

Statement of Case

Appellant: Coastal Oil and Gas Ltd

Local Planning Authority: Vale of Glamorgan

Appeal Reference: APP/Z/6950/A/11/2167112/WF

In respect of the refusal to drill and test the insitu lower limestone and associated strata for the presence of gas at Unit 1, Llandow Industrial Estate, Cowbridge, CF31 3SH

1. Appellants Case

1.1. The appellant's case is that planning application reference number 2011/00812/FUL ought to be approved as ;

(a) The proposal is in accordance with the relevant Development Plan policies and national guidance.

(b) Sufficient information was provided to satisfy the local planning authority that the quantity and quality of groundwater supplies would be protected without causing unacceptable impact or otherwise damage sources of water which might be an integral part of sites of high landscape value or nature conservation value.

2. Matter in issue: Protection of Groundwater.

2.1. The Appellant will demonstrate that

(a) The method of drilling and precautions taken complies with The Health and Safety Executive Borehole Regulations, there are no objections from any technical consultees and the proposal would not pollute or affect ground water in the immediate area or in other areas at a distance.

(b) The composition of drilling fluids is not harmful

(c) The method of capture and disposal of surface and ground water will not cause pollution.

(d) The proposal is similar to other boreholes, approved and implemented in the region which have not caused problems with groundwater

2.2. The evidence will refer to the responses from technical consultees, further correspondence with Welsh Water, borehole diagrams and plans submitted with the application, Geological maps and cross sections, Environment Agency reports Groundwater Quality Review: The Carboniferous Limestone of the Porthcawl - Schwyll aquifer unit, Environment Agency Report on Decommissioning Boreholes, and details of other boreholes drilled.

3. Planning Policy.

3.1. It will be demonstrated that the proposal complies with Policy MIN1 and Policy ENV29 of the Adopted Unitary Development Plan, Minerals Planning Policy Wales 2000 and any other relevant policies of the UDP and Planning Policy Wales.

3.2. National policies and Government responses will be considered to explain and reinforce the need and acceptability of the proposal. These include Draft National Planning Policy Framework, Overarching National Policy Statement of Energy (EN1), Shale Gas and Fracking - Standard Note: SN/SC/6073 – 25.1.12, Shale Gas Debate in Parliament 3/11/2011 and the House of Commons Select Committee Recommendations on Unconventional Gas May 2011.

4. Matters not in issue

It is considered that the following matters are not an issue as indicated by the local planning authority and technical consultation replies.

- (i) Access and transportation
- (ii) Noise
- (iii) Dust
- (iv) Vibration
- (v) Lighting
- (vi) Hydraulic Fracturing
- (vii) Visual impact
- (viii) Ecology

4.2 In the absence of any substantive case raised on any of the above issues, the Appellant will rely upon the information provided by the local planning authority from their technical consultations.

4.3 In the event that the local planning authority provides evidence on any of these issues, the Appellant reserves his position to provide rebuttal evidence in response.

5. Conditions

It is considered that conditions should be imposed relating to the following matters:

- 1) Five year commencement
- 2) Ten week period in which to carry out drilling and testing
- 3) Noise restriction
- 4) Satisfactory working method
- 5) Safeguards for storage of oils, fuels and chemicals

- 6) Safeguards for disposal of foul and surface water
- 7) Restoration proposals
- 8) Safeguards for dust control
- 9) Control of vehicular movements

List of Documents to Rely on

Planning Application and Accompanying Information including appendices

Correspondence with Welsh Water, Environment Agency and the Local Authority

Equipment Profile and Specification including report on drilling fluid

Decision Notice

Appeal Form

Appeal Questionnaire (Parts 1 – 3)

All documents lodged with the Appeal

Vale of Glamorgan Adopted Unitary Development Plan

Other borehole planning applications

Groundwater Quality Review : The Carboniferous Limestone of the Porthcawl-Schwyll aquifer unit

Environment Agency- Decommissioning Redundant Boreholes and Wells

Health and Safety Executive: Borehole Regulations

Minerals Planning Policy Wales 2000

Planning Policy Wales

Draft National Planning Policy Framework

Overarching National Policy Statement of Energy (EN1)

Shale gas and fracking - Standard Note: SN/SC/6073 – 25.1.12

Shale Gas Debate in Parliament - 3.11.11

House of Commons Select Committee Recommendations on Unconventional Gas – May 2011

Maps and Plans

Lighting layout plan

Site layout plan

Site location plan

Surface Site drainage

Geological maps and cross sections

In addition to the above we are also expecting further correspondence from Welsh Water which will also be relied up together with all correspondence and documentation that is common to all parties