

Tim Slaney
Director of Planning
South Downs National Park Authority
Hatton House
Bepton Road
Midhurst
GU29 9LS

21 January 2014

Dear Sir

Nine Acre Copse, Vann Road, Linchmere, West Sussex
SDNP/13/05896/CM

We have studied the above application and wish to register the strong objection of CPRE Sussex to any exploratory drilling at this location in the newly formed National Park.

CPRE Sussex considers that the chosen location is unacceptable and that no economic case can be made to justify the potential harm to the National Park.

As you will be aware, it is incumbent on the South Downs National Park [SDNP] to protect and enhance the natural beauty and tranquillity of the landscape, both in accordance with its statutory duty and in meeting the specific 20 year vision for the SDNP as stated in the SDNP Management Plan of 2008-2013. The two statutory purposes of a National Park are:

- *To conserve and enhance the natural beauty, wildlife and heritage of its area*
- *To promote opportunities for the public understanding and enjoyment of the special qualities of its area*

The first of these duties is paramount (see S.62 Environment Act 1995). Permitting the establishment of an exploration well in this remote rural location would not be consistent with this duty.

Furthermore, paragraph 115 in the National Planning Policy Framework states that:

“Great weight should be given to conserving landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to landscape and scenic beauty. The conservation of wildlife and cultural heritage are important considerations in all these areas and should be given great weight in National Parks and the Broads.”

It is the opinion of CPRE Sussex that the proposal fails to meet the test for allowing major developments in ‘exceptional circumstances’ in National Parks as set out in paragraph 116 of the NPPF on the grounds that:

- Any economic benefits would not outweigh the ‘great weight’ to be given to conserving landscape, scenic beauty, conservation of wildlife and cultural heritage at this location.
- The adverse impacts on the environment, the landscape and recreational opportunities at this location would significantly and demonstrably outweigh any benefits.

The following comments address a number of our concerns relating to the environmental, landscape and social implications of the application by Celtique Energie for planning permission to carry out exploratory drilling at Nine Acre Copse, 1.5 km west of Fernhurst.

Visual impact

CPRE Sussex is concerned that the siting of an exploratory well in this location will have an industrialising visual impact on the local landscape.

The site will be clearly visible from Vann Road. The ancient woodland adjacent to the site is mainly deciduous, as are the hedgerows, which means that for at least 6 months of the year the site will be visible from the road and from the public rights of way which run west and south of the site. There will be wider visual impact from the 45 metre high flare stacks and the 3 metre high boundary fencing. The site will be floodlit at night, seven days a week.

It is unrealistic to think that a development on this scale will not bring an end to both the tranquillity of the area and to the dark skies. One of the special qualities of the South Downs is rightly identified as a tranquil landscape with extensive dark night skies. Tranquillity mapping shows that this site is within an area of relative tranquillity* and para. A.5.1 of The South Downs Management Plan 2008 - 2013 summarises this important attribute of the National Park:

“A serene and peaceful landscape providing the opportunity to enjoy peace and quiet and the natural sounds of the countryside, with 26% of the protected area classified as either very tranquil or remote in the Tranquil Areas studies undertaken in 1997 for the two AONBs.”

Tranquil Areas of the SUSSEX DOWNS Area of Outstanding Natural Beauty A report for the Sussex Downs Conservation Board By The ASH Consulting Group March 1997.

Access/Traffic impact

The local roads and lanes are not capable of accommodating heavy commercial traffic, both in terms of their restrictive width (with several pinch points along Vann Road) and lack of suitable passing places. The NPPF paragraph 32 requires that ‘safe and suitable access to a site can be achieved for all people’. We do not believe that safe access can be achieved when the applicant intends to send all its HGV traffic along Vann Road. Such vehicles pose clear dangers to highway safety for other motorised vehicles and, particularly, non-motorised users such as horse-riders, cyclists and pedestrians enjoying the recreational opportunities and amenities of the National Park. No less than six public rights of way exit on to Vann Road between the A286 and the proposed site, some of which do not join directly across Vann Road, which necessitates walking along the verge to meet the rest of the footpath. It is also likely that HGVs will overrun and cause damage to the verges, which are attractive characteristics of these rural lanes.

The applicant proposes to crown lift a number of trees on the parish boundary line to enable its HGVs to pass beneath. We believe that oak trees in hedgerows are an iconic part of the low Wealden landscape and such pruning will not only alter the shape of these trees but make them inherently unstable.

The impact of additional HGV traffic running through these country lanes would have a significant adverse effect on the tranquillity and the peaceful, quiet character of this area of the South Downs. The proposed tree works to allow the HGVs to pass would have a significant adverse effect on the landscape character of the area.

Archeological heritage

Nine Acre Copse is some 250 metres away from Furnace Pond, a site of industrial archeological interest and, from the Fernhurst Furnace, a 17th century scheduled ancient monument. The applicant proposes to drill horizontally in the direction of the Furnace which is already suffering from subsidence.

Local community

CPRE Sussex believes that if fracking is to happen, then it must be with the support of the local communities who are most at risk if things go wrong. CPRE has met with local campaigners and they do not believe that such a development will bring significant benefit to their local community, rather they feel that the damage to their countryside will be both severe and permanent.

The following comments set out our serious concerns relating to the environmental impact of the application.

Geology (see attached report by Graham Warren, Chartered Geologist)

The village of Fernhurst lies within the headwaters of the River Rother, near the western extremities of the Wealden Basin (Fig 1 attached), and gives its name to a valley feature, marking the axis of a major anticline. (Fig 2 attached). There are particular features of the chosen location which raise serious questions relating to the likely, albeit indirect, impact of fracking operations on the integrity and quality of the river and shallow groundwater regimes of the Arun and Rother headwaters.

The geological map of the region shows two prominent faults, planes of structural weakness developed along fractures in the rock formations, which allow vertical or near-vertical slippage between adjacent blocks. These have a north-south trend, one extending for 2km, located 1 - 1.5 km west of Fernhurst, both have vertical falls ('throws') of 15 to 20 metres.

These are significant features, bearing in mind the recent history of fracking operations causing seismic tremors in areas such as the Fylde Peninsular, characterised by geological faults.

It is worth noting that high angle faults often feature in the crests of anticlines. Fig 4 (attached) shows the Fernhurst fault system to be part of a much larger structural complex extending throughout the Western Weald. The faults as mapped are simply the visible surface expressions of a more extensive development at depth.

Environmental impact

The fracking process, by virtue of its power to fragment shale beds, is also capable of breaking up other adjacent formations such as the sandstones, limestones and clays of the Jurassic and Wealden series. It could also reactivate the faults of the Fernhurst anticline, these could then become pathways for the upward flow of gases and fracking fluids, into the overlying soils, water courses and shallow aquifers. This could have implications for any lawful water-dependent interests, including protected rights and licensed abstractions for private supplies or irrigation. The Paludian limestones of the Weald Clay for example, are important local sources of shallow groundwater for domestic and agricultural use. **There may also be implications for the National Park status of this part of the headwaters.**

The process of borehole construction and the installation of casing also carries the risk of fragmentation of the rock formations penetrated, and there are no techniques for grout-sealing within the damaged zones which would ensure complete protection against the migration of contaminants. In any event, all steel casings, even those of the highest quality, have a limited life and many will begin to break down within a few years.

We do not believe that the proposal is consistent with the National Planning Policy Framework [NPPF] which in para 120 states:

“To prevent unacceptable risks from pollution and land instability, planning policies and decisions should ensure that new development is appropriate for its location. The effects (including cumulative effects) of pollution on health, the natural environment or general amenity, and the potential sensitivity of the area or proposed development to adverse effects from pollution, should be taken into account.”

We believe we have demonstrated that this development is inappropriate for this location on the grounds we have set out above, and in the attached report.

Conclusion

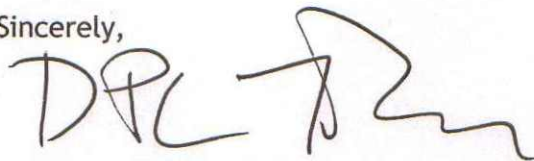
It is the view of CPRE Sussex that this proposed development should be considered as a major development, given its scale and nature. Paragraph 116 of the NPPF states that:

"Planning permission should be refused for major developments in these designated areas except in exceptional circumstances where it can be demonstrated that they are in the public interest."

The NPPF explains that consideration of such applications should include the need for the development, in terms of national considerations; the impact of permitting or refusing it on the local economy; the cost and scope for developing it outside the designated area or meeting the need for it in some other way, and any detrimental effect on the environment, the landscape and recreational opportunities and the extent to which that could be moderated.

It is CPRE Sussex's view that there is no need for the proposal in such a location, it will have a significant detrimental effect on the landscape character, environment and cultural heritage of the area, the proposal could be harmful to the local economy and the community, there are no exceptional circumstances and therefore that planning permission should be refused.

Yours Sincerely,

A handwritten signature in black ink, appearing to read 'D Johnson', with a stylized flourish at the end.

David Johnson, Chair of CPRE Sussex