

Matter 2: New Policy

Issue: Whether there is a need for a new policy to deal with any future proposals for “fracking” or shale gas operations.

1. Minerals Plan Policy 5: Unconventional Gas Resources deals with unconventional gas resources. These are defined in the Plan as gases which cannot be extracted using standard drilling techniques. In Greater Manchester, unconventional gas resources are likely to include coal bed methane, coal mine methane and shale gas (**SD001** paragraph 5.44).
2. Policy 5: Unconventional Gas Resources was developed with the aim of being flexible so that it can be used to assess applications for all types of unconventional gas extraction using both current and future technologies. This is why the policy itself does not refer to a specific technology or type of unconventional gas. However, it is clear in the supporting text that Policy 5: Unconventional Gas Resources refers to extraction of a range of unconventional gases using different methods. The extraction of shale gas using new technologies is explicitly referred to in paragraph 5.47 of the supporting text to Policy 5: Unconventional Gas Resources and is therefore included within this policy (**SD001**).
3. Hydraulic fracturing or “fracking” is a technique that can be used to extract shale gas. Water is pumped at high pressure into the rock to create narrow fractures to allow the gas to flow into the well bore to be captured. A proppant (usually sand or ceramic beads) is carried into the fractures and prevents them from closing. Fracking is not carried out continuously and the total amount of water used is modest.
4. There are a number of regulatory bodies controlling fracking operations. A planning application must be submitted and assessed by the Local Planning Authority and, if granted, before any drilling occurs, an application for authorisation for any discharge must be made to the Environment Agency to ensure there is no risk to the environment, in particular to drinking water. In addition, the Health and Safety Executive scrutinises the well design for safety. According to the Department of Energy and Climate Change (DECC), there are robust controls in place and any risks that do arise are no different to those

issues encountered when exploring for hydrocarbons in conventional geological formations (**RD033**).

5. Policy 5: Unconventional Gas Resources is a suitable approach to unconventional gas extraction because it is not technology specific. It will therefore not become outdated should new technologies for unconventional gas extraction come forward.
6. By virtue of the fact that it is not technology specific, Policy 5: Unconventional Gas Resources requires applications for all forms of unconventional gas extraction, including those involving fracking, to meet the key planning and environmental criteria set out in 'Policy 1: Key Planning and Environmental Criteria' of the Submitted Plan¹. This covers issues that could be associated with extraction of shale gas, including impacts on: controlled waters; air quality; land instability and amenity. In addition, paragraph 5.49 of the supporting text to Policy 5: Unconventional Gas Resources details a range of impacts associated with the extraction of unconventional gas. These include noise, vibration, groundwater abstraction and disposal of water used in abstraction (**SD001**).
7. The Minerals Plan addresses minerals-specific issues and all other, more general, planning issues, for example policies on climate change, will be set out in Local Plans (See Appendix 1 of this Statement for information on how climate change is addressed in Local Plans in Greater Manchester). There is also a general requirement, as set out in new 'Policy 1: The Presumption in Favour of Sustainable Minerals Development', for all applications for minerals development to accord with the policies set out in other relevant development plan (Local Development Framework) policies. The Development Plan includes all planning policies within the Greater Manchester Local Plans and the Regional Spatial Strategy and must be prepared in accordance with National Planning Policy Framework(NPPF). This is set out in paragraph 3.2 of the Submitted Plan (**SD001**) under 'Status and Use of the Minerals Plan'. Documents in the Development Plan include policies on general development issues policies, which are not specifically covered in the Minerals Plan, and will enable applications for mineral extraction (including shale gas extraction using fracking) to be fully assessed.

¹ This will become Policy 2 following the insertion of a new Policy 1: The Presumption in Favour of Sustainable Development as a Main Modification to the Plan).

8. The Development Plan is supplemented by material considerations which include emerging Local Planning policies and evidence from reports such as the one produced by The Royal Society and The Royal Academy of Engineering into shale gas extraction by fracking (**RD032**).
9. Following reports of seismic events in Lancashire, which were associated with fracking for shale gas extraction purposes, the UK Government's Chief Scientific Adviser, Sir John Beddington FRS, asked the Royal Society and the Royal Academy of Engineering to review the scientific and engineering evidence and consider whether the risks associated with fracking as a means to extract shale gas could be managed effectively in the UK. The results of the report (**RD032**) form the basis for current guidance and Planning policy in relation to fracking in England. The report made several recommendations to the shale gas extraction industry and regulatory authorities but did not result in changes to the NPPF or other relevant planning policy in the UK. The Minerals Plan is therefore in line with national policy and there is no reason to change the approach set out in the Submitted Plan.
10. National Planning Policies and guidance do not separate shale gas extraction by fracking from the range of other current ground gas extraction processes or even future unconventional methods of extraction. The inclusion of a policy on fracking, in addition to existing Policy 5: Unconventional Gas Resources, could be seen as a diversion from national policy as Government has not singled this out as an area requiring specific guidance. There is therefore no need for a specific policy on fracking/shale gas extraction because applications for shale gas extraction using fracking would be covered through existing Policy 5: Unconventional Gas Resources. To include an additional policy would result in policy duplication as all the relevant issues are already covered in Policy 5: Unconventional Gas Resources. National policy does not single this out as an area in which new policy guidance is required.
11. It is considered that Submitted Minerals Plan Policy 5: Unconventional Gas Resources is a sound policy by which to assess applications for shale gas extraction using fracking methods. This policy, used in conjunction with other policies contained within the Minerals Plan and other relevant plans, would ensure that applications for shale gas extraction using fracking would be fully assessed to ensure the proposal did not result in unacceptable adverse impacts.

There is therefore no requirement for the inclusion of a new policy to deal with any future proposals for "fracking" or shale gas operations.

Appendix 1

Information on the Approach to Climate Change in Greater Manchester Local Plans

Climate change is intrinsically linked to sustainable development and the overall approach to development is therefore as important to climate change as whether there is a specific 'climate change' policy.

This appendix sets out the approach to climate change within each of the Greater Manchester Local Plans.

A1. Bolton

A1.1. There are 25 specific references to Climate Change in the adopted Core Strategy (LP001). Climate Change forms an underlying thread through all the Sustainable Community Strategy Themes expressed within the Core Strategy.

A1.2 Climate Change is directly addressed through the Core Strategy 'Cleaner and Greener' theme. Page 22 of the Core Strategy sets out the strategic objectives, the first of which, number 10, is:

- ***To minimise Bolton's contribution to climate change and mitigate and adapt to its adverse effects.***

A1.3 Climate change is then more explicitly addressed through the Cleaner and Greener Chapter paragraphs 4.33 - 4.49 and its policies CG1 - CG4 (see pages 40 – 49 of the Adopted Core Strategy, LP001, and the Strategic Objectives).

A2. Bury

A2.1 Bury's emerging Core Strategy (Second Draft Publication Core Strategy – October 2012) (**LP057**) has the need to address climate change as a thread running throughout the Plan. In particular, Chapter 3 – 'Bury: The vision' sets out that "...central to the Vision for the Borough is the need to embed the concept of sustainable development, adapting to climate change and reducing carbon emissions (see page 19). The need to address climate change is then picked up in the Key Issues, Problems and Challenges (page 20), the Vision (page 22) and the Strategic Objectives (page 25).

A2.2 Specific policies also pick up on the need to address climate change and promote sustainable development. In particular, section 4.2 covering the following overarching policies (see pages 31 – 41 of **LP057**):

- SF1 - Bury's Spatial Framework
- CP1 - Delivering High Standards of Design and Layout

A2.3 Also relevant are parts of Section 4.5 (Improving and Managing the Borough's Environment) covering the following policies:

- EN10 - Moving Towards a Zero Carbon Borough (see Pages 161 – 165 of **LP057**)
- EN16 - Managing Mineral Resources (see Pages 181 – 182 of **LP057**).

A3. Manchester

A3.1 Addressing climate change is an intrinsic part of Manchester's Adopted Core Strategy (**LP058**), including as part of the Vision and overarching Spatial Objectives, particularly:

- ***SO1 Spatial Principles: Provide a framework within which the sustainable development of the City can contribute to halting climate change***
- ***SO6 Environment: Protect and enhance both the natural and built environment of the City and ensure the sustainable use of natural resources, in order to mitigate and adapt to climate change, support biodiversity and wildlife, improve air, water and land quality, recreational opportunities and provide networks of high quality green infrastructure, ensuring that the City is inclusive and attractive to residents, workers, investors and visitors.***

A3.2 All the policies contained within the Core Strategy have been prepared with regard to the Vision and Spatial Objectives, including in terms of addressing climate change issues. See pages 29-35 of the Adopted Core Strategy (**LP058**).

A4. Oldham

A4.1 The need to address climate change is a theme throughout the Oldham's Adopted Joint DPD (**LP004**).

A4.2 Policy 1: Climate Change and Sustainable Development (page 46) is the overarching Core Policy. Policy 1 sets a requirement for development to "*...adapt to and mitigate against climate change and address the low carbon agenda...*". The other policies all link back to the principles within this policy (see pages 46-50 of the Adopted Core Strategy **LP004**).

A5. Rochdale

A5.1 The Rochdale Borough Core Strategy (currently in preparation) has climate change as a fundamental issue that the planning policies seek to address. Specifically within the Draft Core Strategy (August 2012) (**LP059**) there are a number of references to climate change in addressing the fundamental objectives and delivery of the plan including:

- Chapter 3 (Spatial Vision) ;
- Chapter 4 (Strategic Objectives - S04 To promote a greener environment);
and
- Chapter 5 (Spatial Strategy).

A5.2 There is a specific policy on climate change (G1 – Tackling and adapting to Climate Change). The aim of the policy is *“ensuring that new development minimises its impact on climate change, and also adapts to its impacts, will make sure the borough plays its part in delivering national targets on climate change.”* (page 87 **LP059**).

A5.3 There are numerous references within other policies within the plan including: C1, C3, C6, P3, G2, G3, G6, G8, T1 and T2. This is further supplemented by the Climate Change adaptation Supplementary Planning Document (June 2012) (**LP061**) which provides further information to guide developers and planners in respect of how new developments can meet the requirements of policies set out in national guidance and the emerging Core Strategy of the Local Development Framework. In addition, the Core Strategy has been prepared within the context of the NPPF.

A6. Salford

A6.1 Salford City Council has proposed to withdraw its Core Strategy. This intention is provisional pending the decision of Salford's Full Council on 21st November 2012.

A6.2 Therefore, the existing saved UDP (**LP062** page 28) policy relevant to climate change is ST14 Global Environment:

- *Development will be required to minimise its impact on the global environment. Major development proposals will be required to demonstrate how they will minimise greenhouse gas emissions.*

A7. Stockport

A7.1 Climate Change forms an underlying thread throughout the Adopted Core Strategy (**LP007**). Specific objectives and policies are:

- Objective 1 (*Sustainable Development: Addressing Inequalities and Climate Change*) (page 33)
- Core Policy CS1 (*Overarching Principles: Sustainable Development - Addressing Inequalities and Climate Change*) (page 43)
- There are a number of Development Management policies (SD-1 through to SD-6) which are directly intended to deliver CS1 (pages 44-57) but also any number of other indirect references and linkages back to CS1 and Objective 1 throughout the strategy as a whole.

A8. Tameside

A8.1 Climate Change was highlighted as a key issue area at Issues and Options stage (LP008 – table 2, page 21). The need to address the impacts of climate change is a theme running through the document. Draft overarching Strategic Objective 1 is:

- ***To promote sustainable development, and to mitigate and adapt to climate change across the Borough.***

A8.2 Emerging policies will be contained within the Draft Preferred Options due to be consulted on in Jan/Feb 2013. Climate Change will be addressed throughout the document. Specific objectives and policies will be:

- Strategic Objective 1 - Promote sustainable development, and mitigate and adapt to climate change across the Borough; and
- Core Policy 1 - Sustainable Development and our Changing Climate.

A9. Trafford

- A9.1 Tackling climate change is a key thread throughout the Trafford Local Plan: Core Strategy (**LP060**), which was adopted in January 2012.
- A9.2 Strategic Objective No.7 (Secure sustainable development) (**LP060** page 25) is to 'promote the reuse of resources, the principles of sustainable construction and the use of new technologies to combat and adapt to climate change to minimise impact of all new development on the environment'.
- A9.3 The over-arching Core policy is L5 (Climate Change) (**LP060** page 119) which covers reduction of CO2 emissions, pollution and water.
- A9.4 There are also numerous references in other Core policies, and those policies relating to the Strategic Locations, dealing with specific elements such as flood risk assessment, development of green infrastructure, protection and enhancement of carbon sinks and use of developer contributions to finance specific measures to reduce the impact of climate change (see pages 119- 127 of the Adopted Core Strategy **LP060**).

A10. Wigan

A10.1 The approach to climate change is set out in the emerging Core Strategy, the latest stage of which is the Proposed Submission Version (**LP010**). It is expressed in Objectives E1: To strengthen our energy infrastructure and minimise emissions of greenhouse gases and CC1: To help mitigate the borough's greenhouse gas emissions and adapt to the impacts of climate change.

A10.2 This is principally carried through to Policy CP13 (page 106 **LP010**) relating to low-carbon, decentralised energy infrastructure and Policy CP14 (page 108 **LP010**) relating to Low-carbon development.