

## KCC responds to government consultation into non-hydraulic fracturing

Plans to remove the need for planning permission to explore for shale gas and to make production proposals, for the government to determine, have been rejected by Kent County Council.

KCC has recently responded to two government consultations as to whether to allow non-hydraulic fracturing exploration under Permitted Development rights and to allow plans for the production phase to become nationally significant infrastructure projects. This means decisions on whether to grant or refuse permission is taken away from local councils and allowed under a blanket government agreement or a government appointed Inspector. Both types of development would currently be for the County Council to determine. KCC, in its response, described the plans as “frustrating for local communities” and “contrary to local democracy.

KCC cabinet member for planning Mike Whiting said: “Local decision making is fundamental to our planning system. Whilst recognising that shale gas development may have the potential to assist in securing energy supplies and delivering economic benefits, it is a contentious form of development that does not lend itself to a permitted development process. Such development requires decision making at the local level, where the community voice can be considered properly, in shaping these proposals and ultimately in determining whether development should go ahead or not.”

Despite the consultation stating the government remains committed to ensuring local communities are fully involved in planning decisions that affect them, KCC said it was not clear how that would be delivered if non-hydraulic fracturing is considered 'permitted development.'

KCC has also highlighted that areas including green belt, ancient woodland, Special Protection Areas, Special Areas of Conservation, Ramsar – wetland – sites and areas affecting listed buildings should not be included for permitted development.

Cabinet member, Mr Whiting continued: “There is no clear role for the community voice to be properly considered in a permitted development proposal.”

The proposed regime is likely to be confusing and frustrating for local communities which rightly expects full community involvement for this type of development.

In the past, Kent has received applications for exploratory boreholes, none of which involved fracking, so would be development that would fall within the remit of this consultation.

From that experience, Kent County Council is aware of the considerable environmental concerns that were raised, including the detailed information that was sought by the Environment Agency and others in order for it to be able to form a view on the acceptability or otherwise of development for exploratory work.

As a result of the additional information that was required, the three applications in Kent

were withdrawn. The experience in Kent demonstrated there is not a simple list that can be ticked to evidence compliance and that the issues raised require a bespoke solution that is tested at planning application stage. This is very reassuring for the residents of Kent. Finally, this year, for me, appears to have flown by and we are heading towards the festive season again. Whilst many of us will be enjoying a few days away from work, spare a thought for those who will have to work over the festive period, the Police Officers, the Ambulance and medical staff, the Fire and Rescue teams, members of the armed services engaged on active duty and many others who keep services operative for us on that special day.

This time of the year will be a hard time for those who have lost loved ones recently or live all alone. If you are aware of someone living nearby under such circumstances, please consider them. They may wish to stay home alone in their thoughts, but it is important they do not feel isolated. Just pop round to show they are not forgotten, could make all the difference for them.

I wish you all a peaceful festive period and a trouble free, healthy New Year for 2019.

Geoffrey Lymer  
Kent County Councillor  
Dover West Ward