

Shale Gas and the Planning Process

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Planning Policy Context

- National Planning Policy Framework (NPPF)

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- National Planning Practice Guidance (including a section on 'Planning for Hydrocarbon Extraction')



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- Nottinghamshire Minerals and Waste Local Plans
- District/borough local plans
- Neighbourhood plan



Chapter 3 Environmental Protection

M3.1 Information in support of planning applications
M3.2 Planning obligations
M3.3 Visual intrusion
M3.4 Screening
M3.5 Noise
M3.6 Blasting
M3.7 Dust.....
M3.8 Water environment.....
M3.9 Flooding
M3.10 Associated industrial development.....
M3.11 Removal of associated industrial development
M3.12 Highways safety and protection.....
M3.13 Vehicular movements.....
M3.14 Vehicular routeing
M3.15 Bulk transport of minerals.....
M3.16 Protection of best and most versatile agricultural land
M3.17 Biodiversity
M3.18 Special Areas of Conservation
M3.19 Sites of Special Scientific Interest
M3.20 Regional and local designated sites
M3.21 Protected species.....
M3.22 Landscape character
M3.23 Mature landscape areas.....
M3.24 Archaeology
M3.25 Listed Buildings, Conservation Areas, Historic Battlefields and Historic Parks and Gardens.....
M3.26 Public access
M3.27 Cumulative Impact.....



Policy MP12: Hydrocarbon Minerals

Exploration

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

Extraction

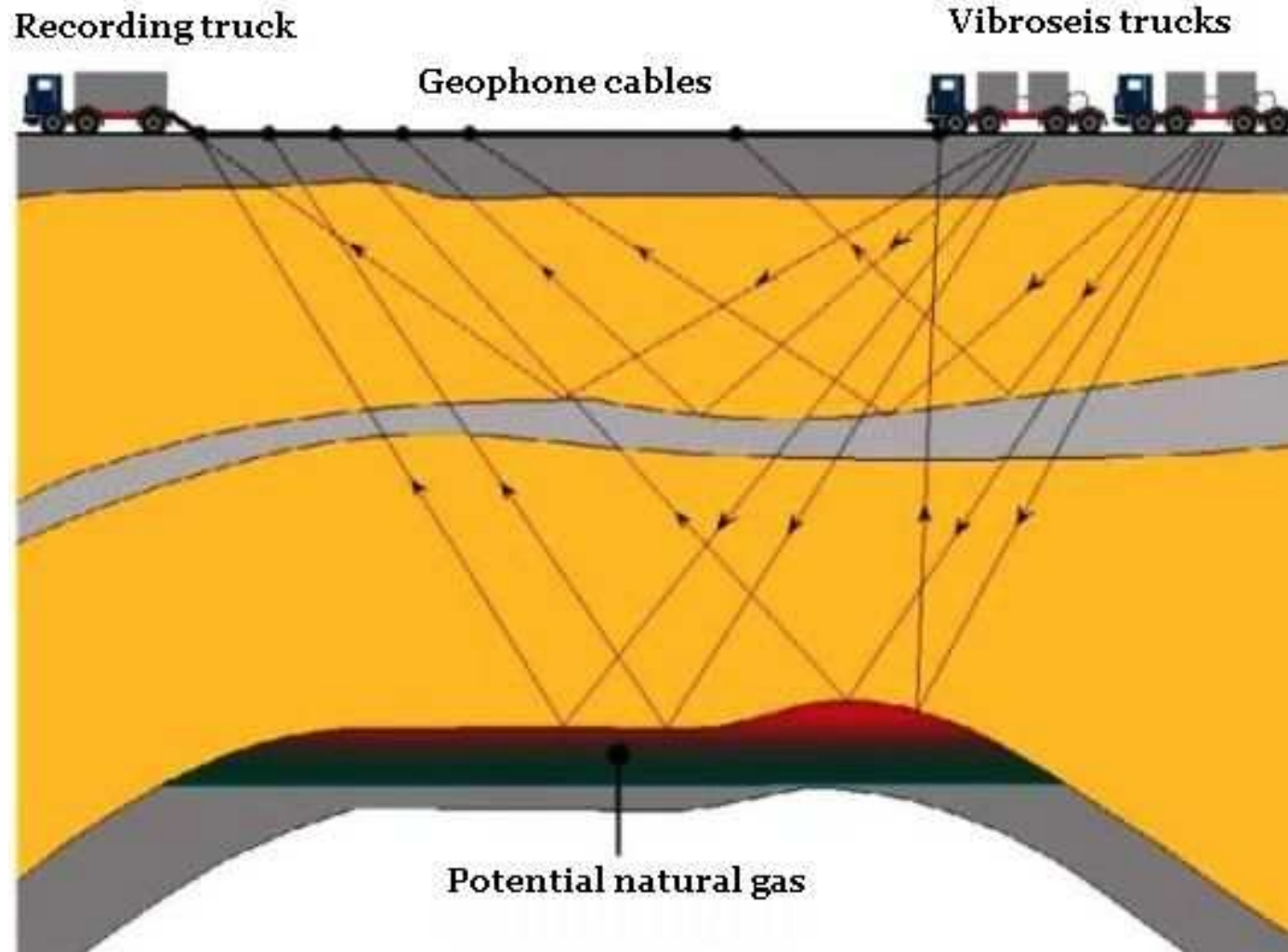
3. Proposals for the extraction of hydrocarbons will be supported provided they are consistent with an overall scheme enabling the full development of the resource and do not give rise to unacceptable impacts on the environment or residential amenity.
4. Where proposals for hydrocarbon development coincide 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.



Planning for shale gas



Planning for shale gas

3 phases:

- Exploration
- Appraisal
- Production



Planning application process prior to submission

- Pre-application discussions with the MPA
- EIA screening
- EIA scoping



The Planning Application Process

- Validation and publicity/consultation
- Advertised and consulted on in accordance with legislation and SCI
- All documents available on Nottinghamshire County Council's website
- 21 day statutory consultation period
- Additional information
- 13 weeks to determine the application (or 16 weeks if EIA)

Material considerations in the planning application process

- Consideration of planning related issues (controls over the development and use of land);
- Principal Planning issues:
Noise, dust, air quality, lighting visual intrusion on the local and wider landscape, landscape character, archaeology and heritages features, traffic, traffic routeing, risk of contamination to land, soil resources, flood risk protection of wildlife sites and ecology and site restoration and aftercare.
- Control of processes, Health and Safety issues and emissions subject to approval under other regimes;

Determining the planning application

- Determined in accordance with the Development Plan (Minerals Local Plan, District/Borough Council Local Plan and Neighbourhood Plan)
- National Planning Policy Framework is a material consideration
- Material planning considerations raised in representations



Determining the planning application

- Limited objection: Delegated powers
- Complex applications with significant levels of public interest - Nottinghamshire County Council's Planning and Licensing Committee for Members to determine the application.

- Resolution to grant planning permission will be subject to planning conditions or a legal agreement covering:
 - Lighting
 - Lorry movements
 - Lorry routeing
 - Soils management
 - Dust
 - Protected species
 - Restoration and aftercare
 - The date of commencement/ duration of operations
 - The scope of the development in terms of area and activity
 - Ground and Surface water protection
 - Visual intrusion and landscaping
 - Noise control and monitoring

- Routine monitoring to check compliance with planning conditions;

- Nottinghamshire County Council Enforcement Protocol

Latest situation in Nottinghamshire

Misson Springs



**Nottinghamshire
County Council**

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