

Our Ref: STE-020-P

27th March 2024

Planning Policy and Economic Development

Test Valley Borough Council

Beech Hurst

Weyhill Road

Andover

Hampshire

SP10 3AJ

Sent by email only to: planningpolicy@testvalley.gov.uk

Dear Sir / Madam,

Regulation 18 Stage 2 Consultation on the Test Valley Draft Local Plan 2040 – Representations on Behalf of Star Energy Group PLC

Introduction

Heatons has been instructed by Star Energy Group PLC (Star Energy) to prepare and submit representations to the above public consultation for the emerging Test Valley Local Plan. The consultation closes 2nd April 2024.

Star Energy is a British onshore energy company listed on the Alternative Investment Market of the London Stock Exchange and delivers a mix of natural gas and crude oil to the UK's energy market and is actively developing a geothermal business, utilising the skill sets learned from oil and gas, as they transition to a renewable future.

The UK is recognised globally as a leading example for oil and gas industry regulation and Star Energy has more than thirty years' experience of successfully and safely extracting and producing hydrocarbons onshore in the UK, working closely with local communities, regulators, District Council and Mineral Planning Authorities (MPAs).

UK demand for oil and gas is substantial, with those resources meeting 75% of total energy demand within the UK in 2022 (UK Energy In Brief, 2022: Department for Business, Energy & Industrial

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Strategy). With considerable experience in onshore drilling and field development, Star Energy is able to exploit hydrocarbon reserves which contribute to Britain's energy security.

Notwithstanding important pledges to bolster the sustainability of the economy and society, oil and gas resources will continue to play a vital role in the future and beyond the proposed plan period up to 2040. The Oil and Gas UK Economic Report 2023 projects that through to 2050, half of all UK cumulative energy demand will be met by oil and gas. Moreover, the House of Commons Environmental Audit Committee report '*Accelerating the transition from fossil fuels and securing energy supplies: Fourth Report of Session 2022-2023*' recognised the continued need for oil and gas use over the coming decades, concluding that throughout the transition to net zero "the UK must nevertheless continue to be able to access oil and gas to ensure that the country can continue to heat its homes, fuel its transport and generate a declining proportion of power" (2023: 4). For these reasons, the National Planning Policy Framework (NPPF) is unambiguous in placing great weight on the importance of extracting mineral resources from within the UK.

The purpose of this letter is to represent the interests of the mineral and waste industry within Test Valley and Hampshire. Following a review of the published consultation documents, this letter is Star Energy's formal response to the Draft Test Valley Local Plan 2040. It is trusted this will contribute positively towards preparing and publishing a Pre-Submission Local Plan document for consultation anticipated in early 2025.

Star Energy interests in Test Valley

Star Energy operate a wellsite east of Goodworth Clatford village, within the Test Valley Borough Council authority area.

Star Energy operate the Goodworth Wellsite (Figure 1) which extracts oil from the Fullerton Oilfield. The wellsite was first approved by Hampshire County Council in 1997 (planning reference: TVM001) and has planning permission for the continuation of oil and gas production until 2037 (Planning reference: 16/02313/CMAN), covering most of the proposed plan period up to 2040. The site is located west of the A3057 Romsey Road approximately 2.3km south of Andover. Fullerton Water Treatment Works is located close to the southwest.



Figure 1. Site Location. (Google Maps, 2024)

Planning Policy and Guidance Context

Hampshire Minerals and Waste Plan (2013) –

The Adopted Minerals and Waste Plan includes the vision, spatial strategy and core policies which set out the key principles to guide the future winning and working of minerals in Hampshire over the plan period to the end of 2030.

Throughout the Plan, there is a positive approach to mineral development, as minerals and energy minerals are governed by geology and have to be developed on site, which leads to a proactive response to need of extraction and working.

Adopted Policy 15: 'Safeguarding Mineral Resources' and the Policies Map identifies Mineral Safeguarding Areas (MSA) and Minerals Consultation Area (MCA). Adopted Policy 16 'Safeguarding – minerals infrastructure' seeks to protect existing mineral sites from new development which would unnecessarily sterilise the infrastructure or prejudice or jeopardise its use by creating incompatible land uses nearby.

Goodworth Wellsite is identified as a safeguarded mineral site in Minerals and Waste Plan Policy 16 and has a designated proximal buffer MCA. Fullerton Water Treatment Works also has a designated MCA which overlaps with the wellsite's MCA.

Adopted Policy 24 '*Oil and gas development*' supports the exploration, appraisal and commercial production of oil and gas in Hampshire subject to environmental and amenity considerations.

National Planning Policy Framework (2023) –

There is a degree of established responsibility for planning policies at local, regional and national levels to safeguard mineral resources and mineral operations from sterilisation by non-mineral developments and policy making. The National Planning Policy Framework (NPPF) proposes a positive approach towards mineral development across the UK.

Paragraph 7 of the NPPF defines the objective of sustainable development, which can be summarised as meeting the needs of the present without comprising the ability of future generations to meet their own needs.

Paragraph 8 of the NPPF states that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways. These are:

- ***'An economic objective*** – *to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;*
- ***A social objective*** – *to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and*
- ***An environmental objective*** – *to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy'.*

Paragraph 35 states that local plans and spatial development strategies are examined to assess whether they have been prepared in accordance with legal and procedural requirements, and whether they are sound. Plans are 'sound' if they are:

- a) **Positively prepared**
- b) **Justified**
- c) **Effective; and**

d) Consistent with national policy

Paragraph 193 states that planning policies should ensure that new development can be integrated effectively with existing businesses and where the operation of an existing business or community facility could have a significant adverse effect on new development (including changes of use) in its vicinity, the applicant (or 'agent of change') should be required to provide suitable mitigation before the development has been completed.

Section 17 of the NPPF relates specifically to '*facilitating the sustainable use of minerals*'. Paragraph 215 states it is essential that there is a sufficient supply of minerals to provide the infrastructure, buildings, energy and goods that the country needs. Paragraph 217 confirms that great weight should be given to the benefits of mineral extraction, including to the economy.

Paragraph 221a states that Minerals Planning Authorities should, when planning for on-shore oil and gas development, clearly distinguish between, and plan positively for, the three phases of development (exploration, appraisal and production), whilst ensuring appropriate monitoring and site restoration is provided for.

Planning Practice Guidance 2014 –

The responsibility for safeguarding mineral resource is not limited to Mineral Planning Authorities. Paragraph: 005 (Reference ID: 27-005-20140306) of the Planning Practice Guidance (Minerals) identifies that, '*whilst district councils are not mineral planning authorities, they have an important role in safeguarding minerals in three ways:*

- *having regard to the local minerals plan when identifying suitable areas for non-mineral development in their local plans. District councils should show Mineral Safeguarding Areas on their policy maps;*
- *in those areas where a mineral planning authority has defined a Minerals Consultation Area, consulting the mineral planning authority and taking account of the local minerals plan before determining a planning application on any proposal for non-minerals development within it; and*
- *when determining planning applications, doing so in accordance with development policy on minerals safeguarding, and taking account of the views of the mineral planning authority on the risk of preventing minerals extraction.'*

Draft Test Valley Local Plan 2040 – Regulation 18 Stage 2 Consultation Version February 2024

The Draft Test Valley Local Plan 2040 sets out the Council's vision for future development in Test Valley and provides a draft planning policy framework. The Draft Local Plan includes a Policies Map and site allocations. However, at present this does not include the Mineral Safeguarding and Mineral

Consultation Areas designated by the adopted Hampshire Minerals and Waste Plan.

No draft policies relate specifically to minerals although a short Minerals and Waste section of the appendices states that a “A number of the sites fall within a minerals consultation area. A Mineral Resource Assessment will be required on sites that are either partially or wholly within a Minerals Consultation Area. Consideration should be given to the relevant requirements in the Hampshire Minerals and Waste Plan, including Policy 15: Safeguarding - mineral resources. Engagement will be needed with Hampshire County Council.”

Adopted planning policy and guidance directs MPAs to identify Mineral Safeguarding Areas and Mineral Consultation Areas. Goodworth Well site is identified as a safeguarded mineral site with a MCA. National Planning Practice Guidance is clear that identifying MSAs and MCAs on District Policies Maps makes an important contribution to safeguarding minerals. Identifying MCAs helps to ensure that the MPA is consulted on planning applications and development is not granted which could prejudice a mineral site or its infrastructure. This inclusion also helps applicants identify when their site is within a safeguarded area and overall raises awareness of the importance of minerals and waste planning.

Star Energy request that adopted MCAs, as identified in the Hampshire Minerals and Waste Plan, are also identified on the emerging Test Valley Policies Map. An appropriate policy cross referencing relevant section of the Hampshire Minerals and Waste Plan should also be included; this should implement the ‘agent of change’ principle introduced in the NPPF too.

The Draft Local Plan also includes a number of policies relating to the need to mitigate and adapt to climate change, and to enhance biodiversity. Draft Policy CL1 ‘Countering Climate Change’ seeks to support the delivery of a ‘net zero carbon future’ and address the impacts of climate change through both mitigation and adaptation. Whilst this is not objected to in principle, the Local Plan must also take consideration of the aims and policies of the Hampshire Minerals and Waste Plan and the NPPF, which support the ongoing supply of minerals as well as the exploration and production of new indigenous oil and gas resources.

It is highlighted that certain forms of development are inherently more energy intensive and will emit more carbon emissions than they could possibly offset to become ‘net zero’. Therefore, whilst the minimisation of greenhouse gas emissions is not objected to, it is crucial that emerging planning policy does not stifle the viability/deliverability of new development from overly onerous climate change policies.

Overall, Star Energy is keen to engage with the preparation of the Draft Test Valley Local Plan 2040 and ensure that it is prepared in a manner consistent with national policy and the Hampshire Minerals and Waste Local Plan. The NPPF is unambiguous in placing great weight on the importance of

extracting mineral resources from within the UK and this is reflected in the Minerals and Waste Local Plan.

The safeguarding of mineral resources and infrastructure is critical for the success of the new Test Valley Local Plan in delivering all forms of new development. It is considered the emerging Policies Maps should show Mineral Safeguarding and Mineral Consultation Areas as stated in the national PPG, and a corresponding policy included. These amendments will contribute to fulfilling the role of Test Valley in minerals planning and help to ensure it is consistent with the NPPF and the Hampshire Minerals and Waste Local Plan.

I trust that the above is helpful in further progressing the Draft Test Valley Local Plan 2040. Should you have any queries or require any further information please do not hesitate to contact us.

Yours faithfully,

Alexander Job
Heatons