

Onshore Oil and Gas Exploration, Production and Distribution Supplementary Planning Document: Screening Statement for Strategic Environmental Assessment

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 on Onshore Oil and Gas Exploration, Production and Distribution (the SPD).

It is intended that the Supplementary Planning Document 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.

The Supplementary Planning Document will relate to the implementation of the following Local Plan policies in particular:

- CS5: Achieving Sustainable Minerals Production
- CS9: Achieving Sustainable Waste Management
- NPPF1: Presumption in Favour of Sustainable Development
- DM2: Development Management

The Supplementary Planning Document does not contain development management or site allocation policies; it does not itself propose any development or include any information on specific sites. As a supplementary planning document it will not form part of the development plan for the area.

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 is only providing guidance on the implementation of adopted policy which has already been subject to sustainability appraisal, it is not felt that the Supplementary Planning Document "*sets a framework for future development consent*": the Supplementary Planning Document presents guidance and information to the public and applicants on

adopted policies; it does not introduce new policies, or place requirements on developers that are not covered by adopted policies.

Consequently, the requirements of the Environmental Assessment of Plans and Programmes Regulations 2004 do not apply to the production of the SPD.

Key justifications for this conclusion are listed below:

- The plan has no influence over other plans or programmes; as an SPD it will provide guidance on existing adopted policy.
- The adopted policy the SPD will provide guidance on was subject to sustainability appraisal and habitat regulations assessment through their preparation (further to this both documents in the joint minerals and waste local plan were prepared after the 2004 Act and the 2001 SEA Directive).
- The plan does not introduce new policy, or amend existing adopted policy; as an SPD it will provide guidance on existing adopted policy.
- The plan does not set a framework for projects or other activities; as an SPD it will provide guidance for developers on existing adopted policy, it is not part of the development plan.

In addition the Conservation of Habitats and Species Regulations 2010 require land use plans to be screened to consider whether they have any significant impacts on designated habitats of European importance.

The Core Strategy and Site Allocation and Development Management Policies Local Plan were both screened and subject to an appropriate assessment under the Conservation of Habitats and Species Regulations 2010. The SPD does not propose the development of any site.

It is concluded that the requirements of the Conservation of Habitats and Species Regulations 2010 are adequately addressed by the assessments carried out in relation to the Core Strategy and Local Plan.