

Planning Service Parishes Bulletin 11

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Fracking (Shale Gas Extraction)

Fracking is shorthand for hydraulic fracturing and refers to how the rock is fractured apart by the high pressure mixture. The fracking process involves drilling down into the earth before a high-pressure water mixture is directed at the rock to release the gas inside. Water, sand and chemicals are injected into the rock at high pressure which allows the gas to flow out to the head of the well.

The process is carried out vertically or, more commonly, by drilling horizontally to the rock layer. The process can create new pathways to release gas or can be used to extend existing channels.

Further guidance about fracking can be found here:
https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/268017/About_shale_gas_and_hydraulic_fracturing_Dec_2013.pdf

What is the Government's policy on fracking?

The Government's current overall stance towards fracking is set out here:
<https://www.gov.uk/government/groups/office-of-unconventional-gas-and-oil-ougo>
National planning policy is contained in the National Planning Policy Framework
https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/6077/2116950.pdf

Whilst this doesn't contain specific reference to shale gas or fracking, it does state that planning authorities should 'address constraints on production and processing within areas that are licensed for oil and gas exploration or production'. Government policy in the National Planning Policy Framework relating to National Parks is equally relevant when considering any planning applications for fracking in the National Park.

Is Fracking permitted in the Peak District National Park?

The Peak District National Park Authority is the minerals planning authority for the National Park and will be responsible for determining any planning applications for fracking.

The Infrastructure Act 2015 contains a number of safeguards that serve to protect National Parks from development that may cause harm and effectively prohibits hydraulic fracturing using surface infrastructure *within* a National Park but does allow for the actual fracturing process to occur directly *under* a National Park. The Government accepted an amendment to the Infrastructure Act that means no licences will be granted for fracking in protected areas, including National Parks, the Broads and AONBs. The amendment relates to licences rather than planning permission (both are required for development relating to oil and gas extraction). Existing planning policy already includes a strong presumption against major development in National Parks and AONBs which will still be relevant for all types of major development even though there is now a specific restriction on the licensing of fracking in these areas.

As any fracking development in the National Park would be classed as “major development”, it would be considered against the Authority’s Core Strategy policy for minerals development, which states that major development will not be permitted other than in exceptional circumstances. This is backed by the National Planning Policy Framework, which states:

“116. Planning permission should be refused for major developments in these designated areas except in exceptional circumstances and where it can be demonstrated they are in the public interest. Consideration of such applications should include an assessment of:

- *the need for the development, including in terms of any national considerations, and the impact of permitting it, or refusing it, upon the local economy;*
- *the cost of, and scope for, developing elsewhere outside the designated area, or meeting the need for it in some other way; and*
- *any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated”.*

It is also worth noting that paragraph 115 of the NPPF says:

“Great weight should be given to conserving landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to landscape and scenic beauty. The conservation of wildlife and cultural heritage are important considerations in all these areas, and should be given great weight in National Parks and the Broads”.

Working together for brighter future for transport

Secretary of State for Transport Patrick McLoughlin was among the speakers at a Sustainable Travel Summit in Bakewell, organised by the Peak District National Park Authority, and heard delegates debate the need for a more integrated approach, possibly through a travel partnership.



Dianne Jeffrey, chair of the national park management plan advisory group, with Patrick McLoughlin, Secretary of State for Transport

The Peak District is one of the most-visited national parks in the world, with an estimated 11 million tourist visits every year, over 38,000 residents and some of the biggest cities in the north within easy reach. Recent studies show that more than 80% of visits are by car.

The summit saw key figures from local authorities, bus and train operators, visitor attractions, universities, communities and the hospitality industry looking at ways to deliver a sustainable transport network to serve both residents and visitors.

They called for Government funding for rural transport solutions to be available on a five-year cycle, rather than the current one year, and said it was important to come up with solutions that people would want to use, making the journey itself part of the experience. It was also felt that travel should be viewed as a business in its own right, with the right support available.

Mr McLoughlin, the MP for Derbyshire Dales, said: "I think the concept of sustainability has particular resonance in places like the Peak District. A national park of outstanding beauty, yet also an area that requires excellent transport links to keep local communities connected, and to meet the needs of millions of visitors each year.

"To me, sustainable travel means finding a balance between our mobility needs, our economic needs and the needs of our communities and society. What's unsustainable is increasing gridlock on our roads, rising carbon and local emissions, spending beyond our means, or failing to take action to balance growth and prosperity across the country."

Mr McLoughlin also highlighted the efforts to make the area one of the UK's leading centres of cycling and added: "The vast majority of sustainable solutions are local, which means they have to be devised, developed, owned, promoted and implemented locally. And that's something you are doing in the Peak District very well indeed."

Sarah Fowler, chief executive of the Peak District National Park Authority, said: "The Peak District offers great outdoor adventure and deep cultural experiences and the summit inspired some simple ideas to get people moving in and around the national park in ways that were fun, affordable, easy and that could pay their way; and in ways other than by car.

"It also highlighted how we've started this journey, through the many cycle routes and trails opened in recent years."

The event was introduced by Dianne Jeffrey, chair of the national park management plan advisory group.

Parishes Day 2015

Parishes Day will take place on Saturday 3 October 2015 at Aldern House in Bakewell. Further details will follow in future bulletins.

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Twitter is a micro blogging website where you can share any kind of information, but only in 140 characters. You can now follow us on Twitter @PDNPAPlanning; we tweet planning decisions on the day they are made at the Planning Committee and other relevant and useful Planning or PDNPA information. We encourage you to engage with us in this way.

Invite us to your Parish Council Meeting

The Planning Service of the Peak District National Park Authority has been looking at ways to improve our relationships and communication with various bodies, including Parish Councils. Our Director, John Scott, and other Planning Service team members have been visiting Parishes and talking to them about planning in the National Park and listening to them about their concerns and any local issues. If you would like us to visit one of your meetings, please get in touch.

If you have any queries about this bulletin please contact the Planning Liaison officer diane.jackson@peakdistrict.gov.uk or 01629 816328