Campaign to Protect Rural England
Standing up for your countryside

POLICY GUIDANCE NOTE ON SHALE GAS (FRACKING)

CPRE believes there should be a moratorium on shale gas extraction (fracking) in England unless it can be clearly demonstrated that fracking would:

- **help secure the radical reductions in carbon emissions required to comply with planning policy and meet legally binding climate change targets;**
- **not lead to unacceptable cumulative harm, whether for particular landscapes or on the English countryside as a whole, and**
- **be carefully controlled by effective systems of regulation and democratic planning, which are adequately resourced at both local and national levels.**

Fracking and climate change

Climate change is the most urgent and complex threat to the English countryside today. The Committee on Climate Change advises that we need to start reducing our use of gas now and do so significantly from the early 2030s. Gas use will need to decline even more steeply if there is no Carbon Capture & Storage (CCS) technology put in place to trap resulting emissions before they reach the atmosphere. In 2016, the Government suddenly withdrew financial support for the development of CCS, because it is not expected to be commercially viable in the UK for the foreseeable future due to its high costs.

If it is possible to carefully manage extraction to prevent leaks, domestically produced shale gas could mean lower greenhouse gas emissions compared to gas imported by ship, though not compared to that imported by pipeline. But the investment needed to extract shale could divert funding from energy efficiency, storage technologies and renewable energy that would provide long-term solutions. A significant gap is due to open up between predicted emissions and the UK's binding targets in the 2020s, which the Government's Emissions Reduction Plan (ERP) is required to address. Pressure from the Treasury to reduce energy costs for businesses has led to the ERP being seriously delayed. It is becoming almost inconceivable that fracking would help rather than hinder the challenge of meeting these vital targets, hence the need for a moratorium until the ERP is published and can be independently assessed.

Fracking and local environmental impacts

The construction of production pads for fracking sites would, like developing most other forms of energy, involve disruption and heavy traffic for a couple of years. Exploration activities would have similar impacts. The main impact on the character and tranquillity of the countryside of production would be from HGV access to and from pads, such as for water needed for fracking and in particular removal of gas and 'flowback fluids'.

Minor rural roads and their associated fingerpost signs, milestones, hedges and dry stone walls form a defining feature of the English countryside and its varied landscapes. They link our rural communities and can form key connections for cycling, horse riding and walking, whether for recreation and tourism or to access schools, shops and services. It is critical that MPAs are empowered to protect this important resource from being turned into lorry lanes.

Although production operations (i.e. commercial extraction) could last around 20 years at each pad, these pads are in planning policy still classed as a temporary use of land. Without successful

restoration, however, developers could seek to argue that they should be treated as previously developed land, hence suitable for building on.

Cumulative impacts of all forms of energy, not least fracking, need to be carefully considered to prevent serious impacts to and industrialisation of the countryside. With the abolition of the regional tier of planning, there is no obvious way for this to happen. Traffic, associated infrastructure (such as terminals and new highway infrastructure) and, in drier areas such as southern England, water issues are most likely to be significant. Net impacts on employment may be complex: new jobs from fracking may be offset by loss of jobs in the tourism and agriculture sectors.

In terms of potential for air and water pollution or seismic events, expert reviews have come to different conclusions about whether fracking in England could be carried out with minimal levels of risk. Having effective regulation in place is clearly a pre-condition to management of risks and while UK environmental regulators have been well regarded internationally, they have recently suffered funding cuts and, from December 2016, the imposition of a legal duty to prioritise economic growth in their work. Perceptions of risk, particularly by local communities, can be as important as actual risks. Without fully transparent environmental information, including baselines and real time monitoring, communities can quickly lose confidence in regulation.

Mineral Planning Authorities (MPAs) – typically county and unitary councils – take decisions on planning applications to develop fracking pads and can impose conditions on operations and site restoration. Severe cuts in funding and lack of staff with relevant expertise make decision taking for novel, complex forms of energy like fracking challenging. In 2015, ministers made exceptions to normal planning processes, so as to be able to call-in and recover fracking decisions from MPAs much more actively. The Treasury is considering plans for a Shale Wealth Fund, which could potentially include direct financial inducements to local residents. This could influence the planning process, so it is no longer focused simply on public benefit but more an attempt to influence local opinion.

Measures

If the Government does decide to encourage large-scale fracking, whether in accordance with the conditions set out above or indeed contrary to them, CPRE proposes the following measures:

- Ensure any Shale Wealth Fund provides a funding stream to deliver CCS as well as local landscape enhancements, so as to set against some of the harm, rather than seeking to induce local communities to support fracking developments;
- The cumulative impact of fracking should be carefully and frequently assessed at national level, particularly in relation to impacts from HGV traffic and on water, and credible processes developed to carry this out at sub-regional levels too;
- Environmental regulators and MPAs should be adequately resourced and not compelled to prioritise economic growth or meet unrealistic decision deadlines, so that they can be credible in applying the precautionary principle regarding environmental impacts;
- Communities should have a full two-way flow of information, including baseline information, open data from independent real-time monitoring of exploration and production pads as well as penetration of fracking fluids beyond them;
- Decision-taking on fracking applications should be by MPAs and, if there is an appeal, by the planning inspectorate, not ministers;
- Fracking pads, and their access routes for HGVs, should be carefully located and designed to avoid harm, particularly to nationally and locally designated landscapes, wildlife sites and areas prized for their tranquillity and recreational value, and
- Fracking pads should have restoration conditions backed up by guarantees or bonds so that they cannot be considered as brownfield land.

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References

Guidance on fracking: developing shale gas in the UK (BEIS, 2017)

A Health Impact Assessment of Unconventional Oil and Gas in Scotland (Health Protection Scotland, 2016)

The compatibility of UK onshore petroleum with meeting the UK's carbon budgets (CCC, 2016)

Growth Duty Statutory Guidance (BEIS, 2016)

Shale gas and oil policy statement by DECC and DCLG (CLG & DECC, 2015)

Planning for hydrocarbon extraction in *Planning Practice Guidance* (CLG, 2014)

Review of the Potential Public Health Impacts of Exposures to Chemical and Radioactive Pollutants as a Result of the Shale Gas Extraction Process (Public Health England, 2014)

Assessing cumulative landscape and visual effects, Chapter 7 in *Guidelines for Landscape and Visual Impact Assessment* (Landscape Institute & IEMA, 2013)

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