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WARRINGTON
Borough Council



Warrington Borough Council

Local Plan

Preferred Development Option

Regulation 18 Consultation

Standard Response Form

July 2017

2: Questions

Question 1

Do you have any comments to make about how we've worked out the need for new homes and employment land in Warrington over the next 20 years?

Response:

Question 2

Do you have any comments to make about how we've worked out the number of homes and amount of employment land that can be accommodated within Warrington's existing built up areas?

Response:

Question 3

Have we appropriately worked out the amount of land to be released from the Green Belt, including the amount of land to be 'safeguarded'?

Response:

Question 4

Do you agree with the new Local Plan Objectives?

Response:

Question 5

Do you have any comments to make about how we've assessed different 'Spatial Options' for Warrington's future development?

Response:

Question 6

Do you have any comments to make about how we've assessed different options for the main development locations?

Response:

Question 7

Do you agree with our Preferred Development Option for meeting Warrington's future development needs?

Response:

Question 8

Do you have any comments to make about our Preferred Development Option for the City Centre?

Response:

Question 9

Do you have any comments to make about our Preferred Development Option for the Wider Urban Area?

Response:

Question 10

Do you have any comments to make about our Preferred Development Option for developing the Warrington Waterfront?

Response:

Question 11

Do you have any comments to make about our Preferred Development Option for the Warrington Garden City Suburb?

Response:

Question 12

Do you have any comments to make about our Preferred Development Option for the South Western Urban Extension?

Response:

Question 13

Do you have any comments to make about our Preferred Development Option for development in the Outlying Settlements?

Response:

Question 14

Do you agree with our approach to providing new employment land?

Response:

Question 15

Do you agree with our suggested approach for dealing with Gypsy and Travellers and Travelling Showpeople sites?

Response:

Question 16

Do you agree with our suggested approach for dealing with Minerals and Waste?

Response:

Please see attached supporting statement

Question 17

Having read the Preferred Development Option Document, is there anything else you feel we should include within the Local Plan?

Response:

Warrington Local Plan Review - Preferred Development Option Consultation

Submission on Behalf of INEOS Upstream Ltd

September 2017

Introduction

Felsham Planning and Development is instructed to submit a representation to the draft Local Plan on behalf of INEOS Upstream Ltd. This representation deals with the need to include policies covering unconventional gas in the Local Plan.

This submission addresses Question 16 of the Issues paper, which asks:

Do you agree with our suggested approach for dealing with Minerals and Waste?

Background

Regulation 18 of the Development Plan Regulations requires the local planning authority to collect evidence and to identify key issues. Unconventional gas is one such key issue. National Planning Policy Framework (NPPF) states that each planning authority should ensure that their local plan is based on adequate, up-to-date and relevant evidence about the economic, social and environmental characteristics of the area. That evidence is required to be tightly focused on supporting and justifying particular policies in the Local Plan.

We believe that unconventional gas and onshore hydrocarbons raise issues that the Local Plan will need to consider. Accordingly, we set out below the case for specific policies dealing with unconventional gas and onshore hydrocarbons. We suggest the approach that the Local Plan should take through the supporting text, policy and glossary.

The UK Government's energy policies seek to encourage the use of natural resources indigenous to the UK as part of achieving self-sufficiency in energy production and increasing security of energy and gas supplies. This covers a range of onshore hydrocarbons that include inter alia; shale, coal bed methane and oil. The Local Plan requires a policy to cover all the hydrocarbons that are potentially found in the area licenced by the Department of Energy & Climate Change (DECC) under the Petroleum Exploration & Licence (PEDL) regime and could be extracted over the plan period.

Onshore hydrocarbons are important to the UK because they are a potential long-term source of indigenous natural gas. These untapped energy resources have the potential to meet the UK's need for a secure and diverse energy supply. The Local Plan needs to recognise that there are a range of sources of this resource and policy should cover all onshore hydrocarbons, and recognise that the planning and other regulatory process provide sufficient safeguards to enable the LDP to contain a positive statement of support for the process, in line with the support given in NPPF.

Therefore, the Local Plan should address the full range of onshore hydrocarbon extraction including:

- Conventional onshore oil and gas development.
- Extraction of petroleum or hydrocarbon oils and gases by drilling and pumping.
- Capture of methane that has accumulated in mines.
- Coal bed methane and gas derived from shale reservoirs.

Onshore hydrocarbon exploration and development is incremental in nature with a phased approach to exploration, appraisal and production. The initial exploration phases, if successful, determine the strategy for the development of the PEDL area. With CBM, testing the ability of a coal seam to produce commercial volumes of gas cannot be achieved with the use of one borehole. Typically a number of boreholes will be drilled across a known isolated slab of coal within a Licence Area. These wells will then be pumped as a collective to have a uniform drainage effect on the coal. Commercial production will be determined by the volume of gas being produced when the volume of water that is being produced has reached a plateau. If the initial Pilot Test is successful additional wells are added to the initial appraisal cluster in order to scale up the production and commerciality of an area. Each well bore is expected to have a useful production life of up to 25 years.

Shale gas also requires a number of boreholes across the Licence area. These boreholes will be tested and, if commercial production is determined to be achievable, additional wells may be added to the initial cluster. Each shale wellbore is expected to have a useful production life of up to 25 years.

Similar principles apply to exploration of the other onshore hydrocarbon resources identified above. In every case there is strong regulation outside the planning process. Planning provides significant controls to monitor the land use implications. Having regard to these safeguards there is no reason for the Local Plan not to contain a positive statement of support through policy and its supporting text.

Support within the emerging Local Plan and future associated documents is therefore essential to enable long term onshore hydrocarbon development strategy to realise these nationally valuable resources.

Basis of Representation

Within the Command Paper, The Energy Challenge the UK Government welcomes proposals to increase the flexibility in the UK onshore hydrocarbon market through sustainable practices but without being too prescriptive.

Support for CBM as a natural energy source is set the Minerals Planning Practice Guidance 2014 issued by the Department of Communities and Local Government. This replaces Minerals Policy Statement 1: *Planning and Minerals* (MPS1) 2006. The key provisions of the Minerals PPG include:

- The requirement to take account of the need to establish whether there are sufficient quantities of recoverable unconventional hydrocarbons such as shale gas and coal bed methane (paragraph 93);
- The planning authority should make appropriate provision for hydrocarbons in its development plan to enable areas of extraction to be identified and to manage potentially conflicting land use objectives (105);
- The local plan covering the PEDL area should identify the area on the proposals map and provide clear policy guidance (106);
- Local plans may include specific allocations for extraction sites should the onshore oil and gas industry wish to promote such sites (107).

It is considered important that an energy policy framework is set within the Core Strategy & the Minerals Plan to recognise CBM, unconventional gas and other forms of onshore oil and gas as a source of national energy production and the national, strategic and spatial implications of the proposed use of CBM and unconventional gas as part of the energy suite of resources.

It is important that an energy policy framework is set within the Local Plan to recognise oil, CBM, shale gas and other forms of onshore oil and gas (as listed above) as a source of national energy production and the national, strategic and spatial implications of their proposed use as part of the range of energy resources.

The area covered by the Local Plan contains potentially significant reserves of unworked coal along with other hydrocarbon resources that can make a positive contribution to the nation's energy supply and sustainable economic development of the area by embracing new energy technologies, including CBM and shale gas. It is therefore vital that the Local Plan recognises the guidance contained in Minerals PPG and the importance of unworked coal seams and oil and shale reservoirs establishing a vision for the area for the next 10 – 15 years.

Suggested Policy Approach

We set out below draft supporting text and policy that we would like to see incorporated into the Local Plan. It notes that the main concerns are with the environment and residential amenity but as there are other policies dealing with such impacts, each containing assessment criteria, the oil and gas development policy of the plan does not need to list these considerations in its policy. The supporting text should provide background and justification, which links to the National Planning Policy Framework and other Government policies, and the PEDLs are mapped and safeguarded.

Supporting text - Onshore Hydrocarbons

The UK Government's energy policies seek to encourage the use of natural resources indigenous to the UK as part of achieving self-sufficiency in energy production and increasing security of energy and gas supplies. On-shore hydrocarbon extraction is comprehensively regulated. The Department of Energy and Climate Change has awarded a Petroleum, Exploration and Development Licence (PEDL) for an area within the Council's area.

Onshore hydrocarbons provide an opportunity to extract a nationally important natural energy resource without the environmental impact normally associated with minerals extraction.

The extraction of CBM and shale gas will be incremental and involve more than one exploration and production site. Due to advanced drilling techniques, these sites can be up to 1km apart.

Exploration and development rights granted through a PEDL create land use rights across the licence area, subject to obtaining necessary site specific consents. Safeguarding is important because rights create a land use consideration that may be a material factor in assessing other land use proposals in the area. It is a potential land use consideration that others using the planning service need to take into account.

The PEDL licence does not create automatic development rights and the effects may not apply equally across the PEDL area. Due to the nature of the resource and the location, it is important that it is safeguarded where it is present. It is important that the extent of the PEDL is identified in the Plan and its consequences explained.

Policy – Onshore Hydrocarbons

Proposals for the extraction of onshore hydrocarbons – coal bed methane, shale gas and other forms of onshore oil and gas exploration are in the national interest and will be favourably considered in the Safeguarded Areas indicated on the proposals map.

Applications for individual wells or groups of wells as part of the process of exploration and production for onshore unconventional hydrocarbon exploration, the associated interconnecting pipelines and other essential processing or distribution infrastructure to serve more than one development area will be permitted provided significant adverse environmental impacts do not arise.

Applications should be presented with sufficient information to adequately assess the environmental implications of the proposals including field development plans, where possible. Cumulative environmental impacts should be considered and assessed if necessary. Impacts on Natura 2000 sites or European Protected Species will be considered in accord with existing Policies.

Conditions and agreements should be attached to planning permissions to ensure the exploration and production operations have an acceptable impact on the local environment or residents. Permissions for wells will be conditioned for the life of the well.

Exploration

1. *Proposals for hydrocarbon exploration will be supported provided they do not give rise to any unacceptable impacts on the environment and residential amenity.*

Appraisal

2. *Where hydrocarbons are discovered, proposals to appraise, drill and test the resource will be permitted provided that they are consistent with an overall scheme for the appraisal and delineation of the resource and do not give rise to any unacceptable impacts on the environment and residential amenity.*

Extraction

3. *Proposals for the extraction of hydrocarbons will be supported provided they are consistent with an overall scheme for enabling the full development of the resource and do not give rise to unacceptable impacts on the environment and residential amenity.*
4. *Where proposals for hydrocarbon development coincide with areas containing other underground mineral resources evidence must be provided to demonstrate that their potential for future exploitation will not be unreasonably affected.*

Restoration

5. *All applications for hydrocarbon development will be accompanied with details of how the site will be restored once the development is no longer required.*

Insert into the Glossary

Onshore oil and gas extraction includes the following type of development:

- Conventional onshore oil and gas development.
- Extraction of petroleum or hydrocarbon oils and gases by drilling and pumping.
- Capture of methane that has accumulated in mines.
- Coal bed methane and gas derived from shale reservoirs.