning Policy Wales (MPPW) which specifies "an environmentally acceptable way" of operation and being "consistent with the principles of sustainable development" for unconventional gas development.

As the applicant has failed to show environmentally acceptable or consistent with sustainable development, MPPW says there's a

"case in land use planning terms for placing more restrictions on the development" than ordinary local environmental safeguards. These restrictions would in principle reflect the broader objectives of sustainable development and the UK's carbon targets.

On EIA-screening, the second Welsh Government letter of 29th Sept reminded the Planning Officer that the Council has responsibility for screening the application as possible EA-development (EIA Reg.4(5)). We think you would find no difficulty in deciding that the development of shale gas extraction would qualify as Schedule 2 and require EIA as likely to have significant effect on the environment, when the 'cumulation' criterion of Schedule 3.1 is included. It follows you

will decide the first part of this staged development also requires EIA.

Hence the lack of EIA with Environmental Statement is sufficient reason for rejecting the application. There has been no screening report, so no approval by the officers that would have to be overturned. You merely point out the authority cannot approve a permit without submission of an Env. Statement (EIA Reg 3(2)).

You will of course be told that for Blackpool, the local authority did not treat the fracking application as staged and requiring EIA. Nor did Bridgend over Maesteg. Both might be regretting their lax approaches. It's up to the Vale of Glamorgan with the implicit support of the First Minister to take this initiative.

We append extracts from the EIA Regs 1999 with interpretative comments.

Yours sincerely,
Barry/Vale Friends of the Earth

Extracts from EIA Regs [interpretative comments in *italics*]

Schedule 2 2 (d) Deep drillings [*the total area of surface works over several extraction sites in the VoG (~4km apart) is very likely to exceed the indicative threshold of 1 ha*].

Schedule 3.1 The characteristics of development must be considered... the cumulation with other development... the risk of accidents, having regard in particular to substances or technologies used [*uses the bare word 'development' not 'the (particular) development'*]

Schedule 4.1 the physical characteristics of the whole development and the land-use requirements [*the words 'whole development' imply the whole of staged development*].

Dr Ian Johnson
Celtic View
Harbour Road
Barry
Vale of Glamorgan
CF62 5SA
ianjamesjohnson@hotmail.com
07738 182867
17th October, 2011.

To Whom It May Concern

Planning Proposal: 2011/00812/FUL Drill and test the insitu lower limestone and associated strata for the presence of gas

I wish to register my concerns regarding plans for a test drill site in the Llandow Industrial Estate.

I believe that the Vale of Glamorgan Planning Committee should refuse planning application **2011/00812/FUL** which relates to plans by Coastal Oil & Gas Limited to drill and test the insitu lower limestone and associated strata underneath Llandow in the Vale of Glamorgan for the presence of gas.

This request is upon the grounds that:

1. The use of non-renewable energies is against Welsh Government energy strategy, A Low Carbon Revolution, as expressed by the Minister for Environment, Sustainability and Housing in her cabinet statement, and which instead supports maximising energy resources from renewable sources. Gas is a non-renewable energy.
2. The increased noise heard in surrounding communities during the time in which drilling takes place.
3. The negative impact upon tourism and the Heritage Coast and Vale of Glamorgan brands which will result because of the drilling.
4. The intention of the drilling is to test for gas that, if present, will be accessed through a process of hydraulic fracturing which is of dubious environmental value. I believe that this application should be considered in the wider context of gas exploration and extraction in the south Wales area.
5. As part of this wider context, I believe it more appropriate for the Welsh Government to determine this application, and applications which may be submitted to other local authorities in Wales, where a consistent ruling and level of expertise may be applied.

6. That the European Commission intends to bring forward plans to regulate testing and exploitation of shale gas within the next year. I believe that any plans to test or exploit these reserves should wait until such guidance and regulation is brought forward.
7. If this application is to be dealt with by the planning committee at this meeting then they should do so in the knowledge of the likely impact and their ability to influence future events if the tests are successful.

On the basis of the information provided above, I believe that the Vale of Glamorgan Planning Committee should **REFUSE** planning permission for testing in Llandow.

NO	17/10/11
ACTION BY	573
RECEIVED	
DATE	

O'Keefe, Kevin T

From: Louise Evans [louise@thevalesaysno.com]
Sent: 18 October 2011 16:57
To: Planning & Transportation (Customer Care)
Cc: James, Jeffery (Cllr); Bird, Jonathon (Cllr); Bertin, Richard J (Cllr); Birch, Janice (Cllr); Brooks, Bronwen (Cllr); Church, Paul (Cllr); Ellis, Valerie (Cllr); Ernest, Anthony M (Cllr); Hacker, Eric (Cllr); Hampton, Anthony D (Cllr); Hartrey, Val M (Cllr); Hodges, Nic P (Cllr); Johnson, Fred T (Cllr) No2; Kelly-Owen, Maureen (Cllr); Preston, Audrey J (Cllr); Thomas, Ray (Cllr); Wilkinson, Margaret R (Cllr); Wilson, Mark R (Cllr); Wright, Marguerita (Cllr)
Subject: Objection - Planning application 2011/00812/FUL
Attachments: VSN_181011.docx

Dear Planning Committee members,

We would be grateful if you could take the time to read the contents of the attached letter. We feel reiterates a few important planning policies of which planning application 2011/00812/FUL contravenes.

Regards,
 Louise Evans
 On behalf of The Vale Says No campaign group.

--



Campaigning against the threat of shale gas drilling in the beautiful Vale of Glamorgan
www.thevalesaysno.com

Please sign our official HM Government E-petition at the No. 10 website (

We are also campaigning at a national level at www.no-fracking.co.uk



thevalesaysno.com

Head of Planning and Transportation
Vale of Glamorgan Council
Dock Office
Barry
CF63 4RT

18th October 2011

Dear Chairman and Members of the Planning Committee,

RE: Planning Application Ref 2011/00812/FUL

We have already written before concerning this application, expressing our objection on the grounds of existing Planning Policy. As your determination of this application will take place this Thursday, I hope you will not mind that I submit our objection in a much simpler way.

Planning Policy EMP4 (Protection of Land for Employment Uses) establish the following criteria:

“On existing Employment Sites and Sites identified in Policy EMP1, development of uses that are not contained in Classes B1 (Business), B2 (General Industry) and B8 (Storage or Distribution) will not be permitted”

The above proposal is not within these use classes, and therefore cannot be located within the Llandow Industrial Estate.

The procedures for exploration using one borehole, and extraction using more than one are in essence similar.

So the way of thinking that “one borehole could not do any harm”, is just a hunch un-sustained, and lacking any proved certainty.

We need to request the submission of independent scientific data, before opening the gates of the Vale of Glamorgan to such a new gas “gold rush”.

The Planning Policy basis is there, protecting the environment, the land for employment, and the public health. Should we act dismissing these Policies, we would be liable to be the object of a Legal Challenge based on Planning Policy neglect.

Lastly, the Planning Department’s recommendation for the approval of this proposal is based on Policies that are contrary to this application. Therefore this recommendation is flawed.

Policy MIN 1 mentioned on the Planners recommendation (although gas is not a mineral), establishes:

“Proposals to carry out mineral exploration will be permitted unless there would be an unacceptable impact on any of the following: (i) Landscape character, (ii) visual amenity, (iii) nature conservation, (iv) residential amenity, (v) the Glamorgan Heritage Coast, (vi) surface

water and ground water resources, (vii) scheduled ancient monuments and historic landscapes.

The possible impact on certain of the above items would constitute reasons for **refusing** such exploration.

The other Policy mentioned on the recommendation for the approval of this proposal is:

Planning Policy ENV29 (Protection of environmental quality) which establishes: " Development will not be permitted if it would be liable to have an unacceptable effect on either people's health and safety or the environment:

- (i) By releasing pollutants into water, soil or air, either on or off site; or**
- (ii) From smoke, fumes, gases, dust, smell, noise, vibration, light or other polluting emissions,"**

The third and last Policy mentioned on the recommendation for approval is **Policy ENV27 (Design of new developments)**, which really does not have any relation with the above proposal when one reads this policy. It concerns new developments, and say that these must have full regard to the context of the local natural and built environment and its special features. New development will be permitted where it: complements or enhances the local character of buildings and open spaces, meets the Council's approved standards of amenity and open space, ensures adequacy or availability of utility services, minimizes any detrimental impact on adjacent areas, etc.

So these three policies meant to explain the recommendation for the approval of this proposal, are in fact **contrary** to it.

Also, the planning officer's report notes that two similar boreholes have already been approved in Bridgend. There is there is no link or precedence to be acknowledged because this type of proposal has been successful in other areas. Each case should be considered on its own merits. The fact is that they were located in other isolated areas, unlike this application next door to business units and near a residential property.

There are hundreds of people in the Vale and beyond, hoping and expecting that the Council will take the right decision and either **refuse** this application, or **refers** it to the Welsh Government, for further study and determination. This was already wisely suggested by the Chairman of the Council Mr. Gordon Kemp.

Yours faithfully,

Louise Evans
Founder
The Vale Says No

From: Donald.Dobson@hse.gsi.gov.uk [mailto:Donald.Dobson@hse.gsi.gov.uk]

Sent: 03 October 2011 14:12

To: Bowen, Karen

Cc: Grant.Moody@hse.gsi.gov.uk; Allan.Green@hse.gsi.gov.uk

Subject: Shale Gas Extraction

Dear Karen

Your request for a contact in the Health & Safety Executive has been passed to me by HSE in South Wales. My colleagues and I have responsibility for regulating safety at all oil and gas drilling sites, both offshore and onshore, including shale gas exploration and the technique known as hydraulic fracture stimulation. We have many years experience of oil and gas well engineering and operations in the industry and as regulators.

We are aware of the public concern about hydraulic fracturing, We feel that public fears about it are unfounded. The alarmist film Gasland gives a highly misleading picture of the issues surrounding shale gas extraction in the US. I would point out that hydraulic fracturing is a technique that has been used for fifty years in oil and gas wells onshore in this country as well as offshore. There has been onshore oil and gas drilling in the UK since the early 1900s with more than 2000 onshore wells drilled.

If you wish to discuss the issues feel free to contact me or my colleagues.

Yours

Donald Dobson

Donald Dobson

Head of Discipline - Well Engineering and Operations

Offshore Division

Health & Safety Executive

Lord Cullen House

Fraser Place

Aberdeen AB25 3UB

Tel: 01224 252581

Mrs Karen Bowen(o/b Councillor C J Williams),
Scrutiny & Committee Services Officer,
The Vale of Glamorgan Council,
Civic Offices,
Holton Road,
Barry
CF63 4RU

Your ref: KB/pn

Date: October 2011

Dear Mrs Bowen,

**VALE OF GLAMORGAN COUNCIL SCRUTINY COMMITTEE (ECONOMY & ENVIRONMENT)
MEETING TO CONSIDER SHALE GAS EXTRACTION**

Thank you for your letter of 29 September inviting Dŵr Cymru Welsh Water to give evidence to your Council's Scrutiny Committee inquiry on 17 October into the potential impact of the extraction and burning of shale gas. The guidelines enclosed with your letter suggest that witnesses should submit written evidence in advance of the meeting.

Background

Dŵr Cymru is a statutory water and sewerage company. Our supply area covers most of Wales, including the Vale of Glamorgan. We have some three million customers in total: we provide an essential public service by supplying their drinking water and then carrying away and dealing with wastewater. Dŵr Cymru is owned by Glas Cymru a not-for-profit company with no shareholders and we are run solely for the benefit of our customers.

The extraction of shale gas as an energy source is fairly well established in some countries. Our understanding is that gas production in commercial quantities usually requires the induction of fractures in the rock to increase permeability. A common method of achieving this is hydraulic fracturing ("fracking") where fluid containing chemicals and sand is pumped at high pressure via a borehole into the gas bearing rock to develop fractures which are propped open by the sand particles, a process that may need to be repeated every few years to maintain gas flow.

The Committee will be aware that concerns have been raised, notably in the USA, that the drilling of exploratory and production boreholes, together with associated activities such as "fracking", may present a risk of pollution of groundwater within aquifers.

There seems to be increasing interest across the UK in identifying and exploiting methane deposits contained in shale formations and also un-mined coal beds. Parts of Wales have been identified for exploration for both of these, including the Vale of Glamorgan.

Dŵr Cymru's interest

Dŵr Cymru's interest in shale gas and coal bed methane exploration is confined to the possible impact on our water supplies. Although most of our supplies are from surface water sources such as

rivers and reservoirs, we do source about 5% from groundwater. In the Vale of Glamorgan, for example, the Schwyll groundwater source is an important backup supply for the Bridgend area.

The Committee will appreciate that Dŵr Cymru would be very concerned if gas exploration and production risked polluting – directly or indirectly - any of the groundwater which we are able to abstract to maintain public drinking water supplies.

Against that background, we would like to be consulted on and involved in all applications relating to shale gas and coal bed methane so that we can safeguard the interests of our customers. Currently water undertakers such as Dŵr Cymru are not statutory consultees for planning applications. We therefore have to try to keep ourselves aware of any new proposals or rely on local planning authorities realising that we may have an interest and seeking our views on relevant applications. This enables us to assess whether there might be an impact on the quality of the water from which we source drinking water and advise local planning authorities accordingly.

Similarly, we hope that the Environment Agency will consult us on any applications it may receive for related environmental permits.

More generally, given the potential risks that some exploration and production processes may represent, we hope that the regulatory authorities will adopt a precautionary approach not only to the protection of groundwater sources used for public supply, but also those used by private abstractors. They represent an important asset for future generations and restoring polluted groundwater can be prohibitively expensive, assuming it is even technically feasible.

Yours sincerely,

PAUL HENDERSON
Environmental Policy Manager



Dŵr Cymru
Welsh Water

Developer Services
PO Box 3146
Cardiff
CF30 0EH

Gwasanaethau Datblygu
Blwch Post 3146
Caerdydd
CF30 0EH

Tel: +44 (0)800 917 2652
Fax: +44 (0)2920 740472
E.mail: developer.services@dwrcymru.com

Ffôn: +44 (0)800 917 2652
Ffacs: +44 (0)2920 740472
E.bost: developer.services@dwrcymru.com

The Vale of Glamorgan Council
Dock Office
Barry Docks
Barry
CF63 4RT

Your ref 11/00115/FUL
Our ref NDC/MDE/VOG/20
Enquiries Maria Evans
Direct Line (01443)331123

For the attention of Mr S J Ball

19 October 2011

Dear Sir

**Re: Unit 1 Llandow Industrial Estate, Cowbridge CF40 1SJ
Drill and test the insitu lower limestone shale and associated strata**

We write further to our letter dated 11 October 2011 and following the receipt of additional information provided by the developer Coastal Oil and Gas Limited we reply as follows:

We note that it is intended to use only approved drilling fluids and that drilling fluid losses will be monitored during the drilling process. However, we believe that there is a very small risk of contamination of our reserve groundwater sites in the Vale of Glamorgan from the proposed exploratory drilling. If there is an excessive loss of drilling fluid to the aquifer during the drilling procedure due to unforeseen geological features being met, then this level of risk increases.

We expect the Environment Agency to consider the vulnerability of our groundwater sources and wider impact upon the water environment as part of their permitting process

We hope the above is satisfactory, however should you require further assistance please do not hesitate to contact us.

Yours faithfully

Maria Evans
Developer Services





QUESTION 16biv



QUESTION
16biv

PLANNING COMMITTEE

Minutes of a meeting held on 29th September, 2011.

Present: Councillor H.J.W. James (Chairman); Councillor J.C. Bird (Vice-Chairman); Councillors Ms. B.E. Brooks, P. Church, Ms. V.L. Ellis, A.M. Ernest, E. Hacker, A.D. Hampton, Mrs. V.M. Hartley, N.P. Hodges, Mrs. M. Kelly Owen, Mrs. A.J. Preston, R.P. Thomas and M.R. Wilson.

Also present: Councillor G. John.

440 APOLOGIES FOR ABSENCE -

These were received from Councillors R.J. Bertin, Mrs. M.E.J. Birch, F.T. Johnson, Mrs. M.R. Wilkinson and Ms. M. Wright.

441 MINUTES -

RESOLVED - T H A T the minutes of the meeting held on 1st September, 2011 be approved as a correct record.

2011/00812/FUL Received on 17 August 2011

(P.170)

Coastal Oil and Gas Limited, 9, Bridgend Business Centre, Bridgend Industrial Estate, Bridgend., CF31 3SH

Coastal Oil and Gas Limited, 9, Bridgend Business Centre, Bridgend Industrial Estate, Bridgend., CF31 3SH

Unit 1, Llandow Industrial Estate, Llandow

Drill and test the insitu lower limestone and associated strata for the presence of gas

The Chairman advised the Committee of the receipt of a letter from the Decisions Manager, Planning Division of the Welsh Government which stated that it had been decided that this application should not be called in for determination by the Welsh Ministers and that it was now for the Vale of Glamorgan Council to determine the application as it saw fit.

DEFERRED for site visit.

(Note: Councillor G. John spoke on this matter with the consent of the Committee.)

PLANNING COMMITTEE

Minutes of a meeting held on 20th October, 2011.

Present: Councillor H.J.W. James (Chairman); Councillor J.C. Bird (Vice-Chairman); Councillors R.J. Bertin, Mrs. M.E.J. Birch, Ms. B.E. Brooks, P. Church, Ms. V.L. Ellis, A.M. Ernest, E. Hacker, A.D. Hampton, Mrs. V.M. Hartey, N.P. Hodges, Mrs. A.J. Preston, R.P. Thomas, Mrs. M.R. Wilkinson and M.R. Wilson.

Also present: Councillors Mrs. S.M. Bagstaff, G. John, Mrs. M. Randall and J.W. Thomas.

534 APOLOGIES FOR ABSENCE -

These were received from Councillors F.T. Johnson, Mrs. M. Kelly Owen and Ms. M. Wright.

535 MINUTES -

RESOLVED - T H A T the minutes of the meeting held on 29th September, 2011 be approved as a correct record.

2011/00812/FUL Received on 17 August 2011

(P. 221)

Coastal Oil and Gas Limited, 9, Bridgend Business Centre, Bridgend Industrial Estate, Bridgend., CF31 3SH
Coastal Oil and Gas Limited, 9, Bridgend Business Centre, Bridgend Industrial Estate, Bridgend., CF31 3SH

Unit 1, Llandow Industrial Estate, Llandow

Drill and test the insitu lower limestone and associated strata for the presence of gas

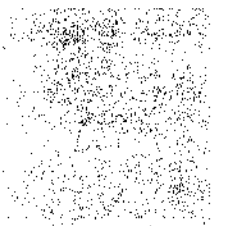
REFUSED (Public Inquiry).

The applicant has submitted insufficient information to satisfy the Local Planning Authority that the quantity and quality of groundwater supplies in the vicinity of the site, would be protected, in accordance with the requirements of paragraph 30 of Minerals Planning Policy Wales (2000) (MPPW) which advises that development should 'not cause unacceptable impact or otherwise damage or adversely affect water resources of sources of water which might be an integral part of sites of high landscape value or nature conservation importance' and where doubt remains, Councils should adopt the precautionary principle. Accordingly the development is contrary to the advice contained in the above guidance and Policies MIN1 - Mineral Exploration and ENV29 - Protection of Environmental Quality of the Adopted Unitary Development Plan 1996 - 2011.

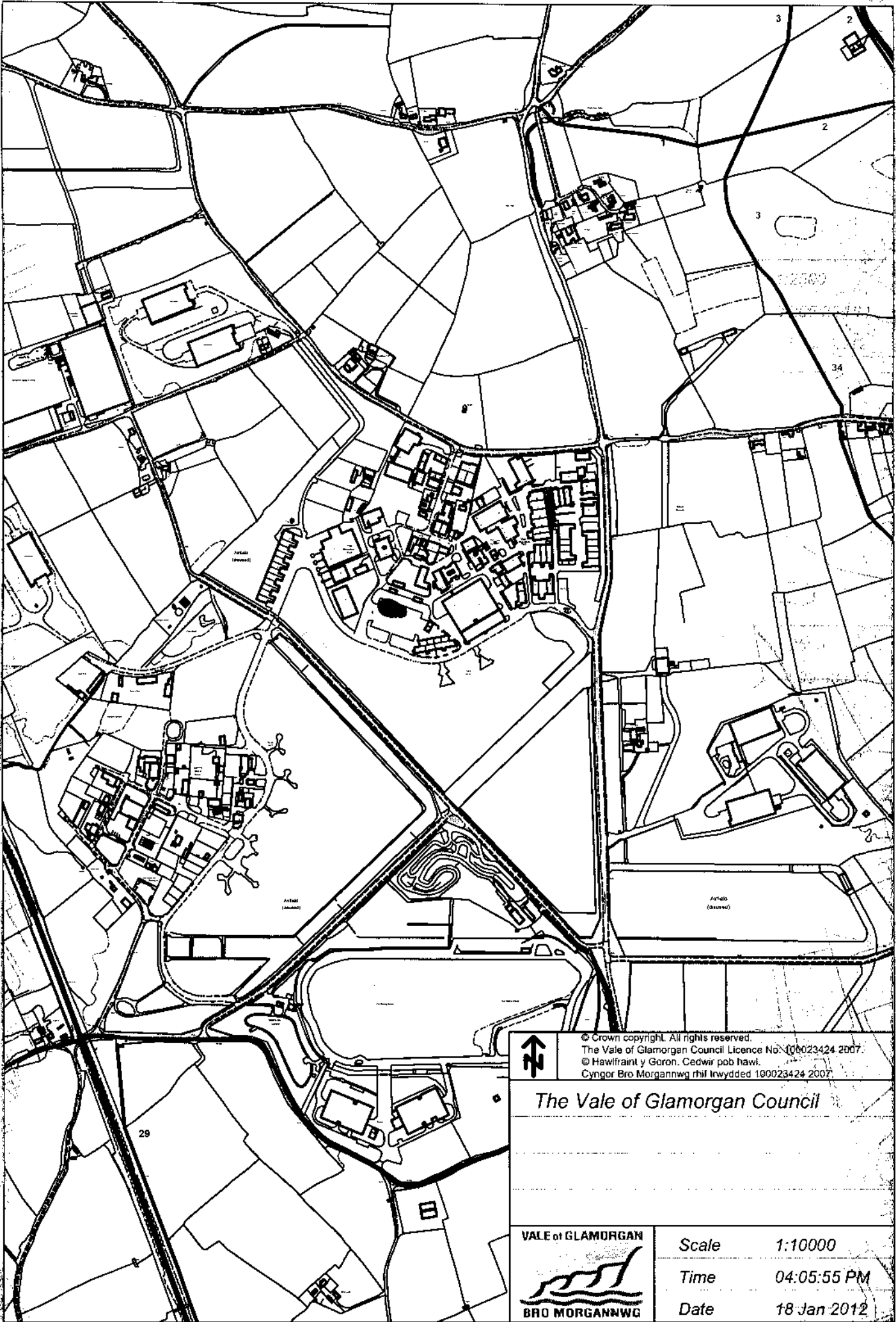
(Note: Councillor G. John spoke on this application with the consent of the Committee)



QUESTION 16bv



QUESTION
16bv




© Crown copyright. All rights reserved.
The Vale of Glamorgan Council Licence No: 100023424 2007.
© Hawffraint y Goron. Cedwir pob hawl.
Cyngr Bro Morgannwg rhif Iwrydded 100023424 2007.

The Vale of Glamorgan Council




Scale	1:10000
Time	04:05:55 PM
Date	18 Jan 2012



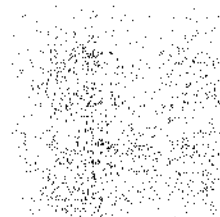

 © Crown copyright. All rights reserved.
 The Vale of Glamorgan Council Licence No. 100023424 2007.
 © Hawlfraint y Goron. Cedwir pob hawl.
 Cynghor Bro Morgannwg rhif trwydded 100023424 2007.

The Vale of Glamorgan Council

 <p>VALE of GLAMORGAN BRO MORGANNWG</p>	Scale	1:2500
	Time	04:07:22 PM
	Date	18 Jan 2012



QUESTION 17



QUESTION
17

The Vale of Glamorgan



**Adopted
Unitary
Development
Plan**

1996 - 2011

Alan Gillek - Chairman
Director of Environment and
Economic Regeneration

Neil Thomas - Vice Chairman
Director of Planning and Construction

contamination/instability and indicate appropriate remedial measures. Planning permission may not be granted unless the Council is satisfied that instability and contamination may be overcome safely and without undue impact upon the environment.

POLICY ENV 27 - DESIGN OF NEW DEVELOPMENTS

PROPOSALS FOR NEW DEVELOPMENT MUST HAVE FULL REGARD TO THE CONTEXT OF THE LOCAL NATURAL AND BUILT ENVIRONMENT AND ITS SPECIAL FEATURES. NEW DEVELOPMENT WILL BE PERMITTED WHERE IT:

- (i) **COMPLEMENTS OR ENHANCES THE LOCAL CHARACTER OF BUILDINGS AND OPEN SPACES;**
- (ii) **MEETS THE COUNCIL'S APPROVED STANDARDS OF AMENITY AND OPEN SPACE, ACCESS, CAR PARKING AND SERVICING;**
- (iii) **ENSURES ADEQUACY OR AVAILABILITY OF UTILITY SERVICES AND ADEQUATE PROVISION FOR WASTE MANAGEMENT;**
- (iv) **MINIMISES ANY DETRIMENTAL IMPACT ON ADJACENT AREAS;**
- (v) **ENSURES EXISTING SOFT AND HARD LANDSCAPING FEATURES ARE PROTECTED AND COMPLEMENTED BY NEW PLANTING, SURFACE OR BOUNDARY FEATURES;**
- (vi) **ENSURES CLEAR DISTINCTION BETWEEN PUBLIC AND PRIVATE SPACES;**
- (vii) **PROVIDES A HIGH LEVEL OF ACCESSIBILITY, PARTICULARLY FOR PUBLIC TRANSPORT, CYCLISTS, PEDESTRIANS AND PEOPLE WITH IMPAIRED MOBILITY;**
- (viii) **HAS REGARD TO ENERGY EFFICIENCY IN DESIGN, LAYOUT, MATERIALS AND TECHNOLOGY; AND**
- (ix) **HAS REGARD TO MEASURES TO REDUCE THE RISK AND FEAR OF CRIME.**

3.4.97 This policy establishes a framework to achieve appropriate sensitive new development that promotes creative and imaginative design within the Vale of Glamorgan. In view of the wide variety of architectural styles and contrasting identities of the Vale's towns, villages and open countryside, it would be inappropriate to introduce rigid, over prescriptive design controls for new development within the Plan. However, to further promote the above good design principles and provide better advice to architects and their clients the Council will prepare guidance and design briefs for specific topics or sites. Similarly advice on plant species in landscaping schemes can help meet the criteria set out above. In many circumstances the use of native provenance tree and shrub species in landscaping schemes can provide benefits for bio-diversity as well. Volume Two of

"Landscapes Working for the Vale of Glamorgan" study provides some guidance on this point. Supplementary Planning Guidance has been produced in respect of amenity standards.

POLICY ENV 28 - ACCESS FOR DISABLED PEOPLE

ALL NEW DEVELOPMENT (AND WHERE PREDICTABLE, THE CHANGE OF USE OR ALTERATIONS TO BUILDINGS) OPEN TO THE PUBLIC AND BUILDINGS USED FOR EMPLOYMENT AND EDUCATION PURPOSES WILL BE REQUIRED TO PROVIDE SUITABLE ACCESS FOR CUSTOMERS, VISITORS OR EMPLOYEES WITH MOBILITY DIFFICULTIES.

- 3.4.98** In an ideal world all people should be able to move freely around towns, cities and villages and feel welcome. However, in practice the design of buildings and spaces around those buildings can create insurmountable obstacles to people with limited mobility. In addition, unsympathetic design can make people with special mobility needs feel most unwelcome.
- 3.4.99** It is important to encourage those persons who design and manage the environment to give equal importance to access and the provision of facilities for people with limited mobility as they do to the appearance and functioning of buildings and spaces. By doing this the environment can be improved for everyone including people with disabilities, parents with small children and others with limited mobility. Many of the benefits can be achieved with no additional or minimal extra cost, simply by careful thought and imagination. Where additional money is required, most people would agree that the investment is worthwhile financially and socially.
- 3.4.100** The statutory framework with regard to the provision of access and facilities for persons with disabilities is embodied in Section 76 of the Town and Country Planning Act 1990 which requires Local Planning Authorities when granting planning permission to draw the attention of the applicant to Sections 4 and 7 of the Chronically Sick and Disabled Persons Act 1970. The Act requires developers of specified types of building to provide suitable means of access, parking and toilet facilities to meet the needs of people with disabilities, where practicable and reasonable. The types of building to which the Act applies are buildings open to the public (for example shops, restaurants, hotels, places of entertainment, leisure and community buildings), places of employment, education buildings and most types of buildings other than residential ones.
- 3.4.101** The "Codes of Practice for Access for the Disabled to Buildings", British Standard Institution code of practice BS 5810: 1979 sets out the minimum standards with which access provision should comply. However, the BSI are currently reviewing these standards in the light of developments in access design in the last 15 years. Developers will therefore be encouraged to design to higher standards than presently stated in BS 5810.
- 3.4.102** In the case of new building development the requirements of Part M of the Building Regulations 1992 will apply. There will be very few instances where it is neither

practicable nor reasonable to design to at least the standards of Part M and complementary local standards for development to which Part M is not applicable. The picture is less clear cut in relation to alterations to existing buildings, so if deficiencies are identified in a submitted scheme the onus will be placed on the applicant to demonstrate effectively that access provision is neither practicable or reasonable. In all buildings there is scope for providing induction loops, clear signage and carefully placed sockets, handles, equipment and control panels to benefit users with disabilities.

3.4.103 There is often perceived to be a conflict between conservation and improving access for people with disabilities, especially in Listed Buildings. Whenever alterations are proposed the opportunity to improve access and facilities for disabled people should be taken. This can often be done while respecting, preserving and enhancing the character of the building. There are many examples of sensitive and imaginative schemes.

3.4.104 In order to assist developers the Council will produce Supplementary Planning Guidance relating to Access.

POLICY ENV 29 - PROTECTION OF ENVIRONMENTAL QUALITY

DEVELOPMENT WILL NOT BE PERMITTED IF IT WOULD BE LIABLE TO HAVE AN UNACCEPTABLE EFFECT ON EITHER PEOPLE'S HEALTH AND SAFETY OR THE ENVIRONMENT:

- (i) BY RELEASING POLLUTANTS INTO WATER, SOIL OR AIR, EITHER ON OR OFF SITE; OR**
- (ii) FROM SMOKE, FUMES, GASES, DUST, SMELL, NOISE, VIBRATION, LIGHT OR OTHER POLLUTING EMISSIONS.**

3.4.105 The aim of this policy is to prevent adverse effects of pollution both in terms of the impact on local environmental quality and their contribution to global damage. The UK government is committed to reducing existing pollution levels and therefore future developments should not exacerbate the current situation. Accordingly, any polluting or hazard risk will be judged in the context of both UK and EC legislation / standards. Advice will be sought from the relevant regulatory authorities, including the Environment Agency, the Health and Safety Executive, and Local Authority Environmental Health Officers. Whilst light pollution is not covered by legislation, the Council will have regard to the recommendations of the Institute of Lighting Engineers and the joint Department of the Environment/Countryside Commission publication "Lighting in the Countryside: Towards Good Practice" (1997) when dealing with applications that could conceivably have unneighbourly consequences. If the pollution can be controlled to the satisfaction of the regulatory authorities, permission may be granted subject to conditions. In such cases, operations will need to be monitored appropriately to ensure continued compliance. In accordance with the precautionary principle, if it is considered that satisfactory standards cannot be achieved or sufficient doubt exists, then permission will not be granted. In order to allow the regulatory authorities to assess the full implications

of any development, where applicable, applicants will need to submit an Environmental Impact Assessment in line with the requirements of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999.

3.5

IMPLEMENTATION

- 3.5.1 Many of the policies contained within the chapter will be implemented through the Council's Development Control powers. However, in attempting to create and maintain a sustainable and pleasant rural and urban environment, much effort will need to be expended by the Council and other bodies outside the traditional planning powers. The Council will, therefore, seek the widest possible range of co-operation and grant aid from public and private institutions, voluntary bodies and private individuals in order to achieve its objectives for the environment.

requirements in Wales, and to overcome the discrepancies in the two versions of the guidance, the South Wales Regional Aggregates Working Party produced a set of 'Guidelines for Aggregates Provision in South Wales' in 1995.

- 9.2.4 The Guidelines proposed that reserves should be made available to maintain the 1989-91 average annual aggregate production over the 1992-2006 period, with the former South Glamorgan supplying 0.93mt per year. Although boundary changes again make comparisons difficult, if the current figure of 7.6% of regional demand being met from the Vale is to be maintained, some 14.6mt would be required from the Vale between 1996 and 2011, assuming continuation of the 1989-1991 average level of production throughout the Plan period. This represents an annual output of 0.91mt (below the 1995 output of 1.125mt), at which level currently permitted reserves would last until 2032.

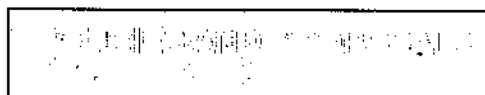
9.3



- 9.3.1 The mineral policies of this plan are intended to fulfil the following objectives:

- To ensure that the needs of society for minerals are satisfied with due regard to the protection of the environment;
- To encourage the best and most efficient use of all available resources and to encourage recycling and the use of secondary materials where appropriate;
- To ensure that any environmental damage or loss of amenity caused by mineral operations is kept to an acceptable level;
- To ensure that land taken for mineral operations is reclaimed at the earliest opportunity and is capable of an acceptable use after working has come to an end, and
- To prevent the unnecessary sterilisation of mineral resources

9.4



POLICY MIN 1 - MINERAL EXPLORATION

PROPOSALS TO CARRY OUT MINERAL EXPLORATION WILL BE PERMITTED UNLESS THERE WOULD BE AN UNACCEPTABLE IMPACT ON ANY OF THE FOLLOWING:

- (i) LANDSCAPE CHARACTER;**
- (ii) VISUAL AMENITY;**
- (iii) NATURE CONSERVATION;**
- (iv) RESIDENTIAL AMENITY;**
- (v) THE GLAMORGAN HERITAGE COAST;**
- (vi) SURFACE WATER AND GROUND WATER RESOURCES;**
- (vii) SCHEDULED ANCIENT MONUMENTS AND HISTORIC LANDSCAPES**

- 9.4.1 Exploration is an essential activity for proving the existence of a mineral deposit and evaluating its potential for extraction. Information resulting from mineral exploration is required by the Council in the processing of applications for quarrying development. Many small-scale and temporary mineral exploration operations such as the drilling of boreholes, excavation of trial pits and seismic surveys are 'permitted development' under the Town and Country Planning (General Permitted Development) Order 1995 subject to restrictions on their duration and the types of equipment used. For longer periods or where, for example, large drilling rigs are to be used, planning permission is required. In such cases, the Council will seek to ensure that there will be no adverse effects on residential amenity or other sensitive land uses. The grant of planning permission for mineral exploration will not indicate a presumption in favour of future exploitation of any minerals found.

POLICY MIN 2 - RELEASE OF LIMESTONE RESERVES

THE FOLLOWING LAND IS ALLOCATED FOR THE WINNING AND WORKING OF LIMESTONE:

- (i) LAND TO THE SOUTH OF PANTYFFYNNON QUARRY;
- (ii) LAND TO THE NORTH WEST OF LITHALUN QUARRY;
- (iii) LAND TO THE SOUTH OF CWM SLADE AND WENVOE QUARRY

AS IDENTIFIED ON THE PROPOSALS MAP, IN ORDER TO PROVIDE FOR A TOTAL OF 20 YEARS RESERVES AT EACH SITE.

POLICY MIN 3 - PROTECTION OF FURTHER LIMESTONE RESOURCES AND POTENTIAL RESOURCES OF SAND AND GRAVEL

THE FOLLOWING AREAS, AS IDENTIFIED ON THE PROPOSALS MAP, SHALL BE PROTECTED FROM ALL FORMS OF PERMANENT BUILDING DEVELOPMENT IN ORDER THAT THE WORKABLE RESOURCES OF LIMESTONE OR SAND AND GRAVEL WITHIN THOSE AREAS MAY BE PRESERVED FOR THE FUTURE SHOULD A DEMONSTRABLE NEED FOR THOSE RESOURCES ARISE:

- (i) LAND TO THE SOUTH-WEST OF FOREST WOOD QUARRY (LIMESTONE);
- (ii) LAND TO THE SOUTH OF RUTHIN QUARRY (LIMESTONE);
- (iii) LAND TO THE SOUTH OF PANTYFFYNNON QUARRY (LIMESTONE);
- (iv) LAND TO THE NORTH WEST OF PANT QUARRY (LIMESTONE);
- (v) LAND TO THE NORTH OF CITY (SG1 - SG2);
- (vi) LAND WITHIN THE UPPER THAW VALLEY (SG3 - SG6); AND
- (vii) LAND WITHIN THE ELY VALLEY (SG7 - SG12).