

Joint Advisory Committee for Strategic Planning

Wednesday, 24th September, 2014 at 10.00 am in Cabinet Room 'D' - The Henry Bolingbroke Room, County Hall, Preston

Agenda

No. Item

1. Appointment of Chair and Vice Chairs

The roles of Chair/Vice Chairs of the Joint Advisory Committee for Strategic Planning rotate between the three authorities on an annual basis. As this is the first meeting of the 2014/15 municipal year, it is necessary to appoint a Chair and Vice Chairs. The Chairs for the previous two municipal years were appointed from Blackburn with Darwen Council and Lancashire County Council respectively, therefore the Chair should be appointed from Blackpool Council on this occasion, with Vice Chairs appointed from Lancashire County Council and Blackburn with Darwen Council for the remainder of the 2014/15 municipal year.

2. Apologies for Absence

3. Disclosure of Pecuniary and Non-Pecuniary Interests

Members are asked to consider any Pecuniary Interests they may have to disclose to the meeting in relation to matters under consideration on the Agenda.

4. Minutes of the Meeting held on 1 May 2014 (Pages 1 - 4)

To be confirmed and signed by the Chair

5. Amendments to Terms of Reference (Pages 5 - 14)

6. Onshore Oil and Gas Supplementary Planning Document - Draft Document for Consultation (Pages 15 - 104)

7. Joint Lancashire Minerals and Waste Development Scheme 2014-2017 (Pages 105 - 118)

8. Joint Lancashire Minerals and Waste Local Plan Review - Scoping Consultation (Pages 119 - 132)

9. Urgent Business

An item of urgent business may only be considered under this heading where, by reason of special circumstances to be recorded in the Minutes, the Chairman of the meeting is of the opinion that the item should be considered at the meeting as a matter of urgency. Wherever possible, the clerk should be given advance warning of any Member's intention to raise a matter under this heading.

10. Date of Next Meeting

To be arranged

I Young
County Secretary and Solicitor

County Hall
Preston

Agenda Item 4

Joint Advisory Committee for Strategic Planning

Minutes of the Meeting held on Thursday, 1st May, 2014 at 2.00 pm in Cabinet Room 'B' - The Diamond Jubilee Room, County Hall, Preston

Present:

Chair

Councillor Maureen Bateson, Blackburn with Darwen Borough Council

Committee Members

County Councillor Janice Hanson
County Councillor Marcus Johnstone
County Councillor Geoff Driver CBE
County Councillor Michael Green
County Councillor David Westley
County Councillor Bill Winlow
Councillor Dave Smith, Blackburn with Darwen Borough Council
Councillor Fred Jackson, Blackpool Council

Officers

Jill Anderson, Lancashire County Council
Marcus Hudson, Lancashire County Council
Louise Nurser, Lancashire County Council
Ms Rea Psillidou, Blackburn with Darwen Borough Council
Ms Jane Saleh, Blackpool Council
Richard Sharples, Lancashire County Council

1. Appointment of Chair and Vice Chairs

The Clerk reported that the roles of Chair and Vice Chair of the Joint Advisory Committee rotated between the three authorities on an annual basis. As this was the first meeting of the 2013/14 municipal year, it was necessary to appoint a Chair and Vice Chairs. The Chairs for the previous two municipal years were appointed from Lancashire County Council and Blackpool Council respectively, therefore the Chair was due to be appointed from Blackburn with Darwen on this occasion, with Vice Chairs appointed from Lancashire County Council and Blackpool Council for the remainder of the 2013/14 municipal year.

Councillor Maureen Bateson, Blackburn with Darwen Council, was proposed as Chair by Councillor Dave Smith, Blackburn with Darwen Council, seconded by County Councillor Marcus Johnstone, Lancashire County Council.

County Councillor Marcus Johnstone, Lancashire County Council, was proposed as Vice Chair by County Councillor Janice Hanson, Lancashire County Council, seconded by County Councillor Bill Winlow, Lancashire County Council.

Councillor Fred Jackson, Blackpool Council, was proposed as Vice Chair by County Councillor Marcus Johnstone, Lancashire County Council, seconded by Councillor Dave Smith, Blackburn with Darwen Council.

Resolved: - That:

- (i) Councillor Maureen Bateson, Blackburn with Darwen Borough Council, be appointed Chair of the Joint Advisory Committee for Strategic Planning for the remainder of the 2013/14 municipal year;
- (ii) County Councillor Marcus Johnstone, Lancashire County Council, and Councillor Fred Jackson, Blackpool Council, be appointed Vice Chairs of the Joint Advisory Committee for Strategic Planning for the remainder of the 2013/14 municipal year.

At this point, Councillor Bateson assumed the Chair.

At the invitation of the Chair, Jill Anderson, Senior Solicitor, Lancashire County Council, outlined the role of the Joint Advisory Committee for Strategic Planning and referred to previous arrangements whereby a Joint Committee, comprising of the relevant Cabinet Members, met immediately following the Joint Advisory Committee to consider the recommendations. Subsequently, due to legal implications, it was now felt lawful for recommendations to be taken back to each of the joint authorities for individual consideration. It remained the case that adoption of the Minerals and Waste Development Framework, was reserved to the Full Council of each of the joint authorities.

2. Apologies for Absence

Apologies for absence were received from Councillor Gillian Campbell, Blackpool Council and County Councillor John Fillis, Lancashire County Council.

3. Disclosure of Pecuniary and Non-Pecuniary Interests

None declared.

4. Minutes of the Meeting held on 4 April 2012

Resolved: - That the minutes of the meeting held on 4 April 2012 be confirmed and signed by the Chair.

5. Joint Lancashire Minerals and Waste Development Framework: Supplementary Planning Document on Onshore Oil and Gas Exploration, Production and Distribution

Richard Sharples, Planning Officer, Lancashire County Council, attended and presented a report setting out proposals for a Supplementary Planning Document (SPD) to assist developers and the public in interpreting existing planning policy contained in the Joint Lancashire Minerals and Waste Local Plan, as it would apply to onshore oil and gas developments, including those using hydraulic fracturing (fracking).

It was proposed that a targeted consultation with key stakeholders on the proposed scope of the SPD would take place in June 2014. Further consultation with statutory consultees

might be necessary after which a report to the Joint Advisory Committee and the authorities would recommend approval of a draft SPD for consultation. It was envisaged that a six week public consultation would take place during September and October 2014 with a report to the Joint Advisory Committee anticipated in January 2015 recommending, subject to approval by the joint authorities, adoption of the SPD.

In response to queries raised by Councillors, it was clarified that applications submitted prior to approval of the SPD, would be subject to the existing guidance and, even after the adoption of the SPD, any applications would have to be considered with regard to the existing policy. The SPD, therefore, helped to clarify the existing policy. It was emphasised that, only through a revision to the policies of the Minerals and Waste Local Plan which will be undertaken as part of the proposed review, that it will be possible to amend any policy. Reference was made to the need for rigorous inspection processes and it was confirmed that these would be included in the SPD. It was felt that, for the second period of consultation scheduled to take place during September and October 2014, an eight week consultation period would be beneficial rather than the six week period outlined in the report.

Reference was made to two applications for fracking which had been made and that the County Council's Cabinet would be asked, at its meeting on 8 May 2014, to approve proposals for Health Impact Assessments to be undertaken. Cuadrilla would also be undertaking Environmental Impact Assessments. It was suggested that the Health and Safety Executive be included as a consultee during the scoping stage, together with public health bodies.

It was noted that, as far as officers were aware, no other local authorities had proposed the adoption of a SPD.

Resolved: - That the Joint Advisory Committee for Strategic Planning recommends to the joint authorities that officers commence the preparation of an Onshore Oil and Gas Supplementary Planning Document and that it be recommended that the public consultation period on the draft SPD be extended from six weeks to eight weeks.

6. Joint Lancashire Minerals and Waste Local Plan - Local Plan Review

Louise Nurser, Planning and Development Manager, Lancashire County Council, attended and presented a report setting out proposals for a review of the Minerals and Waste Core Strategy and Site Allocations and Development Managements Policies Local Plan.

It was reported that both the Core Strategy and the Local Plan ran until 2021 but that the Inspector of the Local Plan, which had only been adopted in September 2013, suggested that an update should occur as soon as possible to ensure the most up to date policies were in place.

The minerals and waste industries made a significant local and national contribution to the economy but also generated significant public concern and it was therefore important to have rigorous and up to date policies in place. The Local Plan allowed local aspects and considerations to be taken into account when determining applications, rather than relying solely on national policies and guidance. The local plan was subject to statutory procedures requiring consultation with the public, industry and regulators.

It was proposed that the life of the plan runs until 2031 with adoption proposed for late 2016.

Resolved: - That the Joint Advisory Committee for Strategic Planning recommends to the joint authorities that approval be given to review the Minerals and Waste Core Strategy and Local Plan.

7. Urgent Business

There was no urgent business to be considered.

8. Date of Next Meeting

It was noted that the next meeting of the Joint Advisory Committee would be held on a date to be arranged.

Ian Fisher
County Secretary and Solicitor

County Hall
Preston

Joint Advisory Committee on Strategic Planning

Meeting to be held on 24 September 2014

Electoral Division affected: None

Amendments to Terms of Reference

(Appendix 'A' refers)

Contact for further information:

Dave Gorman, (01772) 534261, Office of the Chief Executive,

dave.gorman@lancashire.gov.uk

Executive Summary

The Terms of Reference of the Joint Advisory Committee have been updated to ensure that references to legislation, policies and documents are current.

Recommendation

The Joint Advisory Committee on Strategic Planning is recommended to note the amendments to the Terms of Reference as set out in the report and at Appendix 'A'.

Background and Advice

Since the Terms of Reference of the Joint Advisory Committee on Strategic Planning were originally drafted, there have been a number of changes to the legislation, policies and documents referred to. In order to ensure that the Terms of Reference accurately reflect current requirements, they have been updated. The updates, which relate only to changes in the relevant legislation, include adding reference to the Minerals and Waste Local Development Documents and the Minerals and Waste Local Plan, and adding reference to the Planning and Compulsory Purchase Act 2004 and the Town and County Planning (Local Planning) Regulations 2012, in place of previous legislative references.

As the amendments are intended to 'tidy up' references and are not substantial changes, it is not considered necessary, at this time, to refer the updated Terms of Reference to the three authorities for formal approval.

Consultations

N/A

Implications:

This item has the following implications, as indicated:

Risk management

There are no significant risks associated with the proposals set out in this report.

List of Background Papers

Paper	Date	Contact/Directorate/Tel
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N/A

Reason for inclusion in Part II, if appropriate

N/A

Appendix 'A'

Joint Working Arrangements Minerals and Waste Local Plan

THIS AGREEMENT is made the Xst day of 2014 BETWEEN Lancashire County Council (“The County Council”) of County Hall Preston and Blackpool Borough Council (“Blackpool”) of Town Hall Blackpool and Blackburn with Darwen Borough Council (“Blackburn”) of Town Hall Blackburn (hereinafter collectively referred to as “The Constituent Authorities”)

WHEREAS

- (1) Under the terms of Section 28 Local Government Act 1972 and Statutory Instrument 1966 No. 1868 Lancashire (Boroughs of Blackburn and Blackpool) (Structural Change Order 1996 the Secretary of State has determined that Strategic Planning shall be carried out over a wider area than that of individual authorities AND
- (2) The Constituent Authorities may put in place arrangements for joint working on their Local Plan
- (3) The Constituent Authorities have agreed that the Minerals and Waste Local Plan covering the years 2016 – 2031 (hereinafter referred to as “the Plan Period”) and any monitoring of current plan or work on its replacement and alterations or any subsequent Minerals and Waste Local Plan shall be carried out within the provisions of the following joint working arrangements.

Appendix 'A'

IT IS HEREBY AGREED AS FOLLOWS:

PART 1

JOINT ADVISORY COMMITTEE

- 1.1 A Joint Advisory Committee (“J.A.C.”) shall be established with powers to make recommendations to the Constituent Authorities regarding matters concerning the Minerals and Waste Local Plan.
- 1.2 (i) No other powers shall be delegated to the J.A.C. or any of its members.
- 1.3 The J.A.C. shall consist of 8 elected members of the County Council and two elected members of Blackpool and Blackburn Councils respectively.
- 1.4 (a) The J.A.C. shall appoint a Chairman and Vice Chairman or Chairmen at its first meeting.

(b) The role of the Chairman and Vice Chairman or Chairmen shall be rotated on an annual basis between members of the Constituent Authorities.

(c) The Chairman and Vice Chairman or Chairmen shall be drawn from different Constituent Authorities.

(d) In the absence of the Chairman a Vice Chairman shall preside.
- 1.5 Business shall not be transacted by the J.A.C. unless at least 5 members are present and at least one member from each Constituent Authority is present.
- 1.6 (a) Except where otherwise provided the mode of voting at each meeting shall be by show of hands.

Appendix 'A'

(b) Motions shall be carried upon a majority vote in favour.

1.7 (a) The J.A.C. shall sit in public although nothing contained in this provision shall prevent a working group of J.A.C. Members meeting in private

(b) The J.A.C. may exclude members of the press and public from meetings wherever it is likely that exempt information is defined by section 100 Local Government Act 1972 would otherwise be disclosed.

1.8 In the event that a member from a Constituent Authority is unable to attend a committee meeting a substitute member appointed by the same Constituent Authority may attend in his place.

PART 2

STEERING GROUP OF OFFICERS

2.1 A Steering Group of Officers ("S.G.O.") shall be established and shall consist of the Chief Planning Officers or the Assistant Chief Planning Officer or the equivalent Officer from each Constituent Authority.

2.2 The S.G.O. shall ensure that the Joint Technical Team ("J.T.T.") referred to in part 3 herein carry out the functions outlined in Part 3 of this Agreement and shall ensure that all work is properly coordinated.

2.3 The S.G.O. shall regularly set out a programme of the work for the J.T.T. and shall thereafter review progress on a regular basis.

2.4 The S.G.O. shall advise the J.A.C. on all matters relating to the monitoring, review and/or adoption of the Minerals and Waste Local Plan

Appendix 'A'

PART 3

JOINT TECHNICAL TEAM

- 3.1 A joint Technical Team (J.T.T.) shall be established and shall carry out the following activities:
- (a) Take the necessary steps to ensure that the Constituent Authorities are able to comply with all obligations in relation to minerals and waste local development documents under the Planning and Compulsory Purchase Act 2004 and the Town and County Planning (Local Planning) Regulations 2012 or any future statutory provisions or regulations which may be enacted or come into force;
 - (b) Ensure that all necessary and appropriate steps are taken to carry out the review of the Minerals and Waste Local Plan and take all steps to secure its adoption;
 - (c) Maintain information systems and collect and analyse data for the purpose of minerals and waste local development document preparation, monitoring and review;
 - (d) Ensure that all members of the J.T.T. obtain necessary training in professional and technical areas related to minerals and waste planning issues;
 - (e) Carry out such other tasks as the S.G.O. may from time to time consider necessary in relation to the Minerals and Waste Local Plan.
- 3.2 (a) The County council shall provide a Lead Officer (“The Lead Officer”) who shall have responsibility for managing the work of the J.T.T.
- (b) The Lead Officer shall report to and be directed by the S.G.O.
- 3.3 Blackburn and Blackpool shall each appoint a Contact Officer

Appendix 'A'

- 3.4 The Lead Officer shall under instruction from and in consultation with the S.G.O. determine a work programme throughout the plan period including identifying all steps necessary to monitor and review the plan through to the adoption stage.
- 3.5 The Lead Officer shall report to the S.G.O. at meetings to be held at least twice per annum or on such other occasions as the S.G.O. may from time to time determine.
- 3.6 Technical services may be purchased or provided in addition to those provided by the J.T.T. however such services may only be purchased if the Lead Officer and the S.G.O. agree that they are necessary.

PART 4

FINANCES

- 4.1 Each party's contribution to the J.T.T. shall be on the basis of a split of 80 (The County Council): 10 (Blackpool): 10 (Blackburn).
- 4.2 The costs of the J.T.T. will consist of the following elements:
 - (a) Core technical staff costs (including overheads and time spent at meetings pursuant to this Agreement).
 - (b) External technical costs for services not available within the J.T.T.
 - (c) Other costs – technical documents, statutory notices, printing and stationery, etc.
- 4.3 An estimate of the total annual costs of the J.T.T will be prepared in November/December preceding the financial year by the County Council,

Appendix 'A'

this will include an indicative split for the forthcoming financial year of each party's contribution based on the 80:10:10 share.

- 4.4 Each Constituent Authority shall ensure that all time spent by officers of the J.T.T in the performance of this Agreement shall be recorded in such a way that all time spent is readily identifiable.
- 4.5 Costs incurred and time spent in the performance of the J.T.T shall be monitored on a six monthly basis by the S.G.O.
- 4.6 At the end of each financial year, the County Council shall prepare a statement summarising total costs for the year and the time spent by each Constituent Authority. Relevant officers of the Constituent Authorities must be consulted during preparation. If, as a result of this adjustment is necessary based on an apportionment of total costs and contributions on an 80:10:10 basis, an invoice shall be submitted to the Constituent Authority in whose favour the adjustment is to be made to either one or both of the other Constituent Authorities as appropriate. Save as may be provided for in 4(iii) below no invoices shall be submitted in respect of any adjustments for officer time.
- 4.7 The costs shall be shared on the following basis:
 - (a) Salary and associated costs of the J.T.T. on a notional 80:10:10 ratio; where possible each Constituent Authorities share shall approximate to the above. In any financial year where the proportion of expenses does not mach these proportions a cash adjustment shall occur between the respective parties in accordance with 3.3 above;
 - (b) In the case of all other costs each Constituent Authority's share shall be on the basis outlined above with the adjustments to reflect this;
 - (c) If time recorded figures show that one party is consistently under performing in terms of officer hours spent in the performance of the

Appendix 'A'

J.T.T and the deficiency is detrimentally affecting the work programme agreed the other two parties may take whatever steps they feel are necessary to ensure that the work programme is completed within the time agreed between the parties and may recover the costs of any such action taken from the defaulting party.

- (d) A 35% discount will be applied to the costs charged by LCC to Blackpool and Blackburn to offset costs derived from minerals.

Agenda Item 6

Joint Advisory Committee for Strategic Planning

Meeting to be held on 24 September 2014

Electoral Division affected: All

Onshore Oil and Gas Supplementary Planning Document – Draft Document for Consultation

(Appendices 'A' and 'B' refer)

Contact for further information:

Richard Sharples, 01772 534294, Environment Directorate

Richard.sharples@lancashire.gov.uk

Executive Summary

The report sets out the progress made in the preparation of the supplementary planning document on onshore oil and gas. It describes the completion of the first stage in production, the scoping consultation and drafting of a draft supplementary planning document, and sets out the next stage in production, the consultation on a draft supplementary planning document (Appendix 'A' refers).

Recommendation

That the Joint Advisory Committee for Strategic Planning recommends to the Executive Members of each of the three authorities to approve the draft Supplementary Planning Document set out at Appendix 'A' for consultation purposes.

Background and Advice

Purpose

To report progress on the preparation of the supplementary planning document on onshore oil and gas, and to seek approval to consult on the draft supplementary planning document set out at Appendix 'A'.

Background

The Joint Advisory Committee for Strategic Planning met on 1 May 2014 to discuss the preparation of planning guidance on onshore oil and gas developments. The Executive Members subsequently agreed to progress the development of the onshore oil and gas supplementary planning document. The first step in its production was the scoping consultation, which took place between 25 June and 27 July 2014.

The scoping consultation was targeted at key stakeholders, with notification emails or letters sent out to the Environment Agency, the Health and Safety Executive, English Nature, Council for the Protection of Rural England (CPRE), onshore oil and gas operators, local action groups, Friends of the Earth, Greenpeace, and Parish, District and Unitary/County Councils within and adjacent to Lancashire. The consultation was also publicised on the Joint Authorities web pages to ensure that other interested parties could make representations. The methods undertaken in this consultation, and the representations received, are presented in the Consultation Statement at Appendix 'B'.

Rationale

Supplementary planning documents add further detail to the policies in the development plan. They can be used to provide guidance for development on specific sites or on particular issues. Supplementary planning documents are capable of being a material consideration in planning decisions but are not part of the development plan. A supplementary planning document cannot provide development management or site allocation policies and so cannot state whether developments are acceptable or not, and the National Planning Policy Framework states that it should not be used to add unnecessarily to the financial burdens on development.

Supplementary planning documents are subject to statutory preparation procedures under Part 5 of the Town and Country Planning (Local Planning) (England) Regulations 2012. In accordance with section 12 of these regulations, before adopting a supplementary planning document the three authorities must undertake a consultation on the supplementary planning document.

Key Issues

Scoping consultation outcomes

A scoping consultation was carried out between 25 June and 27 July 2014, targeted at key stakeholders on the scope and level of detail that should be included in the Supplementary Planning Document. The purpose of the scoping consultation was to advise stakeholders of the issues that the Joint Authorities consider should be addressed by the Supplementary Planning Document. This provides the opportunity for key stakeholders to comment and to contribute any further issues and information that may be relevant for inclusion. Twenty two representations were received. These are presented in the Consultation Statement (Appendix 'B' refers). The issues raised include:

- Supporting the proposed contents of the SPD
- Include reference to cross boundary impacts
- Include reference to the economic benefits, and include reference to local economic strategies
- Must cover every aspect of the subject in great detail
- Clearly explain the relevant policies, how they will be applied, and the range of planning controls that can be used
- Specify minimum allowable separation distances between well pads
- Biodiversity should be extended to incorporate measures to avoid harm to international, national and locally designated sites of importance

- The policy should be extended and refer to the importance of avoiding harm to the character of protected landscapes
- The assessment of potential sites should be informed by the landscape approach
- Reference documents and further guidance must be in plain English, and the links must be up to date
- The principal issues the SPD should address include (this is not an exhaustive list): water use; waste; groundwater contamination; surface water contamination; soil; emissions; air quality; flood risk; traffic; noise; landscape; visual; heritage; nature conservation designations; ecology; infrastructure; site aftercare and restoration; land stability and physical integrity of buildings; community infrastructure within 5km; adverse socio economic impacts
- It is unclear whether it will contain reference to coal related unconventional gas.
- Must make clear that it is to provide guidance on existing policy, and cannot introduce new policy or conflict with approved policy or guidance.
- The SPD should not consider the principle of oil and gas
- An additional objective should be added – provide an overview of government policy and objectives to bring forward new sources of supply for onshore oil and gas
- The SPD should describe the variety of consents and permits that will be required in addition to obtaining planning permissions.
- The SPD needs to clearly and accurately reflect the Environment Agency's role in onshore oil and gas proposals
- The SPD should make clear why it is appropriate for these forms of development to be an exception to policies restricting development in the open countryside etc.
- The document should contain prominent sections on safety implications and environmental aspects
- Temporary needs to be defined
- Should include the NPPF's definition of sustainable development
- Recommendations on documents to reference.

In response to these the supplementary planning document (Appendix 'A' refers) has been drafted to include reference to, amongst other things:

- Cross boundary impacts
- Economic benefits
- Agricultural impacts
- Describing the development plan
- Describing the planning application process
- Describing the division of responsibilities between the regulators
- The principal environmental issues referred to
- The Coal Authority's involvement

Further information is available in the Consultation Statement (Appendix 'B' refers), which contains a summary of the comments received, how these comments have been taken into account in drafting the document, together with a list of consultees and the method of consultation.

Supplementary Planning Document Content

The supplementary planning document at Appendix 'A' is being prepared to provide guidance on the interpretation and application of the policies in the adopted Joint Lancashire Minerals and Waste Core Strategy and Site Allocation and Development Management Local Plan, describing how these policies can be applied to developments for onshore oil and gas exploration, production and distribution.

In order to best provide this guidance it contains the following sections:

- Introduction
 - Useful documents
 - Planning application process
 - Monitoring
 - Phases of development
- Phases of Development – Pre application
- Phases of Development – Exploration
- Phases of Development – Appraisal
- Phases of Development – Production and Distribution
- Principal Issues for the Industry in Lancashire
 - High operating standards
 - Landscape and visual impacts
 - Traffic and transport
 - Site restoration and aftercare
 - Flood risk
 - Heritage assets
 - Nature conservation
 - Seismic movement prediction and mitigation and geological assessment
 - Soil resources and agriculture
- Appendix 1: Licenced Exploration areas in 2013, 13th Licencing Round
- Appendix 2: Regulatory Bodies
 - Mineral Planning Authority
 - Department of Energy and Climate Change
 - Health and Safety Executive
- Appendix 3: Development Plan
- Appendix 4: Unconventional Reservoirs
- Appendix 5: Contact Details

Recommended consultation for next stage

Consultation will be undertaken, in accordance with the three authorities adopted Statements of Community Involvement, for a period of 8 weeks as recommended by the Joint Advisory Committee for Strategic Planning at its previous meeting on 1 May 2014 (the statutory minimum period for consultation is 4 weeks). The following approaches are suggested:

- Advanced notification to councillors by email and on the CFirst webpage
- Issue press release

- Send letters/emails to stakeholders¹ (members of the consultation database, operators, and statutory consultees) informing them of the consultation
- Advertised on the three authorities websites, with online consultation at the Lancashire County Council 'Have your say' consultation portal, and the Joint Lancashire Minerals and Waste Objective Online consultation portal
- Place hard copies for inspection at deposit points (libraries, county hall, district town halls, county information centres)
- Electronic versions of documents available to view on the Joint Lancashire Minerals and Waste homepage, and the consultation portals
- Make hard copies available to the public on request

Once the responses to the consultation described above have been received and assessed an adoption version of the supplementary planning document will be prepared and brought to the Joint Advisory Committee for Strategic Planning for scrutiny, with a view to recommending adoption to the Executive Members of the three authorities.

Policy Implications

None, the supplementary planning document is subordinate to the policy in the Development Plan. It will not change the adopted policies contained in the Joint Lancashire Minerals and Waste Core Strategy, and Site Allocation and Development Management Policies Local Plan.

Recommendation

That the Joint Advisory Committee for Strategic Planning recommends to the Executive Members of each of the three authorities to approve the draft supplementary planning document (Appendix 'A' refers) for consultation purposes.

Consultations

A scoping consultation was carried out between 25 June and 27 July 2014. Further information is available in the Consultation Statement (Appendix 'B' refers), which contains a summary of the comments received, how these comments have been taken into account in drafting the document, together with a list of consultees and the method of consultation.

Implications:

This item has the following implications, as indicated:

¹ It is recommended that all statutory consultees are notified of the consultation; these include parish and town councils, district councils, neighbouring councils, Natural England, and the Environment Agency. In addition all individuals and groups held on the consultation database will be notified (which includes all those contacted during the scoping consultation). Individuals or organisations submitting representations to the scoping consultation have been added to the consultation database.

Financial Implications

The small financial cost of undertaking the consultation will be contained within existing revenue budgets.

Risk management

This item has the potential to cause controversy.

Supplementary planning documents are subject to statutory preparation procedures under Part 5 of the Town and Country Planning (Local Planning) (England) Regulations 2012. Failure to consult on the supplementary planning document prior to adoption, or an inadequate consultation, could result in the adoption being subject to judicial review, and an inability to attach any weight to the supplementary planning document in planning decisions. In carrying out the consultation regard must be had to regulation 12(b) of the Town and Country Planning (Local Planning) (England) Regulations 2012, section 35 of the Planning and Compulsory Act 2004, and the three authorities adopted Statements of Community Involvement.

The Planning and Compulsory Purchase Act 2004 does not require the production of a sustainability appraisal to accompany the production of a supplementary planning document. However, in some exceptional cases a strategic environmental assessment may be required under the Environmental Assessment of Plans and Programmes Regulations 2004.

Section 5 of the Environmental Assessment of Plans and Programmes Regulations 2004 requires an environmental assessment to be carried out on "*a plan or programme which is prepared for...town and country planning or land use...and sets the framework for future development consents of projects listed in Annex 1 or 2 to Council Directive 85/337/EEC (as amended)*".

Onshore oil and gas developments that may be covered by the Supplementary Planning Document have the potential to fall within either Annex 1 (gas extraction of over 50,000m³ per day) or Annex 2 (deep drilling).

However, as the Supplementary Planning Document presents guidance and information to the public and applicants on adopted policies, and it does not introduce new policies, or place requirements on developers that are not covered by adopted policies, it is not felt that the Supplementary Planning Document "*sets a framework for future development consent*".

Given this it is recommended that the requirements of the Environmental Assessment of Plans and Programmes Regulations 2004 do not apply to the production of the SPD.

Finance

The costs of the production of the supplementary planning document can be contained within the agreed existing budgetary provisions, following the decision to begin production.

List of Background Papers

Paper	Date	Contact/Directorate/Tel
Joint Lancashire Minerals and Waste Development Framework: Supplementary Planning Document on Onshore Oil and Gas Exploration, Production and Distribution	1 May 2014	Richard Sharples, Environment Directorate, (01772) 534294

Reason for inclusion in Part II, if appropriate

N/A



GUIDANCE ON OIL AND GAS EXPLORATION, PRODUCTION AND DISTRIBUTION

**DRAFT FOR CONSULTATION
September 2014**

DRAFT

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1. Introduction

This is a supplementary planning document (SPD) on onshore oil and gas exploration, production and distribution.

It is to assist in interpreting the policy requirements of the development plan within the context of onshore oil and gas exploration, production and distribution. It should be read in conjunction with the Minerals and Waste Local Plan (particularly policy DM2), the district Local Plan, the National Planning Policy Framework and the National Planning Practice Guidance.

It is prepared jointly by the minerals planning authorities of Lancashire County Council, Blackpool Council and Blackburn with Darwen Borough Council. As minerals and waste planning authorities they are responsible for controlling, protecting and regulating the use of land for minerals and waste developments to ensure that development in Lancashire occurs in a sustainable manner and in a way that promotes its economic, social and environmental well-being.

1.1 Useful documents

- Joint Lancashire Minerals and Waste Core Strategy¹
- Joint Lancashire Minerals and Waste Site Allocation and Development Management Policies Local Plan²
- Statement of Community Involvement^{3 4 5}
- Planning Application validation checklist⁶
- National Planning Policy Framework⁷
- National Planning Practice Guidance⁸
- About Shale Gas and Hydraulic Fracturing⁹
- Oil and Gas: Onshore Exploration and Production¹⁰

1.2 Planning Application Process

The minerals planning authority is required to determine applications of this nature within the statutory timescales (from validation to committee decision - 8 week for

¹ <http://www.lancashire.gov.uk/corporate/web/?siteid=6106&pageid=35242&e=e>

² <http://www.lancashire.gov.uk/corporate/web/?siteid=6106&pageid=35243&e=e>

³ <http://www.lancashire.gov.uk/corporate/web/viewdoc.asp?id=68594>

⁴ <http://blackpool.gov.uk/NR/rdonlyres/FBEF8409-8E44-4DC2-8FBA-3E4862EFD2A0/0/FinalAdoptedSCI.pdf>

⁵ <http://www.blackburn.gov.uk/Lists/DownloadableDocuments/2015-DL-statement-of-community-involvement.pdf>

⁶ <http://www.lancashire.gov.uk/corporate/web/?siteid=3063&pageid=7098&e=e>

⁷ <https://www.gov.uk/government/publications/national-planning-policy-framework--2>

⁸ <http://planningguidance.planningportal.gov.uk/blog/guidance/minerals/planning-for-hydrocarbon-extraction/>

⁹ <https://www.gov.uk/government/publications/about-shale-gas-and-hydraulic-fracturing-fracking>

¹⁰ <https://www.gov.uk/oil-and-gas-onshore-exploration-and-production>

planning applications, 13 weeks for major applications and 16 weeks for applications accompanied by an environmental statement), or such period as may be agreed with the applicant, or in accordance with a planning performance agreement.

In order to ensure the minerals planning authority can keep to these timescales it is important that applications, when submitted, are accompanied by sufficient information to allow full consideration of any environmental impacts and proposed mitigation measures. The validation checklist is produced to ensure applicants are aware of the necessary information that should accompany a planning application.

Pre-application discussions can assist in ensuring the efficient operation of the planning application process.

Some planning applications will also be accompanied by an environmental statement; the criteria for determining whether an environmental statement is required are contained within the Town and Country Planning (Environmental Impact Assessment) Regulations 1999. If these criteria are not clear the applicant may apply to the Council for a screening opinion to determine whether it is necessary to carry out an environmental impact assessment. An applicant may also apply for a scoping opinion, to determine the information to be provided in the environmental assessment.

Applications that are received and validated will be entered on the planning register¹¹.

The planning application will be advertised in the press and by notice on the application site. The Parish Council and District Council will be consulted, together with other statutory consultees including the Environment Agency and Natural England. The County Councillor, and nearby residents¹² will also be notified.

Following this there is a statutory 21 day period¹³ for consultation responses within which representations should be sent, either online or using the contact details in Appendix 5. If representations are received outside of this period they will still be taken into account up to the time the decision on the planning application is taken. Members of the public may inspect copies of the application, plans and any other documents submitted with it at the County Council or appropriate District Council office.

A report describing the planning application, its context and impacts, responses to the consultation, and officer recommendations is prepared by officers of the Council, and presented to the Council's Development Control Committee¹⁴.

¹¹ Details of which are available in appendix 5

¹² Owners and occupiers that are adjacent to or considered to be materially affected by the development

¹³ This may be extended at the discretion of the minerals planning authority, depending on the nature and complexity of the proposal

¹⁴ Alternatively, under certain circumstances, a decision may be made under the mineral planning authority's scheme of delegation by the head of planning. Further information is available on the Council's website

The agenda and items are published on the Council's website at least 5 working days before the committee meeting. There is the opportunity to speak at the planning committee (further details can be found on the Council's website¹⁵).

The members of the Development Control Committee consider the officers report, hear any third party representations, discuss the application, and vote on whether to grant or refuse planning permission. Each application must be considered on its own merits, in accordance with the development plan and considering present guidance, national policy and other material considerations¹⁶.

If the decision is refused the applicant can appeal to the Secretary of State. Any such appeal is considered by an independent inspector of the Planning Inspectorate, who will report their findings to the Secretary of State. The appeal process can be either by written representations, an informal hearing or by full public inquiry. The decision of the Secretary of State is final, subject to a 'statutory appeal' which can consider the lawfulness of the decision that was taken.

Alternatively the lawfulness of the decision can be challenged (a judicial review), if the applicant or a third party feel that the minerals planning authority acted unlawfully. This requires the permission of the courts; there are strict time limits for applying to the courts for a judicial review.

1.3 Monitoring

Once planning permission is granted the developer is required to operate within the conditions imposed on the planning permission. Monitoring and inspection visits will form a key part of the successful implementation of any planning permission, to ensure the operator complies with any conditions imposed on the planning permission. The frequency with which sites are visited will depend on the nature and scale of the development. Sites where breaches of planning control have been identified will be visited more regularly.

Where a breach of planning control is identified the Council will take appropriate and proportionate action to remedy the breach using the powers at its disposal, in accordance with the Development Control Enforcement Policy¹⁷.

Monitoring will also be carried out through the other regulatory regimes, by the Environment Agency and the Health and Safety Executive, and by an independent body on behalf of the operator which reports to the Health and Safety Executive and DECC.

¹⁵ Details of which are available in appendix 5

¹⁶ A material consideration is a factor to be taken into account when a decision on a planning application is reached. Ultimately what is or is not a material consideration is determined by the courts. Any consideration that relates to the development or use of land is capable of being a material consideration: material considerations include for example the impacts associated with noise and dust, but do not include loss of a personal view or loss of property value. The weight to be given to a material consideration is a question of planning judgement for the planning authority.

¹⁷ <http://www.lancashire.gov.uk/corporate/web/viewdoc.asp?id=47630>

1.4 Phases of Development

The areas currently licensed for oil and gas exploration are described in Appendix 1.

The main activities in onshore oil and gas development are exploration, appraisal, and production. Developments targeting unconventional oil and gas reservoirs will likely include a need to stimulate the flow of hydrocarbons at each of these phases, through for example hydraulic fracturing and dewatering. As a result some of these developments may not have the same discrete phases; exploration and appraisal may take place as a single process using the same wells. Information on the phases of development is presented below. Individual applications will be considered on their own merits and will not take account of future hypothetical activities for which permission has not yet been sought. Planning permission for exploration and appraisal does not carry with it any presumption that long-term production from those wells, or that the development of further wells, will be permitted.

Each phase is likely to include several distinct stages, with associated increases in activity and vehicle movements, including site establishment, delivery and removal of plant and equipment specific to that stage, drilling, and site disestablishment and restoration.

Not all exploration will lead to appraisal, and not all appraisal will lead to production.

2. Pre-application

Pre application discussions are a valuable part of the planning application process when a developer can obtain an understanding of the policy position regarding the proposals, and the supporting information that may be required when submitting their application. They can lead to the submission of better quality applications which avoids wasting time, money and confusion. Applicants are also directed to the validation checklist, particularly the local information requirements specific to onshore oil and gas.

Impacts should wherever possible be designed out of the scheme early in the appraisal process; mitigation should be a last resort.

The industry is encouraged to discuss its proposals fully with the minerals planning authority before a planning application is made so that all the options and longer term issues can be properly considered. Pre-application advice will be provided in accordance with the minerals planning authority's pre-application advice procedure if requested.

Consultations with communities local to the proposed development are also beneficial and are encouraged during the design phase. Community engagement is encouraged throughout the application and development process. Further information can be found in the mineral planning authority's Statement of Community Involvement^{18 19 20}.

The Localism Act 2011 provides for the opportunity to enter into a Planning Performance Agreement in appropriate circumstances. Planning performance agreements are essentially a project management process and tool to improve the quality of major planning applications and to provide greater certainty and transparency in the development of major schemes, in the assessment of the planning applications and in the decision making process. They include requirements and timescales for consideration and determination of planning applications, and establish regular review mechanisms.

They may be particularly relevant where:

- proposals include a complex Environmental Impact Assessment - when the minerals planning authority need to commit significant officer time.
- proposals require external expertise (consultants) that the minerals planning authority do not possess and will need to commission.

¹⁸ <http://www.lancashire.gov.uk/corporate/web/viewdoc.asp?id=68594>

¹⁹ <http://blackpool.gov.uk/NR/rdonlyres/FBEF8409-8E44-4DC2-8FBA-3E4862EFD2A0/0/FinalAdoptedSCI.pdf>

²⁰ <http://www.blackburn.gov.uk/Lists/DownloadableDocuments/2015-DL-statement-of-community-involvement.pdf>

Applicants should contact the mineral planning authority's development management group, using the information in Appendix 5 for further information on pre-application discussions or consultation.

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3. Phases of Development - Exploration

Mineral exploration is the process of ascertaining the presence, extent or quality of a mineral deposit with a view to commercial exploitation of that mineral. It encompasses a range of activities, including geological mapping, geophysical (seismic) investigations through shot holes or vibration platforms, and the drilling and investigation of wells and boreholes to assess prospects in more detail (in some instances including lateral drilling).

Many proposals for mineral exploration are small scale, have limited environmental impacts and are permitted under the Town and Country Planning (General Permitted Development) Order 1995. Exploration not permitted by the general permitted development order requires a specific planning permission from the minerals planning authority, or are subject to prior notification procedures. Drilling of wells for oil and gas exploration is not permitted development and a planning application must be made.

If the resource is 'unconventional' (shale gas or coal bed methane for example) this may include stimulating the gas flow through hydraulic fracturing or dewatering. Consequently the exploration phase may include some hydraulic fracturing and dewatering.

Applications for planning permission will be assessed against the effects of the exploration activity rather than on the merits of any possible future proposals for commercial exploitation. Consideration will not include any hypothetical future proposal for development of the oil or gas resource. Applicants should indicate what knowledge has been gained from seismic investigations in selecting the well site.

The NPPG states that "*there is a pressing need to establish – through exploratory drilling – whether or not there are sufficient recoverable quantities of unconventional hydrocarbons such as shale gas and coalbed methane present to facilitate economically viable full scale production*". Subject to the effects on the environment being appropriately addressed and mitigated, and a satisfactory restoration and aftercare plan prepared, applications for exploration may be favourably considered.

In most cases it will be appropriate to impose conditions to a planning permission to ensure any adverse impact of the operation on the environment and local residents is kept to a minimum. Any permission may also be subject to unilateral agreements for off-site mitigation and legal agreements controlling off-site activities such as vehicle routing.

4. Phases of Development - Appraisal

Should hydrocarbons be found as a result of the exploration phase the deposit will need to be defined through further testing and appraisal. Before the appraisal information is available it is difficult to evaluate the various options available or to assess the viability and potential environmental effects of commercial exploitation.

The appraisal phase may involve the carrying out of further exploratory work around an existing exploratory well (including additional drilling, in some instances including lateral drilling) to further define the deposit, and will also involve flow testing, sometimes over a period of 2 years or longer. If the resource is 'unconventional' (shale gas or coal bed methane for example) the gas flow will need to be stimulated through hydraulic fracturing or dewatering.

At this stage sufficient volumes of gas may be captured to enable on site generation to take place, rather than flaring.

As with all other forms of development an application for appraisal must be considered on its merits. However, at the appraisal stage this should take into account the long term suitability of the site since such wells may subsequently be used for production purposes. This will help to ensure that the immediate and potential longer term environmental impacts are understood, and is particularly important on sites where there are likely to be higher impacts at later stages (such as areas with biodiversity or landscape designations).

At this stage the cumulative visual effect of an increased number of wells or an intensification of development in the local area will be a key consideration. As will the concentration of vehicle movements.

In most cases it will be appropriate to impose conditions to a planning permission to ensure any adverse impact of the operation on the environment and local residents is kept to a minimum. Any permission may also be subject to unilateral agreements for off-site mitigation and legal agreements controlling off-site activities such as vehicle routing.

5. Phases of Development - Production and Distribution

Proposals for the commercial development of a deposit should be presented to the mineral planning authority in an overall scheme providing for the comprehensive development of the deposit, to ensure it is exploited efficiently and in an environmentally satisfactory way. This comprehensive scheme will have to demonstrate that extraction, transportation and reclamation can be undertaken in a satisfactory way and that the potential risk from hazards can be kept to acceptable levels.

In submitting an application for the drilling of production wells the developer should justify the number of wells proposed using the knowledge gained from the exploration and appraisal stages, and demonstrate that the site(s) proposed are the most suitable given the above and below ground constraints, and that the number proposed is optimal – to minimise the cumulative visual impact the number of wellheads should be kept to a minimum.

Issues to be considered at this stage will include the need for gathering stations, compressors and scrubbers or the need for onsite generators, and the distribution infrastructure associated with either of these (gas pipelines or electricity cables). Landscape and visual impacts are likely to be significant considerations given that, whilst temporary in planning terms, the structures and land uses associated with the production and distribution phase are likely to be in place for 10-20 years. However, there will be a degree of flexibility in locating the distribution infrastructure which should be utilised to reduce the visual impact; given this flexibility gathering stations should be located where they would not have unacceptable environmental impacts. Screening, landscaping and design, and sinking facilities below ground level should be utilised where necessary. Where possible they should be located where they can feed into a long distance pipeline in preference to relying on road transport.

Proposals for distribution should also address the possible implications on the movement of animals, and agricultural activities, from the distribution network.

If the resource is 'unconventional' (shale gas or coal bed methane for example) the gas flow may need to be stimulated through hydraulic fracturing or dewatering throughout the productive life of the well. This will result in periods of increased levels of activity and infrastructure throughout the production phase.

In most cases it will be appropriate to impose conditions to a planning permission to ensure any adverse impact of the operation on the environment and local residents is kept to a minimum. Any permission may also be subject to unilateral agreements for off-site mitigation and legal agreements controlling off-site activities such as vehicle routing.

6. Principal Issues for the Industry in Lancashire

Policy DM2 states that developments "*will be supported where it can be demonstrated to the satisfaction of the minerals and waste planning authority, by the provision of appropriate information, that all material social, economic or environmental impacts that would cause demonstrable harm can be eliminated or reduced to acceptable levels. In assessing proposals account will be taken of the proposal's setting, baseline environmental conditions and neighbouring land uses, together with the extent to which its impacts can be controlled in accordance with current best practice and recognised standards.*"

Operators should provide sufficient information to enable a full assessment to be made of the baseline conditions, and likely effects of the proposed development. Information should be provided on how these impacts are addressed, either through the design of the scheme, or through mitigation measures. The information below provides guidance on the type of information and scheme features that a developer could include as part of an application to assist in demonstrating it is in accordance with the policies of the development plan. Information other than that listed below may be necessary, depending on the particular circumstances of each application.

In accordance with Policy DM2 (and other relevant policies of the development plan) the minerals planning authority will expect the developer to address the following, and will only support development where these issues are satisfactorily addressed²¹.

6.1 High Operating Standards

- Provide for an agreed schedule of work to avoid disruption (or prior notification of routine flow stimulation operations, where these are required through the lifetime of the development)
- Provide for suitable hours of operation as a means of minimising disturbance to neighbours
- Provide for on-going monitoring of established baseline conditions²².

Developments should implement high operating standards, sensitive working practices and environmental management systems to minimise harm and nuisance to the environment and to local communities throughout the operational life of the site. Sites should be developed in the least intrusive way to minimise disturbance. Operators should work co-operatively with regulatory agencies and other

²¹ This includes consideration of impacts felt beyond the administrative boundary of the mineral planning authority.

²² Some elements will be controlled through the land use planning system by the mineral planning authority, some will be controlled through the environmental permitting system by the Environment Agency.

stakeholders to promote best practice(s), and improve communication with local communities²³.

- Noise
Developers should carry out detailed investigations and submit appropriate levels of mitigation, including details of the noise output, and the provision of purpose designed attenuation for all noise generative plant and equipment including baffle mounds and acoustic fencing to the site or areas of the site.
- Air Quality
Developers should carry out detailed investigations and submit appropriate levels of mitigation addressing releases to air.
- Surface and ground water protection
Developers should carry out detailed investigations into the effect of the proposed development on groundwater and surface water courses.

Developers should discuss proposals for ground and surface water protection with the Environment Agency prior to submitting a planning application. Measures should include storing fuels and oil in appropriately designed tanks with impervious bunds and requiring operation(s) to take place on impervious hard-standings. Wastewater should be stored in purpose designed storage tanks. Wastewater generated on site should be re-used where possible and the operator should install on-site wastewater treatment if appropriate, or should demonstrate sustainable means of disposing of the waste water off site.

There is the potential with unconventional resources for impacts on the available water resource through abstraction from the water table or existing water sources. Details should be provided of the amounts of water that will be used in all operations, including information on the source of the water and the impacts associated with its implementation. Demand could however be substantially reduced if it could be met from recycling and reuse of flowback water and this is encouraged where appropriate²⁴.

- Flaring
Developers should demonstrate that a sequential approach has been followed when considering how to manage gases during the exploration and appraisal phase: utilisation is the preferred approach, followed by flaring. Utilisation may necessitate connection to the grid, either for gas or on-site generated electricity; where connection to the grid is proposed, details should be provided including routes of interconnection to transmission lines.

²³ Operators should consider the benefits of establishing local liaison groups, and of notifying neighbours in advance of new operations being carried out on site, or in advance of new applications being submitted.

²⁴ Proposals should be in accordance with the *Strategy for the Management of Solid Low Level Radioactive Nuclear Waste from the Non-nuclear Industry in the UK*, and the *Low Level Waste Strategy and the Strategy for the Management of Naturally Occurring Radioactive Material waste in the UK*

6.2 Landscape and Visual Impacts

- Provide for screening of production, distribution and security infrastructure appropriate to the landscape character area and the nature and duration of impact, including the opportunity for off-site landscaping
- Provide for the cowling of flares where they are necessary
- Provide for the screening of plant and machinery, including flare stacks where they are necessary
- Provide for the utilisation of gas produced through flow testing where the quantities produced and duration of production are sufficient to justify the installation of infrastructure for energy production

Developments should comprehensively and effectively mitigate all landscape and visual impacts arising from the development, by means appropriate to the landscape character of the area, and appropriate to the relevant stage of development. In particular, there should be a restrained use of lighting to eliminate glare and minimise light pollution on local amenity and intrinsically dark landscapes.

In addition, in accordance with national planning guidance paragraph 223, the minerals planning authority will give great weight to conserving the landscape and scenic beauty of the Forest of Bowland area of outstanding natural beauty when considering proposals for unconventional oil and gas. In line with national planning guidance paragraph 116, major developments for onshore oil and gas will be refused in these areas except in exceptional circumstances and where it can be demonstrated they are in the public interest.

Advance screening of sites is considered to be an essential mitigation component, alongside the appropriate siting of the drilling and distribution infrastructure. Consideration needs to be given to the time required for natural screening to grow to a sufficient height and density to be effective, and opportunities for off-site screening where possible.

Information on the measures to deal with gas (i.e. gas processes) and whether the gas will be used on site should be submitted with the planning application; together with details of above ground infrastructure including distribution off-site. Neighbouring operators are encouraged to work together to ensure efficient provision of gas collection and water treatment infrastructure in order to reduce the cumulative visual impacts of a number of developments in a local area.

Developers will also need to take into consideration the height of extraction rigs and levels of illumination on the rigs where developments are in close proximity to the flight path(s) for Blackpool Airport and BAE Systems Warton Airfield.

Further guidance for applicants on landscape effects can be found on the Lancashire County Council webpage²⁵.

²⁵

<http://new.lancashire.gov.uk/council/strategies-policies-plans/environmental/landscape-strategy.aspx>

6.3 Traffic and Transport

- Provide for appropriate traffic routing through Section 106 agreements
- Provide for suitable access
- Provide for the maintenance of the local highway infrastructure should damage occur

Heavy goods vehicles (HGVs) can have adverse impacts on residents and other sensitive land-uses; they can also cause damage to roads and verges, especially at the point of access to sites; they can contribute to noise and they can impact on road safety, if unsuitable roads are used.

Developers should seek to mitigate these potential effects, through all phases of development, using planning or highway agreements where necessary, including through committing to pre and post commencement surveys to determine if any damage caused to the highway can be attributed to the development and compensated for. The aim is to ensure that the state of the local highway network is not adversely affected and local communities are not disadvantaged. There may also be scope to restrict hours of working in order to control vehicle movements at peak times, and thereby reduce the development's impact on the local road network.

6.4 Site Restoration and Aftercare

- Provide for appropriate restoration scheme

Developers should consider the appropriate restoration of the site at the planning application stage. The level of detail required will depend on the expected duration of operations on the site. Restoration should be reflective of the sites former use, and restored to its former standard or higher, it should be in keeping with the surrounding landscape, and applicants should demonstrate that proposals provide for net gains in biodiversity where possible, in accordance with the NPPF.

Any necessary stripping and storage of soils should take place in accordance with best practice, and should be stored so as to enable their successful use in an agreed restoration scheme.

It may be necessary for the operator to enter into a planning obligation or financial guarantee (bond) sufficient to provide for the restoration of the proposed development in the event of operator failure.

6.5 Flood Risk

- Where appropriate provide for a flood risk assessment, including consideration of flood prevention and flood protection

Any developments that fall within a prescribed flood risk area will need to include the submission of a flood risk assessment, demonstrating that the development would not adversely contribute to fluvial flood risks or surface water flooding, and would not be susceptible to it, and provision should be made where there is a risk to ensure that the risk is minimised.

6.6 Heritage Assets

Developers will need to consider the proposed developments impact on heritage and conservation assets. The local historic environment records centre may be of assistance²⁶. In particular the minerals planning authority has a statutory duty, under the Planning (Listed Buildings and Conservation Areas) Act 1990, to pay special regard to the desirability of preserving the setting of a listed building (s66) and for special regard to be paid to the desirability of preserving or enhancing the character or appearance of a conservation area (s72). These will be given considerable importance and weight, relative to other material considerations, when considering any planning application.

6.7 Nature Conservation

- Provide for habitat surveys
- Provide for a scheme to demonstrate avoidance, mitigation, and as a last resort compensation, including a seasonal schedule of work to avoid disturbance

Developers will need to consider the proposed developments impact on biodiversity, and on the hierarchy of protected sites, through habitat destruction, or through the disturbance of species on surrounding land, including the habitat of wintering and migratory wildfowl or impacts. The developer should provide information on how nature conservation interests are likely to be affected by the proposed development, and on any proposed habitat mitigation and compensation, including through Section 106 agreements where necessary. Rigorous application of the mitigation hierarchy, as embedded in the NPPF, will be required.

In addition to the policies of the development plan, the minerals planning authority has a statutory duty, under the Natural Environment and Rural Communities Act (2006), to have regard to the purpose of conserving biodiversity in exercising its functions.

The Nature on the Map²⁷ website is a useful source of information on the location and qualifying features of the international and national designations. The local environmental records centre may also be of assistance; the LERN can be contacted on lern@lancashire.gov.uk, and further information can be found on the Lancashire County Council webpage²⁸. Further guidance for applicants on nature conservation and planning can be found on the Lancashire County Council webpage²⁹.

6.8 Seismic Movement Prediction and Mitigation and Geological Assessments

Developers will need to consider the proposed developments impact on land stability. Notwithstanding that DECC are responsible for controls to mitigate seismic

²⁶ <http://new.lancashire.gov.uk/libraries-and-archives/archives-and-record-office/historic-environment-record.aspx>

²⁷ <http://www.natureonthemap.naturalengland.org.uk/>

²⁸ <http://www.lancpartnerships.org/lern/>

²⁹ <http://www.lancashire.gov.uk/environment/ecology/index.asp>

risk, developers should provide details of any seismic monitoring and risk assessments carried out so as to be able to assess any land use planning implications.

6.9 Soil Resources and Agriculture

Developers will need to consider the proposed developments effect on the ability to work agricultural land adjacent to it, and the effect of the loss of any best and most versatile agricultural land necessary to facilitate the proposed development.

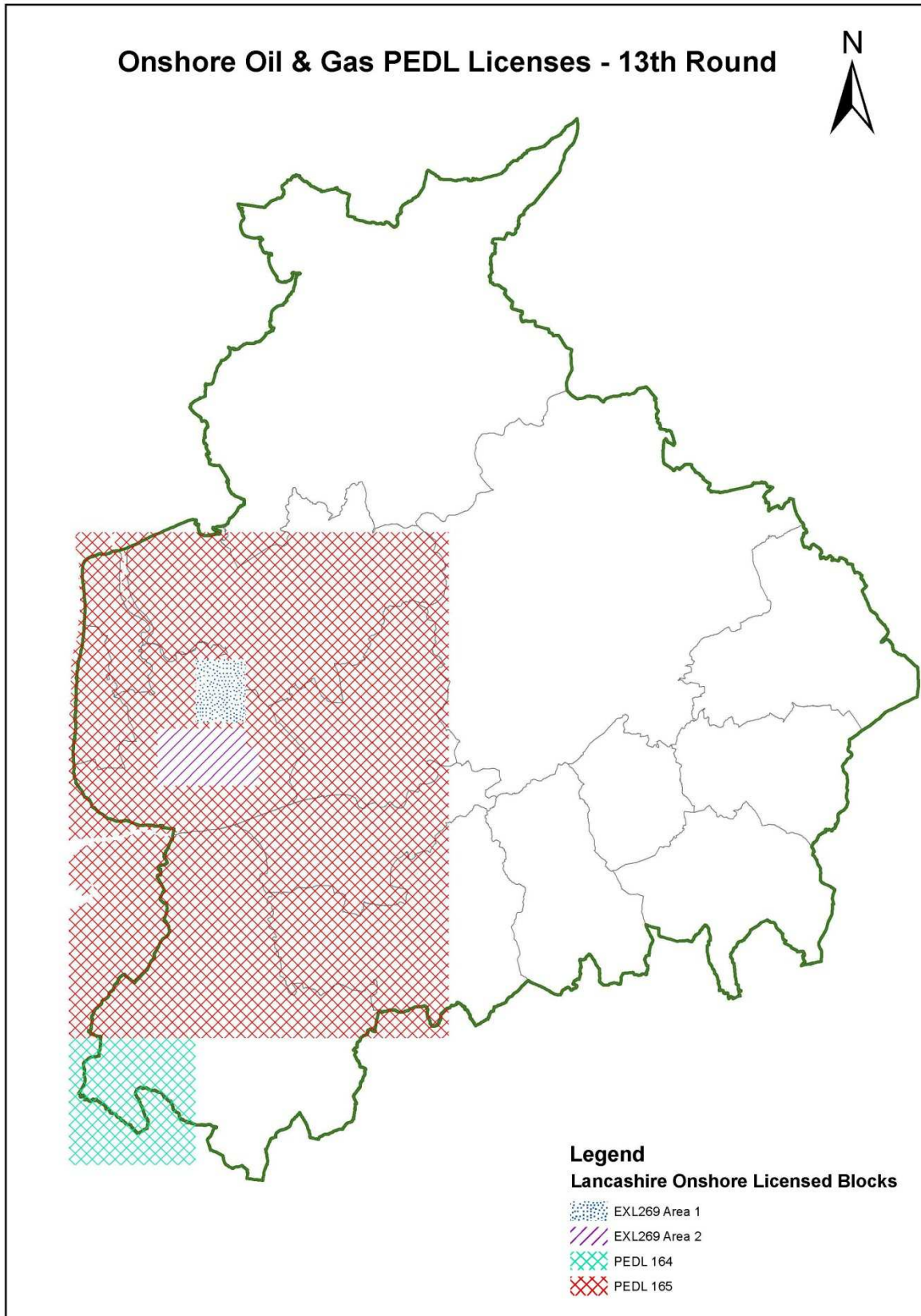
Further information is available on the MAGIC³⁰ website.

6.10 Economic

Developers will need to consider the positive and negative economic impacts of the proposed development. The National Planning Policy Framework states that "*when determining planning applications, local planning authorities should...give great weight to the benefits of the mineral extraction, including to the economy*". This includes direct benefits of the extraction, and indirect benefits e.g. through the development of a local supply chain or other supporting infrastructure and services. These should be considered alongside the potential negative impact on local businesses operating in other sectors. When considering the economic impact reference should be made to any relevant local economic growth strategy.

³⁰ <http://magic.defra.gov.uk/>

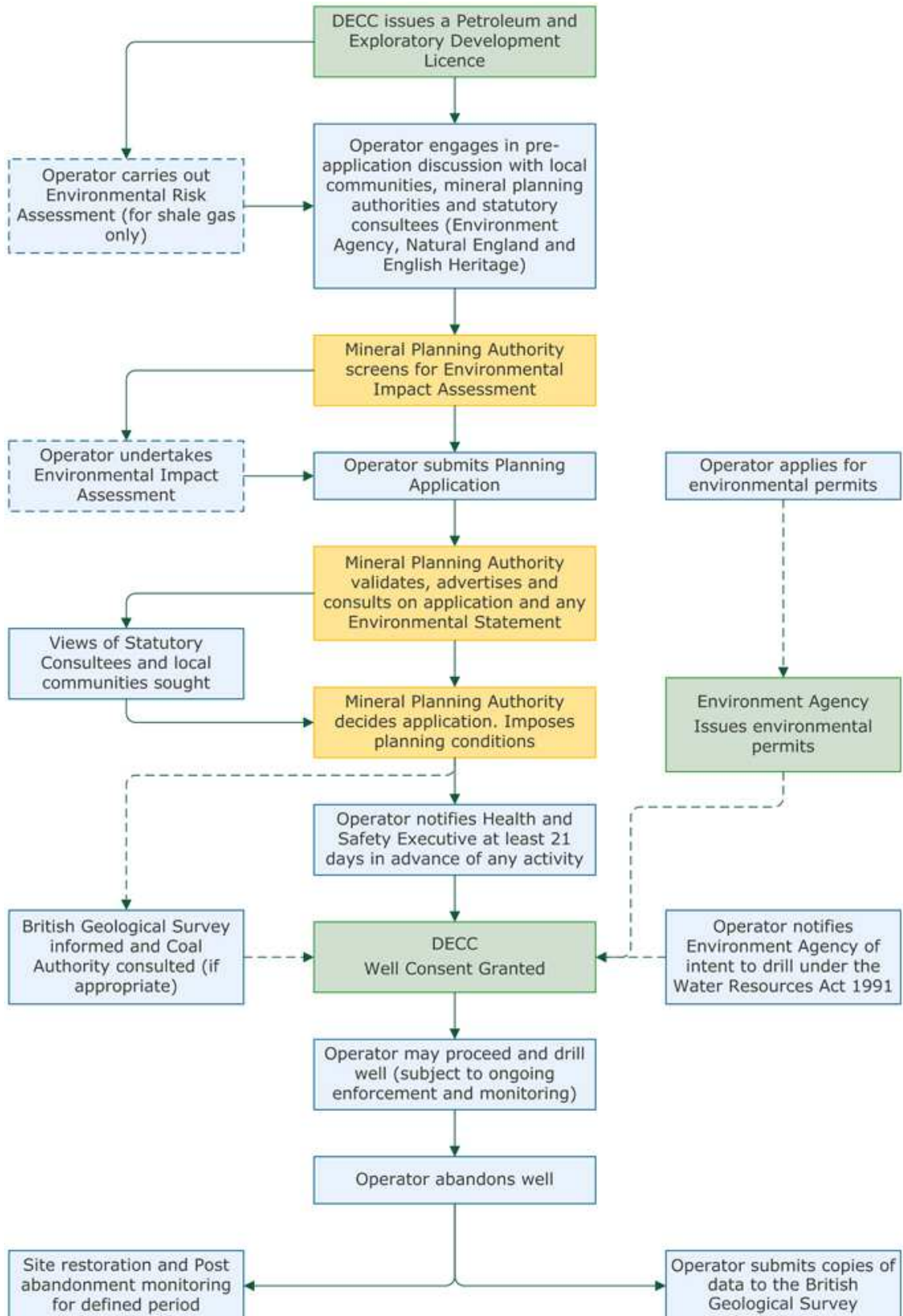
Appendix 1: Licenced exploration areas in 2013



This may change if licences are issued or expire in subsequent licencing rounds

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Appendix 2: Regulatory Bodies



The role of the Regulatory Bodies (CLG, 2013)

There are four regulatory bodies responsible for on shore oil and gas exploration and exploitation:

A2.1 Minerals Planning Authority

The minerals planning authority is the strategic planning authority for mineral developments in their area: Lancashire County Council, Blackburn with Darwen Borough Council and Blackpool Council are the minerals planning authority for their respective areas. This involves managing the planning process according to planning rules set out by the government to assess applications for mineral developments, including mineral exploration. The minerals planning authority must determine applications in accordance with planning law.

Where developments involving onshore oil and gas development are not classed as permitted development and actually require planning permission, the minerals planning authority must determine planning applications in accordance with the NPPF, together with policies in the Development Plan. Planning applications are considered on their merits and whether or not they are in compliance with the policies in the Development Plan. Safety and environment are important factors and we consider the advice provided by other agencies before making those decisions. A planning application can only be refused if it is contrary to the policies of the development plan and there are legitimate reasons to do so. If planning permission is granted, the minerals planning authority monitor and inspect the operations to ensure they comply with any conditions imposed.

The minerals planning authority will consider the land use implications of matters regulated by the other regulatory authorities, such as emissions to atmosphere, water and seismic risks for example, but will not seek to duplicate their regulatory controls through the imposition of conditions etc.

A2.2 The Environment Agency (EA)

The Environment Agency's key role in on-shore drilling is to protect groundwater including aquifers, and surface water including rivers and water courses from pollution and to ensure that any hydraulic fracturing flowback water is managed and disposed of responsibly.

An environmental permit (under the Environmental Permit Regulations) will be required for oil and gas developments, and may include industrial emissions activity, mining waste activity, groundwater activity, waste discharge activity, abstraction, and radioactive substances activity. The chemical content of hydraulic fracturing fluids are also covered by the environmental permitting regime.

The EA are also a statutory consultee in the planning process and will discuss proposals and provide advice to planning authorities. The EA provide advice as part of pre-application enquiries, for scoping of any Environmental Impact Assessment and on the planning application itself. Where risks to the environment are significant, for example where development is proposed contrary to groundwater protection policy and practice, the EA will object to the planning application.

Operators must demonstrate to the EA that their proposed activities are not harmful to people or the environment. The EA use a variety of methods such as audits, site inspections, check monitoring and / or sampling, and reviewing operator records and procedures. They may ask to monitor the effects their activities have on the environment and report these for inclusion on EA public registers through the permits issued. The EA have the power to serve notice on an operator to stop an activity; and where an offence is committed, the Environment Agency can prosecute.

Type of Permit	Why this type of permit may be required for oil and gas development
Groundwater activity	Where the EA considers that the risk of inputs to groundwater requires this.
Mining waste activity	Likely to apply in most circumstances.
Industrial emissions activity	When the intention is to flare more than 10 tonnes of natural gas per day (generally applies to exploration phase only).
Radioactive substances activity	Likely to apply where low level Naturally Occurring Radioactive Material (NORM) are contained in the rock cuttings or fluid returned to the surface from the well.
Water discharge activity	If surface water run-off from the site becomes polluted, for example, due to a spill of diesel.
Abstraction	If more than 20,000 litres of water per day is to be abstracted as part of the development.
Groundwater investigation consent	To cover drilling and test pumping where there's the potential to abstract more than 20 cubic metres per day (m ³ /day) of water.
Water abstraction licence	If the plan is to abstract more than 20m ³ /day for own use rather than purchasing water from a public water supply utility company.
Flood defence consent	If the proposed site is near a main river or a flood defence.

Types of Environment Agency Permits (EA, 2014)

A2.3 Department of Energy and Climate Change (DECC)

Companies seeking to explore for or produce oil or gas must first obtain a petroleum exploration and development licence (PEDL) from DECC. These licences are bid for by operators in licencing rounds.

The issue of a PEDL conveys no permission for operations on land, but gives exclusivity for exploration operations against other oil and gas exploration companies within a defined area. DECC regulates the efficient use of the resource (i.e., the oil or gas in the ground) by scrutiny of the drilling operations and production plans, as well as proposals for flaring, and any hydraulic fracturing programme and the methods proposed to monitor, report and mitigate the associated seismic risk.

A2.4 Health and Safety Executive (HSE)

The HSE is responsible for regulating the health and safety aspects of oil and gas operations, including considering well design and construction, inspecting well integrity, and the transport and injection of gas into the grid. Operators are required to notify HSE on well design and, whilst the HSE do not give consent, they will scrutinise the design and can undertake a range of further interventions (up to

issuing prohibition notices) if they have concerns about the proposed design. Operator are also required to have a well examination scheme, delivered by an independent well examiner who (as part of that scheme) will review the well design and monitor the construction phase of the well and its subsequent maintenance and decommissioning.

They require operators to provide them with a weekly report of drilling activity, the contents of which can trigger further interventions, including site visits.

Further information is available in the HSE questions and answers document:
<http://www.hse.gov.uk?shale-gas/assets/docs/shale-gas.pdf>

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Appendix 3: The Development Plan

The development plan is a carefully drafted and considered statement of policy, published in order to inform the public of the approach which will be followed by planning authorities in decision-making unless there is good reason to depart from it.

Section 70 of the Town and Country Planning Act 1990 requires that, when determining a planning application, the authority shall have regard to the development plan, and any other material considerations. Section 38 of the Planning and Compulsory Purchase Act 2004 requires that this determination must be in accordance with the development plan, unless material considerations indicate otherwise.

The development plan for the area consists of the District Council's adopted Local Plan³¹, and the County Council's adopted Minerals and Waste Local Plan. In areas where one has been prepared it also consists of the parish council or neighbourhood forum's adopted Neighbourhood Development Plan.

Policies in the Development Plan are either generic, or specific to a particular land use issue. The District Local Plan contains policies on need for, amongst other things, retail and industrial space, and housing, with associated land allocations. The Minerals and Waste Local Plan contains policies on need for, amongst other things, landfill, aggregates, and waste management facilities, with associated land allocations.

Both also contain generic policies addressing, for example, development in the countryside, flooding, biodiversity. Most of these are contained in the District Local Plan.

The Minerals and Waste Local Plan consists of the Joint Lancashire Minerals and Waste Core Strategy, and the Joint Lancashire Minerals and Waste Site Allocation and Development Management Policies Local Plan. The policies that this supplementary planning document seeks to provide further guidance on are:

- Core Strategy Policy CS5: Achieving Sustainable Minerals Production
- Core Strategy Policy CS9: Achieving Sustainable Waste Management
- Site Allocation and Development Management Policy NPPF1: Presumption in Favour of Sustainable Development

³¹ They may also be called local development frameworks, core strategies, or development plan documents, depending upon the time when they were produced. Under the current set of regulations they are called Local Plans.

- Site Allocation and Development Management Policy DM1: Management of Waste and Extraction of Minerals
- Site Allocation and Development Management Policy DM2: Development Management
- Site Allocation and Development Management Policy DM3: Planning Obligations

Though other policies in the development plan, particularly the District Local Plan, are also relevant.

The National Planning Policy Framework (NPPF) sets out, amongst other things, minerals policy for onshore oil and gas developments³² in England. This policy is expanded on in the National Planning Practice Guidance (NPPG). These are material considerations.

³² Minerals policy is contained in section 13 of the NPPF, though other sections are relevant to minerals developments

Appendix 4: Unconventional reservoirs

Hydrocarbons (gas and oil) are predominantly extracted from permeable rock formations such as sandstones. Here hydrocarbons have flowed over time from their source rock through the permeable rock until they are trapped under an impermeable rock formation where it collects and forms a reservoir.

'Unconventional' or 'tight' reservoirs are rock formations that are not as permeable. These are both source rock and reservoir. Processes need to be applied to these formations in order to stimulate the flow of gas.

One example of this kind of formation is shale³³ with significant organic content. The Lancashire Bowland Shales have been identified as having potential to hold shale gas which could be exploited for commercial purposes. Shale gas mainly consists of methane, although other gases may also be present. Shale has low permeability (i.e. does not allow gas to flow) so gas production in commercial quantities requires the rock structure to be fractured to provide permeability; the process to achieve this is known as hydraulic fracturing ('fracking').



Figure 1: Schematic geology of natural gas resources (BGS, 2013)

Similar processes can also be applied to old coal mines or coal seams (Coal Bed Methane), which may require dewatering operations and possibly hydraulic fracturing, or be generated by burning the coal in place underground (Underground

³³ Shale is a common type of sedimentary rock formed from deposits of mud, silt, clay and organic matter.

Coal Gasification), which requires the injection of oxygen and steam into the coal measure³⁴.

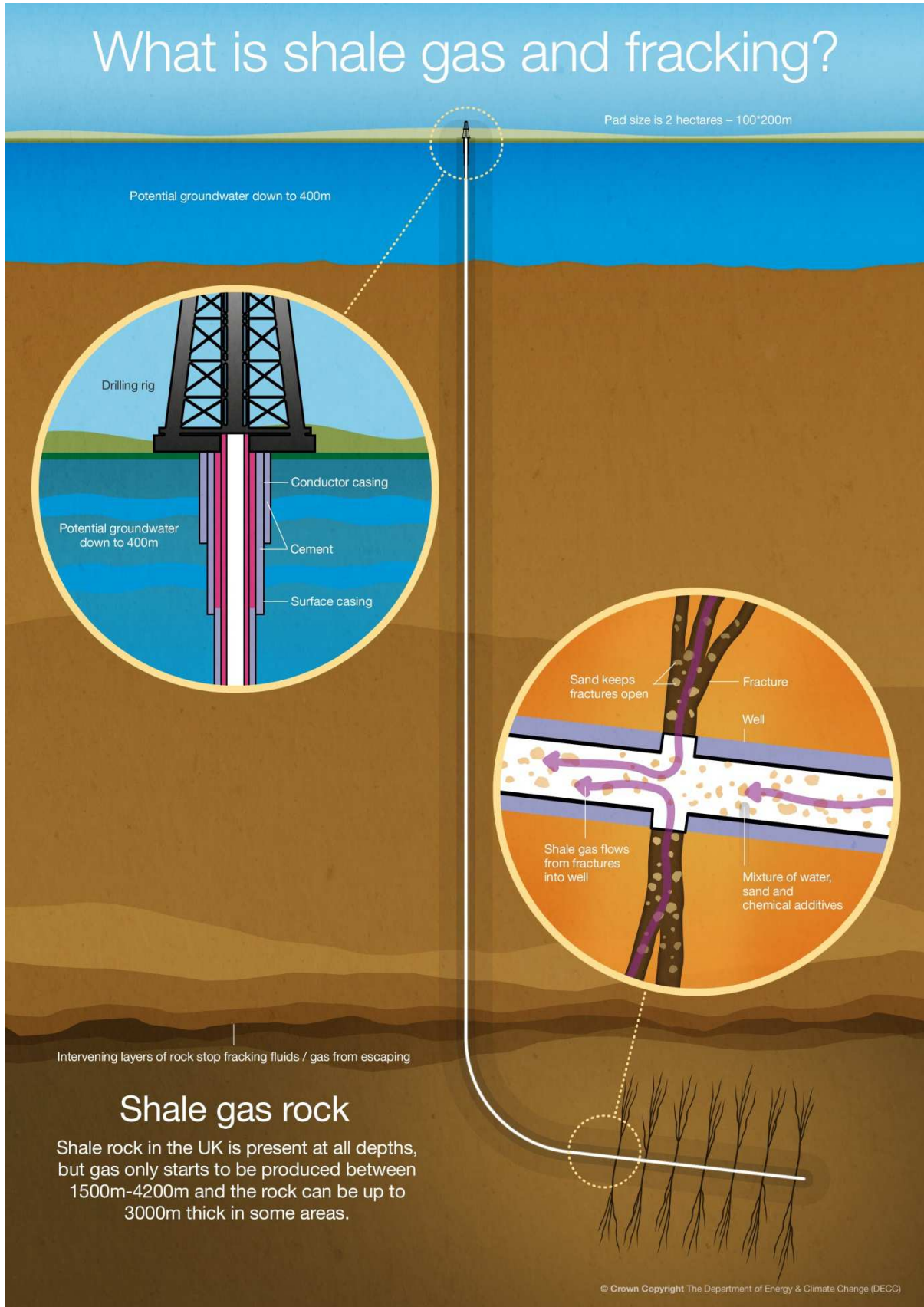
Hydraulic fracturing (“fracking”) is a generic term for operations which aim to improve hydrocarbon flow rates in low permeability oil/gas reservoirs by increasing the natural fracturing in the rocks, or by creating artificial fractures. These operations vary, in choice and volume of fluid injected, pressures and rates, depending on specific reservoir attributes.

The fluid consists of water, fine sand particles to act as a proppant and a combination of chemicals chosen relative to geology type to act as a lubricant. Fluids are pumped into the shale under pressure in a controlled way to fracture the rock. Additional fluids are pumped into the well to maintain the pressure in the well so that fracture development can continue and the proppant can be carried deeper into the formation. A well may be too long to maintain sufficient pressure to stimulate fractures across its entire length. Plugs may be inserted to divide the well into smaller sections (‘stages’). Stages are fractured sequentially, beginning with the stage furthest away and moving towards the start of the well. After fracturing, the plugs are drilled through and the well is de-pressurised. This creates a pressure gradient so that gas flows out of the shale into the well.

As the pressure is released, the pressurised fracturing fluid flows back to the surface (‘flow-back water’) but it now also contains saline water with dissolved minerals from the shale formation (‘formation water’). Some fracturing fluid is left within the shale including the sand which resides within the fractures and creates a migratory pathway from which gas can flow to the surface via the borehole. Fracturing fluid and formation water returns to the surface over the lifetime of the well as it continues to produce shale gas (‘produced water’) and may contain naturally occurring radioactive materials (NORM), depending on the source rock. This is common to oil and gas exploration, but due to the processes involved in fracking, it has the potential to generate larger volumes. Vertical and horizontal drilling is often used with shale gas wells, with lateral extensions up to 10,000 feet within the shale, to enable the creation of a very large fracture network within the shale.

³⁴ The exploitation of these require permission from the Coal Authority (for access to the coal) and a licence from DECC (for capture of the hydrocarbons). The Coal Authority manages the UK’s coal reserves and must agree to any access to coal formations for any purpose, including drilling through it.

What is shale gas and fracking?



Appendix 5: Contact Details

Lancashire County Council
Development Management Group
PO Box 100
County Hall
Preston
PR1 0LD

devcon@lancashire.gov.uk

01772 531929

Online planning register:
<http://planningregister.lancashire.gov.uk/>

www.lancashire.gov.uk

Blackburn with Darwen Borough Council
Planning
Town Hall
King William Street
Blackburn
BB1 7DY

Planning@blackburn.gov.uk

01254 585960

Online planning register:
<http://planning.blackburn.gov.uk/Northgate/PlanningExplorer/Home.aspx>

www.Blackburn.gov.uk

Blackpool Council
Planning Department
PO Box 17
Corporation Street
Blackpool
FY1 1LZ

planning@blackpool.gov.uk

01253 476229

Online planning register:

<http://publicaccess.blackpool.gov.uk:90/online-applications/search.do?action=weeklyList>

www.blackpool.gov.uk

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This document has been prepared jointly by Lancashire County Council, Blackpool Council and Blackburn with Darwen Borough Council.

Further details of the local plan, and to download this and other documents, please visit our website www.lancashire.gov.uk/mwdf. Or contact:

- Lancashire County Council, PO Box 100, Cross Street, County Hall, Preston, PR1 0LD
- Telephone: 01772 534294
- Email: lmwf@lancashire.gov.uk



Onshore Oil and Gas Supplementary Planning Document

Scoping Consultation Outcomes Report

September 2014

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- Lancashire County Council, PO Box 100, Cross Street, County Hall, Preston, PR1 0LD
- Telephone: 01772 534294
- Email: lmwf@lancashire.gov.uk



1. Introduction

In April 2014 Lancashire County Council, Blackpool Council and Blackburn with Darwen Borough Council resolved to produce a supplementary planning document (SPD), to provide guidance on the implementation of adopted development plan policy as it would apply to onshore oil and gas exploration, production and distribution. The first step in this process was to consult on the potential scope of the SPD. This consultation was carried out between 27th June and 25th July.

This report presents information on this consultation, describing who was consulted, what they said, and how the SPD was drafted to respond to what was said.

2. The persons consulted

At this early stage in the SPD's preparation the consultation was targeted at key stakeholders. Notification emails or letters were sent out to:

- the Environment Agency,
- Health and Safety Executive,
- Natural England,
- DECC,
- CPRE,
- Local action groups
- Onshore oil and gas operators active in Lancashire, and their representative body,
- Friends of the Earth,
- Greenpeace,
- Parish Councils, District Councils, Unitary and County Councils within and adjacent to Lancashire
- (a full list is provided at appendix A)

The consultation was advertised on Lancashire County Council's webpage, to ensure that other interested parties could make representations.

Representations could be submitted in writing, by email, or online through the Council's 'Have your Say' webpage, and the 'objective online consultation portal'.

3. Summary of the main issues raised

Twenty two representations were received: 3 were submitted through the Council's 'Have your Say' webpage; 1 was received by post; 1 was received through the Council's objective online consultation portal; and 17 were received by email. In addition 1 late representation was received by post, and 1 by email (these representations are included in the summary below and in chapter 4, and are separately referenced in appendix B).

These representations are listed in full in appendix B. The main issues raised in the representations are summarised below.

- Supporting the proposed contents of the SPD.
- Include reference to the economic benefits, and include reference to local economic strategies.
- Clearly explain the relevant policies, how they will be applied, and the range of planning controls that can be used.
- Specify minimum allowable separation distances between well pads.
- The principal issues the SPD should address include: water use; waste; groundwater contamination; surface water contamination; soil; emissions; air quality; flood risk; traffic; noise; landscape; visual; heritage; nature conservation designations; ecology; infrastructure; site aftercare and restoration; land stability and physical integrity of buildings; community infrastructure within 5km; adverse socio economic impacts.
- Must make clear that it is to provide guidance on existing policy, and cannot introduce new policy or conflict with approved policy or guidance.
- The SPD should not consider the principle of oil and gas.
- The SPD should describe the variety of consents and permits that will be required in addition to obtaining planning permissions.
- The document should contain prominent sections on safety implications and environmental aspects.
- Should include the NPPF's definition of sustainable development.
- Recommendations on documents to reference.

4. How those issues have been addressed in the draft SPD

These representations received, and the issues they raise, have been taken into account when drafting the SPD. The following table presents the main issues, and describes how the document was drafted to address these issues.

The onshore oil and gas exploration production and distribution SPD is being prepared under section 5 a (3) of the Town and Country Planning (England) (Local Planning) Regulations 2012, the procedure for preparation is contained in Part 5. Under section 5 a (3) an SPD can only contain statements regarding "*any environmental, social, design and economic objectives which are relevant to the attainment of the development and use of land mentioned in [a Local Plan]*".

Consequently an SPD cannot contain, amongst other things, development management or site allocation policies which are intended to guide the determination of applications for planning permission. Where representations ask for the inclusion of statements that would be inappropriate under the Regulations, and it has not been possible to address the issue in the SPD in some other way, this is noted in the response section in the table below.

Main issue	How the issue has been addressed in the draft SPD
Supporting the proposed contents of the SPD	Noted.
Include reference to cross boundary impacts	Reference made in chapter 6.
Include reference to the economic benefits, and include reference to local economic strategies	Reference made in chapter 6.10.
Must cover every aspect of the subject in great detail	The regulations and guidance restrict the contents of an SPD. The SPD as drafted represents an appropriate mix of guidance and reference to other documents.
Clearly explain the relevant policies, how they will be applied, and the range of planning controls that can be used	Chapters 1-5, and appendix 3, explain the planning process, the development plan, and identify the main relevant policies. However, the application of policies will vary depending on the individual circumstances of each proposed development. Policies in the district Local Plans will vary from authority to authority so it would be

	inappropriate to attempt to provide a comprehensive list.
Specify minimum allowable separation distances between well pads	The regulations and guidance restrict the contents of an SPD, the inclusion of separation distances within the SPD would be inappropriate under the regulations; they would be more appropriately located within a Local Plan.
Biodiversity should be extended to incorporate measures to avoid harm to international, national and locally designated sites of importance	Reference is made to existing national policy and legislation on biodiversity at chapter 6.7. Reference is also made to district Local Plans in appendix 3. Further reference would be inappropriate under the regulations.
The policy should be extended and refer to the importance of avoiding harm to the character of protected landscapes	Reference made in chapter 6.2.
The assessment of potential sites should be informed by the landscape approach	Reference made in chapter 6.2 and 6.4.
Reference documents and further guidance must be in plain English, and the links must be up to date	<p>Whilst the Council does not have any control over, or endorse the contents of, any external documents referenced, they have none the less been chosen because of their non-technical nature.</p> <p>Every effort will be made during the drafting and monitoring process to ensure links are kept up to date.</p>
The principal issues the SPD should address include (this is not an exhaustive list): water use; waste; groundwater contamination; surface water contamination; soil; emissions; air quality; flood risk; traffic; noise; landscape; visual; heritage; nature conservation designations; ecology; infrastructure; site aftercare and restoration; land stability and physical integrity of buildings; community infrastructure within 5km; adverse socio economic impacts	The SPD will provide guidance on the implementation of existing policy. Chapter 6 identifies the principal land use issues, including where appropriate those mentioned in representations.
Comparison should be made between	The SPD will provide guidance on the implementation of existing policy. This is

the impacts of fracking and renewable energy sources	outside of the scope of the SPD.
It is unclear whether it will contain reference to coal related unconventional gas.	The document relates to onshore oil and gas, which includes coal; further information is provided in appendix 4.
Must make clear that it is to provide guidance on existing policy, and cannot introduce new policy or conflict with approved policy or guidance.	As stated at the start of this chapter, the Regulations on the preparation of an SPD are clear on this point. The onshore oil and gas SPD is being prepared in accordance with these Regulations. Reference is made in chapter 1.
Should provide benchmarks for best practice, both in terms of operations and planning application supporting information.	The SPD will provide guidance on the implementation of existing policy. Chapter 6 identifies the principal land use issues, and includes details of supporting information or mitigation that may be necessary.
The SPD should provide hooks for the Development Management committee.	As stated at the start of this chapter, the Regulations on the preparation of an SPD are clear on this point. The onshore oil and gas SPD is being prepared in accordance with these Regulations. Reference is made in chapter 1.
The SPD should not consider the principle of oil and gas	Noted. As stated at the start of this chapter, the Regulations on the preparation of an SPD, and the NPPG, are clear on this point. The onshore oil and gas SPD is being prepared in accordance with these.
An additional objective should be added – provide an overview of government policy and objectives to bring forward new sources of supply for onshore oil and gas	Noted. Reference is made in chapter 1 to national planning policy and guidance. None of the objectives stated will be included in the draft or final SPD, they relate to the process of preparing the SPD.
The SPD should describe the variety of consents and permits that will be required in addition to obtaining planning permissions	Further information is provided in appendix 2.
The SPD needs to clearly and accurately	Further information is provided in appendix 2

reflect the Environment Agency's role in onshore oil and gas proposals	
The SPD should make clear why it is appropriate for these forms of development to be an exception to policies restricting development in the open countryside etc.	<p>It is recognised that minerals can only be worked where they are found. It is also recognised that there is a degree of flexibility in site selection for onshore oil and gas proposals that are utilising horizontal directional drilling.</p> <p>Whether it will be appropriate for the proposal to form an exception to any policy will depend on the individual circumstances of the specific proposal, as section 38 (3) of the Planning and Compulsory Purchase Act 2004 is clear that the development plan must be read as a whole.</p>
The document should contain prominent sections on safety implications and environmental aspects	Environmental and safety are included in chapter 6 where appropriate. Many safety issues will be addressed by other regulatory regimes outside of the land use planning system, as referred to in appendix 2
Temporary needs to be defined	Temporary will be defined, through a time limiting condition on a planning permission. It is likely to vary depending on the individual circumstances of each proposed development, and it would be inappropriate to define it in the SPD.
Should include the NPPF's definition of sustainable development	<p>It is inappropriate to repeat national policy in the SPD; the NPPF is a material consideration which will be taken into account whilst considering the development plan.</p> <p>Furthermore, the Local Plan is in accordance with the NPPF, and Policy NPPF 1 of the Site Allocation and Development Management Local Plan restates the NPPF's presumption in favour of sustainable development.</p>
Recommendations on documents to reference.	Noted. These have been included where appropriate.

Appendix A: Key stakeholders notified of the consultation

Neighbouring Councils	Todmorden Town Council
Bolton Metropolitan Borough Council	Formby Parish Council
Bury Metropolitan Borough Council	Lydiate Parish Council
Calderdale Metropolitan Borough Council	Maghull Town Council
Craven District Council	Horwich Town Council
Cumbria County Council	Beetham Parish Council
Knowsley Metropolitan Borough Council	Burton-In-Kendal Parish Council
North Yorkshire County Council	Casterton Parish Council
Rochdale Metropolitan Borough Council	Dent Parish Council
South Lakeland District Council	Hutton Roof Parish Council
St Helens Metropolitan Borough Council	Shevington Parish Council
Wigan Metropolitan Borough Council	Environmental Groups
Yorkshire Dales National Park Authority	Ribble estuary against fracking
City of Bradford Metropolitan District Council	Frack free fylde
Sefton Metropolitan Borough Council	Defendlytham
Lake District National Park Authority	Residents action on fylde fracking
Bolton Metropolitan Borough Council	Roseacre Awareness Group
Rochdale Metropolitan Borough Council	Friends of the Earth
GMGU (Urban Vision Partnership Ltd)	Greenpeace
Cheshire East Council	CPRE - Lancashire
Cheshire West and Chester Council	Operators
North Yorkshire County Council	Aurora Petroleum
Neighbour Parish	Cuadrilla Resources Ltd
Wadsworth Parish Council	UK Onshore Operators Group
Erringden Parish Council	Centrica
Melling Parish Council	Government Agencies
Arnside Parish Council	Health and Safety Executive
Thornton-in-Lonsdale Parish Council	Environment Agency
Kirkby Lonsdale Parish Council	Natural England
Blackrod Town Council	Coal Authority
Haworth Parish Council	Director of public health - Blackburn
Austwick Parish Council	Director of public health - Blackpool
Bentham Town Council	Director of Public Health -Lancashire
Burton-in-Lonsdale Parish Council	DECC Office for Unconventional Gas and Oil
Ingleton Parish Council	Public Health England
Blackshaw Parish Council	District Councils
Hebden Royd Town Council	Lancaster City Council
	Wyre Borough Council
	Ribble Valley Borough Council
	Blackpool Council
	Fylde Borough Council
	Preston City Council

South Ribble Borough Council
West Lancashire Borough Council
Chorley Borough Council
Blackburn with Darwen Borough Council
Hyndburn Borough Council
Burnley Borough Council
Pendle Borough Council
Rossendale Borough Council
Parish Councils
Adlington Town Council
Altham Parish Council
Anderton Parish Council
Anglezarke Parish Council
Arkholme-with-Cawood Parish Council
Astley Village Parish Council
Aughton Parish Council
Balderstone Parish Council
Barley with Wheatley Booth Parish Council
Barnacre-with-Bonds Parish Council
Barnoldswick Town Council
Barrowford Parish Council
Barton Parish Council
Bashall Eaves, Great Mitton and Little Mitton Parish Council
Bickerstaffe Parish Council
Billington and Langho Parish Council
Bispham Parish Meeting
Blacko Parish Council
Bleasdale Parish Council
Bolton-by-Bowland, Gisburn Forest and Sawley Parish Council
Bolton-le-Sands Parish Council
Borwick Parish Meeting
Bowland Forest Higher Division Parish Council
Bowland Forest Lower Division Parish Council
Bowland-with-Leagram Parish Council
Bracewell and Brogden Parish Meeting
Bretherton Parish Council
Briercliffe Parish Council
Brierfield Town Council
Brindle Parish Council
Broughton-in-Amounderness Parish

Council
Bryning-with-Warton Parish Council
Burrow with Burow Parish Council
Burscough Parish Council
Cabus Parish Council
Cantsfield Parish Council
Carnforth Town Council
Caton-with-Littledale Parish Council
Catterall Parish Council
Charnock Richard Parish Council
Chatburn Parish Council
Chipping Parish Council
Claughton Parish Council
Claughton-on-Brock Parish Council
Clayton-le-Dale Parish Council
Clayton-le-Woods Parish Council
Clitheroe Town Council
Cliviger Parish Council
Cockerham Parish Council
Colne Town Council
Coppull Parish Council
Croston Parish Council
Cuerden Parish Council
Dalton Parish Council
Darwen Town Council
Dinkley Parish Council
Downham Parish Council
Downholland Parish Council
Dunnockshaw and Clowbridge Parish Council
Dutton Parish Council
Earby Town Council
Eccelshill Parish Council
Ecclestone Parish Council
Ellel Parish Council
Elswick Parish Council
Euxton Parish Council
Farington Parish Council
Fleetwood Town Council
Forton Parish Council
Foulridge Parish Council
Freckleton Parish Council
Garstang Town Council
Gisburn Parish Council
Goldshaw Booth Parish Council

Goosnargh Parish Council
Great Alcar Parish Council
Great Eccleston Parish Council
Greenhalgh-with-Thistleton Parish Council
Gressingham Parish Council
Grimsargh Parish Council
Grindleton Parish Council
Habergham Eaves Parish Council
Haighton Parish Council
Halsall Parish Council
Halton-with Aughton Parish Council
Hambleton Parish Council
Hapton Parish Council
Heapey Parish Council
Heath Charnock Parish Council
Heaton-with Oxcliffe Parish Council
Hesketh-with-Becconsall Parish Council
Heskin Parish Council
Higham-with-West Close Booth Parish Council
Hilldale Parish Council
Hoghton Parish Council
Hornby-with-Farleton Parish Council
Horton Parish Council
Hothersall Parish Council
Hurst Green Parish Council
Hutton Parish Council
Ightenhill Parish Council
Ingol and Tanterton Neighbourhood Council
Inskip-with-Sowerby Parish Council
Ireby and Leck Parish Council
Kelbrook and Sough Parish Council
Kirkham Town Council
Kirkland Parish Council
Laneshaw Bridge Parish Council
Lathom Parish Council
Lathom South Parish Council
Lea and Cottam Parish Council
Little Eccleston-with-Larbreck Parish Council
Little Hoole Parish Council
Livesey Parish Council

Longridge Town Council
Longton Parish Council
Mawdesley Parish Council
Medlar-with-Wesham Town Council
Melling-with-Wrayton Parish Council
Mellor Parish Council
Middleton Parish Council
Morecambe Town Council
Much Hoole Parish Council
Myerscough and Bilsborrow Parish Council
Nateby Parish Council
Nelson Town Council
Nether Kellet Parish Council
Nether Wyresdale Parish Council
Newburgh Parish Council
Newsholme Parish Council
Newton Parish Council
Newton-with-Clifton Parish Council
North Meols Parish Council
North Turton Parish Council
Old Laund Booth Parish Council
Osbaldeston Parish Council
Out Rawcliffe Parish Council
Over Kellet Parish Council
Over Wyresdale Parish Council
Overton parish Council
Padiham Town Council
Parbold Parish Council
Pendleton Parish Council
Penwortham Town Council
Pilling Parish Council
Pleasington Parish Council
Preesall Town Council – North Ward
Preesall Town Council – South Ward
Priest Hutton Parish Meeting
Quernmore Parish Council
Ramsgreave Parish Council
Reedley Hallows Parish Council
Ribby-with-Wrea Parish Council
Ribchester Parish Council
Rimington and Middop Parish Council
Rivington Parish Council
Roeburndale Parish Council
Roughlee Booth Parish Council

Rufford Parish Council
Sabden Parish Council
Saint Anne's on the Sea Town Council
Salesbury Parish Council
Salterforth Parish Council
Samlesbury and Cuerdale Parish Council
Scarisbrick Parish Council
Scotforth Parish Council
Silverdale Parish Council
Simonstone Parish Council
Simonswood Parish Council
Singleton Parish Council
Slaidburn and Easington Parish Council
Slyne-with-Hest Parish Council
Staining Parish Council
Stalmine-with-Staynall Parish Council
Tarleton Parish Council
Tatham Parish Council
Thornley-with-Wheatley Parish Council
Thurnham Parish Council
Tockholes Parish Council
Trawden Forest Parish Council
Treales, Roseacre and Wharles Parish Council
Tunstall Parish Meeting
Twiston Parish Council
Ulnes Walton Parish Council
Upholland Parish Council
Upper Rawcliffe with Tarnacre Parish Council
Waddington Parish Council
Warton Parish Council
Weeton-with-Preese Parish Council
Wennington Parish Council
West Bradford Parish Council
Westby-with-Plumptons Parish Council
Whalley Parish Council
Wheelton Parish Council
Whittingham Parish Council
Whittington Parish Council
Whittle-Le-Woods Parish Council
Whitworth Town Council
Wilpshire Parish Council

Winmarleigh Parish Council
Wiswell Parish Council
Withnell Parish Council
Woodplumpton Parish Council
Worsthorne-with-Hurstwood Parish Council
Wray-with Botton Parish Council
Wrightington Parish Council
Yate and Pickup Parish Council
Yealand Conyers Parish Council
Yealand Redmayne Parish Council

Appendix B: Comments received

ID	Company / Organisation	Comments
Scop1	Halton with Aughton Parish Council	I have two observations on your request for consultation on Oil & Gas exploration within our area. 1. I think it important to record the benefits of such exploration which could arise both to the area and nationally. 2. The subject is important nationally and could be of major benefit in keeping energy prices affordable. Therefore I would like to see policies agreed as soon as they can be reasonably determined. So time is of the essence in compiling the policy.
Scop2	North Yorkshire County Council	Thank you for consulting us in relation to your supplementary planning document on Oil and Gas. The only comment North Yorkshire County Council have at this stage is that the document should make reference to the cross-boundary impact of oils and gas development. We would be happy to comment on future stages of the document.
Scop3	Brindle Parish Council	Brindle Parish Council has no comments to offer on this consultation
Scop4	Bretherton Parish Council	The Parish Council support the proposed contents of the SPD.
Scop5	Cumbria County Council	Thank you for giving Cumbria County Council the opportunity to respond to your consultation. The Minerals & Waste Planning Policy Team welcomes your intention to prepare an SPD covering onshore oil and gas. The list of proposed sections in the SPD seems quite comprehensive and we have no further suggestions at this time. We look forward to seeing a draft of the document later this year, and welcome the opportunity to make detailed comments on it. If there are any related cross-border issues that you would like to discuss, please do not hesitate to contact this office.
Scop6	Private	The SPD must cover every aspect of the subject in great detail. Any potential changes or sidesteps in

	individual	the Local Plan cannot be allowed. How the LP is interpreted as regards extreme energy extraction is incredibly important to residents. They are very knowledgeable on the subject of fracking and can see through the propaganda and bribery on offer. LCC owe a duty to those that elect Councillors to take a robust attitude to the potential for abuse of the system by those with hoards of cash to throw at planning applications. The effects on rural Lancashire of a very short-term "fix" for energy supplies should not be underestimated.
Scop7	Lake District National Park Authority	I consider the draft structure of the proposed SPD is appropriate. I also suggest the SPD should: <ul style="list-style-type: none"> • Clearly explain the Councils requirements for all new onshore oil and gas development; • How the relevant policies will be applied in the determination of relevant planning applications, and • The range of planning controls you may use.
Scop8	Private individual	I think it important to specify in the SPD a minimum allowable separation distance between well pads. This is important to preserve the rural nature of countryside areas (i.e. minimise industrialisation of these areas), and also to minimise adverse health impact of these installations. Evidence is accumulating in the US to show strong correlations of various health effects and the proximity and density of well sites.
Scop9	Natural England Consultation Service	Thank you for your consultation on the above dated 26 June 2014. Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development. We have made a note of the policies, which will relate to the Supplementary Planning Document and have provided some detailed comments below in terms of how they can be used to provide further clarity on achieving positive outcomes for the natural environment; <ul style="list-style-type: none"> • CS5: Achieving Sustainable Minerals Production. • CS9: Achieving Sustainable Waste Management. • NPPF1: Presumption in Favour of Sustainable Development. • DM1: Management of Waste and Extraction of Minerals. • DM2: Development Management. <p>CS5: Achieving Sustainable Minerals Production. We note that Policy CS5 includes criteria on natural resources including water, air, soil and biodiversity</p>

		<p>etc., Natural England believe this to be a good base to provide some further clarity within further policies within the SPD.</p> <p>Biodiversity The section on Biodiversity should be extended incorporate measures to avoid harm to the international, national and locally designated sites of importance for biodiversity.</p> <p>International sites include: Special Protection Areas (SPAs); Special Areas of Conservation (SACs) and Ramsar sites. National sites include biological Sites of Special Scientific Interest (SSSIs) and National Nature Reserves (NNRs). Local sites are Local Wildlife Sites (a variety of other terms are also in use).</p> <p>The potential impacts of Oil /Gas extraction upon such sites may be direct or indirect and short or long term. Cumulative impacts may also occur as a result of the combined effects of more than one operation.</p> <p>Indirect impacts may be experienced several kilometres away from Mineral operations e.g. water pollution. The key to assessing these is to understand the potential impact pathways that may exist between the development and sensitive sites. Associated interest features of the sites for e.g. Pink Footed Geese may also use the potential development sites to feed. Pink Footed Geese can fly up to 20 km to feed.</p> <p>The Nature on the Map website is a useful source of information on the location and qualifying features of the international and national designations. Local Environmental Records Centres should also be of assistance and often hold information on Local Wildlife Sites.</p> <p>Landscape We also note criteria (iv) which seeks to protect the character of Lancashire's landscapes.</p> <p>This policy could be extended and refer to the importance of avoiding harm to the character of nationally protected landscapes, such as the Forest of Bowland and Arnsdale and Silverdale Areas of Outstanding Natural Beauty and locally valued landscapes.</p> <p>The assessment of potential sites for oil and gas exploration should be informed by the landscape</p>
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		<p>character approach. The National Character Area (NCA) profiles provide useful information. These update the national framework of Joint Character Areas and Countryside Character Areas that are used to inform LCAs. Further information is available at NCAs. The NCAs which fall within the plan area include;</p> <ul style="list-style-type: none"> • Lancashire and Amounderness Plain, • Lancashire Valleys, • Bowland Fringe and Pendle Hill, • Bowland Fells <p>Landscape Character Assessments (LCAs) identify the different landscape elements which give a place its unique character and can help inform the location and design of new development. Further information on LCAs is at Landscape Character Assessment.</p> <p>Seeking opportunities to contribute to landscape restoration and enhancement. The NCAs profiles identify potential opportunities for positive environmental change. LCAs also identify opportunities for landscape restoration and enhancement. These can help identify potential opportunities for aftercare and restoration in terms of landscape enhancement in an area.</p> <p>Natural England notes criteria (vii)'sensitive environmental restoration and aftercare of sites takes place, appropriate to the landscape character of the locality and the delivery of national and local biodiversity action plans'</p> <p>Natural England is very supportive of this criterion. However the SPD could expand upon this and advice that habitat creation will be delivered at a landscape scale. As well as referring to the Local Biodiversity Action Plans, policies within the SPD could encourage future development proposals to contribute to delivering national priority habitat targets. The national habitat creation target of 200,000ha, set out in the England Biodiversity Strategy, has now been broken down to provide figures for the indicative priority habitat creation and restoration potential of each National Character Area (NCA). The Onshore Oil and Gas SPD should therefore take account of the relevant NCA figures, please see those mentioned above within the landscape section.</p> <p>It is also important to recognise that restoration offers the potential for the creation of Green</p>
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		<p>Infrastructure in addition to Priority Habitat. Restoration will depend on the geological soil and hydrological conditions and the proximity of the site to existing habitats and GI.</p> <p>Green infrastructure is a term used to refer to the living network of green spaces, water and other environmental features in both urban and rural areas. It is often used in an urban context to provide multiple benefits including space for recreation, access to nature, flood storage and urban cooling to support climate change mitigation, food production, wildlife habitats and health & well-being improvements provided by trees, rights of way, parks, gardens, road verges, allotments, cemeteries, woodlands, rivers and wetlands.</p> <p>Green infrastructure is also relevant in a rural context, where it might additionally refer to the use of farmland, woodland, wetlands or other natural features to provide services such as flood protection, carbon storage or water purification. Green infrastructure maintains critical ecological links between town and country. Please also refer to Nature After Minerals for further guidance in aftercare and restoration.</p> <p>The SPD should consider the availability of GI and opportunities to enhance GI networks when considering sites for development.</p> <p>Soil</p> <p>Natural England suggest that a policy is included to protect Best and Most Versatile Agricultural Land. Land quality varies from place to place. Information on Best and Most Versatile Agricultural land (grades 1, 2 and 3 a) is available from the Agricultural Land Classification (ALC). ALC maps are available on the MAGIC website. Not all land has been surveyed in detail and more detailed field survey may be required to inform decisions about specific sites. Further information is available here ALC.</p> <p>The conservation and sustainable management of soils also is reflected in the National Planning Policy Framework (NPPF), particularly in paragraphs 109 and 112. When planning authorities are considering land use change, the permanency of the impact on soils is an important consideration. Particular care over planned changes to the most potentially productive soil is needed, for the ecosystem services it supports including its role in agriculture and food production. Plan policies should therefore take account of the impact on land and soil resources and the wide range of vital functions (ecosystem services) they provide in line with paragraph 17 of the NPPF, for example to:</p>
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		<ul style="list-style-type: none"> • Safeguard the long term capability of best and most versatile agricultural land (Grades 1, 2 and 3a in the Agricultural Land Classification) as a resource for the future. • To avoid development that would disturb or damage other soils of high environmental value (e.g. wetland and other specific soils). Ensure soil resources are conserved and managed in a sustainable way. <p>CS9: Achieving Sustainable Waste Management We note that this policy includes the following criteria</p> <ul style="list-style-type: none"> (i) Natural resources including water, air, soil and biodiversity are protected from contamination in the vicinity of waste facilities and opportunities are taken to enhance them. (ii) The character and quality of Lancashire's landscapes and natural environment is protected from harm and enhanced. <p>Natural England believe this to be a good base to provide some further clarity within further policies within the SPD in terms of sustainable waste management.</p> <p>NPPF1: Presumption in Favour of Sustainable Development Natural England notes that 'Policy NP1: Presumption in favour of Sustainable Development' will be used as a basis for the Supplementary Planning Document. Natural England would like to remind your authority that there are exceptions to the presumption of sustainable development, as outlined in par 119 from the NPPF, which states 'The presumption in favour of sustainable development (paragraph 14) does not apply where development requiring appropriate assessment under the Birds or Habitats Directives is being considered, planned or determined'.</p> <p>May we also alert you to Par 20 from the NPPF Technical guidance which states that 'Minerals Planning authorities are expected to ensure that plan proposals do not have an unacceptable adverse effect on the natural or historic environment or health'.</p> <p>Policy DM1 - Management of Waste and Extraction of Minerals In relation to the section on 'safeguarding of mineral resources' Natural England advise that the SPD gives further clarity to Peat not being included as a (MSA). This is due to its particularly ecological qualities and its importance as a carbon sink new peat extraction should not be included in plan or</p>
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	<p>safeguarded.</p> <p>Policy DM2 - Development Management Natural England notes this policy states that proposals should seek a positive contribution to the following 'Biodiversity, geodiversity and landscape character.'</p> <p>We also note par 2.2.23 on Nature Conservation; 'Biodiversity can be affected either by habitat destruction or displacement through construction on previously undeveloped or vacant land; or through the disturbance of species on surrounding land, or impacts on neighbouring habitats, in much the same way as people (through dust, noise, pollution, light).'</p> <p>Natural England suggests that this paragraph is developed further through policies within the SPD.</p> <p>This could be achieved through seeking to protect protected species. Protected species are those species protected under domestic or European law. Further information can be found here Standing advice for protected species. Sites containing watercourses, old buildings, significant hedgerows and substantial trees are possible habitats for protected species.</p> <p>Planning policies should also seek to avoid harm to priority habitats, ecological networks and priority and/or legally protected species populations. Priority habitats and species are those listed under Section 41 of the Natural Environment and Rural Communities Act, 2006 and UK Biodiversity Action Plan (UK BAP). Further information is available here UK BAP priority species and habitats.</p> <p>It may also be necessary to undertake a basic ecological survey in order to appraise the biodiversity value of any potential extraction site. A Phase 1 Habitat Survey is the commonly used standard for habitat audit and provides a starting point for determining the likely presence of important species. More information is available here Phase 1 Habitat Survey.</p> <p>Ecological networks are coherent systems of natural habitats organised across whole landscapes so as to maintain ecological functions. A key principle is to maintain connectivity - to enable free movement and dispersal of wildlife e.g. badger routes, river corridors for the migration of fish and staging posts for migratory birds.</p>
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		<p>Priority habitats can be found on the Nature on the Map website. Natural England does not hold records of priority or legally protected species but Local Records Centres may be able provide these.</p> <p>Natural England notes that the SPD will set out 'A description of the principal issues associated with oil and gas proposals, the land use planning objectives that are relevant, and the necessary supporting information' .</p> <p>We have inserted a checklist as an appendix, which we strongly suggest this should appear in the SPD. We would be happy to comment further should the need arise but if in the meantime you have any queries please do not hesitate to contact us.</p> <p>Appendix 1</p> <p>The primary concerns for Natural England are the impacts on the environment and local ecology, particularly on designated sites close to drilling/exploration sites. The range of potential localised impacts include:</p> <ol style="list-style-type: none"> 1. Cumulative effects of direct land take and disturbance during construction and operation 2. Contamination of groundwater supplies or nearby aquatic ecosystems from fluids used or released during exploration and fracking 3. Water extraction for exploration and gas extraction, 4. The impact of released gases including methane emissions, 5. Seismic effects. <p>6. Air quality impacts (non ghg): There is potential for fugitive emissions of methane, the primary gas extracted by fracking. Other potential emissions from the operating plant (diesel machinery etc) or associated combustion processes (including flaring) may give rise to local elevated levels of particulates, local ozone formation and NOx emissions. Atmospheric emissions other than those from combustion processes are likely to raise only limited levels of concern in relation to localised impacts, although we would expect levels of methane emission to be minimised given its role as a precursor for ozone formation.</p> <p>7. Abstraction impact: estimates of the quantity of water required to enable a fracking operation range from 9000 to 29000m³ water per well. This may either be provided from existing mains water supplies (as is the case at present in Lancashire) or from abstractions from groundwater or surface water. There</p>
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		<p>may therefore be localised demands on water and hence potentially significant impacts on any freshwater ecosystems dependent on the relevant aquifer or surface water body. This potential risk and the relevant management measures are considered more fully in Annex 1. Given the volumes of water required any abstractions are likely to be licensed through the abstraction licensing regime and so involve consultation with Natural England as at present. They would therefore involve no new assessment processes beyond those already used in our abstraction consultation responses</p> <p>8. Local Authorities are responsible for managing any planning permission requirements. Exploration and extraction development licensing would include Natural England as consultees where there is a risk to SSSIs. These will include conditions where the regulator requires them.</p>
Scop10	Halsall Parish Council	<p>The forthcoming Supplementary Planning Document consultation in October/November 2014 is by far one of the most important consultations in recent years for residents of Lancashire and therefore as regards structure and content the point should be made now that it should be widely and suitably advertised to residents well in advance and throughout the consultation.</p> <p>The main aims of the SPD appear to be creditable provided that the further guidance and reference document are in plain English and that the links to "relevant publications" are up to date and well balanced.</p> <p>The suggested sections appear to be a good summary starting point though no doubt other sections will arise and be added and the topics expanded as the consultation progresses.</p> <p>Halsall Parish Council has set up a Working Group to report on issues relating to Onshore Oil and Gas Exploration, Production and Distribution and the Parish Council will be actively involved in the forthcoming consultation. In addition to keeping the Parish Clerk notified in this consultation and the October/November 2014 consultation, please can the Working Group be added to the mailing list.</p>
Scop11	Wyre Borough Council	<p>Thank you for consulting Wyre Council on the scoping exercise for the proposed SPD. Please find attached Wyre Council's comments on the scoping exercise for the proposed Onshore Oil and Gas SPD.</p> <p>The comments have been approved by the Chief Executive and the Corporate Director for People and Places.</p> <p>Please will you keep the Council informed about the outcome of the scoping exercise, and the</p>

		<p>arrangements for the SPD consultation later this year.</p> <p>Wyre Council agrees that preparation of the SPD is very timely. It will be essential that the further advice and guidance provides the certainty and confidence to local communities, developers and the industry about how relevant planning applications will be determined in an open and transparent manner.</p> <p>The SPD must clearly set out the interface between the planning system and other regulatory regimes, including the Environment Agency and the Health and Safety Executive.</p> <p>The SPD should also provide information on relevant guidance elsewhere.</p> <p>The SPD must also provide clarity about relevant material considerations that may (and may not) be taken into consideration in the determination of proposals.</p> <p>It will be essential that any decisions made are based on the latest scientific evidence and technological information.</p> <p>The Council agrees with the policies to be covered by the proposed SPD, the suggested aims and objectives, and the proposed sections. In addition to the above points, the Council would ask that the following is also taken into account in preparing the SPD.</p> <ul style="list-style-type: none"> • The proposed SPD should ensure that it sets out further advice and guidance on the principal environmental, economic and social issues related to oil and gas exploration, production and distribution, and how these issues will be considered by the Joint Authorities when it comes to determination of planning applications. • The principal issues the SPD should address include (this is not an exhaustive list): water use; waste; groundwater contamination; surface water contamination; soil; emissions; air quality; flood risk; traffic; noise; landscape; visual; heritage; nature conservation designations; ecology; infrastructure; site aftercare and restoration. • Additionally, the proposed SPD should set out matters relating to economic and social issues including: links to the economic growth agenda that includes the Lancashire Strategic Economic Plan: A Growth Deal for the Arc of Prosperity and Wyre's Local Growth Plan 2014/17; links to the local labour market including opportunities for job creation; opportunities to support local training
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		<p>including working with local colleges and universities to address any identified skills gaps; opportunities to support the local supply chain.</p> <ul style="list-style-type: none"> • Lancashire Enterprise Partnership's Strategic Economic Plan (para 1.24) refers to the potential economic opportunity of shale gas, subject to regulatory confirmations, and refers to locating an 'Elite Institution' in Lancashire for shale gas as being important in establishing the sector both locally and nationally. Will the proposed SPD provide any further information on this idea? • Wyre's Local Growth Plan 2014/17 sets out details of the Borough's local ambitions for growth including the Key Strategic Initiative 2 'Encourage Investment and Sector Development' which includes 'support for the growth of the energy sector' and recognises "there is the potential for Wyre to raise its profile and develop as an energy hub". The proposed SPD should make appropriate and relevant reference to local economic growth strategies, such as Wyre's Local Growth Plan. <p>If you require any further information about this matter, please do not hesitate to contact me.</p>
Scop12	Coal Authority	<p>Scope of SPD</p> <p>It is currently slightly unclear what the scope of the SPD will include. Whilst the term onshore oil and gas may seem clear, it needs to be clarified whether or not this relates purely to conventional hydrocarbons or if it also includes unconventional hydrocarbons. From the nature of the text it would appear that it is intended to address unconventional hydrocarbons including shale gas. The scoping document is however silent on whether or not it will address coal related unconventional hydrocarbons including Underground Coal Gasification, Abandoned Mine Methane and Coal Bed Methane.</p> <p>The Coal Authority has no particularly strong view on whether or not coal related unconventional hydrocarbons should be included within the document. National planning policy in the NPPF, advice in the National Planning Practice Guide and policies in the Lancashire MWDF provide sufficient guidance in our view on coal related unconventional hydrocarbons. However should the Joint MPAs wish to include them in the SPD for consistency or to aid local understanding then we would not object to that approach. The Coal Authority is very aware of the local sensitivity of the issue of hydrocarbons.</p> <p>Purpose of SPD</p> <p>The Coal Authority is pleased to see the scoping document makes it very clear that SPD is not the place to impose new policies or policy criterion.</p>

		<p>Proposed SPD Structure</p> <p>The scoping document makes the following suggestions as to structure:</p> <ul style="list-style-type: none"> • An introduction to the planning system and process, and the division of responsibilities within the wider regulatory process • An introduction to oil and gas processes, and links to relevant other sources of information An illustration of the licensed oil and gas areas • A summary of the development plan and the most relevant planning policies • A description of the main phases of development and the main planning considerations associated with these • A description of the principal issues associated with oil and gas proposals, the land use planning objectives that are relevant, and the necessary supporting information <p>The Coal Authority supports this proposed structure; in particular the illustration of the current PEDL licensed areas will be helpful. PEDL licensed areas should be shown in the Local Plan on the Policies Map as required by NPPG, however the Lancashire MWDF was largely produced before this requirement was first published in the now withdrawn 2013 DCLG advice on Oil and Gas (now replaced by the NPPG).</p> <p>It is also considered imperative to set out what matters fall within the planning remit and what matters are the responsibility of other regulators. The NPPG provides helpful advice on this issue. An explanation of how the Joint MPAs will apply the NPPF approach to the respective main phases of development will also be helpful. It may also be appropriate to provide greater detail on what restoration and aftercare requirements will be necessary to comply with Policy DM2.</p> <p>Conclusion</p> <p>The Coal Authority welcomes the opportunity to make these early comments. We are, of course, willing to discuss relevant issues with the Joint Authorities both informally if required and formally.</p> <p>The Coal Authority looks forward to being consulted on the draft SPD in due course.</p>
Scop13	Aughton Parish Council	Aughton Parish Council would like to request consideration be given to including the following points in the SPD:

		<ol style="list-style-type: none"> 1. Noise levels resulting from oil and gas exploration methods, in particular 'fracking' and consequent effect upon the local community - loss of residential amenity, including visual amenity. Consideration to be given to minimum separation distances. 2. Potential effect of onshore operations upon the stability and physical integrity of land and buildings within the area of operational sites. 3. Potential contamination of land caused by leaks from wells both during and well after ceasing production. Possible contamination of water supply - several public health issues to be addressed. 4. The lasting 'footprint' upon Green Belt land which will be left long after operations have ceased. Very strong and watertight policies needed to enforce 'clean-up' and restoration of land.
Scop14	Cuadrilla	<p>Representation by Cuadrilla on the Supplementary Planning Document (SPD) on Onshore Oil and Gas Exploration, Production and Distribution</p> <p>This document has been prepared by Arup on behalf of Cuadrilla Resources Ltd in response to the notification of the scoping consultation on a new planning document for onshore oil and gas (hydrocarbons). The notification informs key stakeholders of the Joint Authorities' (Minerals and Waste Planning Authorities of Lancashire County Council, Blackpool Council and Blackburn with Darwen Council) intention to prepare a Supplementary Planning Document (SPD) on onshore oil and gas exploration, production and distribution.</p> <p>The purpose of this response is to provide feedback on the proposed scope of the SPD and to advise the Joint Authorities on any further issues and information considered to be relevant for inclusion.</p> <p>The notification of scoping consultation outlines the proposed structure of the SPD, and sets out the main aims and objectives, to:</p> <ul style="list-style-type: none"> • Provide further guidance on the interpretation of policy contained within the adopted Minerals and Waste Local Plan. • Provide a reference document for the residents of Lancashire new to the subject explaining the planning and other regulatory processes, providing links to relevant publications and sources of information. <p>The notification of scoping consultation suggests six sections for inclusion in the SPD as set out below.</p>

		<p>We suggest that an additional section is incorporated at the front of the document to explain "the Scope of the SPD". This would explain the relationship of the SPD to existing and emerging policy and guidance at the local and national level. This section should make clear as set out in the correspondence on the "Notification of Scoping Consultation" that the SPD is intended "to add further detail to the policies of the local plan and provide further guidance on particular issues". It does not and cannot introduce new planning policies and it should not conflict with approved policy and guidance. The SPD should also explain that the document does not and cannot allocate or safeguard sites or areas for onshore oil and gas development or identify areas that are not considered to be suitable for oil and gas development.</p> <p>Furthermore, importantly the SPD should not consider the principle of onshore oil and gas development, but in our view could explain the Government support for new sources of gas and oil supply, as expressed in government policy and statements:</p> <ul style="list-style-type: none"> • Overarching National Policy Statement for Energy (EN1) • House of Commons Energy and Climate Change Committee, Shale Gas, 23rd May 2011 Written Statement to Parliament by Edward Davey, Secretary of State for Energy, 13th December 2013 • The Myths and Realities of Shale Gas Exploration - Speech by Ed Davey Secretary of State for Energy to the Royal Society - 9th September 2013 • House of Lords Economic Affairs Committee Report - The Economic Impact on UK Energy Policy of Shale Gas and Oil - 8th May 2014 <p>Response: It is our view that the stated aims and objectives are relevant for the proposed SPD as long as the guidance that emerges is consistent with policy and guidance at a local and national level. An additional objective should be added as follows: "Provide an overview of government policy and objectives to bring forward new sources of supply for onshore oil and gas".</p> <p>1. An introduction to the planning system and process, and the division of responsibilities within the wider regulatory process</p> <p>Response: The National Planning Practice Guidance (NPPG) asserts that the planning and other regulatory regimes are separate but complementary. Paragraph 012 (References to the NPPG are to category 27</p>
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		<p>guidance on Minerals, unless stated otherwise) provides an introduction to the planning system stating that: "the planning system controls the development and use of land in the public interest ... this includes ensuring that new development is appropriate for its location - taking account of 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."</p> <p>The guidance advises that the focus of the planning system should be on whether the development itself is an acceptable use of the land and consideration should be given to the impact of those uses (paragraph 012).</p> <p>The NPPG acknowledges that minerals extraction is an on-going use of land and advises that the majority of the development activities will be for the Mineral Planning Authority (MPA) to address. However, separate licensing, permits or permissions relating to minerals extraction may be required (paragraph 014).</p> <p>Paragraph 109 of the NPPG provides a relevant link to the "Regulatory Roadmap: Onshore oil and gas exploration in the UK regulation and best practice" published by the Department of Energy and Climate Change (DECC) in December 2013. This is a set of documents which aims to help operators understand the regulation process for onshore oil and gas (shale gas) exploration in the UK. Paragraphs 110- 112 outline the division of responsibilities within the wider regulatory process with specific regard to hydrocarbon extraction.</p> <p>Paragraph 112 advises that some hydrocarbon issues can be assessed by other regulatory regimes and MPAs should assume that these regimes will operate effectively. MPAs should be satisfied that any such issues can or will be adequately addressed by taking the advice from the relevant regulatory body. In specific circumstances, some issues covered by other regulatory regimes may still be relevant to MPAs.</p> <p>We suggest that the SPD acknowledges that the UK has a strict regulatory framework governing offshore and onshore oil and gas exploration and production. For instance it will be important to explain that any associated risks with shale exploration and production are heavily regulated and closely scrutinised by the relevant independent bodies.</p>
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		<p>The SPD should describe the variety of consents and permits that will be required in addition to obtaining planning permissions. These consents are required before different operational stages of an onshore oil and gas project can proceed. For instance for shale gas exploration there is a need for approvals for the drilling, hydraulic fracturing and testing stages.</p> <p>We would like the SPD to make clear that an applicant and a mineral planning authority should be working with the regulators, such as The Department of Energy and Climate Change (DECC), the Health and Safety Executive (HSE) and the Environment Agency (EA), from a very early stage of a project, prior to the submission of a planning application. It will be important to ensure that any consents and approvals from these bodies do not overlap or duplicate the approvals from the mineral planning authority or conflict with the consents of these bodies. Therefore in order to reduce overlap, the SPD should clarify what authorities and regulators are responsible for which aspects of the process. In our view, most of the subsurface operations should be approved by the national bodies - DECC, the Environment Agency and the Health and Safety Executive - with the Minerals Planning Authority focusing on surface operations and land use considerations.</p> <p>The SPD should also recognise that the Environment Agency, together with other regulatory bodies, have powers to impose conditions, halt operations, or require amendments if they are not satisfied with the proposals or operations. The SPD should clarify that it will be important to ensure that there is no overlap or duplication between the conditions imposed by these bodies and the mineral planning authority.</p> <p>Whilst the proposed section may be pertinent to the topic of the SPD, there is a risk of duplicating the existing national guidance which provides guidance introducing the planning system and process, and the division of responsibilities in the wider regulatory process. It will be important therefore to ensure that the SPD accords with this guidance and provides where appropriate clarification and interpretation to assist the applicant as well as other bodies involved in the consenting and approval processes.</p> <p>2. An introduction to oil and gas processes, and links to relevant other sources of information</p> <p>Response: The NPPG confirms that hydrocarbon extraction covers both conventional and unconventional</p>
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hydrocarbons (paragraph 091). The guidance provides definitions of conventional and unconventional hydrocarbons and emphasises the need to establish, by means of exploratory drilling, "whether or not there are sufficient recoverable quantities of unconventional hydrocarbons such as shale gas and coalbed methane present to facilitate economically viable full scale production" (paragraph 091). A flow chart is illustrated in Annex B of the guidance, setting out the process for drilling an exploratory well, and how the key regulatory regimes interact.

It would be helpful if the SPD provides a link to a wide range of sources of information relating to onshore oil and gas, including those that have informed the recent planning application and Environmental Statements submitted by Cuadrilla at the Roseacre Wood and Preston New Road sites. The principal sources of information that should in our view be identified are:

- Shale gas extraction in the UK: a review of hydraulic fracturing, Royal Society and Royal Academy of Engineers, June 2012
- Review of the Potential Public Health Impacts of Exposures to Chemical and Radioactive Pollutants as a Result of the Shale Gas Extraction Process, Public Health England, June 2014
- House of Commons Energy and Climate Change Committee, Shale Gas, 23rd May 2011
- House of Lords Economic Affairs Committee Report - The Economic Impact on UK Energy Policy of Shale Gas and Oil - 8th May 2014
- UK Onshore Shale Gas Well Guidelines- UKOOG, 2013.
- Shale Gas Engagement Charter -UKOOG, June 2013
- Getting Shale Gas Working, Institute of Directors, June 2013
- Gas Generation Strategy, DECC, December 2012
- Annual Energy Statement, DECC. October 2013.

Whilst the proposed section may be pertinent to the topic of the SPD, there is a risk of duplicating the existing national guidance which already provides guidance introducing oil and gas processes, and relevant links to other sources of information.

3. An illustration of the licensed oil and gas areas

Response:

Paragraph 104 of the NPPG provides an external web link to DECC's "Wallmap displaying current fields

		<p>and licences" which illustrates onshore licence areas currently around the UK. Whilst the NPPG provides a web link to a map illustrating the licenced oil and gas areas in the UK, it does not provide an illustration specific to the areas covered by the Joint Authorities.</p> <p>It is considered that an illustration showing the licenced oil and gas areas at the local level (area covered by the Joint Authorities) may be relevant for inclusion in the proposed SPD. It should be noted that new onshore licence areas are likely to be developed in the future (including the recently announced 14th round) and there may be a risk that any such illustration contained within the SPD could become out-of-date.</p> <p>4. A summary of the development plan and the most relevant planning policies</p> <p>Response: The Statutory Development Plan in place will be dependent on the local authority areas within which an application for onshore oil and gas development is located. For the recent applications submitted by Cuadrilla in late May/June 2014 the Development Plan comprises;</p> <ul style="list-style-type: none"> • Joint Lancashire Minerals and Waste Development Framework Core Strategy DPD (February 2009); • Joint Lancashire Site Allocations and Development Management Policies DPD (September 2013); and • Saved policies of the Fylde Borough Local Plan (May 2003) <p>Other relevant policy and guidance for these applications comprise:</p> <ul style="list-style-type: none"> • National Planning Policy Framework (NPPF) - Section 13 Facilitating the sustainable use of minerals (paragraphs 142-149) • National Planning Practice Guidance (NPPG) - Category 27, Section 9 Planning for Hydrocarbon extraction. Overarching National Policy Statement for Energy (EN1) • Emerging Fylde Local Plan to 2030. <p>We agree that the policies of the Site Allocation and Development Management DPD (NPPF1, DM1 and DM2) and Joint Core Strategy (CS5 and CS9), as identified in the correspondence on "notification of Scoping Consultation", are relevant for onshore oil and gas development.</p>
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		<p>In addition it would be useful for this section to explain the relevance of policy CS1 of the Joint Core Strategy. This policy confirms "minerals will only be extracted where they meet a proven need for materials with those particular specifications." It is our view that the need for unconventional gas and oil has been established at a national level and therefore this should not be a consideration of local policy or the SPD. If policy CS1 is to be taken into account in the determination of onshore oil and gas applications then there needs to be an acknowledgement that the "need" for oil and gas is "proven" at a national level, as confirmed within national policy and guidance.</p> <p>At a local level there is policy that seeks to restrict development within rural or countryside areas to specific types of development (e.g. policy SP2 of the Fylde Borough Local Plan). As onshore oil and gas development as well as other types of mineral developments are unlikely to be referred to within these policies the SPD should make clear why it is appropriate for these forms of development to be an exception to these policies. It is suggested that the SPD should state that an exception should be made to these policies given the temporary nature of on shore oil and gas operations and the national need to explore and ultimately recover mineral resources where they occur. In summary government policy, need and the particular locational demands of onshore oil and gas are important material considerations that justify a departure from policies that restrict development within rural and countryside areas.</p> <p>As there is no existing guidance summarising the development plan and building on and interpreting local policy, it is considered that this section would be relevant for inclusion within the proposed SPD. It is important though that the principles of an SPD, as set out at the beginning of this paper, are recognised: that is the SPD should not introduce new planning policies and it should not conflict with approved policy and guidance</p> <p>5. A description of the main phases of development and the main planning considerations associated with these</p> <p>Response: The NPPG states that the three phases on onshore hydrocarbon extraction are: exploration, testing (appraisal) and production (paragraph 092). Paragraphs 095 to 103 expands upon each phase of development.</p>
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		<p>Paragraph 093 asserts that "planning permission is required for each phase of hydrocarbon extraction, although some initial seismic work may have deemed planning consent under Part 2 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995." The guidance goes on to state that a single planning application is able to cover more than one phase of hydrocarbon extraction (paragraph 094).</p> <p>The NPPG outlines when an Environmental Impact Assessment (EIA) is likely to be required for hydrocarbon extraction proposals (paragraph 119). It advises that applications for the exploratory, appraisal and production phases are all likely to fall under paragraph 2 of Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011, and therefore should be screened for likely significant effects. An EIA is required if the project is likely to have significant environmental effects, and paragraph 030 sets out a flow chart summarising the screening process. The guidance asserts that all applications must be assessed on a case-by-case basis.</p> <p>In addition, the guidance emphasises the importance for MPAs to ensure that applicants deliver sound restoration and aftercare proposals through the imposition of planning conditions and, where necessary planning obligations (paragraphs 041 and 127). Paragraph 038 outlines the appropriate stages that MPAs should consider when preparing restoration and aftercare conditions, whilst paragraph 040 advises on the level of detail that should be provided within the planning application in relation to restoration and aftercare.</p> <p>In addition there is material provided with the Planning Statement (Chapter 4) and Environmental Statement (Chapter 3) of the recently submitted planning applications for shale gas exploration by Cuadrilla, which provide detailed description of shale gas exploration. Although these descriptions are site specific and respond to the requirements for exploration at these locations (with up to four wells) there are elements of these proposals that are likely to be common to other onshore shale gas exploration proposals, including:</p> <ul style="list-style-type: none"> • Well pad construction and use of impermeable liners and storage of top soil in mounds around the sites • Drilling of wells and use of multiple casings and cementing of wells for containment purposes • A sequential approach to drilling, hydraulic fracturing and initial flow testing of a well
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- The potential for extended flow testing where a connection to the national gas grid network can be made The plugging and abandonment of wells and the restoration of sites.

It is our view that any description of the phases of development is indicative and does not seek to provide a prescribed approach or sequence of works and operations for oil or gas development. This is due to the need to allow flexibility for an operator to adjust the methods of working and operations to respond to the characteristics of a site and to respond to changing practices, methods of working and technological advances.

There are three issues associated with onshore oil and gas exploration and production that we believe are important to address within the SPD, as set out below:

1. **Investigations and surveys.** Initial investigations and surveys are often taken in advance of the exploration stage and need to be acknowledged as an important stage in the process. For example for shale gas exploration the use of "advanced imaging technology" was used to map the layers of rock in the region improving knowledge of subsurface geology. For the shale gas exploration works in the Fylde area of Lancashire a 3-dimensional (3D) geophysical seismic survey was undertaken over an area of approximately 100 km², to better identify the locations of geological faults and potentially workable strata in advance of proposals for hydraulic fracturing of the shale. This 3D seismic survey allows for the identification of the depths of rocks, particularly the shale, in far greater detail and target potential hydraulic fracturing work more accurately. Many of these initial investigations and surveys can be undertaken under permitted development rights.

2. **Horizontal Drilling.** This should explain that the concept of horizontal drilling is not new, and has been used extensively in the gas and oil industry. Drilling a horizontal well involves curving the path of the well, gradually moving from a vertical to a horizontal path. The same stringent environmental and safety measures on directional wells are used for horizontal drilling as apply to vertical wells. The principal benefit of directional drilling is that mineral resources can be extracted at significant distances (2 kilometres or more) from the point of surface activity, thereby avoiding development activity at the surface and avoiding any impacts within environmentally sensitive locations.

3. **Hydraulic Fracturing.** Hydraulic fracturing is an established technology that has been used in the oil and gas industries for many decades, as confirmed by the Royal Society (Shale gas extraction in the UK: a review of hydraulic fracturing, Royal Society and Royal Academy of Engineers, June 2012). The Royal Society also concluded that "The health, safety and environmental risks associated with hydraulic

		<p>fracturing (often termed 'fracking') as a means to extract shale gas can be managed effectively in the UK as long as operational best practices are implemented and enforced through regulation".</p> <p>4. Seismic Monitoring Works. The Royal Society has recommended that seismicity should be monitored before, during and after hydraulic fracturing. Traffic light monitoring systems should be implemented and data fed back to well injection operations so that action can be taken to mitigate any induced seismicity.</p> <p>It is considered that whilst the proposed section may be pertinent to the topic of the SPD, there is a risk of duplicating the existing national guidance which already addresses the main phases of development and associated planning considerations. Nevertheless there is scope to build on existing guidance as set out above.</p> <p>6. A description of the principal issues associated with oil and gas proposals, the land use planning objectives that are relevant, and the necessary supporting information</p> <p>Response: Principal Issues The NPPG provides a list of 21 principal environmental issues relating to minerals working that should be addressed by MPAs, noting that not all issues will be relevant to every site to the same degree (paragraph 013). Where EIA is required these issues will be addressed as part of the EIA scoping process.</p> <p>Further planning guidance of some of the listed environmental issues is provided in different categories of the NPPG (e.g. category 42 provides further guidance on traffic and category 7 provides further guidance on flood risk) which can be accessed through relevant links on the web-based resource. However, there remain a number of environmental issues of mineral working which are not further explained within the NPPG (e.g. geological structure, soil resources and water abstraction).</p> <p>Paragraph 112 of the NPPG outlines the hydrocarbon issues that can be addressed by other regulatory regimes.</p> <p>The NPPG provides a list of the environmental issues that should be addressed by MPAs relating to all types of minerals working. Furthermore, the NPPG details hydrocarbon issues that can be addressed by</p>
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other regulatory regimes. Where EIA is required the issues to be considered as part of the EIA will be identified as part of the Scoping process and set out within a Scoping Opinion.

There would be merit in the SPD identifying the types of environmental issues that are relevant to oil and gas proposals as long as this is consistent with the issues identified in the NPPG. The SPD should also make clear that there are some issues that are not material to the determination of a planning application or relevant for EIA (e.g. property issues). The SPD should also identify which regulators are responsible for addressing each issue and providing an appropriate description for those issues for which the mineral planning authority has responsibility.

Land Use Planning Objectives

The NPPG outlines the land use planning objectives for hydrocarbon extraction (paragraphs 104 -108). Paragraph 104 asserts that hydrocarbon extraction "can only take place in areas where the Department of Energy and Climate Change have issued a licence under the Petroleum Act 1998 (Petroleum Licence)".

The guidance advises on how MPAs should make appropriate provision for hydrocarbons in local mineral plans, emphasising the importance to highlight areas where proposals for hydrocarbon extraction may come forward, as well as managing potentially conflicting objectives for use of land (paragraph 105).

Paragraph 107 confirms that MPA local plans should identify existing hydrocarbon extraction sites, as well as specific locations which the onshore oil and gas industry wish to promote. Although it should be recognised that the guidance contained at paragraphs 105 and 107 is aimed at the preparation of Mineral Local Plans and not relevant for SPDs.

The Development Plan predates the current national land use planning objectives. As such, the Development Plan is silent and out-of-date in regard to land use and hydrocarbon exploration and extraction. We are of the view that the land use planning objectives for onshore oil and gas are already set out clearly within National Policy and Guidance. The SPD can reaffirm the national policy and guidance at the local level but the SPD should not seek to replace, revise or add to these objectives. Any new or revised objectives along with the identification of any potential locations or areas for hydrocarbon extraction sites may be relevant for inclusion within a Local Minerals Plan but are not relevant for an

		SPD.
Scop15	Private individual	I agree that people need to know the positives and negatives of what shale gas is and what it can be used for. As much detail as possible needs to be explained to anyone who can be affected so it is fully understood and then any decisions can be made accordingly. I think that what is included is good and fair, people need to know as much as they can about shale gas both positives and negatives. They need to understand the processes of what will/is happening to prevent any unnecessary protests that could occur.
Scop16	Anderton Parish Council	Anderton Parish Council has considered the proposed Supplementary Planning Document on which you are consulting and wishes to make the following comment. The council considers that in view of the role of the document to provide a reference source for residents of Lancashire, the document should contain prominent sections on :- a) Safety Implications b) Environmental Aspects We believe that these are two important issues that will be of concern to residents and should be specifically drawn out from the Local Plan policies.
Scop17	Lancaster City Council	<p>Management Team is recommended to note the report, and welcome the intention of Lancashire County Council to prepare and consult on a Supplementary Planning Document on onshore oil and gas exploration, production and distribution.</p> <p>1. Introduction</p> <p>The minerals and waste planning authorities of Lancashire County Council, Blackpool Council and Blackburn with Darwen Borough Council (the Joint Authorities) intend to prepare a Supplementary Planning Document (SPD) on Onshore Oil and Gas Exploration, Production and Distribution.</p> <p>An SPD can be prepared to add further detail to the policies in the local plan and provide further guidance on particular issues. It cannot introduce new planning policies; they can only be contained in a local plan.</p> <p>The proposed SPD will provide guidance on the interpretation and application of the policies in the adopted Joint Lancashire Minerals and Waste Core Strategy and Site Allocation and Development Management Local Plan, describing how these policies can be applied to developments for onshore oil and gas exploration, production and distribution. It will relate to the implementation of the following Local Plan policies:</p>

		<ul style="list-style-type: none"> • CS5: Achieving Sustainable Minerals Production • CS9: Achieving Sustainable Waste Management • DM1: Management of Waste and Extraction of Minerals • DM2: Development Management <p>2. Scoping the Supplementary Planning Document</p> <p>At this stage the County Council is consulting on the scope and level of detail that should be included in the SPD. This consultation seeks to ensure any issues which may influence the content of the document are identified at the beginning of the drafting process.</p> <p>Later in the year there will be an opportunity to make detailed comments on a consultation draft SPD, during an eight week consultation. Key dates for the production of the SPD are:</p> <ul style="list-style-type: none"> • Scoping consultation - 27 June to 25 July 2014 • Preparation of SPD following scoping - summer 2014 • Reports to Joint Advisory Committee for Strategic Planning and the responsible Executive Member at each of the Joint Authorities - September 2014 • Consultation by Lancashire County Council on the draft SPD: October - November 2014 <p>3. Proposed structure of the Supplementary Planning Document</p> <p>The main aims and objectives of the SPD are to:</p> <ul style="list-style-type: none"> • Provide further guidance on the interpretation of policy contained within the adopted Minerals and Waste Local Plan • Provide a reference document for the residents of Lancashire new to the subject explaining the planning and other regulatory processes, providing links to relevant publications and sources of information <p>The County Council propose that the SPD will include the following sections:</p> <ul style="list-style-type: none"> • An introduction to the planning system and process, and the division of responsibilities within the wider regulatory process • An introduction to oil and gas processes, and links to relevant other sources of information An
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		<p>illustration of the licensed oil and gas areas</p> <ul style="list-style-type: none"> • A summary of the development plan and the most relevant planning policies • A description of the main phases of development and the main planning considerations associated with these • A description of the principal issues associated with oil and gas proposals, the land use planning objectives that are relevant, and the necessary supporting information <p>4. Implications for Lancaster City Council</p> <p>Recent years have seen a growth in on shore oil and gas exploration, related in part to the government's policy of improving national energy security, but also to technological advances which have included hydraulic fracturing (fracking) of deep deposits of shale rock in order to obtain gas. Oil and gas exploration requires licencing and from the Department of Energy and Climate Change, regulation from the Health & Safety Executive, and planning consent from the Minerals and Waste Planning Authority.</p> <p>Until very recently, most oil or gas exploration in Lancashire was confined to a series of test drilling locations in Fylde district. Licences and planning consents have been issued in Fylde for exploration only, and the test drilling is designed to assess the scope for the commercial extraction of shale gas deposits trapped in rocks in a geological area known as the Bowland Basin. The northern-most limit of the Bowland Basin lies just to the south of Lancaster district, and so hitherto no licences have been sought in the district.</p> <p>The Department of Energy and Climate Change has indicated that it will be issuing further licences for oil and gas exploration during the summer. As these licences may include other areas in Lancashire outside the Bowland Basin, it is timely that Lancashire County Council propose to produce an SPD on this subject.</p> <p>5. Conclusion</p> <p>Lancashire County Council is consulting on a proposal to produce a Supplementary Planning Document on onshore oil and gas exploration. The County Council is asking for views on the scope of the proposed SPD and suggestions on its content.</p> <p>The view of planning officers is that the proposed content is logical and will help to provide further</p>
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		<p>guidance on this important topic. The only feedback that might be offered is to say that the SPD should make reference to the potential for further areas within the county to be licenced for oil and gas exploration. At the time when the SPD is prepared, the County Council propose a further eight week consultation period on the detailed draft.</p> <p>At that stage it will be necessary to involve elected members, as directed by Management Team.</p>
Scop18	Roseacre Awareness Group	<p>I am really sorry but our group has not been able to give sufficient attention to this document as we would have liked due to our other commitments relating to our objections to Cuadrilla's actual planning applications and our comments back to the EA and HSE (not yet submitted I might add). Further we are a residents group and not fully conversant with planning policy.</p> <p>However we do defer to the comments you will receive in due course (if you haven't already) from our Parish Council (Wharles, Roseacre and Treales). We have been working closely with them on planning issues and are in accordance/agreement with their views.</p> <p>The only things I would like to draw your attention to are</p> <ol style="list-style-type: none"> 1. The SPD should take account of cumulative impacts. How can you assess in isolation when potentially there could be hundred or more sites and thousands of wells across Lancashire? We all know once one site is approved it will set a precedent for all others. 2. Must consider implications of more than one site being operational at the same time and the likely impact, for example on traffic, wildlife, emissions, noise, visual and light intrusion. 3. The SPD must take account of local community infrastructure and the potential impacts up to a given radius (5km). Cuadrilla have only looked within 1km which is not suitable for a rural community which by its nature is dispersed over a larger area. What impact would the development have on the existing community infrastructure? 4. The SPD should make reference to any adverse impacts in socio economic terms. For example, potential loss of revenue and jobs in existing sectors such as agriculture and tourism. 5. What is classed as 'temporary' needs better definition. Such a development could effectively run for many years. 6. Need to better define what is classed as 'exploratory' as opposed to 'appraisal' or 'production'. UKOOG's own Community Charter clearly states a site is classed as 'Production' once pipes are installed to connect to mains gas. Clearly the current applications state they will

		<p>connect to the gas mains so surely this cannot be defined as 'exploratory'.</p> <p>7. There is an overwhelming feeling that the local community has no say whatsoever in this development yet there is a vociferous objection to this being done in a quiet, tranquil situation in the heart of rural Fylde. These sites, if allowed to proceed, will be visible from all aspects including the M55, A583 and the distant fells. How is that taken account of when determining against a mineral and waste policy and presumption in favour of the applicant?</p> <p>8. Should the planning policies not refer to the EU Convention of Human Rights and ensure it meets these?</p> <p>It is clear to me there needs to be much more explicit guidance relating to shale gas and that it needs interlinking with the EA and HSE as cannot operate one without the other.</p> <p>In conclusion, we believe the SPD should make suitable allowances/guidance to take into account the local community views and, if the local community do not want it, then the development should not be allowed to go ahead. This is not a suitable area for an industrial complex/development (residents have been refused to build conservatories here) and threatens our very rural heritage and what makes us proud to live here. The Planning Guidance should protect us and not leave us at the mercy of greedy, energy hungry companies who care not a jot for local residents. I do not make any apologies for our views. We feel this industry has far too many inherent dangers and risks both to the environment and our health and wellbeing and we are being totally stitched up.</p> <p>The Planning Guidance should give preference to resident's views.</p> <p>Can you please ensure that the policy guidance does reflect this in whatever way.</p>
Scop19	Medlar with Wesham Parish Council	<p>Medlar-with -Wesham Town Council (the Council) at a meeting held on Tuesday July 15th 2014, unanimously resolved to place on record their objection to the processes involved with Shale Gas Exploration ultimately leading to the Production phase.</p> <p>The Council is aware that there is a substantial amount of divided opinion on the subject, however, they are specifically opposed, at this time, to the proposed applications to drill and hydraulically fracture at Roseacre Wood, and Preston New Road, Little Plumpton and also the entire procedure at any location in the Fylde and the wider area.</p>

		<p>After careful consideration of the pros and cons for Shale Gas Exploration, the Council has concluded that despite assurances from Cuadrilla, that the procedures will be properly managed, the potential for major problems outweigh the benefits.</p> <p>A recent report from the Chartered Institute of Environmental Health has called into question the regulatory system, stating that "Major shortcomings in regulatory oversight regarding local environment and public health risks" has increased the Council's concerns.</p> <p>The Council has come to this conclusion for the following non-exhaustive reasons: -</p> <p>Induced Seismicity Previous attempts in the Fylde area to drill and "Frack" have caused earth tremors. The Council are concerned about the potential for such earth tremors despite the so called 'traffic light system'. Such tremors have the ability to damage property and associated services such as septic tanks. Any such damage to underground services could result in pollution to watercourses. Cuadrillas response to this fear is to promote increased insurance cover.</p> <p>Air, Land and Aquifer Pollution Risk The Council has concerns for gas emissions especially methane levels as the result of 'burn off' which burns off methane gas and causes air pollution. It is known that flaring leads to over 250 pollutants. The potential for land contamination is huge.</p> <p>Although the wells can be built to a standard it is documented that 5% of wells leak in the first year and 100% fail eventually. Any such failure of the well will result in an increase in toxins and contaminates potentially reaching aquifers and agricultural land.</p> <p>Light pollution Given that the process is a 24/7 activity light pollution is of concern to the Council.</p> <p>Flow back water Of significant concern to the Council is the arrangement for the transportation and safe disposal of flow</p>
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		<p>backwater. In addition to the disposal of such contaminated water there are concerns for the possible on site leakage or spillage during disposal activities or transportation. Unanswered questions about the locations where the water treatment will be conducted are of concern for the Council. Questions remain:</p> <ul style="list-style-type: none"> • What are the plans for this? • Where will it be treated? • Will it be taken away? • Are there plans for a water treatment plant to be constructed in Lancashire? • If so, will this area become the disposal area for other sites in the UK? <p>Vehicle Movements</p> <p>It is inevitable that there will be increased traffic at various stages of the development. In the case of Roseacre and Little Plumpton, the increased use of vehicles, particularly HGV'S along the A585 will exacerbate an already existing problem and at peak times create further problems at the M55 junction 3.</p> <p>The Roseacre site is specifically unsuitable given the nature of the narrow rural road network which in some cases is limited to single vehicle access often used by the rural communities for walkers, cyclists and horse riders.</p> <p>Noise</p> <p>The continuous operation of the exploration sites will inevitably lead to an increase in ambient noise levels. Of the two sites, the Roseacre community one will be the worst affected area with noise sources from increased traffic and the site equipment. Potentially similar operations will occur at many other sites within short distances from Medlar-with-Wesham where the Council's concerns would be even more relevant.</p> <p>Water supplies</p> <p>The Council understands that each well requires levels of water into the millions of gallons for both the exploration stages and ultimate production phases. The Council has concern for the potential impact this could have on residential supplies.</p> <p>Visual Impact</p> <p>The Council does not consider that the visual impact on rural areas can be minimised by the very nature</p>
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		<p>of the industrial requirements of the shale gas operations.</p> <p>Property values and insurance The Council is concerned that all the adverse publicity will have a detrimental impact on property values and insurance rates. People will not want to move to this area with all the uncertainty and media attention. Many residents in the proposed areas have already expressed concern about the effect on the value of their properties as the result of both the appearance of fracking operations and the associated engineering works.</p> <p>Future Site Expansion It is acknowledged that the two sites are in the 'exploratory' phase, which could quite conceivably result in production with an increase in the number of well heads, constructed. Inevitably this will lead to further noise, traffic and potential pollution risks.</p> <p>Impact on local wildlife The areas are home to wintering and migrating birds, birds of prey, game birds, many types of garden birds, bats and many others. The Council has concern for what will be the impact be on local wildlife from the increased noise, traffic and lighting. We understand the CPRE, the Lancashire Wildlife Trust, WWT, RSPB and other organisations have similar concerns.</p>
Scop20	Environment Agency	<p>Thank you for consulting us on the scope of the proposed Onshore Oil and Gas Supplementary Planning Document (SPD).</p> <p>We have reviewed the proposed aims, objectives and content of the SPD and we have no objections in principle to the proposals, however we would offer the following comments:-</p> <p>The SPD needs to clearly and accurately reflect our role in onshore oil and gas proposals. As you will be aware, the Environment Agency is a statutory consultee in the planning process. We are responsible for providing advice and guidance to local planning authorities on matters that relate to our remit through consultations on strategic plans and planning applications. However, we are also an environmental regulator responsible for determining applications for permits and consents under separate regulatory regimes, some of which will apply to onshore oil and gas proposals. Should the SPD not clearly define our roles and responsibilities, it could potentially cause confusion amongst the community and other</p>

		<p>stakeholders.</p> <p>We would also suggest that in relation to identifying the main planning issues associated with development proposals of this nature, it may also be beneficial for the SPD to identify</p> <ul style="list-style-type: none"> a) those planning issues that may also be considerations through other regulatory regimes; and b) any issues which may not be material to the determination of the planning applications but which may be considerations through other regulatory regimes <p>Given the potential significance of this SPD and the importance of accurately understanding and describing the roles and responsibilities of different regulators involved in onshore oil and gas proposals, we would be happy to meet with you to provide any further advice and guidance that we can which may help you in the preparation of this document.</p> <p>Please do not hesitate to contact me to discuss this matter further and/or arrange a meeting if it would be of benefit to you.</p>
Scop21	Treales, Roseacre and Wharles Parish Council	<p>Scope & Content</p> <p>We believe that the scope should include the NPPF Introduction - which provides the definitions of Sustainable Development. It is important to ensure that both the definitions of Development and Sustainable are given equal consideration in context of the Application site.</p> <p>NPPF 1.</p> <p>The scope of the 'Economy' needs to be explicit in the context of the Application site. A planning policy considered at this level, The Economy is logically that which applies to the principally affected community: i.e., within a few hundred metres of the application site. For example, in respect of the Cuadrilla Roseacre Wood Application, the impact on the economy of the affected community adjacent to the site of the Parish of Roseacre, Wharles & Treales and those adjacent to the access route from M55 Junction 3 via Medlar, Wesham, Kirkham, Newton, Scales, Clifton, Salwick, Treales and Wharles, as opposed to the District, County, Regional or National aspects. Paragraphs 18-22 need to demonstrate the specific benefits against the negative impacts of that scope of the economy.</p> <p>The advice given as 'Best Available Techniques' needs to consider the implications of the rate of</p>

	<p>progress in this industry to ensure that the regulations and advice to regulators match current technology and expectations of the local community.</p> <p>The approach to all Shale and Gas planning applications should reflect the long term nature of the exploration process and require appropriate standards to be applied to ensure local communities are not adversely affected thus avoiding nuisance complaints to the local authority.</p> <p>The applicant must assess the 'worst case' impact where mitigation is considered as a possibility in the planning application in order to avoid unnecessary and expensive rectification in the event that the mitigation proves unsuccessful.</p> <p>NPPF 2 – Where Applications are in the vicinity of settlement boundaries 'in the absence of a definitive boundary of towns in the context of the NPPF' then paragraphs 23-27 should be applied.</p> <p>NPPF 3 – Paragraph 28: Applications should be subject to assessment to both the creation of job growth and prosperity. The asset value of individuals within the affected community (see above), is a material consideration in the sustainability of the materially affected economy.</p> <p>NPPF4 – The industrial process of Hydraulic Fracturing as currently proposed generates a significant amount of movement. Paragraphs 29-41 need to be applied. In the case of developments on the Fylde, the impacts on sub-surface, surface, above surface & sea methods of transportation need to be considered. The impact of vehicular traffic needs to assess not only the route chosen by the applicant in terms of impact on the community but also the 'secondary' effects associated with the diversion of current traffic to avoid congestion hot spots on other routes as this may expose additional, currently unaffected, receptors. In particular these alternative routes should pay particular attention to the impact on schools, the elderly and minor routes and the risks associated. Where National policies are applied in favour of transport infrastructure over favouring the acceptability to local communities for oil and gas developments in respect of MPA and Local Planning Policies, then national interests are, on balance, to be considered not be presumed to be in favour of oil and gas development at an Application site.</p>
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		<p>NPPF 5 This needs to be fully considered e.g. In the Fylde there are strategic communications infrastructures in place.</p> <p>NPPF 6 Given the complexity and controversial nature of onshore oil and gas developments, the ability to deliver a wide choice of high quality homes in the vicinity of an Application site needs to be considered as per Paragraphs 47-55.</p> <p>NPPF 7 Given the complexity and controversial nature of onshore oil and gas developments, the ability to deliver high quality outcomes needs to be considered, with particular reference to Paragraph 59, 64, 65, 66, and 68.</p> <p>NPPF 8 Given the complexity and controversial nature of onshore oil and gas developments, the ability to promote Health Communities needs to be fully considered, as per the applicable paragraphs 68-78.</p> <p>NPPF 9, 10, 11,12, Given the complexity and controversial nature of onshore oil and gas developments, the ability to protect Green Belts needs to be fully considered, as per the applicable paragraphs In addition para 163 - Minerals, 165 - Environment, and paras 171, 172, 173-177, 178-181</p> <p>Applicable Local Plan To fully consider the applicable Local Plan. In the case of the Cuadrilla Roseacre Wood development the Fylde Adopted Plans and Emerging Plans need to be considered with applicable weight.</p> <p>Additionally:- The Cumulative, interrelationships between projects (e.g. Little Plumpton & Roseacre Wood project Plans)</p>
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		<p>The extended nature of oil and gas development - The accessibility of shale gas - The Bowland Field stretches from Whitby to Wrexham, so there are many discretionary resource access points. The approach to all Shale and Gas planning applications should reflect the long term nature of the exploration process and require appropriate standards to be applied to ensure local communities are not adversely affected thus avoiding nuisance complaints to the local authority.</p> <p>Once the principle of development is established at a particular Application site, it would, on balance, be difficult for a planning authority to resist further development. On that basis, an application for development is, on balance, one that will permanently change the development status of an application site. This is not temporary.</p> <p>The Well is a permanent feature of the site. The extended nature of oil and gas development</p>
Scop22	West Lancashire Borough Council	<p>I write on behalf of West Lancashire Borough Council to confirm that we are satisfied with the structure and general content of the proposed SPD.</p>
Scop23 (late)	Fylde Borough Council	<p>I am writing in response to your letter of the 25th June 2014 regarding the scope and level of detail that should be included in the SPD. I must apologise for the delay in responding to your letter.</p> <p>It is understood that later in 2014 there will be an opportunity to make detailed comments on a consultation draft SPD, which will be prepared jointly by Lancashire County Council, Blackpool Council and Blackburn with Darwen Borough Council (the Joint Authorities).</p> <p>Fylde Council would like to see the SPD setting out benchmarks for best practice in terms of the level of information that developers will be required to submit with applications for onshore oil and gas; together with setting high standards for the day to day management of the onshore oil and gas facilities.</p> <p>Fylde Council would expect the SPD to incorporate environmental protection and conservation as underlying themes running through the document and to include the following headings. The headings will also prove hooks for both developers submitting proposed schemes and for the Development Management officers and Committee members when determining planning applications:</p> <ul style="list-style-type: none"> • hydrology

		<ul style="list-style-type: none"> • pollution of groundwater • pollution of surface water • development and waste water • development within floodplains • managing water resources • air pollution (including mitigation measures) • noise pollution (including mitigation measures) • light pollution (including mitigation measures) • landscape character • protection of trees, hedgerows and woodlands • protection of coastline and sand dunes • heritage assets • development within the setting or curtilage of listed buildings • development affecting conservation areas • development affecting archaeological features • development affecting historic parks and gardens • development affecting features and artefacts of local importance • protection of agricultural land (ie best and most versatile) • building design (ie the design of the above ground structures, which do not constitute permitted development) • traffic management (ie the movements of heavy goods vehicles along country lanes) <p>I hope that this information is helpful.</p>
Scop24 (late)	Woodplumpton Parish Council	<p>I apologise if this is too late for consideration but due to the cycle of meetings, Woodplumpton Parish Council has only recently considered your email below.</p> <p>Members resolved to request that the SPD includes some background and comparisons regarding fracking and other renewable energy sources such as solar, tidal, wind and water and an analysis of the likelihood of</p> <ul style="list-style-type: none"> • pollution - by air, land and water, • nuisance – noise, smell, light, vibration and visual impact

		<ul style="list-style-type: none"> • environmental impact – on flora, fauna and wildlife • increased road usage - in terms of transportation and weight restrictions <p>Members also requested that the SPD contained reference to the health and safety implications and what weight will be given to this when determining planning applications and what consultation / reassurance will be given to local communities – not just during the planning application process - but also with regard to the monitoring and recording of any ‘activity’ if sites are approved.</p>
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Joint Advisory Committee for Strategic Planning

Meeting to be held on 24 September 2014

Electoral Division affected: All

Joint Lancashire Minerals and Waste Development Scheme 2014-2017

(Appendix 'A' refers)

Contact for further information:

Richard Sharples, 01772 534294, Environment Directorate,

Richard.sharples@lancashire.gov.uk

Executive Summary

This report describes the Local Development Scheme for the preparation of minerals and waste policy over the period 2014-2017. It contains the timetable for the preparation of the Joint Lancashire Minerals and Waste Local Plan review.

Recommendation

That the Joint Advisory Committee for Strategic Planning recommends to the Executive Members of the three authorities that the Minerals and Waste Development Scheme 2014-2017 (Appendix 'A' refers) be adopted at their respective decision making sessions, and that the scheme will have effect from 31 October 2014.

Background and Advice

Purpose

The report presents the updated Minerals and Waste Development Scheme (Appendix 'A' refers), and seeks approval for its adoption.

Background

The Joint Advisory Committee for Strategic Planning met on 1 May 2014 to discuss the review of the Minerals and Waste Local Plan; the Executive Members of the three authorities subsequently agreed to progress the review. The first step in progressing the review is the publication of a revised Minerals and Waste Local Development Scheme setting out the timetable for this review.

Rationale

The three authorities are required to produce and maintain an up to date Minerals and Waste Development Scheme setting out the timetable and procedures for producing local plans.

Under section 15 (7) of the Planning and Compulsory Purchase Act 2004, for the Minerals and Waste Development Scheme to take effect the three authorities must resolve that the scheme is to take effect, specifying the date from which the scheme is to have effect.

Key Issues

Since the adoption of the Joint Lancashire Minerals and Waste Site Allocation and Development Management Policies Local Plan, the current Minerals and Waste Development Scheme 2010-2014 has become out of date. This is particularly so given the recent Executive Member decisions to progress the Local Plan review.

Under section 15 (2) of the Planning and Compulsory Purchase Act 2004, a minerals and waste development scheme must set out the local plans that are to be prepared, their subject matter, and the timetable for their preparation and revision. The Minerals and Waste Development Scheme 2014-2017 set out at Appendix 'A', contains a 3 year timetable for the review of the Core Strategy and Site Allocation and Development Management Policies Local Plan.

Local Plans are subject to statutory preparation procedures under Part 6 of the Town and Country Planning (Local Planning) (England) Regulations 2012. As a minimum these regulations require that local plans are consulted on during their preparation (section 18) and prior to submission (section 19). It is recommended that two consultations are carried out under section 18, as described in the adopted Statements of Community Involvement.

The Minerals and Waste Development Scheme 2014-2017 outlines the process for carrying out the Local Plan Review. In order to understand how each consultation fits into the wider Local Plan process it is necessary to describe the purpose of each consultation.

- Winter of 2014 - The first stage will invite comments on what the review of the local plans should contain, and identify the issues from the evidence presented.
- Summer of 2015 - The second stage will invite comments on a draft Local Plan, principally on any proposals (for example changes to the vision and objectives, or policies and allocations, or the absence of any changes) to address the issues identified through the scoping consultation.
- Spring of 2016 - The third stage (regulation 19 Publication stage) will invite comments on the version of the Local Plan that the three authorities propose to submit to the Secretary of State.
- Summer 2016 - The final stage is the submission to the Secretary of State, and the subsequent examination in public by a planning inspector appointed by the Secretary of State. The examination will determine whether the Local Plan is sound and legally compliant.
- The outcome of the review will be the adoption of the Minerals and Waste Local Plan 2017-2032 in summer 2017.

It is a requirement of the regulations that local plans be produced in accordance with the local development scheme. Progress towards producing local plans is measured against the timetable set out in the development scheme; this is a key test of the soundness of the local plan at examination.

Therefore it is particularly important to ensure that the timetable in the development scheme is achievable. A risk log is included in the Minerals and Waste Development Scheme 2014-2017 outlining the main issues that could impact on the delivery of the timetable, and the degree to which they can be mitigated.

Policy Implications

There are no direct policy implications for the adoption of the Minerals and Waste Development Scheme 2014-2017. However, the policies in the adopted Joint Lancashire Minerals and Waste Core Strategy, and Site Allocation and Development Management Policies Local Plan, will be replaced upon the adoption of the Minerals and Waste Local Plan 2017-2032.

Recommendation

That the Joint Advisory Committee for Strategic Planning recommends to the Executive Members of the three authorities that the Minerals and Waste Development Scheme 2014-2017 be adopted at their respective decision making sessions, and that the scheme will have effect from the date of the last decision making session, subject to any Scrutiny Call-in procedures each authority has.

Consultations

N/A

Implications:

This item has the following implications, as indicated:

Finance

The costs of the review can be contained within the agreed existing budgetary provisions, following the decision to review the Local Plan.

Risk management

Section 19(1) of the Planning and Compulsory Purchase Act 2004 require that local plans are produced in accordance with the adopted development scheme: failure to adopt the Minerals and Waste Development Scheme 2014-2017, containing the Local Plan review, will prevent the review recommended by the Joint Advisory Committee for Strategic Planning on 1 May 2014 (the first stage of which is described in a separate report to this committee) from taking place.

Under section 15(7) of the Planning and Compulsory Purchase Act 2004, the resolution to bring the scheme into effect must specify the date from which the scheme will have effect; this is addressed in the reports recommendation.

Under section 15 9(A) of the Planning and Compulsory Purchase Act 2004, once the scheme comes into effect the three authorities will need to make the scheme available, along with a list of the amendments made. Under section 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012 a document is taken to be made available when it is made available for inspection: on the three authorities websites; at their principal offices; and at such other places within their area as they consider appropriate (as defined in the adopted Statements of Community Involvement).

Risks of delays in implementing the Minerals and Waste Development Scheme 2014-2017 timetable are outlined in section 7 of the Minerals and Waste Development Scheme 2014-2018 (Appendix 'A' refers).

Finance

The costs of the review can be contained within the agreed existing budgetary provisions, following the decision to review the Local Plan.

List of Background Papers

Paper	Date	Contact/Directorate/Tel
Joint Lancashire Minerals and Waste Local Plan: Local Plan Review	1 May 2014	Richard Sharples, Environment Directorate, (01772) 534294

Reason for inclusion in Part II, if appropriate

N/A

THE MINERALS AND WASTE DEVELOPMENT SCHEME FOR LANCASHIRE 2014-2017

September 2014

Joint Committee for Strategic Planning



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1. Introduction

- 1.1 This Minerals and Waste Development Scheme has been prepared by the Joint Authorities of Lancashire County Council, Blackburn with Darwen Borough Council and Blackpool Council in respect of the Joint Lancashire Minerals and Waste Local Plan. It is produced in accordance with the Planning and Compulsory Purchase Act 2004 and is intended to replace the Local Development Scheme 2012-2016, which was previously published by the authorities in September 2012.
- 1.2 It describes the minerals and waste local plan that are to be produced or revised between 2014 and 2017, within the administrative areas of Lancashire, Blackburn with Darwen, and Blackpool, and the timetable for their production and consultation.
- 1.3 This represents a new development scheme, rather than a revision to a previous scheme, in the sense that the previous schemes were concerned with the production and delivery of the Joint Lancashire Minerals and Waste Local Development Framework. This suite of documents has now been completed, with the adoption of the Site Allocation and Development Management Policies Local Plan in September 2013. This new development scheme concerns the preparation of a single minerals and waste local plan, containing the policies of the Local Development Framework, updated where necessary to reflect current evidence.
- 1.4 The National Planning Practice Guidance states that 'to be effective plans need to be kept up to date'. It recommends that, depending on local circumstances, most Local Plans will need updating in whole or in part at least every 5 years.

2. Review and Amalgamation of the Site Allocations and Development Management Policies Local Plan and Core Strategy

- 2.1 The Joint Authorities are intending to start a review and roll forwards the policies of the adopted plan. Work on evidence and background information began at the end of 2013 with a view to the revised plan being adopted during 2017. This does not and should not be considered to cast doubt on the up to date nature of the policies in the adopted plan which are due to run until 2021, but rather to demonstrate commitment by the Joint Authorities to operating a strong plan led system beyond the 2021 deadline.

Table 1: Schedule of Proposed Joint Lancashire Minerals and Waste Local Plan (publication, submission, adoption)

Document Title	Brief Description	Consultation (Regulation 18)	Publication of the DPD (Regulation 19)	Submission to Secretary of State	Date of Adoption
Joint Lancashire Minerals and Waste Local Plan	Review of the Site Allocations and Development Management Policies Local Plan and Core Strategy	Nov-Dec 2014 May-June 2015	Jan-Feb 2016	June 2016	May 2017
Revisions to Policies Map	Identifies locations of site allocations and safeguarding areas as				

Document Title	Brief Description	Consultation (Regulation 18)	Publication of the DPD (Regulation 19)	Submission to Secretary of State	Date of Adoption
	defined in the above local plan.				

- Subject Matter**
- Review of the evidence base for the development plan, and partial review of the policies where necessary, together with combining the two development plan documents into one local plan.
 - The vision, objectives and strategy for minerals and waste development.
 - Site allocations suitable for minerals and waste developments, and policies for the development of those sites.
 - Development management policies to cover matters not covered in national policy, or where special local circumstances prevail.
 - A policies map to show any site specific policies (e.g. mineral consultation areas, designated sites or areas, or site allocations).

- Geographical area**
- Covers the area of Lancashire County Council and Blackburn with Darwen and Blackpool Borough Councils.

- Arrangements for Production**
- Staff resources from within the County Council's Strategy and Policy Planning Group, cost sharing between the Joint Authorities where appropriate.
 - Political management through the Joint Advisory Committee and the appropriate Executive Member, Cabinet/Executive Board or Full Council/Council forum of each of the Joint Authorities.
 - Planning Inspector will be requested under section 20(7C) to provide Main Modifications.
 - Approach to involve stakeholders and the community in accordance with the SCI and the duty to cooperate as set out in the NPPF.

- Timetable for Preparation**
- **September 2014** - Joint Advisory Committee meeting
 - **Winter 2014** - Scoping consultation to invite comments on what the review of the local plan should contain, and to identify the issues from the evidence, under section 18 of the Town and Country (Local Planning) (England) Regulations 2012
 - **Summer 2015** - Preferred options consultation to invite comments on proposed changes (vision, objectives policies and allocations) to address the issues identified in the scoping consultation, under section 18 of the Town and

- Country (Local Planning) (England) Regulations 2012
- **Spring 2016** - Publication consultation to invite comments on the revised Local Plan prior to submission to the Secretary of State, under section 19 and 20 of the Town and Country (Local Planning) (England) Regulations 2012
- **Summer 2016** - Submission to the Secretary of State, under section 20 of the Planning and Compulsory Purchase Act 2004
- **Summer 2016** - Examination in Public
- **Summer 2017** - Adoption

3. Evidence Base

- 3.1 Relevant survey and monitoring information is needed to develop a sound evidence base for the Local Plan. This evidence base identifies issues and constraints for the Local Plan. The evidence base consists of existing data and new research and technical studies. Additional information has been and will continue to be collected from stakeholders, local communities and commercial interests.
- 3.2 This will include an ongoing dialogue with specific consultees to ensure cooperation in maximising the effectiveness of the preparation of the local plan, as required by section 33A of the Planning and Compulsory Purchase Act 2004.
- 3.3 As the evidence base builds and individual background and technical reports are completed, the information is posted on the Council's website, usually at a consultation stage in the development of the Local Plan. If the evidence base suggests that there is no need for changes this will also be highlighted.

4. Monitoring

- 4.1 It is necessary to monitor and produce a report annually on the timetable in this development scheme, and the effectiveness of adopted planning policies in achieving their objectives and targets. Indications will be given in the Monitoring Report in circumstances where policies might need reviewing and what action might have to be taken to do this. A revised Development Scheme will be published where this is necessary.

5. Resources

- 5.1 The preparation of the Local Plan is a joint process between Lancashire County Council, Blackburn with Darwen Borough Council and Blackpool Council. In practice, the work will fall largely upon the Strategy and Policy Group of the County Council's Environment Directorate with the County Council being financially reimbursed by the two Unitary Authorities as appropriate, as described in the service level agreement.

6. Political Management

- 6.1 The document will be guided, scrutinised and approved by elected members and official committees and councils of the three authorities, at each stage of production.

- 6.2 Recommendations on the preparation and publication of the local plan will be taken by the Joint Advisory Committee; principal decisions will be taken by the three authorities, either by their executive members or by Full Council, depending on the significance of the decisions being made. Committee and Council decisions are open to the public.

7. Risk Assessment

- 7.1 Every effort will be made to ensure that the programme set out in this Development Scheme will be fulfilled, but clearly there are various risks to different aspects of it. The following table identifies these possible risks, the problems that could ensue, the inherent risk (before any mitigation is place), and the mitigation measures that might be taken to alleviate them and the residual risk (after mitigation measures are taken).

Likelihood of Occurrence	High	4	7	9
	Medium	2	5	8
	Low	1	3	6
		Low – minor delay and impact on staff allocation	Medium – delay, with associated minor budget impact	High – significant delay, with associated budget impact
Impact on Business				

RISK	PROBLEM	INHERENT RISK	MITIGATION MEASURE	RESIDUAL RISK
Staff turnover or required for other work items.	Under resourced to take forward the Local Plan preparation resulting in delays.	8	Experienced staff in post. Resources may be drawn from other areas within the wider Strategy and Planning Policy Group in order to ensure continuity	5
Administrative delays	Programme is too tight with insufficient time for document preparation resulting in delays	3	Some leeway has been built into the post consultation and committee stages.	3
Capacity of the Planning Inspectorate (PINS)	Inability of PINS to meet deadlines for examination/decisions will result in delays to Local Plan process and adoption.	8	Leeway has been built into the post submission stages.	5
Plan found to not be legally compliant	At the prehearing meeting or the examination the plans preparation found to not accord to the duty to cooperate	8	Continued attendance at regional and sub-regional minerals and waste meetings. Early engagement with relevant authorities to identify strategic issues. Leeway built into post consultation stages to allow time for duty to cooperate meetings to discuss and resolve any	2

RISK	PROBLEM	INHERENT RISK	MITIGATION MEASURE	RESIDUAL RISK
			issues of soundness identified through the consultation.	
Emerging/ changing policy	Changes to National Policy affect the Local Plan process resulting in changes to process or changes to emerging policy, or reassessment of evidence.	8	Long range forecasts of need are less sensitive to changes in policy, as are locally specific policies. Budget must contain contingency funds to allow for any associated reconsultation or redrafting necessary.	5
High levels of objection to site allocation	High levels of objections could result in additional time needed to process and assess comments, and may affect political will to proceed, resulting in the need to redraft, or consult on alternatives.	8	Leeway has been built into the post consultation and committee stages. Front loading the consultation will ensure the significant issues are identified early in the process, and can inform policy development. Reserve sites will receive the same treatment as the preferred sites to ensure the availability of credible alternatives in the event of having to reject the preferred site later in the process, without the need to reconsult.	5
Judicial review	Administrative failure results in legal challenge post adoption	6	Experienced staff in post, thorough project plan, and sufficient time after and leading up to key stages	1
Joint Authority discord	Disagreements between the three authorities, causing delays to the adoption of the Local Plan documents	3	Joint authority members and officers involvement throughout the process.	3

APPENDIX: GLOSSARY OF TERMS AND ABBREVIATIONS

LDS	Local Development Scheme
SCI	Statement of Community Involvement – the approach to involving stakeholders in the MWDF preparation
MR	Monitoring Report – the annual review of the Minerals and Waste Local Plan
NPPF	National Planning Policy Framework – national government policy this replaces PPG, PPS, MPG, MPS

Duty to Co-Operate The process of working together between county and neighbouring authorities and with Local Enterprise Partnerships to prepare and maintain a robust evidence base to understand both existing business needs and likely changes in the market and to aid in the formation of strategic planning.

Joint Advisory Committee for Strategic Planning

Meeting to be held on 24 September 2014

Electoral Division affected: All

Joint Lancashire Minerals and Waste Local Plan Review – Scoping Consultation

(Appendix 'A' refers)

Contact for further information:

Richard Sharples, 01772 534294, Environment Directorate

Richard.sharples@lancashire.gov.uk

Executive Summary

The principle of the review of the Joint Lancashire Minerals and Waste Core Strategy, and Site Allocation and Development Management Policies Local Plan, was previously considered by the Joint Advisory Committee for Strategic Planning and subsequently approved by the Executive Member of each of the three authorities. This report presents information on the next step in the Local Plan review process; the scoping consultation.

It describes the purpose of the scoping consultation, and how this scoping consultation will be carried out.

Recommendation

That the Joint Advisory Committee for Strategic Planning recommends to the Executive Members of the three authorities to approve the consultation on the scope of the Local Plan review set out at Appendix 'A'.

Background and Advice

Purpose

To report the progress on the local plan review evidence preparation, and to seek approval to consult on the scope of the review.

Background

The Joint Advisory Committee for Strategic Planning met on 1 May 2014 to discuss the review of the Joint Lancashire Minerals and Waste Core Strategy, and Site Allocation and Development Management Policies Local Plan. The Executive Members subsequently agreed to progress the Local Plan Review. Following the adoption of the Minerals and Waste Development Scheme 2014-2018 (presented in

a separate report) the next step in this review will be to consult on the scope of the review.

Rationale

The need for the review was considered by the Joint Advisory Committee for Strategic Planning at its meeting on the 1 May 2014. Local Plans are subject to statutory preparation procedures under Part 6 of the Town and Country Planning (Local Planning) (England) Regulations 2012. The format of the consultation is in accordance with these regulations and the Statements of Community Involvement.

Key Issues

Scoping Consultation Document

The purpose of the scoping consultation is to consult with stakeholders on the scope of the Local Plan Review, to invite comments on what the review of the local plans should contain, and identify the issues from the evidence presented. It seeks to ensure that any issues which may influence the content of the revised Local Plan are identified at the beginning of the drafting process.

Key to the National Planning Policy Framework is the concept of objectively assessed need. Core Strategy assumptions on this use data from up to 10 years ago. The Local Aggregate Assessment and Local Waste Assessment update these assumptions, by presenting information on aggregate and waste arisings and projections for the revised plan period, and presenting information on the current permitted facilities capable of meeting that projected demand. It can be seen from these that it is likely that the extension to the plan period will result in a need to allocate more sites for some mineral types to meet projected demand, and there may be a need for limited new allocations for waste facilities in certain parts of the plan area.

The adopted Core Strategy and Site Allocation and Development Management Policies Local Plan have a plan period to 2021. The review is intended to extend this plan period to 2032, 15 years from the proposed adoption date of the reviewed Minerals and Waste Local Plan. Consequently the evidence must be tested to determine whether the current vision, objectives and policies will still be valid over the extended plan period. The consultation will seek stakeholder views on the following:

- whether existing policies are fit for purpose to be taken forward to 2032
- issues with the implementation of existing policy that could be rectified through the Local Plan review
- any need for new policies to be added to the Local Plan through the review
- issues with the evidence presented
- whether new facilities are needed in response to the evidence presented, with an opportunity to submit suggested sites
- comments on the Sustainability Appraisal scoping report
- comments on a draft Local Plan combining both the Core Strategy, and Site Allocation and Development Management Policies Local Plan, into one

document, with track changes to illustrate text that has been removed to avoid duplication.

Scoping Consultation Notification

Consultation will be undertaken in accordance with the three authorities adopted Statements of Community Involvement for a period of 6 weeks. The following approaches are suggested:

- Advanced notification to councillors by email and on the CFirst webpage, and an opportunity for a bite size briefing for councillors
- Issue press release
- Send letters/emails to stakeholders¹ (members of the consultation database, operators, and statutory consultees) informing them of the consultation
- Advertised on the three authorities websites, with online consultation at the Lancashire County Council 'Have your say' consultation portal, and the Joint Lancashire Minerals and Waste Objective Online consultation portal
- Place hard copies for inspection at deposit points (libraries, county hall, district town halls, county information centres)
- Electronic versions of documents available to view on the Joint Lancashire Minerals and Waste homepage, and the consultation portals
- A possible forum for the industry and other relevant groups to help identify their issues

At the second consultation during the review process, in summer 2015, the notification process will be the same, but will also include notifying residents close to any new allocated sites that are proposed.

This is in addition to the on-going dialogue with specific consultees (including through attending forums such as the North West Aggregate Working Party and the North West Waste Network) that the three authorities carry out to ensure cooperation in maximising the effectiveness of the preparation of the local plan, as required by section 33A of the Planning and Compulsory Purchase Act 2004 (the duty to cooperate).

Policy Implications

The policies in the adopted Joint Lancashire Minerals and Waste Core Strategy, and Site Allocation and Development Management Policies Local Plan, will be replaced upon the adoption of the Minerals and Waste Local Plan 2017-2032. At this stage there are no immediate policy implications, but as the review progresses to submission the materiality of the emerging policies for planning decisions will increase.

¹ It is recommended that all statutory consultees are notified of the consultation; these include parish and town councils, district councils, neighbouring councils, Natural England, and the Environment Agency. In addition all individuals and groups held on the consultation database will be notified.

Recommendation

That the Joint Advisory Committee for Strategic Planning recommends to the executive members of each of the three authorities to approve the consultation on the scope of the Local Plan review.

Consultations

N/A

Implications:

This item has the following implications, as indicated:

Risk management

Failure to consult in accordance with the adopted Statements of Community Involvement, and the adopted Minerals and Waste Development Scheme, could result in the Local Plan being found unsound by the Planning Inspector during its examination in public. Failure to consult the appropriate individuals or organisations could result in policy issues coming to light too late in the review process, affecting the delivery of the Local Plan review to schedule.

Finance

The costs of the scoping consultation can be contained within the agreed existing budgetary provisions, following the decision to review the Local Plan.

List of Background Papers

Paper	Date	Contact/Directorate/Tel
Joint Lancashire Minerals and Waste Local Plan: Local Plan Review	1 May 2014	Richard Sharples, Environment Directorate, (01772) 534294

Reason for inclusion in Part II, if appropriate

N/A



Scoping the Local Plan Review

DRAFT September 2014

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This document has been prepared jointly by Lancashire County Council, Blackpool Council and Blackburn with Darwen Borough Council.

Further details of the local plan, and to download this and other documents, please visit our website www.lancashire.gov.uk/mwdf. Or contact:

- Lancashire County Council, PO Box 100, Cross Street, County Hall, Preston, PR1 0LD
- Telephone: 01772 534294
- Email: lmwf@lancashire.gov.uk



1. Introduction

The minerals and waste planning authorities of Lancashire County Council, Blackpool Council and Blackburn with Darwen Borough Council (the Joint Authorities) intend to review the Joint Lancashire Minerals and Waste Local Plan.

The Local Plan consists of:

- an adopted Core Strategy (2009), containing strategic policies and identifying need; and
- an adopted Site Allocation and Development Management Policies Local Plan (2013) which seeks to implement Core Strategy policy through land allocations and development management policies.

These can be viewed at www.lancashire.gov.uk/mwdf or your local library or main council office.

1.1 Reason for the Review

The NPPG states that most Local Plans are likely to require updating in whole or in part at least every five years. It is five years since the adoption of the Core Strategy; consequently a review of the principles and evidence, and the policies developed to implement them, is timely.

The Local Plan has a plan period to 2021. As part of the review the plan period will be rolled forwards to cover a 15 year period (as recommended in the NPPF) from 2017 (the anticipated date of adoption) to 2032.

1.2 Timetable for review

The first stage in this review is to consult with stakeholders on the scope of the review to identify issues that may be relevant to the review. This Scoping Document is accompanied by the Local Aggregate Assessment, Local Waste Assessment, and Sustainability Appraisal Scoping Report.

There will be opportunities to make detailed comments on the revised Local Plan during 2015. The timetable for the review is described in the Minerals and Waste Development Scheme 2014-2017. It is summarised below:

- **Winter 2014** - Scoping consultation to invite comments on what the review of the local plan should contain, and to identify the issues from the evidence, under section 18 of the Town and Country (Local Planning) (England) Regulations 2012
- **Summer 2015** - Preferred options consultation to invite comments on proposed changes (vision, objectives policies and allocations) to address the

issues identified in the scoping consultation, under section 18 of the Town and Country (Local Planning) (England) Regulations 2012

- **Spring 2016** - Publication consultation to invite comments on the revised Local Plan prior to submission to the Secretary of State, under section 19 and 20 of the Town and Country (Local Planning) (England) Regulations 2012
- **Summer 2016** - Submission to the Secretary of State, under section 20 of the Planning and Compulsory Purchase Act 2004
- **Summer 2016** - Examination in Public
- **Summer 2017** - Adoption

1.3 Making comments on the scope of the review

Consultation at this stage is intended to inform the scope and general content of the review and is targeted at key stakeholders, though anybody may respond to the consultation. This consultation seeks to ensure any issues which may influence the content of the review are identified at the beginning of the process.

If you have any suggestions to make on the review please send them, with your name and address, to the address below before the end of the **xxxxxxx 2014**:

Planning Team
Lancashire County Council Environment Directorate
Room C4
PO Box 100
County Hall
PRESTON
PR1 0LD

- Or by email at: lmwf@lancashire.gov.uk
- or use our 'Have your say' website at:
<http://www.lancashire.gov.uk/haveyoursay>

All comments received will be made public, together with your surname and the name of the organisation you represent (addresses and signatures will be removed or censored).

The following section identifies some specific issues relevant to the scope of the review; though you are invited to make comments on any issues that you may feel are relevant to the review.

2. Purpose of the scoping consultation

The purpose of the scoping consultation is to consult with stakeholders on the scope of the Local Plan Review - to invite comments on what the review of the Local Plan should contain, and identify the issues from the evidence presented. It seeks to ensure that any issues which may influence the content of the revised Local Plan are identified at the beginning of the drafting process.

The adopted Core Strategy and Site Allocation and Development Management Policies Local Plan have a plan period to 2021. The review is intended to extend this plan period to 2032, 15 years from the proposed adoption date of the reviewed Minerals and Waste Local Plan. Consequently the evidence must be tested to determine whether the current vision, objectives and policies will still be valid over the extended plan period.

The consultation seeks stakeholder views on the following:

- comments on the evidence and scenarios presented in the Local Waste Assessment and Local Aggregate Assessment;
- whether new facilities are needed in response to the evidence presented, with an opportunity to submit suggested sites;
- whether existing policies will remain fit for purpose during the extended plan period to 2032;
- any need for new policies to be added to the Local Plan through the review
- comments on the Sustainability Appraisal scoping report;
- opportunities to combine existing policies together to reduce duplication, when combining the two documents into one.

Presentation of national policy has changed significantly since the adoption of the Core Strategy; the North West Regional Spatial Strategy was revoked in 2011, and most Planning Policy Statements and Minerals Policy Statements were replaced by the National Planning Policy Framework in 2013.

However, the national policy context has not changed significantly.

Delivering the waste hierarchy is still central to the existing and emerging national policy on waste, and a recognition of the economic importance of minerals whilst planning for a steady and adequate supply of minerals (within the context of the managed aggregate supply system), are still central to minerals planning.

This was confirmed by the planning inspector in his report concluding the examination in public on the Site Allocation and Development Management Policies Local Plan.

2.1. Any issues with vision and objectives

The vision and objectives act as a framework for managing the change that the plan area faces, and are central to the development of relevant land use policies.

- Issue 1 - Comments are invited on the vision and objectives: are there any issues with the vision and objectives, as they relate to the circumstances now, and as they relate to the circumstances that may apply in 20 years; are they still valid for the proposed extended plan period?

2.2 Opportunities to amalgamate similar policies and reduce duplication

As part of the review the Core Strategy and Site Allocation and Development Management Policies Local Plan will be combined together into one document, to improve the user friendliness of the minerals and waste local plan. To achieve this it is proposed that the following policies could be amalgamated, in whole or in part, to reduce duplication.

Site Allocation Local Plan Policy	Core Strategy Policy
DM1 and NPPF1	
DM2	CS5 and CS9
M2	CS1
	CS2 and CS6 and CS7
SA1 and M3	CS5
WM1	CS8
WM2 and WM3	CS9
WM4	CS9
LF1	CS7
M1	CS3 and CS4

- Issue 2 - Comments are invited on the proposed amalgamation of similar policies, and any other opportunities to reduce duplication.

2.3 Any issues with the existing policies

The annual monitoring report presents information on the implementation of the Local Development Scheme, and the implementation of policies of the adopted Local Plan. It has not identified any issues with the implementation of existing policies. The review is an opportunity to introduce new policies, to respond to new national policy or emerging issues in the plan area, for example shale gas.

- Issue 3 - Comments are invited on whether there is any need for new policies to be added to the Local Plan.

2.4 Any issues with the evidence presented

The Local Plan identifies the objectively assessed need for the plan period 2006-2021; it also identifies land sufficient to meet this need. The Local Waste Assessment and Local Aggregate Assessment, prepared annually as part of the

monitoring of the Local Plan, update this objectively assessed need using more up to date evidence.

These assessments present information on aggregate and waste arisings and projections over a 15/20 year period, and present information on the current permitted facilities capable of meeting that projected demand. These are summarised below in section 2.4.1 and 2.4.2. It can be seen from these that it is likely that the extension to the plan period will result in a need to allocate more sites for some mineral types, and there may be a need for limited new allocations for waste facilities in certain parts of the plan area, including landfill void, to meet projected demand.

- Issue 4 - Comments are invited on the scenarios for assessing objectively assessed need identified in the Local Aggregate Assessment and Local Waste Assessment (and the assumptions underlying them), with a view to identifying objectively assessed need:
 - Issue 4.1 – The Local Waste Assessment presents information on **waste arisings**. It uses the most up to date information on arisings available, and presents this alongside Core Strategy assumptions. These arisings figures are projected forwards using growth rate assumptions to provide some estimates of future demand for waste management facilities. Comments are invited on these future projections of demand, and the assumptions that have informed them, with a view to identifying the objectively assessed need.
 - Issue 4.2 – The Local Waste Assessment presents **information on the types of waste management capacity that may be required to manage the projected arisings**, using adopted recycling targets projected forwards where appropriate. Comments are invited on these future projections of demand, and the assumptions that have informed them, with a view to identifying the objectively assessed need.
 - Issue 4.3 – The Local Waste Assessment presents **information on estimates of existing waste management capacity available to meet the estimates of future demand**, using Environment Agency lists of permitted facilities and on waste throughputs, as recommended by national planning guidance. Comments are invited on these figures, and the assumptions that have informed them, with a view to identifying the objectively assessed need.
 - Issue 4.4 – The Local Aggregate Assessment presents **information on estimates of future demand for aggregates**. In line with the NPPF future projections of demand are presented using the average of the past 10 years sales data for sand and gravel, gritstone, and limestone, and compared to the 2011 North West Regional Aggregate Working Party Subregional apportionment guidelines. These are presented alongside the Core Strategy apportionment figures for context.

Comments are invited on these future projections of demand, and the assumptions that have informed them, with a view to identifying the objectively assessed need.

- Issue 4.5 – The Local Aggregate Assessment presents **information on the supply options available to meet the estimates of future demand**. In line with the NPPG information is presented on aggregate movements, permitted reserves, and alternative sources of supply including recycled aggregate and marine dredged aggregates. Comments are invited on these assumptions and evidence on supply options, with a view to identifying the objectively assessed need.
- Issue 5 – Comments are invited on whether existing policies will remain fit for purpose during the extended plan period to 2032 in light of the scenarios for assessing objectively assessed need, and whether there is any need for new allocations for quarries, landfill sites, or waste management facilities (including suggested new allocations) to contribute to meeting objectively assessed need.

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