

**Winchester City Council**  
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Our Ref: STE-022-P  
Date: 11<sup>th</sup> October 2024

Sent by email only to: [planningpolicy@winchester.gov.uk](mailto:planningpolicy@winchester.gov.uk)

Dear Sir/Madam,

**Winchester District Local Plan 2020 – 2040 Proposed Submission Local Plan (Regulation 19)  
Consultation – Representations on Behalf of Star Energy Group PLC**

Introduction

Thank you for the opportunity to submit these comments on behalf of our client, Star Energy Group PLC ('Star Energy') which has land and mineral interests within Winchester District. 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 Councils and Mineral Planning Authorities (MPAs).

UK demand for oil and gas is substantial, with those resources meeting over 75% of total energy demand within the UK in 2023 (Department for Energy Security & Net Zero: 2024, 27). With considerable experience in onshore drilling and field development, Star Energy is able to exploit hydrocarbon reserves which contribute to Britain's energy security.

The purpose of this letter is to represent the interests of the mineral industry and highlight the role that District Authorities should play in minerals and waste planning. Winchester has a number of safeguarded mineral and waste sites and is important for the supply of materials and the management of waste. Following a review of the Proposed Submission Local Plan, it is considered some amendments are required to ensure the Plan is consistent with the NPPF. This letter outlines Star Energy's interests in Winchester and the planning policy context supporting these comments.

### Star Energy Interests in Winchester

Star Energy has two interests within the planning area of Winchester City Council. Larkwhistle Farm Wellsite (X: 445109 ; Y: 135570) and Folly Farm Wellsite (X: 442265 ; Y: 133833) are both operational oil wellsites situated northwest of Winchester. Larkwhistle Farm also operates as a gathering station. Their location is shown in Figure 1.



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

### Adopted and Emerging Planning Policy

Larkwhistle Farm and Folly Farm wellsites are both Mineral Safeguarded Areas (MSA) in the Hampshire Minerals and Waste Plan (2013) and each has a 250m buffer zone Mineral Consultation Area (MCA). This is shown on the Policies Map:

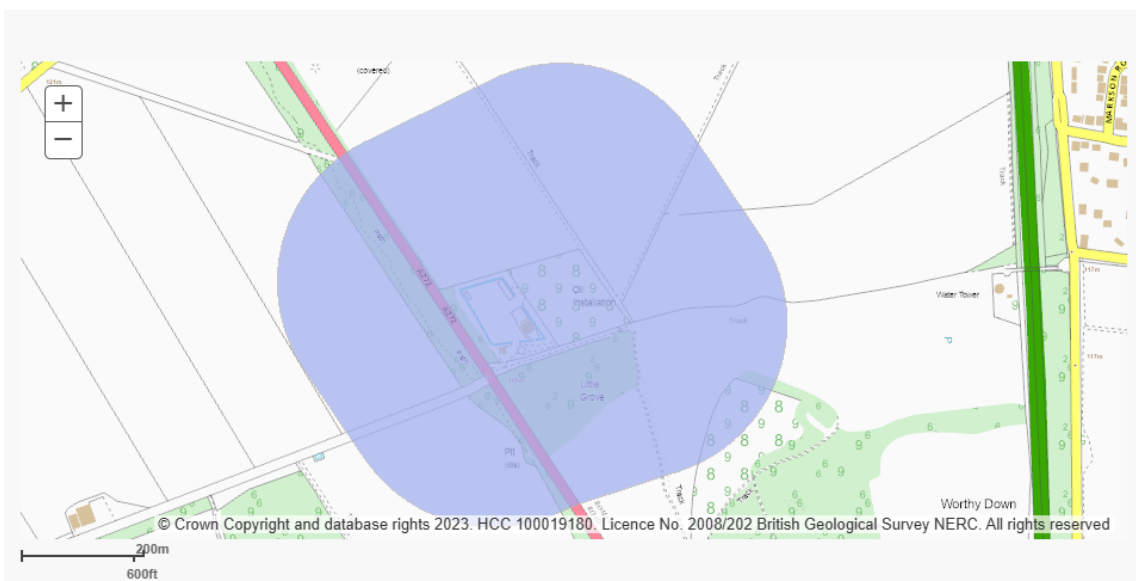
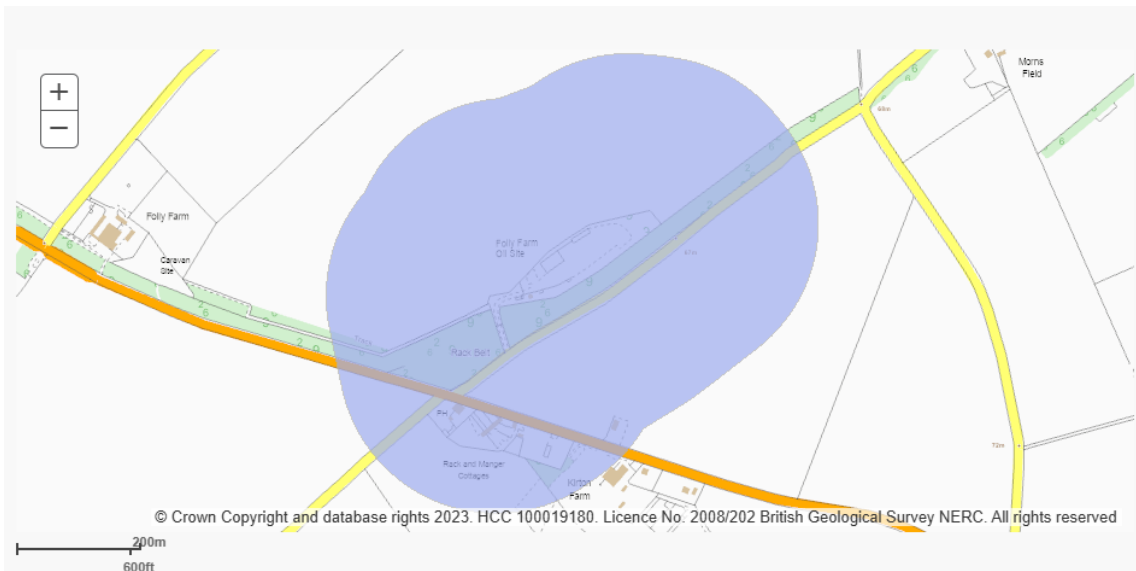


Figure 2. Folly Farm (top) and Larkwhistle Farm Mineral Safeguarding and Consultation Areas. (*Hampshire Minerals and Waste Local Plan, 2013*)

Policies 15 and 16 safeguard mineral resources and mineral infrastructure. The Minerals and Waste Plan also states that:

*“Where a planning application is made for non-mineral development within the MCA which may impact safeguarded mineral infrastructure, the district or borough council should consult the relevant Hampshire Authority on the application...The MCA is sent to district and borough councils and should be reflected in district and borough local plans.”* (Paragraph 6.27).

The identification of MSA and MCA on District Local Plans is important as it ensures that the MPA is consulted on non-mineral development proposals within a buffer zone. The Minerals and

Waste Local Plan designates a number of safeguarded mineral and waste sites in Winchester which demonstrates their long-term importance.

Throughout the Minerals and Waste Plan there is a positive approach to mineral development. 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. The emerging Hampshire Minerals and Waste Local Plan was submitted for examination in July 2024. The proposed plan reiterates Policies 15 and 16, safeguarding identified mineral sites, and also incorporates the Agent of Change principle. The Agent of Change principle protects established businesses from new developments nearby.

### National Planning Policy Framework and Guidance

#### *National Planning Policy Framework 2023*

There is a degree of established responsibility for planning policies at local and national levels to safeguard mineral resources and associated/ancillary mineral activities/transport modes 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.

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 216 states that planning policies should safeguard mineral resources by defining Mineral Safeguarding Areas and Mineral Consultation Areas and should also safeguard existing, planned and potential sites for: the bulk transport, handling and processing of minerals, and the manufacture of concrete and concrete products.

The NPPF also states that planning policies and decisions should adopt the 'agent of change' principle to safeguard the operation of existing businesses from new development nearby. Paragraph 193 states that:

*"... Existing businesses and facilities should not have unreasonable restrictions placed on them as a result of development permitted after they were established. 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."*

The onus is therefore placed on new development to account for mitigation and the NPPF is clear that planning policies should reflect this principle.

Section 6 of the NPPF relates to ‘building a strong, competitive economy’. Paragraph 85 states that planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt, and that significant weight should be placed on the need to support economic growth and productivity.

The draft NPPF 2024 makes no changes to these policies.

#### *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.’*

#### Winchester District Local Plan: Proposed Submission (Regulation 19) Consultation

Paragraph 2.8 of the proposed plan states “The Local Plan does not cover minerals and waste as this is dealt with by Hampshire County Council.” Whilst mineral applications are considered by Hampshire County Council, National Planning Practice Guidance is clear that Winchester City Council has an important role to play in safeguarding mineral resources and development.

Strategic Policies SP1, SP2 and SP3 make no reference to mineral development. There are no policies which set out the Council’s response to minerals development within the proposed planning area. Furthermore, the proposed policies map does not include the adopted Mineral Safeguarding Areas and Mineral Consultation Areas. These adopted MSAs and MCAs are also identified in the emerging Minerals and Waste Local Plan.

**Star Energy’s Comments** – The new Policies Map should therefore show Hampshire Mineral Safeguarded Areas and the corresponding Mineral Consultation Areas. These policy designations

are crucial to ensure that mineral sites are protected from non-mineral development that could prejudice their operation. National Planning Practice Guidance and both the adopted and emerging Hampshire Minerals and Waste Local Plan state that the MSA and MCA should be reflected on the District Policy Map. The addition of MSA/MCA to the Winchester Local Plan Policy Map will contribute to fulfilling the role that District planning policy should play in minerals planning. The clear identification of these areas across the Development Plan will also help applicants to understand minerals planning and aid the preparation of their planning applications. This has clear benefits for the LPA, MPA, applicants and mineral operators and enhances the clarity and efficiency of the planning process.

To supplement this, it is considered that a Mineral Safeguarding Area policy should be included which confirms that consideration will be given to the Minerals and Waste Local Plan in determining planning applications for non-minerals development in MSA, and also that Hampshire County Council will be consulted on all applications within an MCA.

The new Local Plan should also incorporate the Agent of Change principle which is established at Paragraph 193 of the NPPF. At present, the draft Local Plan does not include sufficient protection for existing businesses.

The draft Local Plan focusses on carbon mitigation and energy efficiency by including a range of green policies. Whilst it is essential that the UK mitigates and adapts to climate change, the new Local Plan must deliver a balance between mitigating carbon emissions whilst also not unduly stifling economic development, including mineral development. The NPPF prioritises economic growth, and this should also be a key theme of the new Local Plan. In addition, it must be recognised that certain forms of development are more energy intensive than others and whilst it is possible to mitigate carbon emissions, it is inevitable that certain development will emit more carbon emissions than they could possibly offset.

### Final Remarks and Conclusion

The National Planning Policy Framework (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 which safeguards multiple mineral and waste sites in Winchester.

Star Energy considers that MSA and MCA should be included on the District Policies Map for the reasons given in this letter. The addition of a mineral safeguarding policy to provide clarity and consistency with the Minerals and Waste Local Plan is also important.

The draft Local Plan also makes no reference to the Agent of Change principle which seeks to protect established businesses. This important principle should be included in line with the NPPF.

It is considered that the previous amendments will contribute to fulfilling the role of Winchester City Council in minerals planning and help to ensure it is consistent with the NPPF and the Minerals and Waste Local Plan.

We would welcome opportunity to discuss the contents of this letter with you. Should you have any queries please do not hesitate to contact us.

Yours faithfully,

**Heatons**

## **References**

Department for Energy Security & Net Zero. 2024. UK Energy Security in Brief. [online] Available at: [UK energy in brief 2024 - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/124444/uk-energy-in-brief-2024.pdf)