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**TRAFFORD**  
COUNCIL

## **AGENDA PAPERS MARKED 'TO FOLLOW'** **PLANNING DEVELOPMENT CONTROL COMMITTEE**

**Date: Thursday, 9 October 2014**

**Time: 6.30 pm**

**Place: Committee Suite, Trafford Town Hall, Talbot Road, Stretford, Manchester  
M32 0TH**

<b>A G E N D A</b>	<b>ITEM</b>
<b>2. MINUTES</b>	
To receive and, if so determined, to approve as a correct record the Minutes of the meeting held on 11 <sup>th</sup> September, 2014.	2
<b>5. APPLICATION FOR PLANNING PERMISSION 81446/RENEWAL/2013 - ISLAND GAS LIMITED - LAND ADJACENT TO THE M60 HIGH LEVEL BRIDGE &amp; DAVYHULME WASTE WATER TREATMENT WORKS &amp; TO THE SOUTH OF TRAFFORD SOCCER DOME, URMSTON</b>	
To consider the attached report of the Head of Planning Services.	5

**THERESA GRANT**

Chief Executive

### Membership of the Committee

Councillors Mrs. V. Ward (Chairman), D. Bunting (Vice-Chairman), Dr. K. Barclay, R. Chilton, N. Evans, T. Fishwick, P. Gratrix, D. O'Sullivan, B. Sharp, J. Smith, E.W. Stennett MBE, L. Walsh and M. Whetton

Further Information

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This agenda was issued on **Wednesday 1<sup>st</sup> October 2014** by the Legal and Democratic Services Section, Trafford Council, Trafford Town Hall, Talbot Road, Stretford M32 0TH.

## PLANNING DEVELOPMENT CONTROL COMMITTEE

11<sup>th</sup> SEPTEMBER, 2014

### PRESENT:

Councillor Mrs. Ward (In the Chair),  
Councillors Dr. Barclay, Bunting, Chilton, N. Evans, Fishwick, Gratrix, O'Sullivan,  
Sharp, Smith, Stennett MBE, Walsh and Whetton.

In attendance: Head of Planning Services (Mr. R. Haslam),  
Development Control Manager (Mr. D. Pearson),  
Planner (Mr. B. Bechka),  
Traffic, Transport and Road Safety Manager (Mr. D. Smith),  
Solicitor (Mrs. C. Kefford),  
Democratic Services Officer (Miss M. Cody).

Also present: Councillors Lally and S. Taylor.

### 18. MINUTES

RESOLVED: That the Minutes of the meeting held on 14<sup>th</sup> August, 2014, be approved as a correct record and signed by the Chairman.

### 19. ADDITIONAL INFORMATION REPORT

The Head of Planning Services submitted a report informing Members of additional information received regarding applications for planning permission to be determined by the Committee.

RESOLVED: That the report be received and noted.

### 20. APPLICATIONS FOR PERMISSION TO DEVELOP ETC.

(a) Permission granted subject to standard conditions prescribed by statute, if any, and to any other conditions now determined

<u>Application No., Name of Applicant, Address or Site</u>	<u>Description</u>
78138/FULL/2012 – Calderpeel Partnership Ltd – 136-138 Park Road, Timperley.	Erection of 2 x pairs of three storey dwellinghouses (4 dwellings in total), formation of vehicular access and associated landscaping.
83010/FULL/2014 – Veolia ES (UK) Ltd – Veolia Environmental Services (UK) Plc, Nash Road, Trafford Park.	Formation of a waste transfer and treatment facility (including the shredding of residual wastes). Erection of a waste treatment building; formation of new parking areas; installation of fuel tanks, a weighbridge and

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other ancillary infrastructure.

83208/HHA/2014 – Ms. Anne Donnelly – 76 Great Stone Road, Stretford.

Erection of a part single-storey, part two-storey side and rear extension.

83285/HHA/2014 – Mr. Howard Lee – 2 Wellington Place, Altrincham.

Retrospective application for replacement timber sash windows, replacement front door and replacement render strip to lower front elevation.

**21. APPLICATION FOR PLANNING PERMISSION H/69449 – KEMPTON HOMES – PETROL STATION AND ADJACENT LAND 499 CHESTER ROAD, OLD TRAFFORD**

The Head of Planning Services submitted a report concerning an application for planning permission for the erection of 1 x seven storey building and a 1 x part five, part six storey building for mixed use development comprising 95 apartments, 806 square metres of commercial office space (Use Class B1) and 130 square metres of retail space (Use Class A1) together with 143 car parking spaces.

RESOLVED –

- (A) That the application will propose a satisfactory form of development for the site upon the completion of an appropriate Legal Agreement to secure a maximum financial contribution of £74,123 towards the provision of Spatial Green Infrastructure to be used specifically towards schemes to provide a wildlife pond area, biodiversity and inclusive access improvements and play area enhancements at Hullard Park and a skate / BMX facility and play enhancements at Seymour Park.
- (B) In the circumstances where the Section 106 Agreement has not been completed within three months of the resolution to grant planning permission, the final determination of the application shall be delegated to the Head of Planning Services.
- (C) That upon the satisfactory completion of the above Legal Agreement, planning permission be granted subject to the conditions now determined.

**22. APPLICATION FOR PLANNING PERMISSION 80354/FULL/2013 – BRANLEY HOMES – DARLEY LAWN TENNIS CLUB, WOOD ROAD NORTH, OLD TRAFFORD**

[Note: Councillor Stennett MBE declared a Personal and Prejudicial Interest in Application 80354/FULL/2013, due to his involvement with the Application, he remained in the meeting but did not take part in the debate or cast a vote on the Application.]

The Head of Planning Services submitted a report concerning an application for planning permission for the erection of 6 no. four bedroom dwellings and 8 no. three bedroom dwellings with new vehicular access and associated parking provision and

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landscaping.

RESOLVED –

- (A) That the application will propose a satisfactory form of development for the site upon the completion of an appropriate Legal Agreement to secure a maximum financial contribution of £265,440 towards the provision of replacement tennis courts within the local area and to provide that the Council will use its best endeavours to ensure that the replacement facility can be made available for use by a club and for tennis coaching.
- (B) In the circumstances where the Section 106 Agreement has not been completed within three months of the resolution to grant planning permission, the final determination of the application shall be delegated to the Head of Planning Services.
- (C) That upon the satisfactory completion of the above Legal Agreement, planning permission be granted subject to the conditions now determined.

**23. APPLICATION FOR PLANNING PERMISSION 81765/FULL/2013 – CHRIS MARTIN – BIG 3 FARM, IRLAM ROAD, URMSTON**

The Head of Planning Services submitted a report concerning an application for planning permission for the erection of 8 no. 2 bed apartments following demolition of equestrian covered manege building.

RESOLVED –

- (A) That the application will propose a satisfactory form of development for the site upon the completion of an appropriate Legal Agreement to secure a £72,000 commuted sum in lieu of providing two on site affordable units.
- (B) In the circumstances where the Section 106 Agreement has not been completed within three months of the date of this resolution, the final determination of the application shall be delegated to the Head of Planning Services.
- (C) That upon the satisfactory completion of the above Legal Agreement, planning permission be granted subject to the conditions now determined.

**24. APPLICATION FOR PLANNING PERMISSION 83156/FULL/2014 – TRAFFORD HOUSING TRUST – OLD TRAFFORD COMMUNITY CENTRE, SHREWSBURY STREET, OLD TRAFFORD**

[Note: Councillor Gratrix declared a Personal Interest in Application 83156/FULL/2014, as the speaker was known to him.]

The Head of Planning Services submitted a report concerning an application for planning permission for the redevelopment of site following demolition of existing community centre buildings, St. Brides Church and adjacent rectory. Erection of new

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three and four-storey mixed use building to form 81no. extra-care apartments (Class C2) and replacement community, day nursery and health centre (Classes D1 & D2) with library, pharmacy (Class A1), social enterprise units (Class A1, B1 or D1) and ancillary café and changing room facilities. Provision of undercroft parking and courtyard amenity space. Erection of replacement church (Class D1) and rectory (Class C3) buildings. Closure of Blair Street and alterations to St. Brides Way and Clifton Street. Car parking and landscaping works throughout.

RESOLVED -

- (A) That the application will propose a satisfactory form of development for the site upon the completion of an appropriate Legal Agreement to secure a contribution towards the making and implementation of TROs in the vicinity of the proposed development.
- (B) In the circumstances where the Legal Agreement has not been completed within 3 months of the date of this resolution, the final determination of the application shall be delegated to the Head of Planning Services.
- (C) That upon the satisfactory completion of the above Legal Agreement, planning permission be granted subject to the conditions now determined and to the following additional conditions:-

The recommendations set within the Extended Phase 1 Habitat Survey shall be carried out during the course of the development.

Reason: To protect biodiversity within the site, having regard to Trafford Core Strategy Policy R2.

The development hereby approved shall be built in accordance with the recommendations included within the submitted Crime Impact Statement.

Reason: To ensure that the development is designed in a way that reduces the opportunities for crime, having regard to Trafford Core Strategy Policy L7.

**25. APPLICATION FOR PLANNING PERMISSION 83340/FULL/2014 – MR. SIMON HARTLAND – 22 IRLAM ROAD, URMSTON**

The Head of Planning Services submitted a report concerning an application for planning permission for the conversion of the existing detached garage to the rear of the existing property to form supported living accommodation for people with learning disabilities with associated formation of car parking spaces (revision to previous application 82409/FULL/2014).

It was moved and seconded that planning permission be refused.

The motion was put to the vote and declared lost.

RESOLVED: That planning permission be granted subject to the conditions now determined.

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The meeting commenced at 6.35 p.m. and concluded at 8.30 p.m.

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**WARD: Davyhulme  
East**

**81446/RENEWAL/2013**

**DEPARTURE: No**

**APPLICATION TO EXTEND THE TIME LIMIT OF PLANNING PERMISSION 74681/FULL/2010 (CONSTRUCTION OF SITE FOR EXPLORATION, PRODUCTION TESTING AND EXTRACTION OF COAL BED METHANE, TRANSMISSION OF GAS AND GENERATION OF ELECTRICITY INCLUDING COMBINED HEAT AND POWER FACILITY, ERECTION OF TEMPORARY 34M HIGH DRILLING RIG, FORMATION OF TWO EXPLORATORY BOREHOLES, INSTALLATION OF WELLS, ERECTION OF PORTACABINS, STORAGE CONTAINERS AND ANCILLARY PLANT AND EQUIPMENT, CREATION OF A NEW VEHICULAR ACCESS ROAD, ERECTION OF 2.4M HIGH PERIMETER FENCING AND RESTORATION OF SITE FOLLOWING CESSATION OF USE).**

Land Adjacent to the M60 High Level Bridge & , Davyhulme Waste Water Treatment Works & , to the South of Trafford Soccer Dome, Urmston.

**APPLICANT:** Island Gas Limited

**AGENT:** Jones Lang Lasalle

**RECOMMENDATION: GRANT**

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**A decision was taken at the March 2014 Committee Meeting to postpone consideration of this planning application in order to allow Committee Members to attend a technical briefing on issues associated with the coal bed methane process.**

### **SITE**

The application site measures approximately 1.2ha in area. The main part of the site (where the coal bed methane extraction is proposed) is located to the west of the M60 Barton Bridge, between the motorway and the Davyhulme Waste Water Treatment Works. This land is currently undeveloped and there are a number of small self-seeded trees and other vegetation on the land.

The site is served by an existing access track leading from the public highway to the north-east of the Trafford Soccerdome and under the Barton Bridge to link with the main part of the site. It also forms part of the access to the Davyhulme Wastewater Treatment Works site.

To the north of the site, beyond the motorway, is the Trafford Soccerdome. To the south and west, lies Davyhulme Waste Water Sewage Works, including the site of the new advanced sludge treatment works (permitted under H/70123). The area identified for the lateral drilling would span underneath the Biomass energy plant site which is located to the north west of the site between the sewage works and the motorway, extending to the Manchester Ship Canal (this land is currently undeveloped).

The Manchester Ship Canal is located approximately 300m to the north and forms the boundary with the Salford City Council administrative area.

## **PROPOSAL**

### **Procedural Matters**

A valid planning application was submitted to Trafford Council on 2<sup>nd</sup> February 2010. Planning permission was subsequently granted by the Council on 15<sup>th</sup> September 2010 for the same works outlined under this current proposal. This application therefore seeks to extend the period of time within which the planning permission can be implemented by a further three years. Details of the application and processes are unchanged, but have been set out below for completeness.

National guidance on applications to extend the time limits for implementing planning permission states LPAs should take a positive and constructive approach towards applications which improve the prospect of sustainable development being taken forward quickly. The development proposed in such an application will by definition have been judged to be acceptable in principle at an earlier date. It states LPAs should focus their attention on development plan policies and other material considerations (including national policies on matters such as climate change) which may have changed significantly since the original grant of permission.

### **The Scheme**

The application proposes the development of a facility for the exploration, production testing and extraction of coal bed methane and the installation of an associated electricity generator. All the phases are separate and distinct and the relevant considerations to each phase are considered separately within the report. The application is however determined as a single matter. The development would involve the drilling of boreholes for coal bed methane appraisal and production, the installation of wells, production and power generating facilities, the extraction of coal bed methane and the subsequent restoration of the site. It is intended that the full production phase would operate for a 25 year period.

The proposed below ground lateral drilling zone would extend approximately 600m to the north west of the site underneath the Ship Canal and into the administrative area of Salford City Council.

Coal bed methane is an 'unconventional gas' resource. This term refers to natural gas which is trapped in deep underground rocks ('conventional gas' reserves are usually sited in easier to reach layers of rock). Coal contains a natural system of interconnected fractures called 'cleats.' If conditions prove favourable, CBM can be extracted from the coal seam and used for power generation or transfer to the mains gas supply or to individual domestic or commercial consumers. Wellbores are drilled into the coal seam. Extraction occurs by pumping out the water that occurs naturally in the coal seams or 'cleats' to reduce the underground pressure on the coal so the gas can be collected. The cleats provide the pathways that enable the water to be drained out of the coal seam to release the gas. No fracturing of the rock structure (or 'fracking') is therefore required and the applicant has confirmed that this is not part of the application.

The development would involve: -

- Use of a recently constructed access road leading from the public highway to the north-west of the Soccerdome (approximately 420m to the north-east of the main site) and under the Barton Bridge. The access road will be required for the duration of the extraction operations or until such time as it is replaced by a new access for the Highways Agency, iGas and United Utilities as part of the Western Gateway Infrastructure Scheme proposals.
- The construction of a surface operations site.
- Coal bed methane appraisal drilling operations.
- Coal bed methane extraction drilling (lateral drilling within the defined drilling zone) operations.
- Production testing of the coal bed methane.
- The installation of equipment to process the coal bed methane and, where appropriate, to utilise the gas as a fuel source for on-site electricity generation and / or combined heat and power (CHP) generation and / or export the gas from the site.

#### Site Construction/Preparation Phase and Exploration

The site construction and preparation phase is expected to take 20 working days. Access will be taken off the access road constructed to the United Utilities development. The main part of the application site would have the shape of an irregular quadrilateral and would measure very approximately 50m x 100m in area. A 34m high drilling rig and ancillary equipment would be erected for a temporary period. A 2m high temporary “Heras” type fence would be erected around the perimeter of the site during construction. This would be replaced by a “Paladin” type security fence, prior to the commencement of production operations. Car parking for approximately 10 cars and a lorry turning area would be provided at the northern end of the site close to the access. Site cabins would be positioned adjacent to the north-west boundary and in the south-western part of the site. The extraction wells, the drilling rig and ancillary plant and equipment would be positioned in the central area of the site.

The exploratory phase of hydrocarbon extraction seeks to acquire geological data to establish whether hydrocarbons are present. It may involve seismic surveys and exploratory drilling to establish the location of the coal seam.

Appraisal Drilling Phase – The appraisal phase takes place following exploration when the existence of oil or gas has been proven, but the operator needs further information about the extent of the deposit or its production characteristics to establish whether it can be economically exploited. This phase and the extraction drilling phase are the busiest part of the operation when the site would be fully utilised by the drilling rig and ancillary equipment. Typically the ancillary equipment would consist of 10 to 12 portable cabins, the rig itself with associated water and waste containers and the generators used to service the drilling operation. The operational drilling site is likely to be centrally located within the confines of the planning application area, but the detailed final layout would be subject to practicalities at the time of development.

The rig and ancillary equipment comprising some 30 HGV loads will be moved on to the pre-prepared drilling site approximately 50m x 50m in dimension. A well cellar will be installed during the site construction phase with the actual construction details designed to suit the drilling rig type.

A steel conductor pipe will be installed in the cellar through which the boreholes will be drilled. During the appraisal drilling phase, two vertical appraisal boreholes would be drilled to an estimated minimum depth of 1100m (3500') Total Vertical Depth (TVD). The borehole would typically decrease in diameter from 500mm at the top section to 152mm at maximum depth in the coal seam. Steel pipe casing would be inserted into each borehole to prevent collapse and act as a conduit for drilling fluids in order to prevent the pollution of the aquifer during the operation. Drilling and casing programmes will be designed in accordance with standard petroleum industry good practice. They will be subject to Health and Safety Executive (HSE) notification and DECC (formerly DBERR) approval prior to the commencement of the operations.

Approximately 200-300 tonnes (200-300m<sup>3</sup>) of water (the main constituent of the drilling fluids) would be brought to the site by road tanker and held in storage tanks. The 300m<sup>3</sup> would be phased over the drilling phase as the well progresses. Any waste water would be stored for a very short period prior to removal. Drilling fluid is pumped through the drill string to act as a lubricant during drilling operations. Measures will be taken to safeguard both ground waters and aquifers through the implementation of appropriate site and well design and drilling techniques. Casing is installed through the full depth of the aquifer and is subsequently sealed by grouting (cementing) in position.

Three types of waste will be generated on site during the drilling operations:

- Formation cuttings – these will be collected in purpose made tanks having passed over vibrating screens (“shakers”) where they are treated to further reduce their liquid content and make them easier to handle prior to being taken off site by a licensed contractor to a licensed disposal facility, this is classified as being inert.
- General waste – this will be segregated according to type for re-cycling and stored in separate skips and containers prior to being disposed of periodically by a licensed contractor;
- Sewage – Portaloo type facilities will be provided and maintained by an approved contractor.

For good practice and safety reasons, appraisal drilling operations would be conducted on a 24 hour/ 7 days per week basis and are expected to have a maximum duration of approximately 30 days but could be more or less depending on progress with the drilling and final total depth of the boreholes. The site would be floodlit during the hours of darkness using a self-powered lighting mast.

Extraction Drilling Phase - The extraction drilling phase would normally follow on immediately from the appraisal drilling phase. As with the appraisal drilling phase the site would be fully utilized by the drilling rig and ancillary equipment. Typically this would consist of 10 to 12 portable cabins, the rig itself with associated water and waste containers and the generators used to service the drilling operation. A drilling zone is indicated in the original planning application. The precise nature of depth and

extent within this zone is regulated by the Coal Authority. During this phase, underground horizontal sections would be drilled away from the appraisal borehole and into the coal measures. The laterals would be approximately 152mm in diameter and would extend approximately 0.6km into the coal seam.

IGas require flexibility to undertake further drilling operations on the site throughout the production phase in relation to coal bed methane extraction. This may be undertaken to enhance production volumes and/or to carry out maintenance work on previously established boreholes. The frequency of such works will be determined by gaining operational experience at the site. In the event that IGas need to return to site to undertake further drilling, the rig and ancillary equipment will be moved back on to the site as per the previously described sequence.

Extraction drilling operations would be conducted on a 24 hour / 7 days per week basis and are expected to have a maximum duration of around 20 days.

Production Test Phase - Following the initial extraction and appraisal drilling phase, the potential resource would be tested for a period of between 30 and 180 days. Most of the drilling plant and equipment would no longer be required during this phase and would be taken off site. Site equipment would consist of one or two water storage tanks for water pumped from the coal seam, typically one or two portable cabins, a dewatering pump together with the flare stack, which would be fully enclosed. As soon as the flow rate is established the well would be shut in or the gas would be utilised to generate electricity.

Following completion of the production test programme, the well would be shut in and safely isolated. A decision would then be taken as to whether to continue with the full production phase of the development or to abandon the well.

Full Production Phase - The full production phase would last for up to 25 years. At this stage, the ultimate end use of the gas is not known. This will depend on gas quality, production volumes, local infrastructure and other factors, some of which will not be evident until the extended well test has been completed. The applicant's preferred option is to export the gas, either directly to an adjacent user or into the national transmission system. In the event that exporting the gas is not viable or feasible, it is proposed that electricity generating plant would be installed to allow electricity to be exported to the national grid or a local user. Where possible, a Combined Heat and Power (CHP) facility would be provided so as to maximise the efficiency of the plant. Water produced from the well bore would be held on site in a storage tank and would be tankered off site on a weekly basis.

The amount of equipment on site would be significantly reduced compared with the drilling phases. Nevertheless, the applicant requires the flexibility to undertake further drilling operations on the site throughout the production phase in relation to coal bed methane extraction. This may be undertaken to enhance production volumes and / or to carry out maintenance work on previously established boreholes. In the event that further drilling is required, the drilling rig and ancillary equipment would be moved back onto the site.

## **DEVELOPMENT PLAN**

### **The Development Plan in Trafford Comprises:**

- The **Trafford Core Strategy**, adopted 25th January 2012; The Trafford Core Strategy is the first of Trafford's Local Development Framework (LDF) development plan documents to be adopted by the Council; it partially supersedes the Revised Trafford Unitary Development Plan (UDP), see Appendix 5 of the Core Strategy.
- The **Revised Trafford Unitary Development Plan (UDP)**, adopted 19th June 2006; The majority of the policies contained in the Revised Trafford UDP were saved in either September 2007 or December 2008, in accordance with the Planning and Compulsory Purchase Act 2004 until such time that they are superseded by policies within the (LDF). Appendix 5 of the Trafford Core Strategy provides details as to how the Revised UDP is being replaced by Trafford LDF.
- The **Greater Manchester Joint Waste Plan**, adopted 01 April 2012 now forms part of the Development Plan in Trafford and will be used alongside district-specific planning documents for the purpose of determining planning applications.
- The **Greater Manchester Joint Minerals Plan**, adopted 26<sup>th</sup> April 2012 now forms part of the Development Plan in Trafford and will be used alongside district-specific planning documents for the purpose of determining planning applications.

### **PRINCIPAL RELEVANT CORE STRATEGY POLICIES**

R2 – Natural Environment

L4 – Sustainable Transport and Accessibility

L5 – Climate Change

L7 – Design

W3 – Minerals

### **PROPOSALS MAP NOTATION**

None

### **PRINCIPAL RELEVANT REVISED UDP POLICIES/PROPOSALS**

None

### **NATIONAL PLANNING POLICY FRAMEWORK (NPPF)**

The DCLG published the National Planning Policy Framework (NPPF) on 27 March 2012. The NPPF sets out the Government's planning policies for England and how these are expected to be applied. With immediate effect the NPPF replaces 44 documents including Planning Policy Statements; Planning Policy Guidance; Minerals Policy Statements; Minerals Policy Guidance; Circular 05/2005:Planning Obligations; and various letters to Chief Planning Officers. The NPPF will be referred to as appropriate in the report.

## **PLANNING PRACTICE GUIDANCE FOR ONSHORE OIL AND GAS**

Published by the DCLG in July 2013, this guidance provides advice on the planning issues associated with the three phases of extraction of hydrocarbons. It should be read alongside NPPF.

### **RELEVANT PLANNING HISTORY**

#### **Application Site**

74681/FULL/2010 – Construction of site for exploration, production testing and extraction of coal bed methane, transmission of gas and generation of electricity including combined heat and power facility, erection of temporary 34m high drilling rig, formation of two exploratory boreholes, installation of wells, erection of portacabins, storage containers and ancillary plant and equipment, creation of new vehicular access, erection of 2.4m high perimeter fencing and restoration of site.  
Approved 15<sup>th</sup> September 2010

H/71195 – Construction of temporary access road connecting the north east boundary of the site with Trafford Way to provide access to the site during the implementation of planning permission H/70123 (construction of an advanced sludge treatment facility at the waste water treatment works)  
Approved 10<sup>th</sup> December 2009

H/70123 – Construction of an advanced sludge treatment facility to include a combined heat and power plant, gas holders, silos and other associated buildings, plant and hard and soft landscaping works  
Approved – 5<sup>th</sup> April 2009

H/58904 – Construction of new canal road crossing and associated roads and improvements to existing roads as part of the western gateway infrastructure scheme (WGIS)  
Approved 18<sup>th</sup> February 2009

#### **Neighbouring Sites**

##### **Biomass**

76153/FULL/2010 – Erection of a 20 megawatt biomass fuelled renewable energy plant with associated access, car parking, internal roads, canal side mooring and landscaping.  
Refused 14<sup>th</sup> August 2012 and subsequently allowed at appeal

##### **United Utilities**

80920/FULL/2013 - Proposed inlet works. Erection of blower building, 14 no. control Kiosks, 2 no. substation buildings, 5 no. skip buildings and gatehouse. Provision of access to new site entrance and landscaping, all associated with permitted development works to improve the existing wastewater treatment process to allow compliance with final effluent consent requirements – Approved with Conditions, 30<sup>th</sup> December 2013.

74838/FULL/2010 – Erection of 5 no. control buildings associated with the provision of facilities to export biogas to the gas supply grid.  
Approved 22<sup>nd</sup> November 2011

H/70123 – Construction of advanced sludge treatment facility to include a combined heat and power plant, gas holders, silos and other associated buildings, plant and hard and soft landscaping works.  
Approved 16<sup>th</sup> January 2009

### **APPLICANT'S SUBMISSION**

On 15<sup>th</sup> September 2013 full planning permission was granted for the exploration, production testing and extraction of Coal Bed Methane on land adjacent to the M60 High Level Motorway Bridge.

At the time of determination of the planning application the Trafford Unitary Development Plan and the North West Regional Spatial Strategy were the Statutory Development Plan. Since then the Minerals policies/proposals in the Trafford UDP have been replaced by the Trafford Core Strategy and the Greater Manchester Minerals Plan. The National Planning Policy Framework was introduced in March 2012, which has replaced all PPG/PPS's that were in place in 2010. The NPPF directly supports the proposed development.

The applicant has submitted additional supporting information in the form of a Planning Statement, a Flood Risk Assessment, Noise Assessment Air Quality Assessment and a Habitat Survey together with report addendums providing updates since the original approval in 2010. The information provided within these statements will be referred to where relevant in the 'Observations' section of this report.

### **CONSULTATIONS**

**Strategic Planning and Development:** Comments have been incorporated into the main 'Observations' section of the report below.

**Highways Agency:** No objections to the extension of time limit for the above application.

**LHA:** There are no objections to the proposals subject to the same conditions as attached to the previous approval.

The highway in the vicinity of this site is planned to undergo some amendments through the implementation of the Western Gateway Infrastructure Scheme (WGIS), subject to these plans fitting in and not compromising those improvements then there are no objections to the proposals on highways grounds.

**Pollution and Licensing:** No objections received subject to recommended conditions. Full comments are included in the main 'Observations' section of the report below.



**Environment Agency:** No objections in principle subject to previously requested conditions still being applicable as set out below.

1. Submission of surface water drainage scheme based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, including details of how the scheme shall be maintained and managed after completion. Scheme to be implemented in accordance with the approved details.
2. The borehole must be drilled, operated and decommissioned in such a way as to prevent the transfer of fluids between different geological formations and to prevent uncontrolled discharge of groundwater to surface. (The proposed drillings site lies above the Sherwood sandstone principal aquifer).
3. Submission and implementation of scheme to prevent pollution of any watercourse or groundwater.
4. Submission and implementation of scheme to treat and remove suspended solids from surface water run-off during construction works.

**Greater Manchester Ecological Unit:** No objections to the proposal on nature conservation grounds subject to appropriate conditions.

**Greater Manchester Archaeological Advisory Service:** GMAAS is satisfied that the proposals do not threaten any areas of known or suspected archaeological interest.

**Greater Manchester Police Design for Security:** advises that care should be taken to ensure that the proposed 2400mm high welded-wire mesh fencing panels are fixed securely to the posts and that any level changes do not inadvertently facilitate climbing or leave large gaps underneath. The hinges/locking mechanism of the gates should not provide footholds and the gap at the bottom of the gates should be small enough to stop anyone crawling through.

It is recommended that the existing vehicular barrier at the entrance of the proposed access road remains in place and is secured when the site is unoccupied.

Any plant/equipment left on-site overnight should be robustly secured to prevent theft/misuse, particularly given the isolated nature of the site itself.

The temporary office/welfare unit should be covered by a monitored alarm system. It is preferred that no valuable equipment (such as computers/laptops, tools etc.) is stored in the temporary building overnight/when the site is unoccupied.

**Salford City Council:** No objections raised.

**United Utilities:** No objection to the proposal.

**Minerals and Waste Planning Unit** (formerly GMGU): Comments to the original application remain relevant to this application for an extension of time.

The exploration, appraisal and development of coal bed methane production is consistent with the aim of maximising the potential of the UK's oil and gas reserves.

The Planning Authority will need to assess the possible impacts of vehicle movements during the site construction and drilling phases and the requirements in terms of final restoration of the site. The Environment Agency will need to assess the impacts of the development on controlled waters. Noise is unlikely to be an issue at this site due to the levels of background noise from other sources. The 34m high rig would be in place for up to 30 days and this element would have the most significant visual impact. This could raise concerns in terms of highway safety on the motorway, particularly as the rig will be lit up at night.

However, since the original permission NPPF has been published as well as new guidance relating to onshore oil and gas. In addition, the Greater Manchester Minerals Plan was adopted on 26<sup>th</sup> April 2013. The relevant sections of these policy changes have been addressed in the main 'Observations' section of the report below.

**City Airport Manchester:** No comments received at the time of writing this report.

### **REPRESENTATIONS**

Cllr Jane Baugh has objected on the following grounds:

- Concerns re environmental impacts;
- Coal bed methane extraction involves the same principles as shale gas fracking;

Cllr Mike Freeman has objected on the following grounds:

- Concerns re environmental impacts;
- Extraction of yet another fossil fuel akin to fracking;
- Risk to air quality and health of residents in the locality.

Cllr David Acton has objected on the following grounds:

- Uncertainty about the process of CBM extraction;
- Risk of pollution;
- Danger of earth tremors.

A total of 222 objections have been received. The main points have been summarised below:

#### **Environmental Concerns**

- No evidence is presented that the proposed drilling and casing is proven technology in protection from groundwater contamination;
- CBM exploration, production and extraction poses serious risk to groundwater and surface water. Water is given as the 'main constituent' of the drilling fluid but no detail is given regarding the additives and chemicals that will be used and quantities. Chemicals used in CBM drilling muds can be just as toxic as those used in hydraulic fracturing and because CBM is typically found at much shallower depths than shale gas the risks of groundwater contamination are increased;
- Extracting water from coal seams can lead to depletion of groundwater;
- Significant risks to health and safety of local people with the site being close to residential areas, a motorway bridge and industrial land;
- It is critical to environmental protection to ensure that baseline environmental quality and pollution levels are understood prior to the commencement of

- drilling or other exploratory activities, so that the environmental impact of the development can be assessed and monitored e.g. air quality, soils, water etc.
- The chemicals used in CBM can be extremely toxic and can include carcinogens and radioactive materials. Because the drilling is at shallow levels there is risk of groundwater contamination;
  - It has been stated that the site is potentially subject to flooding in the event of a 1000-year rainfall event, and the site “is also reported to overlie a Major Aquifer (high leaching potential).” It is therefore necessary to ensure that the operations do not lead to the presence or displacement of environmental pollutants, which could either be flushed into local watercourses or deposited on the land as a result of flooding, or leach into (or out of) the aquifer;
  - Concerns regarding the possibility of methane leaking into the atmosphere;
  - The proposed development would present very serious immediate and longer term risks of air and water pollution, hazards (including radioactive substances) and associated harm to residents (both physical and psychological), property, wildlife and the environment;
  - The air quality situation in and around the site is already unacceptable and has not been sufficiently improved to meet local/national/European/international standards and laws;
  - Uncertainty about the process of Coal Bed Methane Extraction (CBME) causing local and national concern;
  - In extracting the gas, drilling into the seams and pumping large volumes of water out will create environmental and social risks including methane migration, toxic water contamination, air pollution, increased carbon emissions and a generalized industrialization of residential areas and countryside which would include depletion of the water table;

#### Requirement for Environmental Impact Assessment (EIA)

- Friends of the Earth argues the Council’s screening opinion which concluded that an EIA is not required is flawed and that any decision to grant the application based on this opinion may be flawed for the following reasons:
  - (i) Failure to require separate planning applications for exploration, testing (appraisal) and production phases;
  - (ii) Failure to take account of recent evidence;
  - (iii) Failure to assess cumulative impacts;
  - (iv) Failure to consider climate change impacts
  - (v) Failure to rely on wider policy framework (beyond NPPF) around EIA screening;
  - (vi) The authority has failed to assess the cumulative impact from polluting development in the area in the light of changes to planning policy;
  - (vii) A number of recent studies of unconventional gas impacts are not referenced in the screening opinion, suggesting that they have not been taken into account;
  - (viii) No detailed analysis of the impacts on surface water;
  - (ix) No information is given about the scale of the initial venting and flaring that might be necessary;
  - (x) A precautionary approach must be adopted, hence full assessment must be undertaken, in line with the EIA Directive.

### Health and Safety Concerns

- It is unacceptable for a development which poses both known and unknown site specific risks to be given the go ahead;
- Danger of drilling near the Pendleton Fault line;
- Cause of earth tremors;
- Notwithstanding the health risks of possible pollution the area is already heavily congested and it is suggested that the proposed site is too close to the Motorway and access roads and surrounding heavily populated areas;
- Proximity of the drilling to the Biomass Incineration Plant (underneath);
- Until such times that CBME process can be proven to be safe it cannot be supported;

### Ecological Concerns

- The Habitats survey report identifies protected species as 'potential constraint to development.'
- The habitat survey recommends that an updated survey be undertaken if more than 12 months have elapsed, which was passed on 20<sup>th</sup> October 2013;

### Contrary to local and national policy

- DCLG has set out in its onshore oil and gas guidance the need for separate planning applications for the different phases of the development;
- The proposal would contradict the Greater Manchester Climate Change Strategy (2011-2020). One of the key outcomes of this strategy is: "To have created market conditions which promote low and zero carbon energy generation and distribution opportunities across Greater Manchester;
- The proposal conflicts with Policy 2 Key Planning and Environmental Criteria of the Greater Manchester Joint Minerals Plan, particularly with respect to controlled waters;
- The proposal is in conflict with the Trafford Core Strategy, specifically L5.1 and L5.4 regarding climate change and reducing carbon emissions, L5.13 and L5.14 regarding air pollution, W3.3 regarding the environmental, social and economic impacts of minerals extraction, and R2.1 regarding the need to protect and enhance the natural environment;

### Ambiguity in submitted information

- The description of drilling, testing and production operations in the original planning application documents and the supporting planning statement to the renewal application is vague and lacking detail by which environmental risks and impacts can be adequately assessed;
- No information given regarding the de-watering process;
- The application appears to leave scope for fracking or other means by which the coal seam can be stimulated by stating in 3.3.2 of the supporting statement that "IGas requires flexibility to undertake further drilling operations on the site throughout the production phase. This may be undertaken to enhance production operations";
- Given water has to be pumped from the coal bed, and then stored on site, there is risk of ground and surface water contamination from leakage and spillage of waste water, drilling fluids, harmful chemicals, and NORM (Naturally Occurring Radioactive Materials). Large quantities of contaminated water must be treated and disposed of and the application documents are very vague in this respect;

- The application documents give no detail regarding proposed venting and flaring of gas, and no assessment of emissions, health or air quality impact;
- The full 3-dimensional extent of vertical and lateral drilling is not clear from the submitted planning documents;
- Ambiguity regarding drilling depths. The application states the developer intends to drill a 'minimum depth of circa 1100m'. At the nearby Barton Moss site, IGas have permission to drill a 1300m CBM well yet intend to drill 3100m to test the shale gas layer;
- The possible cumulative impact of this development on the many other land uses in the area, including the biomass plant adjacent which has been approved since 2010, must be properly measured and assessed, particularly as these uses may be in conflict;

#### Other

- Any economic benefits of unconventional gas extraction are likely to be outweighed by the many disbenefits, such as environmental and health problems, decreased property prices and effects on existing industries;
- Impact on houses prices;
- There is now significantly more information and evidence available than was the case 3 years ago regarding the serious risks that may be caused by this development;
- The process will be akin to hydraulic fracturing of the coal layers;

### **OBSERVATIONS**

#### BACKGROUND

1. Coal bed methane (CBM) is a naturally occurring hydrocarbon gas that is trapped in the carbon structure of coal. Its extraction involves drilling down vertically and then horizontally in the coal seam. During drilling, a drilling fluid is pumped down the drill string and then back up again. The fluid is circulated for lubrication, cooling and the removal of drill cuttings. The fluid also ensures the hole is stable and prevents formation fluids entering the wellbore. As each section of the well is drilled, lengths of steel tubing (casing) are run into the hole and cemented in position to form a high-strength liner which seals the rock formation from the wellbore. Once drilled, the rock formation is evaluated to understand what it is made of and what it could potentially contain. Formation samples including cuttings and cores are obtained for analysis during the drilling phase to establish how much gas or oil may be present in the rock. In addition to physical samples, electronic images of the formations are acquired by running special tools into the wellbore to further build up an understanding of the area's geology and its development potential. Should the samples prove attractive, the well may be further cased with cemented steel pipe, otherwise the well will be abandoned in accordance with guidance from the regulatory authorities. This typically entails setting cement plugs in the wellbore and removing the near surface steel casing and wellhead before the site is returned to its original state.
2. Coal contains a natural system of interconnected fractures called 'cleats.' If conditions prove favourable, CBM extraction occurs by pumping out the water that occurs naturally in the coal seams or 'cleats' to reduce the underground

pressure on the coal so the gas can be collected. The cleats provide the pathways that enable the water to be drained out of the coal seam to release the gas. No fracturing of the rock structure (or 'fracking') is therefore required. If dewatering stops, the coal seam and the well fill with water, which automatically prevents the gas from being released. The entire process is reversible and any gas left in the wellbore is re-adsorbed by the coal. The process of fracking is typically used for the extraction of shale gas which is generally located at lower levels. No fracking is proposed as part of this planning application and a further application would therefore be required for these processes.

3. In addition to the requirement for planning permission, gas exploration and development is regulated by a separate licensing regime under the Petroleum Act 1998. The applicant (IGas) has been awarded a time limited Petroleum Exploration Development Licence (PEDL) by the Department of Energy and Climate Change (DECC) for an area which includes the planning application site under a system designed to maximise successful exploration and exploitation of the UK's oil and gas reserves.

#### PRINCIPLE OF DEVELOPMENT

4. National and regional policy requires Trafford, as a Minerals Planning Authority, to make provision for future mineral supplies and infrastructure within its Local Development Framework. Greater Manchester as a whole possesses a range of primary minerals resources which may offer opportunities for extraction, together with a variety of opportunities for new infrastructure. Policy W3 of the Core Strategy advises that the Council will work with other Districts, landowners, developers, local communities and other stakeholders to ensure that minerals development takes place in appropriate locations and utilises sustainable modes of transport wherever possible.
5. National guidance on applications to extend the time limits for implementing planning permissions states LPAs should take a positive and constructive approach towards applications which improve the prospect of sustainable development being taken forward quickly. The development proposed in such an application will by definition have been judged to be acceptable in principle at an earlier date. It states LPAs should focus their attention on development plan policies and other material considerations (including national policies on matters such as climate change) which may have changed significantly since the original grant of permission.
6. Since the previous planning permission, the Revised Trafford Unitary Development Plan (June 2006) has been replaced, in part, by the Trafford Core Strategy (January 2012) and Regional Spatial Strategy for the North West has been revoked. The Greater Manchester Joint Minerals Plan was approved in April 2013 and adopted by the ten Greater Manchester Authorities and should be read alongside the Core Strategy. The National Planning Policy Framework was issued by the Government in March 2012 which sets out the Government's planning policies for England and how these are expected to be applied.

7. The policies on Minerals have remained relatively consistent with the thrust of previous UDP policies and proposals and it is considered that there is nothing in the recent Core Strategy which would mean that the development, carefully controlled through planning conditions, would not be acceptable now. As such, it is considered that the proposal is in accordance with the up to date development plan. The relevant changes in policy are looked at in more detail below.

#### National Planning Policy Framework

8. The exploration, appraisal and development of coal bed methane production is consistent with the aim of maximising the potential of the UK's oil and gas reserves as set out in national government guidance in National Planning Policy Framework (NPPF). Paragraphs 142 to 149 of the National Planning Policy Framework set out minerals planning policy. It makes clear that minerals planning authorities should identify and include policies for extraction of mineral resource of local and national importance in their area. This includes both conventional hydrocarbons and unconventional hydrocarbons such as shale gas and coal bed methane. Paragraph 144 advises that when determining planning applications, local planning authorities should:
  - Give great weight to the benefits of the mineral extraction, including to the economy;
  - Ensure in granting planning permission for mineral development, that there are no unacceptable adverse impacts on the natural and historic environment, human health or aviation safety, and take into account the cumulative effect of multiple impacts from individual sites and/or from a number of sites in a locality;
  - Ensure that any unavoidable noise, dust and particle emissions and any blasting vibrations are controlled, mitigated or removed at source, and establish appropriate noise limits for extraction from new or extended sites;
  - Provide for restoration and aftercare at the earliest opportunity to be carried out to high environmental standards, through the application of appropriate conditions;
  - Not normally permit other development proposals in mineral safeguarding areas where they might constrain potential future use for these purposes.

#### Trafford Core Strategy

9. The following policies are of particular relevance to this application.
10. Policy W3 (Minerals) of the Core Strategy covers the sustainable management of minerals resources and states that in determining applications for new minerals extraction, storage, recycling, processing and transfer within the Borough, the Council will have full regard to the environmental, social and economic impacts of such development, including the need, where necessary, to ensure effective restoration and aftercare of sites.
11. Policy L5 (Climate Change) requires that all new development should mitigate and reduce its impact on climate change factors, such as pollution and flooding and maximize its sustainability through improved environmental performance

of buildings, lower carbon emissions and renewable or decentralized energy generation.

12. With particular relevance to pollution, policy L5 advises that development that has potential to cause adverse pollution (of air, light, water, ground), noise or vibration will not be permitted unless it can be demonstrated that adequate mitigation measures can be put in place.
13. Policy R2 (Natural Environment) requires that the protection and enhancement of the natural environment is demonstrated through a supporting statement setting out how the proposal will:
  - Protect and enhance the landscape character, biodiversity, geodiversity and conservation value of its natural urban and countryside assets having regard not only to its immediate location but its surroundings; and
  - Protect the natural environment throughout the construction process.

#### Greater Manchester Minerals Plan

14. Policy 2 of the Greater Manchester Minerals Plan relates to Key Planning and Environmental Criteria. It states that all proposals for minerals working or the provision of minerals infrastructure will be permitted where any adverse impacts on the following criteria is avoided or can be appropriately mitigated:
  - Controlled waters and flood risk management;
  - Landscape and visual intrusion;
  - Biological and geological conservation including European sites;
  - Historic environment and built heritage;
  - Best and most versatile agricultural land;
  - Infrastructure;
  - Traffic and access;
  - Amenity e.g. noise, dust, vibration and odours;
  - Air Quality;
  - Land instability;
  - Potential land use conflict;
  - Design, phasing and operation details;
  - Aviation safety;

Policy 6 of the Greater Manchester Minerals Plan relates to Unconventional Gas Resources, this includes coal bed methane. Policy 6 states that:

15. Applications for exploration and appraisal, and production wells for unconventional gas resources will be permitted where the applicant can demonstrate that the proposal:
  - Is in accordance with the Key Planning and Environmental Criteria in Policy 2; and
  - Includes options for the next stage of extraction, following exploration; and



- Includes detailed plans for removal of all equipment and restoration of the site in accordance with a scheme and to a standard approved by the Minerals Planning Authority.

### Planning Practice Guidance for Onshore Oil and Gas

16. This guidance was published by DCLG in July 2013. This guidance provides advice on the planning issues associated with the three phases of extraction of hydrocarbons and usefully sets out the relationship between planning and other regulatory regimes. It advises that:

*“The Planning and other regulatory regimes are separate but complementary. The planning system controls the development and use of land in the public interest and, as stated in paragraphs 120 and 122 of the NPPF, this includes ensuring that new development is appropriate for its location taking account of the effects (including cumulative effects) of pollution on health, the natural environment or general amenity, and the potential sensitivity of the area or proposed development to adverse effects from pollution. In doing so the focus of the planning system should be on whether the development itself is an acceptable use of the land, and the impacts of those uses, rather than any control processes, health and safety issues or emissions themselves where these are subject to approval under other regimes. Minerals planning authorities should assume that these non-planning regimes will operate effectively.”*

17. The current application remains consistent with the general objectives of national and local minerals policy. There are no significant physical changes within the site since the previous approval which would lead to a different conclusion on the application. Notwithstanding this, there has been increased and significant controversy and publicity surrounding unconventional gas extraction since the approval of the original application in September 2010 with particular regard to health and environmental impacts. This report seeks to address these issues insofar as the planning system has responsibility whilst also acknowledging the involvement and role of other regulatory bodies. The exploratory, appraisal or production phase of hydrocarbon extraction can only take place in areas where the Department of Energy and Climate Change have issued a licence under the Petroleum Act 1998 (Petroleum Exploration Licence). The applicant (IGas) has been awarded a time limited Petroleum Exploration Development Licence (PEDL) for an area which includes the planning application site.

### ENVIRONMENTAL IMPACTS AND AMENITY

18. Planning Practice Guidance for Onshore Oil and Gas, published by DCLG in July 2013 sets out the principal environmental issues of hydrocarbon extraction that should be addressed by minerals planning authorities. There are a number of issues which are covered by other regulatory regimes (DECC, EA and HSE) and minerals planning authorities should assume that these regimes will operate effectively.

Those issues covered by other regulatory regimes include:

- Mitigation of seismic risks;
- Well design and construction;
- Well integrity during operation;
- Operation of surface equipment on the well pad;
- Mining waste;
- Chemical content of hydraulic fracturing fluid;
- Flaring or venting;
- Final off-site disposal of water;
- Well decommissioning/abandonment.

19. Whilst these issues may be put before minerals planning authorities, they should not need to carry out their own assessment as they can rely on the assessment of other regulatory bodies. They should be satisfied that these issues can or will be adequately addressed by taking the advice from the relevant regulatory body.

20. The issues relevant to this site and which are the responsibilities of the planning authority are dealt with in turn below. All potential impacts for each phase of the development have been considered. Comments on the key impacts will be referred to where appropriate in the report. The potential amenity impacts will be greatest during the site establishment and drilling phases but the majority of these works will be completed within about 50 days.

### Noise

21. A Noise Assessment was submitted with the original application which concluded that there are elevated background noise levels at the site due to the proximity of the motorway and that the proposed development would not give rise to nuisance to any residential property. Whilst the appraisal and extraction drilling phases would operate on a 24 hour basis, this would only be for a limited period of time comprising about 30 days. The nearest residential properties are approximately 450m to the south-east and are separated from the application site by the existing waste water treatment works.

22. The addendum submitted with this renewal application draws the same conclusions.

23. Under the original application the Council's Pollution and Licensing Section stated that it has assessed the Noise Assessment and has no comments to make on this. No additional comments have been raised in the consultation response for the renewal application. It is therefore considered that the proposed development would be acceptable in terms of noise impacts.

### Dust

24. It is not anticipated that the proposed operations would result in any significant production of gas, nevertheless a condition is recommended requiring the submission of a Dust Management Plan.

## Air Quality

25. Concerns have been raised regarding the emission of methane and other gases. The proposed development is designed to capture gas and the applicant states that, apart from initial venting and flaring that might be necessary to flow test a potential gas resource, all methane extracted from the site would be captured and utilised for commercial use. In any case, the operation is continually monitored by gas detectors so that, in the unlikely event of an escape of gas, the operation can be quickly shut in until rectified. Any impacts in terms of the emission of methane and other gases would be controlled by the Environment Agency through the Permit and the Waste Management Plan and venting and flaring would be regulated by DECC as part of the licence conditions.
26. The proposed development potentially involves several different uses for coal bed methane such as distribution away from the site and also use in a combined heat and power plant. The air quality assessment has been based upon a scenario which would have the greatest potential impact on air quality, namely electricity being generated on site in two gas engines, utilising the coal bed methane as a fuel source. The original air quality assessment confirmed that this option is the least favoured by the applicant. This application site is within an Air Quality Management Area (AQMA) that has been declared by the Council for Nitrogen Dioxide. The proposed development has the potential to impact upon Air Quality through generators which will burn collected gas to generate electricity.
27. The Air Quality assessment that was provided for the original application has been updated. The update was required to reflect any changes to local air quality around the application site and to take into account the combined impact of other planning applications and proposed developments that have occurred in the area since 2010 (in particular the grant of planning permission for the Biomass Plant).
28. A further updated air quality assessment was required to respond to comments made by Pollution and Licensing dated 17<sup>th</sup> October 2013. In this memo the air quality impact of the proposed 'worst-case' scenario of this development, which is the use of two 2mw generators, was deemed to create a potentially significant contribution to baseline levels of nitrogen dioxide at a residential location. The contribution was significant because nitrogen dioxide levels at the location are currently close to or above the air quality standards; and the contribution from this proposal was more than 1% of the air quality standard.
29. The update to address these comments is referred to as "Addendum to Air Quality Assessment, Nexen CBM Trafford Centre Site for Igas Energy Plc." The applicants have investigated methods of mitigating air quality impacts from the 'worst-case' scenario through improving emissions from the generators that are to be used on the site. The revised air quality assessment specifies that a catalytic converter will be incorporated in the generator plant. The use of this technology will reduce nitrogen dioxide emissions, the manufacturers indicate that 98% improvements may result. The applicants have conservatively used a figure of 80% in the calculations provided.

30. The calculations provided demonstrate that the impact on local nitrogen dioxide levels from this development (where the generators are installed with catalytic converters) will be below  $0.4 \mu\text{g}/\text{m}^3$  for annual average  $\text{NO}_2$ . In accordance with national air quality planning guidance (Environmental Protection UK's Planning for Air Quality document, 2010 update), this change at sensitive receptors is considered to be imperceptible and is not significant.
31. However, it should be ensured that the generators when commissioned meet the criteria used within the air quality assessment provided. A condition requiring information to be submitted to demonstrate the effectiveness of air quality improvement measures installed is recommended, should planning permission be granted.
32. Whilst the grant of planning permission for the Biomass Plant constitutes a material change in circumstance since the original approval, in this instance, taking into account the mitigation measures proposed, it is considered that such cumulative impact would not have significant effects on the environment. In any case, it is also noted that, at the time that the Biomass permission was granted, the coalbed methane permission was extant and the Inspector and the Secretary of State did not conclude that there were unacceptable cumulative air quality impacts.

### Lighting

33. During the drilling phases, the site would be floodlit during the hours of darkness using a self-powered lighting mast. It is considered that a condition will need to be attached requiring lighting details including siting, height, design and position of floodlights and details of impact in terms of light spread. The drilling phases will also require floodlighting to fulfill safety and security requirements. The applicant states that the lighting would be appropriately sited, kept to the lowest acceptable height and directed inwards and downwards to ensure that the potential for light spill is kept to a minimum. On this basis it is considered that lighting impacts can be adequately controlled through conditions.

### Visual Intrusion

34. The applicant states that the production test and production phases are low key operations that utilise small scale equipment and are visually unobtrusive. Flaring takes place in a purpose made combustion chamber, which is designed so that no flame is visible while the gas is burning, and that the only visible sign that the plant is operating is the presence of a slight heat haze above the flare stack.
35. During the production test and production phases, the proposed development would only have a limited visual impact. During the appraisal and extraction drilling phases, there would be a greater visual impact, particularly due to the presence of the drilling rig, which would be up to 34m in height and would be on site for approximately 30 days. The rig would be positioned within the

western part of the site, at least 51m from the motorway (which is itself elevated approximately 9m above adjacent ground levels at this point).

36. It is therefore considered that, during the drilling phases, there would be significant visual impact with the drilling rig projecting approximately 25m higher than the motorway and the area being floodlit. Nevertheless, given the short-term temporary nature of this specific phase of the proposal and given the character of the surrounding area (which includes large scale structures such as the motorway viaduct, the water treatment works, the ship canal, the Soccerdome and the Chill Factor-e ski slope), it is considered that the visual impact of the development would be acceptable.
37. The proposed fencing, both temporary and permanent, is considered to be acceptable in this location subject to acceptable conditions.
38. The applicant has advised that IGas require flexibility to undertake further drilling operations on the site throughout the production phase in relation to coal bed methane extraction. This may be undertaken to enhance production volumes and/or to carry out maintenance work on previously established boreholes. It is considered appropriate to allow flexibility to the operator for the servicing and maintenance of the boreholes and wells or cases of emergency and therefore a condition requiring the submission of a scheme to cover these issues is recommended.

#### Landscape Character

39. The site is not designated as an area of any special landscape character.

#### Archaeological and Heritage Features

40. GMAAS is satisfied that the proposals do not threaten any areas of known or suspected archaeological interest.

#### Risk of Contamination to Land

41. Waste generated from the process consists of rock cuttings and produced water. The applicant states that rock cuttings from the drilling process might amount to 500m<sup>3</sup> as a maximum, depending on the extent of the drilling achieved. Such waste is collected in steel containers and removed from the site on a regular basis (every 3-5 days) during drilling, for disposal at an appropriately licensed facility. Produced water is inherent to and derived from the coal seam and the applicant states that the amount of water produced in this way is typically less than 20 m<sup>3</sup> per day and diminishes rapidly. The water is slightly saline and is disposed of at an appropriately licensed disposal facility. Davyhulme is used for disposal of produced water at Doe Green for example. The whole process is regulated by the EA. An environmental permit and waste management plan would be required by the EA in order to ensure that extractive wastes would not harm human health or the environment. The disposal of any "flow back" fluids would be controlled by the Environment Agency (including any Naturally Occurring Radioactive Materials (NORM)) although the developer states that it does not anticipate encountering any such

materials). A case specific radiological assessment is required for any application for a permit for the disposal of radioactive waste. The Environment Agency will only issue a permit if satisfied with this assessment. It is the responsibility of the EA to ensure that the final treatment/disposal of water at suitable water treatment facilities is acceptable.

#### Flood Risk and Drainage

42. A Flood Risk Assessment was submitted with the original application and an Addendum has been produced following the implementation of the NPPF and the updated Environment Agency flood data.
43. The Addendum concludes that the proposed development is suitable for Flood Zone 2 and passes the sequential and therefore the exception test. Based on the updated information available the flood risk to the proposed development is considered manageable and development should not be precluded on flood risk grounds.
44. The Environment Agency has raised no objections subject to conditions as per the original permission. Conditions can also be incorporated into the Environmental Permit to ensure that any flood risk is managed appropriately.

#### Land Stability/Subsidence

45. The NPPF advises under paragraph 109 that the planning system should contribute to and enhance the natural and local environment by preventing development from contributing to or being put at unacceptable risk from land instability. Paragraph 120 continues that to prevent unacceptable risks from pollution and land instability, planning policies and decisions should ensure that new development is appropriate for its location.
46. Oil and gas extraction is regulated under a number of different regimes that are separate but complementary to planning.
47. The Health and Safety Executive are responsible for the enforcement of legislation concerning well design and construction. Before design and construction, operators must assess and take into account the geological strata, any fluids within those strata, as well as any hazards that the strata may contain. Under health and safety legislation the integrity of the well is subject to examination by independent qualified experts, from design through construction and until final plugging at the end of the operation.
48. Impacts in terms of land stability would be limited as the proposals would not involve the extraction of large quantities of rock from underground and the application does not seek permission for hydraulic fracturing. Paragraph 91 of Planning Practice Guidance for Onshore Oil and Gas states that "extraction of coalbed methane does not cause subsidence of the land surface."

## Ecology

49. A Phase 1 Habitat Survey has been submitted with the application. The report concludes that there are no statutory designated sites within the vicinity and that non-statutory sites will not be impacted upon due to the nature of the proposal and the distance and lack of connectivity to these sites. The report recommends that where possible, habitats of ecological value should be retained. Where key habitats cannot be retained, a habitat restoration plan is recommended to restore/enhance any impacted habitats within the site boundary.
50. The survey has confirmed that the site contains several habitat types suitable to support a range of bird species. Any removal of vegetation and/or site clearance works should be undertaken outside the breeding bird season from October to February inclusive. If development works are to be carried out between March and September a breeding bird survey is recommended which will aim to identify an overall species assemblage and distribution and confirm breeding where possible. It is recommended the survey be conducted in April, May and June and requires one survey visit per month.
51. Further surveys are recommended with regard to the presence/activity of protected species within the site.
52. The survey identified several stands of Himalayan balsam within the site boundary. An invasive species survey is recommended to locate all stands of invasive species within the site and to provide recommendations for mitigation.
53. The Greater Manchester Ecological Unit raise no objection to the proposal subject to the same conditions of the original application being attached to an approval.

## Site Restoration and Aftercare

54. Policy 13 of the Minerals Plan requires proposals to include details of site restoration and aftercare. Condition 9 of the original consent requires the implementation of the site restoration scheme within six months of the cessation of on-site operations. The same condition is therefore required to ensure suitable restoration and site reinstatement.
55. It is not considered that this particular development will create any environmental concerns in line with the additional issues as set out by the DCLG, namely dust, soil resources, the impact on best and most versatile agricultural land and nationally protected geological and geomorphological sites and features

## Other Potential Environmental Impacts

### Ground and Surface Water

56. Objections have been received with regard to the impact on ground and surface water. The applicant states that careful management and control

measures will be used to overcome any potential risks to ground waters. This includes appropriate storage of chemicals, excavation materials, well arisings, potentially contaminated water and drilling muds at ground level to prevent their release to ground, surface waters or groundwater. It is proposed that on site buildings and equipment be installed at a level to avoid inundation by flooding in extreme weather conditions. The applicant states that the method of drilling proposed is the same as has been utilised throughout Great Britain for onshore and offshore for many years and is proven to be safe. The method is subject to approval by the Department of Energy and Climate Change (DECC) and the Health and Safety Executive (HSE). The borehole will be drilled, operated and decommissioned in such a way as to prevent the transfer of fluids between different geological formations and to prevent uncontrolled discharge of ground water to surface. Damage to aquifers is avoided by cementing steel casing in place within the borehole to ensure any aquifer is secure. The method of inserting steel casing, which isolates the aquifer from the drilling process, is described in section 9.3.7 of the original Planning Application Supporting Statement. The operation is subject to approval by the Environment Agency (EA) under the Water Resources Act 1991 which is specifically aimed at ground water protection. The drilling operation is classed as a mining waste operation under the Environmental Permitting Regulations 2010, as amended, which controls and approves the use of any chemicals. The EA also approve and oversee the proposed drilling operation under s199 of the Water Resources Act 1991 which is entirely directed at water resource protection. Impacts on ground waters and surface waters can be controlled by planning conditions and through the Environment Agency Permit.

57. The applicant has confirmed that typically water based drilling fluid consists of water thickened with a clay such as bentonite. The purpose of thickening the water is to give it added viscosity which helps to lift the rock cuttings from the borehole. Barite can also be used as a weighting agent for the same purpose or a combination of both which makes up the main additives of the drilling fluid. Other chemicals such as Soda Ash, Caustic and XP Polymer may be used in much smaller quantities all of which are designed to refine the drilling mud and make it more efficient. Water based drilling muds are non-toxic and are regularly used to drill water extraction wells. The process and the makeup of the drilling fluid is regulated by the Environment Agency through the Environmental Permitting Regulations.

### Climate Change

58. Representations have been made suggesting that the proposal would have an adverse impact on climate change. It is considered that the climate change impact associated with the development proposal is primarily associated with two main elements: emissions associated with the extraction process and the carbon footprint of the gas when used for electricity production.
59. In terms of emissions associated with the extraction process, any impacts in terms of the emission of methane and other gases would be controlled by the Environment Agency through the Permit and the Waste Management Plan and venting and flaring would be regulated by DECC as part of the licence conditions. These other regulatory regimes require the applicant to introduce



all the necessary precautionary measures to ensure that this aspect of the proposal does not result in anything other than negligible levels of methane being released to the atmosphere. The government advises that local planning authorities should rely on these other regulatory functions operating efficiently. A condition is attached which requires the submission of a scheme for monitoring methane on the site.

60. With regard to emissions associated with the carbon footprint of the gas when used for the production of electricity, the greatest impact in terms of this particular proposal would be that which arises from a scenario where electricity is generated on site. There is a pressing need to find alternative sources of energy, all of which will have an impact on climate change. This particular method of energy production will not have the minimal impact on climate change that some renewable sources will have, but equally it is considered that it will have a lesser impact than will the extraction and production of electricity from fossil fuels such as coal. It is not considered that emissions would be sufficient to warrant the refusal of planning permission. National policy is set in the knowledge of the dangers of climate change. The exploration, appraisal and development of coal bed methane production is consistent with the aim of maximising the potential of the UK's oil and gas reserves as set out in national government guidance in the NPPF. Paragraph 65 of "Planning Practice Guidance for Onshore Oil and Gas" states that "Mineral planning authorities should not consider demand for, or consider alternatives to, oil and gas resources when determining planning applications. Government energy policy makes it clear that energy supplies should come from a variety of sources. This includes onshore oil and gas, as set out in the Government's Annual Energy Statement." Whilst the Council's Core Strategy Policy L5 recognises the role that commercial and community low carbon, renewable and decentralised energy generation and distribution facilities can play in reducing CO2 emissions, the government's energy policy is recognised in that energy generation should come from a variety of sources, which might include coal bed methane production.
61. In respect of all phases of the development, it was not considered that any impacts from the proposed development in terms of climate change were significant enough to require an Environmental Impact Assessment, nor is it considered that any impacts would be sufficient to warrant a refusal of planning permission.

## HIGHWAY SAFETY

62. The application proposes the use of an existing access road that was previously granted temporary permission in connection with the development of the advanced sludge treatment facility at the Waste Water Treatment Works (permission H/71195).
63. The application indicates that, during the construction phase there will be 4 HGV movements per day, during the appraisal drilling phase there will be a maximum of 10 HGVs per day and 20 car / LGV journeys per day and during the extraction drilling phase a maximum of 8 HGVs a day and 20 car / LGV journeys per day. Ten parking spaces are proposed on site. Impacts in terms

of traffic generation would be limited and the traffic levels and parking provision are considered to be acceptable by the LHA who raise no objections to the proposed development.

64. The proposed drilling rig would be up to 34m in height and would be sited a minimum of 51m from the motorway (which itself is elevated approximately 9m higher than the adjacent ground levels at this point) which is considered to be a safe distance from the motorway. The drilling phases will also require floodlighting. The applicant states that this would be appropriately sited, kept to the lowest acceptable height and directed inwards and downwards to ensure the potential for light spill is kept to a minimum. The Highways Agency has raised no objections to the proposed development subject to conditions and has stated that it is satisfied that the distance of the rig from the motorway boundary is sufficient and that a lesser distance could be considered, subject to appropriate design details. It is considered that a condition should be attached requiring details of the distance of the rig from the motorway prior to installation. On this basis, it is considered that the proposed development would be acceptable in terms of highway safety.

## ENVIRONMENTAL IMPACT ASSESSMENT

65. A screening opinion has been issued concluding that the proposals would not constitute EIA development. The proposal does not fall within the criteria set out in paragraph 33 of Circular 02/99 for Schedule 2 development and it was considered that the proposals would not result in environmental impacts of such a scale or complexity to justify the requirement for an EIA. A representation from Friends of the Earth states that Schedule 3 criteria of the EIA regulations are relevant. Schedule 3 sets out the selection criteria for screening Schedule 2 development. The Council agrees that these are relevant and has assessed the proposals against them. However, as indicated Friends of the Earth have made representations in relation to the Screening Opinion in which they assert that the opinion is flawed for the reasons set out elsewhere in this report. These assertions are not accepted. The Council has assessed all impacts from the three different stages of development; taken account of recent evidence; and has assessed the relative cumulative impacts and impact on climate change.

## CONCLUSION

66. The proposed development has been accepted in this location with planning permission granted in September 2010. Whilst there have been changes to national and local policy since the original approval, the policies on Minerals have remained largely consistent with the thrust of previous policies. The current application remains consistent with their general objectives of Policy 2 of the Greater Manchester Minerals Plan, Trafford Core Strategy policies and Government guidance provided in NPPF and the DCLG Planning Practice Guidance for Onshore Oil and Gas in having regard to the environmental, social and economic impacts of such development. Through the use of conditions for control, impact mitigation and site restoration alongside those processes which are subject to approval under other regimes (e.g. PEDL licence, Health and Safety Executive and Environment Agency approval), it is

considered that the proposal would not have any unacceptable environmental, ecological, or social impacts.

67. The impacts associated with all three phases of proposed development have been assessed and it is not considered that the development would result in unacceptable adverse impacts on the natural and historic environment, human health or aviation safety. The cumulative impact of this proposal including the biomass plant (which was approved on a neighbouring site following the grant of the original permission) and the Barton Moss site has been taken into consideration with particular consideration given to air quality. A catalytic converter will be incorporated in the generator plant. In accordance with national air quality planning guidance (Environmental Protection UK's Planning for Air Quality document), the change in nitrogen dioxide levels at sensitive receptors is considered to be imperceptible and not significant.
68. The Office of Unconventional Gas and Oil promotes the safe, responsible and environmentally sound recovery of the UK's unconventional reserves of gas and oil and has the aim of ensuring that the UK makes the best use of our natural resources by encouraging the development of these reserves in a way that maximizes the benefits to the economy in terms of improving security of supply, creating jobs, growth and investment, and supporting the transition to a low carbon economy at the least cost. NPPF supports this and paragraph 144 states that great weight should be given to the economic benefits of minerals extraction.
69. There are no significant physical changes within the site since the original approval which would lead to a different conclusion on the application. It is therefore recommended that this renewal application to extend the time limit for implementation is granted. Further conditions to those imposed on the original application have been recommended to reflect the introduction of Government guidance.

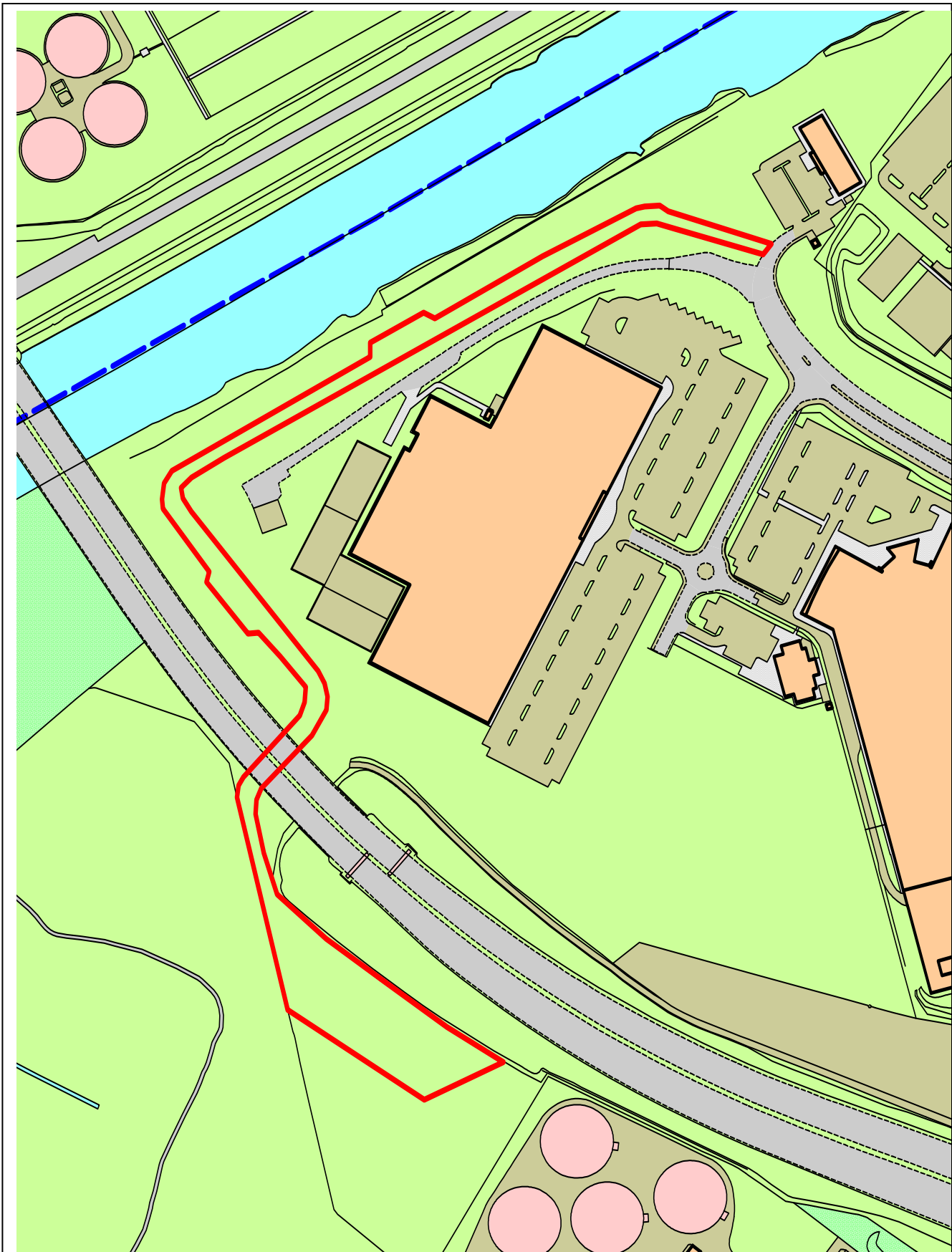
**RECOMMENDATION: GRANT**, subject to conditions: -

1. Standard Condition
2. List of approved plans including amended plans
3. Details of colour of site cabins
4. Landscaping
5. Boundary Treatment to be Paladin style fencing as shown on the approved plans. Details of colour of fencing.
6. Provision of access, parking, turning areas
7. Retention of parking, loading and turning areas
8. Lighting details including siting, height, design and position of floodlights (including details of impact in terms of light spread)
9. Within six months of cessation of on-site operations, Implementation of site restoration scheme that shall have previously been submitted to and approved in writing by the Local Planning Authority. Aftercare of site for a period of 5 years.
10. Submission of surface water drainage scheme based on sustainable drainage principles and as assessment of the hydrological and hydrogeological context of the development, including details of how the scheme shall be maintained and managed after completion.

11. Updated habitats survey to be submitted. Implementation of recommendations of submitted Habitat Survey in relation to amphibians and nesting birds.
12. A further survey of identified protected species to be carried out prior to the commencement of development and to include land outside the application site, including a method statement for their protection during works.
13. Vehicular access barrier at start of access road to remain in situ and be secured when site is not manned, unless agreed otherwise in writing by the Local Planning Authority.
14. Details of how the boreholes will be drilled, operated and decommissioned in such a way as to prevent the transfer of fluids between different geological formations and to prevent uncontrolled discharge of groundwater to surface. Implementation of scheme in accordance with approved measures.
15. Submission and implementation of scheme (including storage facilities) to prevent pollution of any watercourse or groundwater.
16. Submission and implementation of scheme to treat and remove suspended solids from surface water run-off during construction works.
17. There shall be no development on or adjacent to any motorway embankment that shall put any such embankment or earthworks at risk.
18. No drainage from the proposed development shall run off into the motorway drainage system nor shall any such new development adversely affect any motorway drainage.
19. Details of the distance of the rig from the motorway to be submitted and approved prior to installation and the development to be implemented in accordance with the approved details.
20. Implementation of approved air quality measures, submission of report demonstrating effectiveness of the air quality improvement measures installed following commissioning of the two generators, and associated catalytic convertors, in accordance with mitigation measures identified in "Addendum to Air Quality Assessment" and submission of verification report.
21. No hydraulic fracturing to take place.
22. Depth of boreholes to be restricted in accordance with scheme to be agreed in writing by the LPA.
23. Scheme for any further drilling at the site following the initial appraisal and extraction drilling phase with the exception of the servicing and maintenance of the boreholes and wells or cases of emergency involving situations that could be prejudicial to public health to be submitted and agreed in writing by the LPA.
24. Soil sampling surveys to be carried out prior to and throughout the operation including the production phase.
25. Submission of Crime Prevention Scheme to address concerns raised by Greater Manchester Police (Design for Security) 27<sup>th</sup> February 2014.
26. Dust Management Plan to be submitted to and approved in writing by the LPA.
27. Construction Environmental Management Plan (wheel washing) to be submitted to and approved in writing by the LPA.
28. The combined heat and power plant hereby permitted shall only utilise gas sourced from the application site.
29. Lighting scheme for the drilling rig to be agreed in writing by the LPA.
30. Scheme for monitoring of methane.

RH

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**LOCATION PLAN FOR APPLICATION No: - 81446/RENEWAL/2013**

Scale 1:3000 for identification purposes only.

Head of Planning Services, Trafford Town Hall, Talbot Road, Stretford, Manchester

M32 0TH

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