

COMMENTS ON CASE (Online Version)

Please note that comments about this case need to be made within the timetable for it. This can be found in the notification letter sent out by the local planning authority or the start date letter for it.

Comments submitted after the deadline may be considered invalid and returned to sender.

DETAILS OF THE CASE

Case Reference: **APP/H6955/A/14/2218276**

Address of site Part of Field West of Commonwood Farm
and South of Borrass Road
Commonwood, Holt
Wrexham

Postcode

LL13 9TF

Grid Reference: Easting

3373620

Northing

3534910

SENDER DETAILS

Name

Mr D J Macfarlane

Acting On Behalf Of

N/A

ABOUT YOUR COMMENTS

In what capacity do you wish to make representations on this case? Interested Party / Person

What kind of representation are you making? Interested Party/Person Correspondence

YOUR COMMENTS ON THE CASE

Please provide your representation below.

I ask that the appeal be rejected and stand alongside Wrexham County Borough Planning committee in their rejection of the original planning application to drill a test borehole.

I submit the following to support the request for the appeal to be rejected.

1) Test drilling for CBM is inconsistent with mitigating climate change
Planning Policy Wales 2012 is clear that planning in Wales is about:
"tackling climate change by reducing the greenhouse gas emissions that cause climate change and ensuring that places are resilient to the consequences of climate change".
The climate change impacts of an over-reliance on gas are very serious, with the Committee on Climate Change concluding that to meet our carbon budgets, electricity generation must be almost entirely decarbonised by 2030. The CCC have warned that 'excessive use of unabated gas-fired capacity... would be incompatible with meeting legislated carbon budgets' and the Climate Change Act (<http://hmccc.s3.amazonaws.com/EMR%20letter%20-%20September%2012.pdf>).

YOUR COMMENTS ON THE CASE (Continued)

The Tyndall Centre at Manchester University conducted an assessment of the climate and environmental risks from shale gas and concluded that shale gas extraction poses 'significant risks to human health and the environment' and that there is no evidence to back-up industry claims that shale gas could be a transition route to a low carbon future (http://www.tyndall.ac.uk/sites/default/files/coop_shale_gas_report_final_200111.pdf). The recent (September 2013) Inter-Governmental Panel on Climate Change report is that extreme weather is being caused now by climate change, and will increase in the future, with more frequent hot and fewer cold temperature extremes, more frequent heat waves for longer, and more intense and frequent extreme rainfall, resulting in flooding. Local government must take its climate change obligations seriously and refuse damaging development.

2) No Environmental Impact Assessment has been carried out
As the Welsh Government has decided that no Environmental Impact Assessment needs to be carried out, this means that no baseline data from which to assess the effects and consequences of the test drill, during, or after operations. Just as G P Energy's supporting document sets test drilling for CBM and CBM extraction in a wider U.K. energy context, so the need for an independent Environmental Impact Assessment needs to be seen in this context. With a policy push for test drilling and extraction across the U.K., we cannot afford to neglect the responsibility to develop an accurate picture of the state of local environments before, during and after operations.
The importance of EIA to shale gas activities is underlined in a letter from EU Commissioner Janez Potocnik to Mr Mattias Groote on 26 January 2012, in which the Commission expresses its view that the EIA directive applies to unconventional hydrocarbon extraction using horizontal drilling and hydraulic fracturing at an exploration stage. In addition, the European parliament has recently resolved that EIA should apply to all shale gas activities. Planning Policy Wales 2012 also notes that another principle for planning is about: "using scientific knowledge to aid decision-making, and trying to work out in advance what knowledge will be needed so that appropriate research can be undertaken; while preventing pollution as far as possible, ensuring that the polluter pays for damage resulting from pollution. In general the Welsh Government will seek to ensure that costs are met by those whose actions incur them;"

Planning Policy Wales 2012 is clear that the precautionary principle is one that needs to be applied in planning: 'Cost-effective measures to prevent possibly serious environmental damage should not be postponed just because of scientific uncertainty about how serious the risk is'. The precautionary principle is a principle at the heart of environmental law to which the UK Government has committed since the UK signed the Rio Declaration on Environment and Development in 1992. This states (at Principle 15) that, 'where there are threats of serious or irreversible damage, lack of full scientific certainty shall not be used as a reason for postponing cost-effective measures to prevent environmental degradation'. Article 191(2) of the Treaty on the Functioning of the European Union declares that EU policy on the environment "shall be based on the precautionary principle". We are concerned that the local authority with respect to EIA is not applying a precautionary approach in a case with a high level of public interest.

The precautionary principle finds specific expression through international and EU law instruments to which the UK is a signatory (and in the case of EU law, bound) including the Water Framework Directive and the Habitats Directive. The Water Framework Directive applies strict standards and controls in relation in particular to groundwater.

3) In the new round of licencing that is currently up on offer, national parks will have some special measures to protect them - if the industry is so safe why would this be necessary.

4) referring to the grounds for appeal point 5:- this state that the exploration is temporary. although the test is temporary, the borehole will remain in perpetuity, be it plugged. this makes it permanent. and therefore environmental sustainability would be a consideration. I draw attention to the research and published information by Cornell University engineer Anthony Ingraffea, 'In 2012 Ingraffea and colleagues read through 16,017 inspection reports filed over the last four years. What they found was a significant and steady rate of methane leaks at the wellbore or what is known in industry jargon as "bubbling in the cellar."

In 2010, 111 of 1,609 wells drilled and fracked failed and leaked. That's a 6.9 per cent rate of failure. In 2012, 67 out of 1,014 wells leaked -- a seven per cent rate of failure.

"We looked at violations and not comments," adds Ingraffea. Quite often inspectors would note that a well was leaking like a sieve but that violation was pending. As a consequence the seven per cent figure represents a dramatic underestimate of methane leaks, says Ingraffea.

YOUR COMMENTS ON THE CASE (Continued)

this test site will leak if granted. maybe not in our lifetime, but it will fail at some point in the future .

The appellant appears to be calling into question the competency of the council to make a decision, citing 'a clear misunderstanding of the technology' At the descision meeting it was apparent that the councillors clearly understood the technology and process and they reached the conclusion to refuse permission. It is not for the appellant to case dispersion on the council.

Point 2 of the appeal grounds - it is irrelevant that the Head of Community, Wellbeing and Development recommended to grant the application. One opinion does not count, it is a democratic process where each vote carries the same weight. The vote to reject was 17 to 2. Point 7 - the use is industrial, it is to assess if the CBM is present in sufficient quantity to be commercially viable, heavy goods and equipment need to be used - definition of industrial in Oxford English dictionary is - relating to or characterised by industry - gas and oil exploration is an industry and and therefore the drilling of the tewst borehole should be considered industrial use.

Point 16 - the gas may be released due to the geology of the area and the unstable nature of the sub strata, mining was abandoned following the Gresford Mining Disaster in the area of the explosion and collapse, due in part to the 'pockets of gas' that were being discovered at the time of the explosion.

The council are not inferring that the drilling will extract gas, but as described at the decision meeting the release of pocketed gas associated with the geology of the area. The test bore drilling operation will penetrate the Kinnerton Formation, a major aquifer, with the risk of polluting the groundwater and local water supply. Once the aquifer is breached, pollution could be an on-going problem. This risk is likely to be even greater if geological faults are present, and the applicant's confidence that they are not does not stand up to scrutiny, as a comprehensive examination of the area's geology does not appear to have been undertaken and there are in fact faults in the vicinity.

Point 17 - states

'Upon completion, the borehole will be plugged and abandoned in accordance with the requirements of various regulatory bodies, including DECC and HSE. There is therefore no risk of subsidence or gas release associated with this development. '

How can the appellant make such unsubstantiated claims when it is well documented that eventually all boreholes capped, plugged or otherwise sealed will leak within 50 yrs. Ref - figure 1

In the study carried out on 3,533 wells in pensylvania, from 2008 to 2011, blowouts- 0.9%, cement and casing - 8.7%, site restoration - 35%, minor landspills - 20.6% surface water contamination 30.2%, gas migration - 0.5%

In the UK onshore -143 wells were in use in the uk between 2,000 and 2013. There are 9 reports of failure, that is 11% failure rate.