

Lancashire County Council

Development Control Committee

Wednesday, 21st May, 2014 at 10.00 am in Cabinet Room 'B' - The Diamond Jubilee Room, County Hall, Preston

Agenda

Part 1 (Open to Press and Public)

No. Item

- 1. Apologies for absence**
- 2. Appointment of Chair and Deputy Chair**
To note the appointment of the Chair and Deputy Chair of the Committee following the meeting of Full Council on 15 May 2014.
- 3. Constitution, Membership and Terms of Reference of the Committee** (Pages 1 - 4)
- 4. Disclosure of Pecuniary and Non-Pecuniary Interests**
Members are asked to consider any Pecuniary and Non-Pecuniary Interests they may have to disclose to the meeting in relation to matters under consideration on the Agenda.
- 5. Minutes of the last meeting held on 9 April 2014** (Pages 5 - 14)
The committee are asked to agree that the Minutes of the last meeting held on the 9 April 2014 be confirmed and signed by the Chair.
- 6. West Lancashire Borough: Application number. LCC/2014/0007** (Pages 15 - 28)
Variation of conditions 2 and 8 of permission 08/06/1303 to allow tipping to be undertaken to amended final levels. Hardrock Quarry, Stoney Brow, Upholland

7. **West Lancashire Borough: Application No. LCC/2014/0047** (Pages 29 - 36)
Permission is sought for the retention of the site compound and access track for a further 3 years to allow pressure monitoring of the bowland shale reservoir, followed by plugging and abandonment of the existing exploratory well and site restoration. **Becconsall Shale Gas Exploration Site, Banks Enclosed Marsh, Bonny Barn Road, Hundred End, Banks.**
8. **West Lancashire Borough: Application No. LCC/2014/0044** (Pages 37 - 42)
Retention of single storey demountable office unit. **Wrightington Highways Depot, Moss Lane, Wrightington.**
9. **Rossendale Borough: application number. LCC/2014/0061** (Pages 43 - 50)
Retrospective application for the erection of a new temporary bridge, new access road, 2.4m high security fencing and erection of two 6m high lighting columns. It is anticipated that the temporary bridge will be required for a period of two years on land adjacent to Ogden Bridge, Irwell Vale Road, Irwell Vale, Rossendale
10. **Planning Applications determined by the Executive Director for Environment in accordance with the County Council's Scheme of Delegation.** (Pages 51 - 54)
11. **Urgent Business**

An item of urgent business may only be considered under this heading where, by reason of special circumstances to be recorded in the Minutes, the Chairman of the meeting is of the opinion that the item should be considered at the meeting as a matter of urgency. Wherever possible, the Chief Executive should be given advance warning of any Member's intention to raise a matter under this heading.

12. **Date of Next Meeting and Timetable of Meetings for 2014/15**

The next meeting of the Development Control Committee will be held on Wednesday 9 July 2014 at

10.00 a.m. in Cabinet Room B - the Diamond Jubilee Room, County Hall, Preston.

Future meetings are scheduled for:

3 September 2014
15 October 2014
10 December 2014
21 January 2015
25 February 2015
8 April 2015
20 May 2015

All will be held at 10.00am at County Hall, Preston.

13. Exclusion of Press and Public

The Committee is asked to consider whether, under Section 100A(4) of the Local Government Act, 1972, it considers that the public should be excluded from the meeting during consideration of the following items of business on the grounds that there would be a likely disclosure of exempt information as defined in the appropriate of Part 1 of Schedule 12A to the Local Government Act, 1972, indicated against the heading to the item.

Part II (Not open to Press and Public)

14. Rossendale Borough Council: application number 14/10/0452 (Pages 55 - 64)

Report on investigations into alleged breaches of planning control and enforcement proceedings at Shadlock Skip Hire, Waterbarn Mill Newchurch Road, Stacksteads, Bacup.

Not for Publication – Exempt information as defined in Paragraphs 5 and 7 of Part 1 of Schedule 12A to the Local Government Act, 1972. It is considered that in all the circumstances of the case the public interest in maintaining the exemption outweighs the public interests in disclosing the information).

I M Fisher
County Secretary and Solicitor

County Hall
Preston

Agenda Item 3

Development Control Committee

Meeting to be held on 21 May 2014

Electoral Division affected: N/A

Constitution, Membership and Terms of Reference of the Committee

(Appendix A refers)

Contact for further information:

Cath Rawcliffe, 01772 533380, Office of the Chief Executive

Cath.rawcliffe@lancashire.gov.uk

Executive Summary

The Constitution, Membership and Terms of Reference of the Development Control Committee.

Recommendation – Summary

That the Constitution, Membership and Terms of Reference of the Development Control Committee be noted.

Background

The County Council at its meeting on the 15 May 2014 will be asked to approve the constitution of the Development Control Committee as being 15 members on the basis of 7 from the Conservative Group, 6 from the Labour Group, 1 from the Liberal Democrat Group and 1 Independent.

As the agenda for this meeting of the committee has necessarily, been circulated in advance of the Annual Meeting of the Full Council, it is not possible to report on the membership of the committee at this stage. The following members served on the committee in 2013/14. Any changes following the Annual Meeting will be reported.

County Councillors

T Aldridge	D Howarth
P Buckley	M Johnstone
M Dad	T Jones
K Ellard	N Penney
M Green	P Rigby
P Hayhurst	K Sedgewick
S Holgate	R Shewan
B Yates	

The committee's Terms of Reference are set out at Appendix 'A'.

Consultations

N/A

Advice

N/A

Alternative Options to be Considered

N/A

Implications: e.g. Financial, Legal, Personnel, Human Rights, Crime and Disorder or Other

This item has the following implications: Nil

Local Government (Access to Information) Act 1985

List of Background Papers

Paper	Date	Contact/Directorate/Ext
County Council Agenda	15 May 2014	Cath Rawcliffe, Office of the Chief Executive, Ext 33380

Appendix A

Development Control Committee

Terms of Reference

The Committee shall carry out the following functions:

1. To determine applications for planning permission, consent or approval and other similar applications under Sections 70,72,73A and 316 of the Town and Country Planning Act 1990 and the Town and Country Planning General Regulations 1992.
2. To exercise the functions in the Town and Country Planning Act 1990 under Sections 70A (to decline to determine planning permission) 73 (to vary conditions of Planning Permissions), 94 (Completion Notices), 97 (Revocation and Modification Orders), 102 (Discontinuance Orders) 106 (Agreements Regulating Development), 171C (Planning Contravention Notices), 172 (Enforcement Notices), 183 (Stop Notices), 187A (Breach of Condition Notices), and 187B (Application for Injunctions).
3. To determine applications for certificates of lawful use or development and certificates of lawfulness of proposed use or development and issue certificates, as appropriate, under Sections 191 and 192 of the Town and Country Planning Act 1990.
4. To exercise the functions relating to the making of determinations of planning applications under Section 92 of the Town and Country Planning Act 1990 and Articles 8,10 to 13,15 to 22 and 25 and 26 of the Town and Country Planning (Development Management Procedure) Order 2010.
5. To exercise powers to apply for an injunction in relation to a listed building under Section 44A of the Planning (Listed Buildings and Conservation Areas) Act 1990.
6. To determine conditions to which old mining permissions, relevant planning permissions relating to dormant sites or active phase I or II sites, or mineral permissions relating to mining sites, are to be subject, under the Planning and Compensation Act 1991 and the Environment Act 1995.
7. To exercise powers to enter into agreements for the execution of highway works under Section 278 of the Highways Act 1980 in relation to development the subject of an application before the Committee for determination.
8. To exercise the function under Section 34 of the Wildlife and Countryside Act 1981 (Limestone Pavement Orders).
9. To exercise powers under Sections 198 and 199 of the Town and County Planning Act 1990 (Tree Preservation Orders).

10. To exercise powers in relation to replacement trees under Sections 206 and 207 and 213 of the Town and Country Planning Act 1990, and powers to grant consents under Tree Preservation Orders and to give directions as to the replanting of land under paragraphs 7 and 8 of the Schedule to the Trees Regulations 1999.
11. To authorise entry onto land under Section 196(A) of the Town and Country Planning Act 1990.
12. To exercise powers under Section 54 of the Planning (Listed Buildings and Conservation Areas) Act 1990.
13. To exercise powers to make determinations, grant approvals and approve other matters relating to permitted development rights under Parts 6, 7, 11, 17, 19, 20, 21 to 24, 26, 30 and 31 of Schedule 2 to the Town and Country Planning (General Permitted Development) Order 1995.
14. To exercise powers to determine applications for Hazardous Substances Consent and related powers under Sections 9 and 10 of the Planning (Hazardous Substances) Act 1990.
15. To determine whether, and in what manner, to enforce any failure to comply with any approval, consent, licence, permission or registration granted by the Committee in the exercise of its responsibilities.
16. To make any appointments to outside bodies to which the Council is entitled to have representation in connection with the discharge of any of the Committee's functions.
17. To authorise by Order the stopping up or diversion of footpaths or bridleways under Section 257 of the Town and Country Planning Act 1990.
18. To extinguish by Order public rights of way over land held for planning purposes under Section 258 of the Town and Country Planning Act 1990.
19. To establish a Sub-Committee(s) to undertake any part of the Committee's functions.
20. To authorise the issue of temporary stop notices under Section 171E of the Town and Country Planning Act 1990.
21. To consider and approve for adoption the Supplementary Planning Guidance on Landscape and Heritage.

Agenda Item 5

Lancashire County Council

Development Control Committee

Minutes of the Meeting held on Wednesday, 9th April, 2014 at 10.00 am in Cabinet Room 'B' - The Diamond Jubilee Room, County Hall, Preston

Present:

County Councillor Kevin Ellard (Chair)

County Councillors

T Aldridge	D Howarth
P Buckley	A Jones
M Dad	N Penney
M Green	P Rigby
P Hayhurst	K Sedgewick
C Henig	R Shewan
S Holgate	B Yates

County Councillor Chris Henig replaced County Councillor Marcus Johnstone on the Committee.

Standing Order 19

County Councillors Margaret Brindle and Jackie Oakes attended the meeting under Standing Order 19.

1. Apologies for absence

None received.

2. Disclosure of Pecuniary and Non-Pecuniary Interests

County Councillor R Shewan declared a non pecuniary interest in agenda item 5 as the local member for the area concerned and a pecuniary interest in Item 6 as the owner of a residential property affected by the proposal.

County Councillor M Dad declared a non pecuniary interest in agenda item 9 as a member of Hyndburn Borough Council.

3. Minutes of the last meeting held on 26 February 2014

Reference was made to item 6 of the Minutes in relation to application 03/12/0940, Lanehead Quarry, Clitheroe.

The Committee was reminded that they had resolved to grant planning permission subject to an amendment to the wording of Condition 28 to ensure the discharge pipeline referred to in the condition would be retained in place and be

available for use by the applicant. It was agreed that the matter would be progressed through delegated powers and in consultation with the Chair and Deputy Chair of the Committee.

The committee was informed that officers had since investigated the wording of condition 28 and concluded that the wording of such as drafted, already ensured that the pipeline would be in place prior to the quarry being deepened. It was therefore proposed and subsequently agreed by the Chair and Vice Chair of the Committee, that the matter be addressed by way of the Section 106 agreement. This would provide the opportunity for the applicant to use the pipeline, thereby providing the controls desired by the Committee.

An update was also provided in respect of Items 7 & 8 of the Minutes in respect of the exploration sites at Annas Road, Westby, Blackpool and Preese Hall, Weeton, Kirkham. It was noted that restoration work was underway at the Preese Hall site and that on completion, restoration work was expected to commence at the Annas Road site.

Resolved: That the Minutes of the meeting held on 26 February, 2014 be confirmed and signed by the Chair.

**4. Hyndburn Borough: application number LCC/2014/0018
Retrospective change of use from garage to end of life vehicle
authorised treatment centre and car repairs at Gillies Street Garage,
Gillies Street, Accrington**

A report was presented on an application for the retrospective change of use from garage to end of life vehicle authorised treatment centre and car repairs at Gillies Street Garage, Gillies Street, Accrington.

The report included the views of Hyndburn Borough Council, the County Council's Developer Support (Highways) and the Environment Agency.

The committee was informed that County Councillor Dawson had requested that the application be determined by the Development Control Committee in the light of requests from local constituents.

Catherine Lewis, Development Management Officer, presented a PowerPoint presentation showing an aerial view of the site and the nearest residential properties. The committee was also shown photographs of the site.

Resolved: That planning permission be **granted** subject to the conditions set out in the report to the committee.

**5. Wyre Borough: Application number 02/13/0914
Change of use of land to a Waste Water Pumping Station,
comprising of 1.8m high security fencing, control kiosk, pressure**

**relief column, hard standings and access track with turning area.
Vacant land north of no. 70 Normoss Road, Poulton-le-Fylde.**

A report was presented on an application for the change of use of land to a Waste Water Pumping Station, comprising of 1.8m high security fencing, control kiosk, pressure relief column, hard standings and access track with turning area on vacant land north of 70 Normoss Road, Poulton-le-Fylde.

The report included the views of Wyre Borough Council, the County Council's Developer Support (Highways), the Environment Agency and details of one letter of representation received.

Catherine Lewis, Development Management Officer, presented a PowerPoint presentation showing an aerial view of the site and the nearest residential properties. The committee was also shown photographs of the site.

Following concerns raised by the Committee with regard to residential amenity, it was agreed that condition 6 to the planning permission be amended as follows:

6. *'No construction development, delivery or removal of materials, including those works to be carried out with the benefit of permitted development rights, shall take place outside the hours of:*

*08.00 to 17.30 hours Monday to Friday (except Public Holidays),
09.00 to 13.00 hours on Saturday.*

No construction development, delivery or removal of materials including those works to be carried out with the benefit of permitted development rights shall take place at any time on Sundays or Public Holidays

This condition shall not however operate so as to prevent the use of pumping equipment and the carrying out, outside of these hours, of essential repairs to plant and machinery used on the site.

Reason : In the interests of local amenity and to conform with Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan - Site Allocation and Development Policies DPD"

Resolved: That planning permission be granted subject to the conditions set out in the report to the committee, with an amendment to condition 6 as set out above.

6. **Wyre Borough: Application number 02/13/0915
Erection of a 78 metre high wind turbine, control kiosk and
hardstanding and amendments to existing internal site access road
and line of fencing. Fleetwood Waste Water Treatment Works,
Jameson Road, Fleetwood.**

A report was presented on an application for the erection of a 78m high wind turbine, control kiosk and hardstanding and amendments to existing internal site access road and line of fencing at Fleetwood Waste Water Treatment Works (WWTW), Jameson Road, Fleetwood.

The report included the views of Wyre Borough Council, the County Council's Developer Support (Highways), the Environment Agency, Natural England, The Joint Radio Company Limited, OFCOM and details of two letters of representation received.

Stuart Perigo, Group Head, Development Management, presented a PowerPoint presentation showing an aerial view of the site and the nearest residential properties. The committee was also shown the proposed site layout, an illustration showing the elevations of the wind turbine and visualisations of the turbine from several locations.

It was reported orally that the applicant had proposed that the investigation and mitigation of any TV interference that may be caused by the turbine could be addressed by a condition and which had been used by other authorities when dealing with similar proposed turbines.

The committee was advised that the proposed condition was considered acceptable and would achieve the objectives of the proposed 106 agreement and the tests for conditions. It was therefore proposed that the recommendation be amended and the following additional condition be imposed as follows:

'That planning permission be granted subject to conditions controlling time limits, working programme, building materials, highway matters, landscaping, safeguarding of water courses, drainage, noise, dust and protocol relating to telecommunications interference.

No development shall take place until a scheme detailing the protocol to address complaints in respect of interference to domestic television/radio reception caused by the turbine, including remedial measures, has been submitted to the Local Planning Authority and agreed in writing. Operation of the turbine shall take place in accordance with the agreed protocol.

Reason: To ensure the development does not interfere with television/radio reception and to conform with Policy SP14 of the Wyre Borough Local Plan.'

County Councillor Shewan announced that he was the owner of a residential property affected by the proposal and after taking advice, left the room and did not vote on this application.

Officers responded to concerns raised by the members with regard to the potential impacts on migrating birds and wildlife, the potential for shadow flicker and the safety impacts in the event of structural failure of the turbine.

Resolved: That planning permission be granted subject to the conditions set out in the report to the committee with an amendment to the recommendation and the inclusion of the additional condition set out above.

**7. Burnley Borough: application number LCC/2014/0034
Erection of a modular building including a disabled access ramp,
installation of play equipment and bin store on adjacent play area at
Rockwood Nursery School, Kingsland Road, Burnley**

A report was presented on an application for the erection of a modular building including a disabled access ramp, installation of play equipment and bin store on an adjacent play area at Rockwood Nursery School, Kingsland Road, Burnley.

The report included the views of Burnley Borough Council, the County Council's Developer Support (Highways) and three letters of representation received.

Catherine Lewis, Development Management Officer, presented a PowerPoint presentation showing an aerial view of the site and the nearest residential properties. The committee was also shown photographs of the site and Kingsland Road and illustrations of the proposed building, its elevations and the play area.

The committee was reminded that a local resident had written to all members enclosing pictures of cars on Kingsland Road causing congestion and a sound recording of children playing at the nursery and Teddy's Playgroup.

The committee was advised that issues relating to traffic and noise were addressed in the report. A nursery use and the use of the premises for the Teddy Club fell within the same use class, D1 non residential institutions; consequently planning permission for the use of the premises for the Teddy Club was not required.

A further letter had been received from the same resident expressing concern about the current levels of attendance and that the actual capacity of the nursery would create more traffic issues.

The committee was advised that traffic issues were addressed in the report and to which LCC Highways had raised no objection.

Faith Stringer, the Head Teacher of Rockwood Nursery addressed the Committee and spoke in support of the application. Ms Stringer informed the committee that the planned build would accommodate 20 children, the majority of whom were expected to walk to the school. Nevertheless, the school would continue to encourage families to park responsibly and with consideration. The committee was also informed that it was proposed to erect wooden screening to the school yard to mitigate any increase in noise and that no trees were expected to be affected by the proposal.

Resolved: That planning permission be **granted** subject to the conditions set out in the report to the committee.

8. Planning Applications determined by the Executive Director for Environment in accordance with the County Council's Scheme of Delegation.

It was reported that since the last meeting of the Development Control Committee on the 26 February 2014, fourteen planning applications has been granted planning permission by the Executive Director for Environment in accordance with the Council's Scheme of Delegation.

Resolved: That the report be noted.

**9. Hyndburn Borough: Application 11/13/0264
The extension of Whinney Hill Quarry (phases 2 to 4) and the restoration by means of infill with inert construction, demolition and excavation waste and ancillary activities**

A report was presented on an application for the extension of Whinney Hill Quarry (phases 2 to 4) and the restoration by means of infill with inert construction, demolition and excavation waste and ancillary activities at Whinney Hill Quarry, Whinney Hill Road, Accrington.

The report included the views of Hyndburn Borough Council, Altham Parish Council, the County Council's Assistant Director Highways, the Environment Agency, the Highways Agency, Natural England, National Grid Gas and Electricity and the County Council's Specialist Services - Ecology and Archaeology. It was noted that no letters of representation had been received from the local community but two letters had been received from Sita (the operator) and Hanson (the landowner).

Catherine Lewis, Development Management Officer, presented a PowerPoint presentation showing an aerial view of the site and the nearest residential properties. The committee was also shown photographs of the site and the access roads and an illustration of the proposed phasing arrangements.

The officer reported orally that United Utilities had advised that the proposal was adjacent to the Haweswater Aqueduct which had a 13m easement width. They raised no objection subject to the imposition of conditions relating to the management of foul and surface water and the prevention of any construction or works taking place over the easement width or any construction or other works that would damage the integrity of the Aqueduct.

The committee was advised that the condition relating to foul drainage related to a building. No buildings were included within the application and therefore the condition was not necessary. However, an additional condition relating to the management of surface water during and post operations was proposed as follows:

'Surface Water

Prior to the commencement of any development, a surface water drainage scheme and means of disposal, based on sustainable drainage principles with evidence of an assessment of the site conditions (inclusive of how the scheme shall be managed after completion) shall be submitted to and approved in writing by the Local Planning Authority.

The surface water drainage scheme must be restricted to existing runoff rates and unless otherwise agreed in writing by the Local Planning Authority, no surface water shall discharge to the public sewerage system either directly or indirectly.

The development shall be completed, maintained and managed in accordance with the approved details.

Reason: To ensure the proper control of surface water and to conform with Policy DM2 of the JLMWLP.'

The committee was also advised that the development did not encroach into the easement to the Haweswater Aqueduct and therefore a note was proposed as follows advising the applicant that the aqueduct was protected by an easement:

'Note

The applicant is advised that the development is in close proximity to the Haweswater Aqueduct which has a 13m easement width. No construction development or works should take place over the easement width or anything that would damage the integrity of the pipe.'

Mr Chris Ballam, the agent for the applicant, addressed the committee and spoke in support of the application. He informed the committee that the extension to the current quarrying operations was important not only in protecting the employment of the applicant's workforce but also to facilitate continued trade with local supply businesses and to help guarantee the long term future of the Nori brickworks in Accrington. The applicant acknowledged that traffic from the quarry used Whinney Hill Road and Whalley Road but considered that the contribution of £10,000 required towards the local highway network was excessive.

In response to concerns raised by the members, it was proposed that should changes be required to the above condition or note as a result of further clarification from United Utilities in respect of the Haweswater Aqueduct, such amendment be delegated to the Executive Director of Environment in consultation with the Chair and Deputy Chair of the Development Control Committee.

Resolved: That:

- i) The application be granted subject to the conditions set out in the report to the committee and the inclusion of the additional condition and Note as set out above.
- ii) In the event changes are required to the above condition or note as a result of further clarification from United Utilities in respect of the Haweswater Aqueduct, such amendment be delegated to the Executive Director of Environment in consultation with the Chair and Deputy Chair of the Development Control Committee.

10. Urgent Business

There were no items of urgent business.

11. Date of Next Meeting

Resolved: That the next meeting of the Committee be held on Wednesday 21 May 2014 at 10.00am.

12. Exclusion of Press and Public

Resolved: That the press and members of the public be excluded from the meeting during consideration of the following items of business on the grounds that there would be a likely disclosure of exempt information as defined in the paragraph of Part 1 of schedule 12A to the Local Government Act, 1972, indicated against the heading to the item. It was considered that in all the circumstances the public interest in maintaining the exemption outweighed the public interest in disclosing the information.

13. Rossendale Borough: Application number 14/10/0452 Report on investigations into alleged breaches of planning control and enforcement proceedings at Shadlock Skip Hire, Waterbarn Mill Newchurch Road, Stacksteads, Bacup.

(Exempt information as defined in Paragraphs 5 and 7 of Part 1 of Schedule 12A to the Local Government Act, 1972. It was considered that in all the circumstances of the case the public interest in maintaining the exemption outweighed the public interest in disclosing the information)

The Group Head, Development Management presented a report on investigations into alleged breaches of planning control and enforcement proceedings at Shadlock Skip Hire, Waterbarn Mill, Newchurch Road, Stacksteads, Bacup. This included an oral update on the actions taken in response to the preliminary findings of the Local Government Ombudsman.

Resolved: That the report be noted and that a progress report be presented to a future meeting of the committee.

I M Fisher
County Secretary and Solicitor

County Hall
Preston

Agenda Item 6

Development Control Committee
Meeting to be held on 21st May 2014

Electoral Division affected: Skelmersdale East

West Lancashire Borough: Application number. LCC/2014/0007
Variation of conditions 2 and 8 of permission 08/06/1303 to allow tipping to be undertaken to amended final levels. Hardrock Quarry, Stoney Brow, Upholland

Contact for further information:
Jonathan Haine, 01772 534130, Environment Directorate
DevCon@lancashire.gov.uk

Executive Summary

Application - Variation of conditions 2 and 8 of permission 08/06/1303 to allow tipping to be undertaken to amended final levels. Hardrock Quarry, Stoney Brow, Upholland.

Recommendation – Summary

That planning permission be **granted** subject to conditions controlling the definition of the site, time limits, working programme, definition of materials, final contours, re-grading works, noise, dust, hours of operation, wheel cleaning, restriction on vehicle numbers, drainage, landscaping, restoration and aftercare.

Applicant's Proposal

The application relates to an existing inert waste landfill site which benefits from a planning permission granted in 2007 ref 8/06/1303. The current application is for the variation of conditions 2 and 8 of the planning permission to allow tipping to be undertaken to amended final levels but without exceeding the remaining void space at the site. The applicant states that all other aspects of the operation will continue as currently permitted including the requirement to complete the restoration of the site by 1st April 2015.

Description and Location of Site

Hardrock Quarry is a former sandstone quarry which is being restored by landfilling with inert wastes. The area of the site being restored is 2.6 ha and is located off College Road, 1km north of Up Holland. To the east of the site is farmland with the gardens of a number of residential properties off College Road forming the western boundary of the site. To the north of the current landfill site is an area of former quarry that has now been restored to agricultural pasture. To the south is an area of woodland.

The site is located within the Green Belt.

The quarry has been excavated into the side of a ridge and there is a considerable fall across the site from west to east.

Background

The site has a long history of stone quarrying and landfill operations.

The northern area of the site (part of which has now been restored) was covered by an interim development order for quarrying operations. Landfilling operations in this area commenced which were subject to enforcement action. An appeal against the enforcement notice was successful and a scheme of landfilling operations including final contours for this area was subsequently approved by the County Council. A new set of conditions relating to the Interim Development Order were approved in 1994 (ref 9/94/0044) which in terms of restoration, referred to the details that were approved subsequent to the enforcement appeal.

The southern area of the site (to which the current application relates) is covered by an old mining permission which was subsequently reviewed under the Environment Act 1995. A further planning permission was granted in 1997 providing for the restoration of this area by landfilling of inert waste and which required tipping to be completed by 1st April 2007 (ref 8/96/1196). This time limit was extended by a further planning permission which allowed tipping to continue until 1st April 2014 with restoration within a further one year period (ref 8/06/1303).

Planning Policy

National Planning Policy Framework

Paragraphs 6 – 16, 17, 79 – 91 of the NPPF are relevant with regard to sustainable development, core planning principles, protecting the Green Belt and conserving and enhancing the natural environment.

Planning Policy Statement 10 – Planning and Waste Management

Joint Lancashire Minerals and Waste Development Framework Core Strategy DPD (JLMWDF)

Policy CS9 Achieving Sustainable Waste Management

Joint Lancashire Minerals and Waste Local Plan (JLMWLP) – Site Allocations and Development Management Policies

Policy NPPF1	Presumption in favour of Sustainable Development
Policy DM1	Management of Waste and Extraction of Minerals
Policy DM2	Development Management

West Lancashire Borough Local Plan

Consultations

West Lancashire Borough Council: No objection.

Upholland Parish Council: No observations received.

LCC Developer Support (Highways): No objection – the proposal will have negligible impact on highway safety and capacity in the vicinity of the site.

Environment Agency: No comments to make.

Representations – The application has been advertised by press and site notice, and neighbouring residents informed by individual letter. Three representations have been received raising the following issues:-

- Some parts of the site are currently considerably over the approved levels and the landform is not in keeping with the surrounding farmland or those parts of the quarry that have already been restored.
- No figures are provided to show how the void space will increase with the proposed new levels.
- There is no topsoil stored for restoration purposes
- There are concerns as to when tipping operations will cease and that residents will have no choice but to accept the levels that have been achieved over the site
- The land to the north was over tipped and this is being used as a yardstick to guide the tipping on the area to the south
- The tipping operations result in dust, dirt and noise and the cessation of tipping is long awaited.
- The site needs to be restored in keeping with its original form and character.

County Councillor Fillis has expressed concerns that the tipping is already over levels, the duration of site activities would be extended, there would be increased nuisance to local residents and that the new contours would make it impossible to return the land to its original levels.

Advice

The application is to vary conditions 2 and 8 of planning permission 8/06/1303 to allow tipping to be undertaken to amended final levels at Hardrock Quarry, Up Holland. Condition 2 contains a list of approved drawings, including a drawing showing final levels. Condition 8 specifically requires that no tipping operations shall be undertaken above the levels shown on the approved drawing.

Hardrock Quarry is a former sandstone quarry, the southern part of which is currently being restored by the importation of inert waste. Tipping operations in the northern part of the quarry received planning permission following a successful appeal against an enforcement notice issued by the County Council in 1992. Details of restoration

(including final tipping levels) for the northern area of the site were the subject of a condition of the planning permission that was granted by the Secretary of State and the County Council subsequently approved a scheme of details and levels pursuant to this condition. Most of the northern area of the site has now been restored but an area extending from the site access to the boundary with planning permission 8/06/1303 remains unrestored.

The 2007 planning permission (ref 8/06/1303) for the southern area of the quarry requires landfilling operations to be completed by 1st April 2014 with restoration works, including importation of soil, to be completed by 1st April 2015. The operator has reviewed the approved final contours and now wishes to apply for amended final levels so that the final surface of the site better assimilates with land levels on adjacent land and provides an improved final landform that is suitable for future agricultural uses. The applicant still intends that final restoration works will be completed by 1st April 2015 and that future operations including the importation and spreading of soil material will be undertaken within the limitations of the existing permission that relate to hours of operation and vehicle numbers.

There are a number of anomalies with the approved restoration plans such that if the site were to be restored to those levels it would result in some remnant stone faces from the former quarrying operations being retained and would result in mismatched levels between the southern and northern areas of the site. The levels that are now proposed would ensure that the quarry is in-filled so that it achieves better contours with the land surrounding the site and would provide even gradients across the site without any abrupt changes in level. The revised contours would therefore provide a landform that could be better utilised for future agricultural operations and would eliminate any safety concerns arising from remnant stone faces. Whilst the shape of the final landform would be different from that previously approved, the amended contours are considered acceptable in landscape terms and would ensure that water would drain away from the properties on College Road. The amended landform is therefore considered acceptable in terms of landscape and would continue to preserve the openness of the Green Belt.

A number of local residents are concerned that some parts of the site have been filled above the approved levels. The County Council has undertaken a survey of the levels on site which confirms that some areas of the site have been over tipped but that there are other areas within the site which still require material to achieve the levels that are now proposed. Over the site as a whole, the levels that are now proposed would not provide for an overall increase in the remaining void space on the site. The remaining operations on site consist of re-grading works so that materials that have been tipped over approved levels are moved into other areas of the site which are still under level. These works are currently ongoing following which soils would be imported to provide a final restoration surface. The existing planning permission requires all tipping operations to cease by 1st April 2014 and therefore the only materials that should now be imported to the site are soils or soil making materials. If the revised contours are considered acceptable, it is considered that any permission should be subject to a condition restricting the import of further material to that suitable for restoration purposes and that such importation should be completed by 30 September 2014 with full restoration of the site by 1st April 2015.

It is acknowledged that the site adjoins the rear boundary of the houses on College Road and that these residents are affected by noise, dust and traffic impacts arising from the continuation of tipping operations. However, the amended contours would not extend the duration of tipping any longer than currently approved. Therefore, provided that the remaining operations are subject to conditions to control noise, dust and hours of operation, the application is considered acceptable in terms of local amenity and complies with Policy DM2 of the Lancashire Minerals and Waste Local Development Framework Site Allocation and Development Management policies.

The original planning permission for this site included a restoration / landscaping scheme that provided for a tree planting belt to be established on the boundary with the houses on College Road. At some point, the gardens of these houses have been extended to the boundary with the quarry and therefore much of this landscaping would now be within the gardens and outside of the land controlled by the applicant. It is therefore considered appropriate to review the landscaping of the site at this stage so that any landscaping proposals are capable of being implemented by the applicant and are appropriate to the area. A condition is proposed to achieve this.

Part of the northern area of the site including the site access and wheel cleaning facilities remains unrestored. This area of the site is covered by the Interim Development Order Permission ref 8/94/0044 and lies outside the boundary of the current planning application. It is however, land within the control of the applicant. Therefore in order to ensure the appropriate control of operations within this area including re-grading and restoration operations, it is considered that a condition should also be imposed to confirm that the conditions to any new permission relate to the site of the current application and also to the land covered by permission 8/94/0044.

In view of the nature, scale and location of the development, it is considered that no Convention Rights set out in the Human Rights Act 1998 would be affected.

Recommendation

That planning permission be **granted** subject to the following conditions:

Time Limits

1. The conditions to this permission shall relate to the land edged red on drawing 13C101/004 and to the land edge blue on drawing SAA/2377/001.

Reason : For the avoidance of doubt and to ensure that all active areas of the site are subject to appropriate controls to ensure the controlled working and restoration of the site to conform with Policy DM2 of the Lancashire Minerals and Waste Local Development Framework Site Allocations and Development Management Policies DPD.

2. The importation of soil materials for the purposes of restoration shall cease by not later than 30th September 2014. The site shall thereafter be restored in

accordance with the conditions to this permission by not later than 1st April 2015.

Reason: To ensure the working and restoration of the site within a reasonable timescale in the interests of visual amenity and to conform with Policy DM2 of the Lancashire Minerals and Waste Local Development Framework Site Allocations and Development Management Policies DPD.

Working programme

3. The development shall be carried out, (except where modified by the conditions to this permission), in accordance with the following documents:
 - a) The Planning Application ref 8/96/1196 submitted on 30th December 1996 as amended by the planning application ref LCC/14/0007 received by the County Planning Authority on 23rd December 2013.
 - b) Submitted Plans and documents:

Map 1 dated 22nd December 1996
Map 2 dated 30th November 1996
Map 3 dated 30th November 1996

Drawing 13C101/004 dated March 2013
Drawing 13K112/002 dated November 2013
Drawing no. SAA/2377/001 received from Steven Abbott Associates on 9th May 2014
 - c) All schemes and programmes approved in accordance with this permission.

Reason: For the avoidance of doubt, to enable the County Planning Authority to adequately control the development] and to minimise the impact of the development on the amenities of the local area, and to conform with Policy DM2 of the Lancashire Minerals and Waste Local Development Framework Site Allocations and Development Management Policies DPD.

Site Operations

4. No materials other than clean topsoils, subsoils or soil making materials suitable for restoration purposes shall be imported to the site.

Reason : In the interests of the visual and general amenities of the area and to conform with Policy DM2 of the Lancashire Minerals and Waste Local Development Framework Site Allocations and Development Management Policies DPD.

5. No tipping of soil materials including restoration materials shall be undertaken above the final contours shown on drawing 13C101/004.

Reason :In the interests of the visual and local amenities of the area and to conform with Policy DM2 of the Lancashire Minerals and Waste Local Development Framework Site Allocations and Development Management Policies DPD.

6. By not later than 30th September 2014, all areas of the site above the levels shown on drawing 13C101/004 shall be regraded to allow the restoration levels shown on that drawing to be achieved.

The regrading works shall be undertaken to ensure that waste levels on any over tipped areas of the site are regraded so that waste levels including 50 cm of restoration soils will not exceed the levels shown on drawing 13C101/004.

Reason: To ensure the proper restoration of the site in the interests of local and visual amenity and to conform with Policy DM2 of the Lancashire Minerals and Waste Local Development Framework Site Allocations and Development Management Policies DPD.

7. Noise emitted from the site shall not exceed 55 dBLAeq (1 hour) (free field), as defined in this permission, when measured from any of the properties on College Road at a point closest to the noise source.

Reason: To safeguard the amenity of local residents and adjacent properties/landowners and land users and to conform with Policy DM2 of the Lancashire Minerals and Waste Local Development Framework Site Allocations and Development Management Policies DPD.

8. All plant, equipment and machinery used in connection with the operation and maintenance of the site shall be equipped with effective silencing equipment or sound proofing equipment to the standard of design set out in the manufacturer's specification and shall be maintained in accordance with that specification at all times throughout the development.

Reason: To safeguard the amenity of local residents and adjacent properties/landowners and land users and to conform with Policy DM2 of the Lancashire Minerals and Waste Local Development Framework Site Allocations and Development Management Policies DPD

9. All mobile plant used on the site shall be fitted with and utilise non - audible or white noise reversing alarms.

Reason: In the interests of local amenities and to conform with Policy DM2 of the Lancashire Minerals and Waste Local Development Framework Site Allocations and Development Management Policies DPD.

10. Measures shall be taken at all times during the grading of the site and spreading of restoration materials to minimise the generation of dust. Such measures shall include the watering of access and vehicular haul routes during dry weather conditions as necessary.

Reason: In the interests of local amenity and to conform with Policy DM2 of the Lancashire Minerals and Waste Local Development Framework Site Allocations and Development Management Policies DPD.

11. No regrading or restoration operations shall take place outside the hours of:

0730 to 1800 hours, Mondays to Fridays (except Public Holidays)
0730 to 1300 hours on Saturdays

No regrading or restoration operations shall take place at any time on Sundays or Public Holidays.

This condition shall not, however, operate so as to prevent the carrying out, outside these hours, of essential repairs to plant and machinery used on site.

Reason: To safeguard the amenity of local residents and adjacent properties/landowners and land users and to conform with Policy DM2 of the Lancashire Minerals and Waste Local Development Framework Site Allocations and Development Management Policies DPD.

Highway Matters

12. The wheel cleaning facilities at the site shall be maintained in working order and shall be used by all vehicles leaving the site during the development and restoration works so as to ensure that no debris from the site is deposited by vehicle wheels upon the public highway.

Reason: In the interest of highway safety and to safeguard the amenity of local residents and adjacent properties/landowners and land users and to conform with Policy DM2 of the Lancashire Minerals and Waste Local Development Framework Site Allocations and Development Management Policies DPD.

13. No more than 50 heavy goods vehicles, as defined in this permission, shall leave the site in any one day during Mondays to Fridays, inclusive. No more than 25 heavy goods vehicles shall leave the site on Saturdays, Sundays or Public Holidays.

Reason: In the interests of highway safety and to safeguard the amenity of local residents and adjacent properties/landowners and land users and to conform with Policy DM2 of the Lancashire Minerals and Waste Local Development Framework Site Allocations and Development Management Policies DPD.

14. A written record shall be maintained at the site office of all movements out of the site by heavy goods vehicles, as defined in this permission; such records shall contain the vehicle's weight, registration number and the time and date of the movement and shall be made available for inspection by the County Planning Authority or his representative at all reasonable times. The records shall be retained at the site for a period of 12 months.

Reason: In the interests of highway safety and to safeguard the amenity of local residents and adjacent properties/landowners and land users and to conform with Policy DM2 of the Lancashire Minerals and Waste Local Development Framework Site Allocations and Development Management Policies DPD.

Safeguarding of Watercourses and Drainage

15. Provision shall be made for the collection, treatment and disposal of all water entering or arising on the site to ensure that there shall be no discharge of contaminated or polluted drainage to ground or surface waters.

Reason: To safeguard local watercourses and drainages and avoid the pollution of any watercourse or groundwater resource or adjacent land and to conform with Policy DM2 of the Lancashire Minerals and Waste Local Development Framework Site Allocations and Development Management Policies DPD.

16. All foul drainage shall be discharged to a public sewer or else to a sealed watertight tank fitted with a level warning device to indicate when the tank needs emptying. Upon emptying the contents of the tank shall be removed from the site completely.

Reason: To safeguard local watercourses and drainages and avoid the pollution of any watercourse or groundwater resource or adjacent land and to conform with Policy DM2 of the Lancashire Minerals and Waste Local Development Framework Site Allocations and Development Management Policies DPD.

17. Any chemical, oil or fuel storage containers on the site shall be sited on an impervious surface with bund walls; the bunded areas shall be capable of containing 110% of the container or containers' total volume and shall enclose within their curtilage all fill and draw pipes, vents, gauges and sight glasses. There must be no drain through the bund floor or walls. Double skinned tanks may be used as an alternative only when the design and construction has first been approved, in writing, by the County Planning Authority (Director of Transport and Environment).

Reason: To safeguard local watercourses and drainages and avoid the pollution of any watercourse or groundwater resource or adjacent land and to conform with Policy DM2 of the Lancashire Minerals and Waste Local Development Framework Site Allocations and Development Management Policies DPD.

Restoration and Aftercare

18. Restoration shall be carried out in accordance with the following:

a) The upper layers of the fill material shall be subsoiled (ripped) to a depth of 600mm with a heavy-duty subsoiler (winged) prior to the placement of soils. Any materials brought to the surface during such operations shall be removed from the site or buried at depth.

b) The overall depth of topsoils, subsoils or soil making materials replaced during restoration shall be not less than 0.5 metres.

c) The soils shall be ripped or cultivated to remove materials injurious to plant life including rocks, stones, boulders or other materials capable of preventing or impeding normal agricultural land and wire rope, cable or other similar objects.

d) The soils shall then be treated to produce a reasonably level but uncompacted surface suitable for seeding operations.

e) The site shall then be seeded in the first available seeding season following the completion of soiling operations with a grass seed mix, the details and sowing rates of which shall first be submitted to and approved in writing by the County Planning Authority.

f) The wheel cleaning facilities and site buildings shall be removed, all foundations broken out and the land occupied by these structures restored by the spreading of soil materials.

Reason: To secure the proper restoration of the site and to conform with Policy DM2 of the Lancashire Minerals and Waste Local Development Framework Site Allocations and Development Management Policies DPD.

19. Within three months of the date of this planning permission, a scheme and programme of landscaping and drainage works shall be submitted to the County Planning Authority for approval in writing. The scheme and programme shall contain details of the following:

a) Details of tree and shrub planting including the creation of the new hedge line along the western boundary of the site between nos 18 and 36 College Road and the reinforcement of the existing hedge line on the eastern boundary with new tree and hedge planting. The planting details shall contain information on the location and layout of new planting, details of sizes, species and types of plants, planting techniques and protection measures.

b) Details of drainage works to be employed including creation of a cut off trench along the eastern boundary of the site and measures to control discharge of collected water into existing water courses.

The approved planting works shall be implemented in the first planting season following the date of this planning permission.

The approved drainage works shall be implemented by not later than 30th September 2014.

Reason : To ensure the proper restoration and landscaping of the site and to conform with Policy DM2 of the Lancashire Minerals and Waste Local Development Framework Site Allocations and Development Management Policies DPD

20. Upon certification in writing by the County Planning Authority of the completion of restoration, as defined in this permission, aftercare of the site to promote the agricultural afteruse of the site shall be carried out for a period of five years. Such aftercare works shall include:
- a) Works to improve the fertility of the land
 - b) Works to control drainage and to repair damage resulting from surface water run off
 - c) Management of tree and hedge planting including replacement of failures, maintenance of protection measures and weed control.
 - d) Reseeding works to ensure a full grass sward over the surface of the site.
 - e) Measures to control invasive or noxious weeds.

Reason: To secure the proper aftercare of the site and to conform with Policy DM2 of the Lancashire Minerals and Waste Local Development Framework Site Allocations and Development Management Policies DPD.

Definitions

Completion of Restoration : The date the County Planning Authority certifies in writing that the works of restoration in accordance with condition 18 have been completed satisfactorily.

Free field : At least 3.5 metres away from the facade of a property or building.

Heavy Goods Vehicle: A vehicle of more than 7.5 tonnes gross weight.

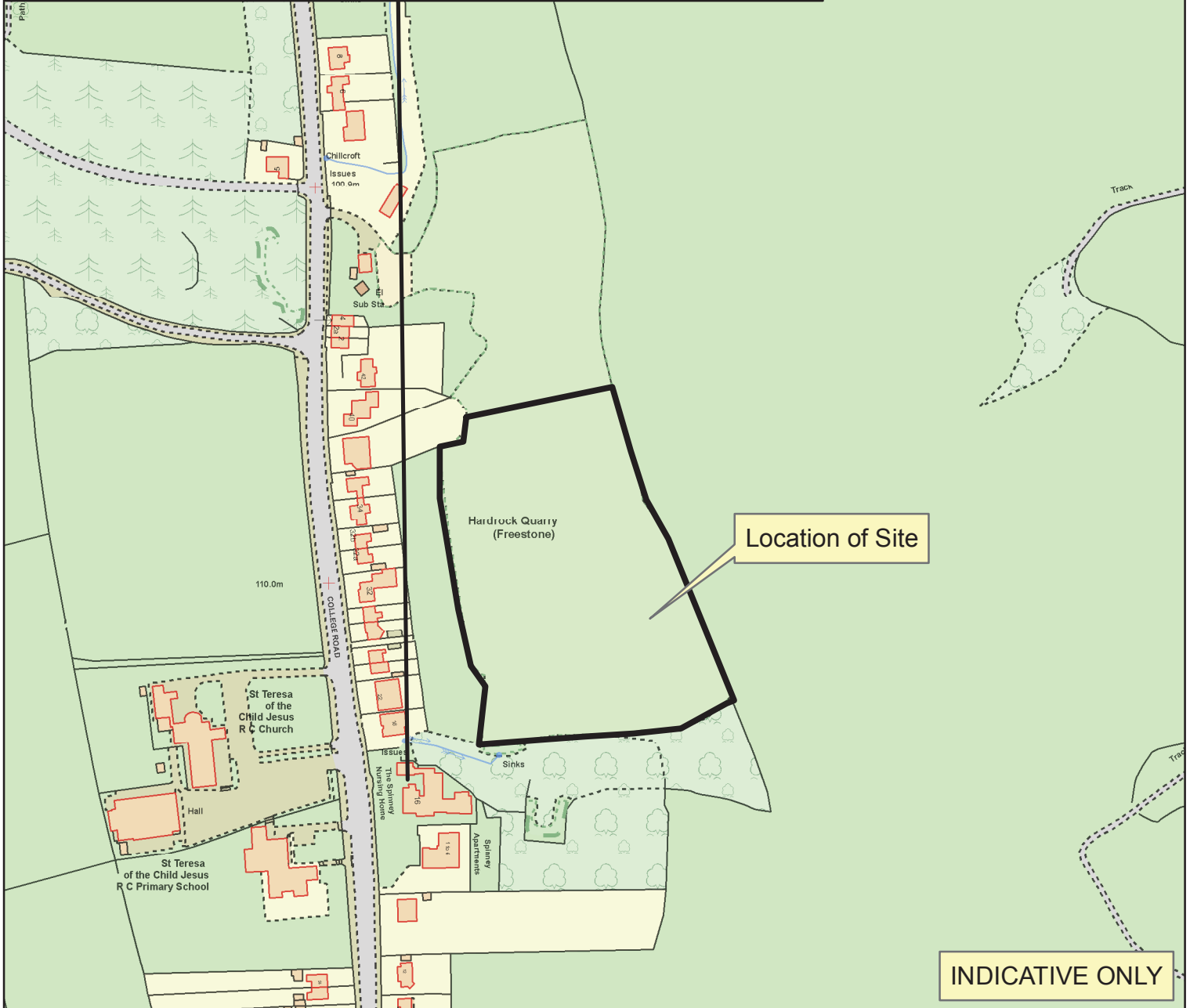
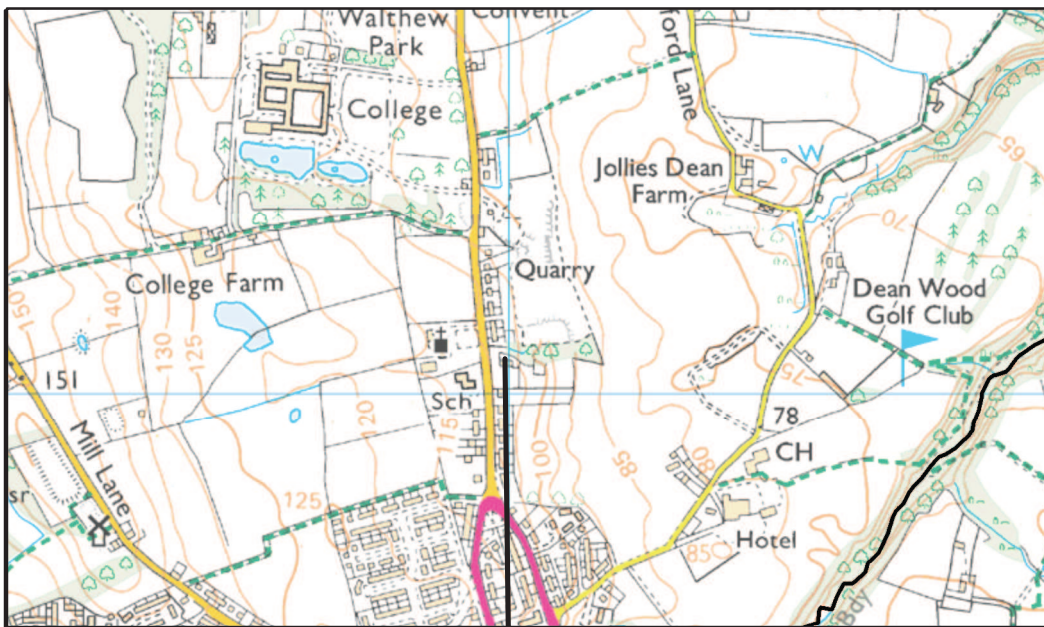
Local Government (Access to Information) Act 1985

List of Background Papers

Paper	Date	Contact/Directorate/Ext
LCC/14/0007		Jonathan Haine/ Environment/534130
8/06/1303		
8/96/1196		
8/94/0044		

Reason for Inclusion in Part II, if appropriate

N/A



APPLICATION LCC/2014/0007 VARIATION OF CONDITIONS 2 AND 8 OF PERMISSION 08/06/1303 TO ALLOW TIPPING TO BE UNDERTAKEN TO AMENDED FINAL LEVELS. HARDROCK QUARRY, STONEY BROW, UPHOLLAND

Development Control Committee
Meeting to be held on 21 May 2014

Electoral Division affected: West Lancashire North

West Lancashire Borough: Application No. LCC/2014/0047

Permission is sought for the retention of the site compound and access track for a further 3 years to allow pressure monitoring of the bowland shale reservoir, followed by plugging and abandonment of the existing exploratory well and site restoration. Beconsall Shale Gas Exploration Site, Banks Enclosed Marsh, Bonny Barn Road, Hundred End, Banks.

Contact for further information:
Rob Jones, 01772 534128, Environment Directorate
DevCon@lancashire.gov.uk

Executive Summary

Application - Permission is sought for the retention of the site compound and access track for a further 3 years to allow pressure monitoring of the bowland shale reservoir, followed by plugging and abandonment of the existing exploratory well and site restoration. Beconsall Shale Gas Exploration Site, Banks Enclosed Marsh, Bonny Barn Road, Hundred End, Banks.

Recommendation – Summary

That the Development Control Committee visits the Beconsall Shale Gas Exploration Site before determining the application.

Applicant's Proposal

Planning permission is sought to retain the drilling platform and associated highways access at the Beconsall Shale Gas Exploration Site for a further three years to undertake pressure monitoring of the Bowland Shale reservoir. Following the testing the well would be plugged and abandoned and site restored back to agriculture.

Planning permission for the temporary change of use of agricultural land to a site for drilling an exploratory borehole and testing for hydrocarbons including the construction of a drilling platform and highways access was granted on the 20th October 2010 (ref 8/10/0973). The well testing operations were to involve a process of hydraulic fracturing known as 'fracking'; however, whilst the well has been drilled no 'fracking' has been carried out.

The pressure monitoring would involve perforating the well casing by the use of a small contained charge. The perforation would extend two to four feet beyond the well casing into the rock (Hodder Mudstone) formation to allow any gas to flow from natural pathways/ fractures within the rock to the well. The section/s of the perforated

well would then be isolated by the use of 'packers' to create a pressurised 'test zone' which would then be monitored by equipment within the 'test zone' for a period of approximately 12 months. The process would not involve the injection of fluids into the well but existing fluids within the well would be re-circulated. After the testing period, the packers and monitoring equipment would be removed, the well plugged and abandoned and the exploration site restored.

The pressure monitoring equipment would take two weeks to install followed by a monitoring period of 12 months. After completion of the pressure monitoring a period of approximately 4 weeks would be required to plug and abandon the well, followed by a 12-14 week period to fully restore the site. This would equate to a 72 week total timeframe. The applicant is hoping to start the pressure testing as soon as possible this year and ideally in mid-summer. The application is for a three year time period to undertake all of these activities. This time period is intended to factor in the circumstance that the pressure monitoring would not commence until spring/summer 2015 and the fact that no activity (pressure monitoring installation, well plugging, abandonment and site restoration) can be undertaken in the wintering wildfowl season between 01 November and 31 March.

Description and Location of Site

The site is located in a field within an area of flat agricultural land used for the growing of arable crops known as 'Banks Enclosed Marsh' approximately 1.5km northwest of the village of Banks, 3km west of the village of Beconsall and 700m to the north of Marsh Road that links the settlements of Banks and Beconsall.

The surface area of the works measures 0.99 hectares and consists of the drilling platform and site access. Access to the site is via an existing field access on the east side of Bonny Barn Road, an existing un-adopted farm track that serves Marsh Nurseries and links to Marsh Road. The existing field access has been widened and a new 163m length of a stone surfaced track constructed to provide access through the field to the drilling platform. The first 35m of the track from Bonny Barn Road is 14m wide to allow for the passing and manoeuvring of vehicles. The remaining 128m length of the track is 4m wide.

The working platform is bound by an open perimeter ditch on all sides except for the south-west side where the majority is piped and covered to allow access on to the platform. Beyond the ditches, the north-west and part of the south-western edges of the working platform have 3m high soil bunds formed from the stored topsoil and subsoil removed during the construction of the working platform. Controlled watercourses in the form of drainage ditches run along the south and east sides and to the north of the working platform. The nearest residential properties are at Marsh Nurseries approximately 200m to the west and at Marshfield Farm approximately 400m to the north. The site is located within the Green Belt and Marsh Farm Fields; North Meols Biological Heritage Site. The Ribble Estuary Site of Special Scientific Interest (SSSI) and Ribble and Alt Estuaries Special Protection Area (SPA) are approximately 650m to the north. A Public Right of Way is located approximately 290m to the east of the edge of the working platform.

Background

Planning permission for the temporary change of use from agriculture to site for drilling an exploratory borehole and testing for hydrocarbons including construction of a drilling platform was granted on 20 October 2010 (ref. 08/10/0973). Condition 1 of the permission requires the site development works, drilling operations, testing and site restoration to be completed within a period of eighteen months from the commencement of the development, with the drilling operations to be completed within a period of three months from the date of their commencement.

The development of the site commenced on the 28th March 2011; consequently the site had to be restored by the 27th September 2012. The construction of the drilling platform, creation of access to the highway and the drilling of the exploratory borehole has been completed.

An application to extend time periods for the completion of well testing and restoration was submitted on 19th September 2012 (ref. 08/12/1032). The application proposed that the well testing operations by fracking and site restoration be completed by 28th March 2014. A screening opinion was undertaken and which concluded that the proposal would require an Environmental Impact Assessment (EIA).

On the 6th June 2013 the applicant proposed a revision to application 08/12/1032. The amended well testing operations were to involve undertaking a reservoir diagnostics programme, the purpose of which would be to collect better data on geological conditions and collect natural gas samples and formation water samples from 4 different shale intervals at different depths in the well. The testing would have been for a period of 60-90 days and to commence in late July 2013. The data would then have been used to help determine the recoverability of the natural gas contained in the Bowland Shale. The site would then have been restored by 28th September 2014. However, given it had been determined that the development as initially proposed constituted EIA development, it was determined that the application could not be amended in the way proposed. No EIA has been submitted and the application remains undetermined.

The application the subject of this report has been submitted to undertake a test program to obtain reservoir pressure that will be needed for a full evaluation of the Bowland Shale formation. The purpose is to understand initial reservoir pressures within the (Hodder Mudstone) formation of the Bowland shale so as to be able to model the future well performance and the recoverability, or not, of the shale gas reserves.

Planning Policy

National Planning Policy Framework (NPPF)

Paragraphs 11 – 14, 17, 56 – 66, 79 – 81, 87 – 90, 100, 103, 109, 118 – 125, 144 and 147 are relevant with regard to the requirement for sustainable development, core planning principles, the requirement for good design, protecting green belt land, flood risk, conserving and enhancing the natural environment and facilitating the sustainable use of minerals.

Technical Guidance to the National Planning Policy Framework – Flood Risk and Minerals Policy

Paragraphs 33 – 48 are relevant with regards to the restoration and aftercare of minerals sites.

Joint Lancashire Minerals and Waste Local Plan – Site Allocation and Development Management Policies – Part One

Policy NPPF 1 Presumption in favour of sustainable development
Policy DM2 Development Management

West Lancashire Replacement Local Plan

Policy DS2 Protecting Green Belt
Policy GD1 Design of Development
Policy EN1 Biodiversity
Policy EN3 Coastal Zone
Policy EN10 Flood Risk
Policy EN11 Protection of Water Resources

Advice

The planning application has generated a considerable amount of interest with over 100 representations having been received to date objecting to the proposal primarily in respect of visual, traffic, habitats, noise, pollution and seismic activity. A full summary of the representations received will be provided when the application is reported for determination.

The site falls within the Marsh Fields Biological Heritage Site (BHS). The BHS is an area of agricultural land used by bird species and, particularly by wintering wildfowl in the season between 01 November and 31 March, as supporting habitat to the Ribble and Alt Estuaries SPA.

A full assessment of the proposal against national policies and the policies of the development plan along with an assessment of the impacts of the proposal against those policies and in light of advice received from statutory consultees and representations received, will be provided in the report when the application is presented for determination.

However, given the nature of the proposal and level of public interest received to date, it is considered that the Committee visit the site before determining the application. This would have the benefit of members being familiar with the site and environs before determining the application and so having a clear understanding of the issues associated with the proposal.

Recommendation

That the Development Control Committee visits the Beconsall Shale Gas Exploration Site before determining the application.

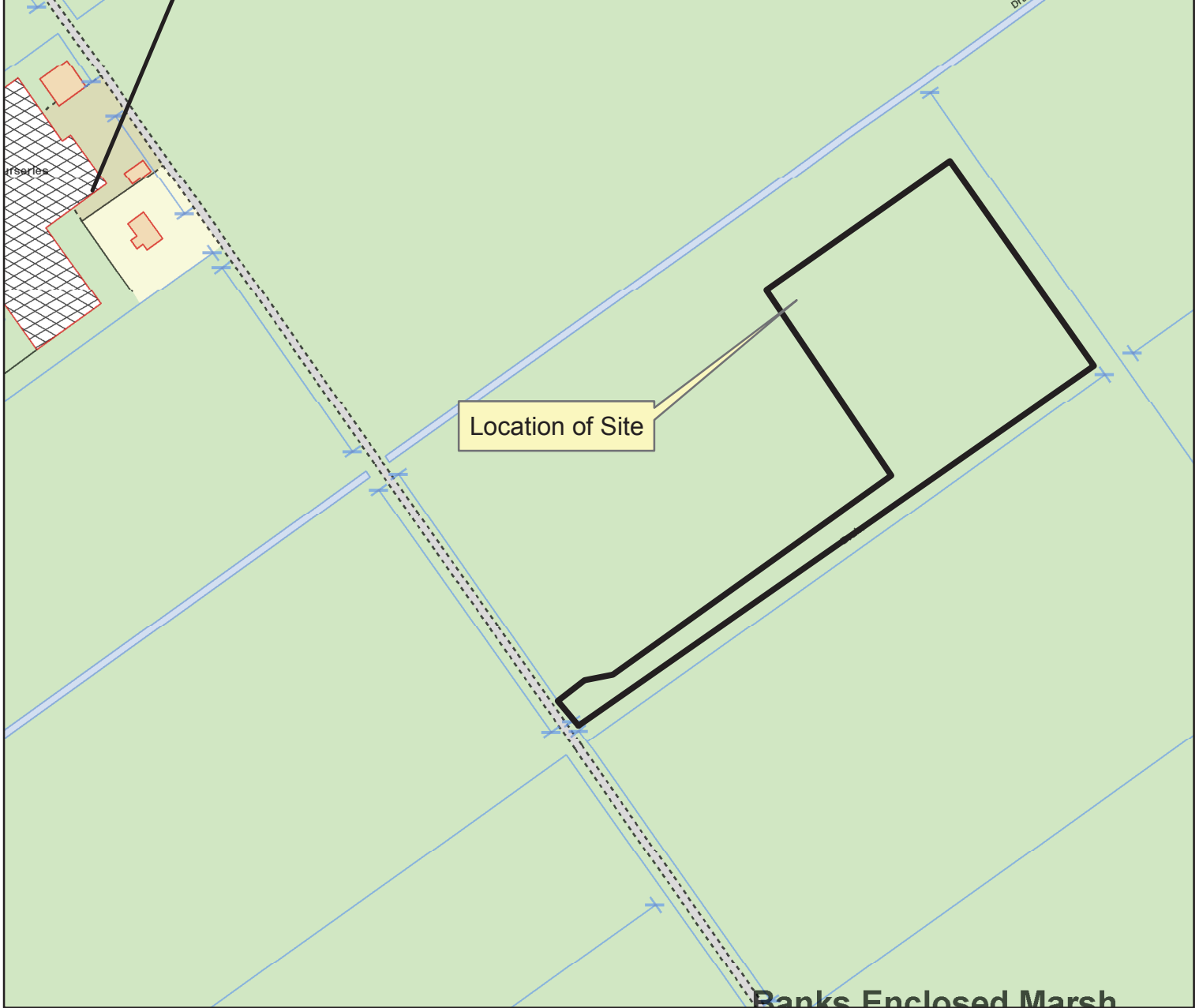
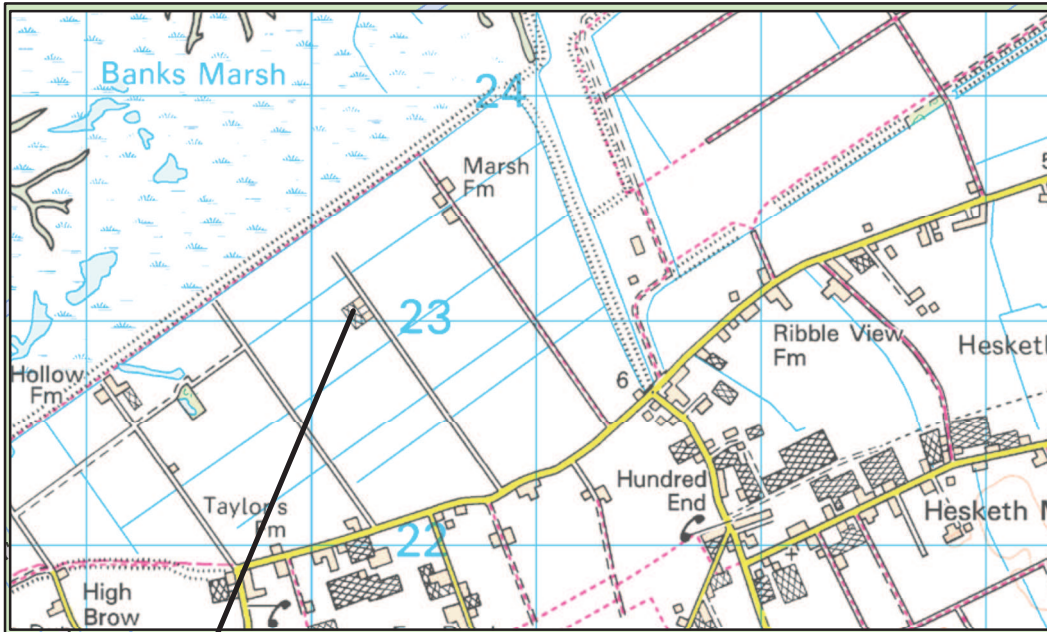
Local Government (Access to Information) Act 1985

List of Background Papers

Paper	Date	Contact/Directorate/Ext
LCC/2014/0047	27/3/14	Rob Jones/Environment/534128
08/12/1032		
08/10/0973		

Reason for Inclusion in Part II, if appropriate

N/A



APPLICATION LCC/2014/0047 PERMISSION IS SOUGHT FOR THE RETENTION OF THE SITE COMPOUND AND ACCESS TRACK FOR A FURTHER 3 YEARS TO ALLOW PRESSURE MONITORING OF THE BOWLAND SHALE RESERVOIR, FOLLOWED BY PLUGGING AND ABANDONMENT OF THE EXISTING EXPLORATORY WELL AND SITE RESTORATION. BECCONSALL EXPLORATION SITE, OFF BONNY BARN ROAD, HUNDRED END, BANKS

Development Control Committee
Meeting to be held on 21st May 2014

Electoral Division affected: Skelmersdale East

West Lancashire Borough: Application No. LCC/2014/0044
Retention of single storey demountable office unit. Wrightington Highways Depot, Moss Lane, Wrightington.

Contact for further information:
Rob Jones, 01772 534128, Environment Directorate
DevCon@lancashire.gov.uk

Executive Summary

Application - Retention of single storey demountable office unit. Wrightington Highways Depot, Moss Lane, Wrightington.

Recommendation – Summary

That planning permission be **granted** subject to conditions controlling working programme and colour of building.

Applicant's Proposal

Planning permission is sought for the retention of a demountable office unit at Lancashire County Council's Highways Depot in Wrightington. The unit measures approximately 24m x 9.5m. The roof is pitched to an approximate height of 3.5 metres. The unit has external ramps and steps with handrails and guardrails with external walls coloured opal green (RAL6026).

Description and Location of Site

Wrightington Highways Depot is an existing Lancashire County Council highway maintenance depot accessed from the south side of Moss Lane, Wrightington approximately 6.5km northeast of Skelmersdale town centre. The depot is surrounded by agricultural land except along the eastern boundary where there is a residential property. A 40m wide belt of trees separates the depot from Moss Lane.

The depot comprises an area of hardstanding used for the storage of materials and equipment associated with highway maintenance in the area. The demountable unit is sited on the west side of the depot adjacent to the site access. A salt storage barn, vehicle / materials storage facility and plant rooms and storage units are along the eastern boundary.

The site is located within the Green Belt.

Background

The demountable unit is located within an established highways depot.

Planning permission for the erection of a vehicle / materials storage facility was granted in April 2011 (ref 08/11/0323).

Planning Policy

National Planning Policy Framework (NPPF)

Paragraphs 11 – 14, 17, 56 – 66, 79 – 81 and 87 - 90 are relevant with regard to the requirement for sustainable development, core planning principles, the requirement for good design and protecting green belt land.

West Lancashire Replacement Local Plan

Policy DS2 Protecting Green Belt
Policy GD1 Design of Development

Consultations

West Lancashire Borough Council – No objection.

Wrightington Parish Council – No objection.

LCC Developer Support (Highways) – No observations received.

Representations – The application has been advertised by press and site notice and neighbouring residents have been notified by letter. No representations have been received.

Advice

Planning permission is sought for the retention of a single storey demountable office unit at Lancashire County Council's Highways Depot in Wrightington.

The applicant has advised that the unit has been on the site since January 2008. It provides office facilities for management and highways operations staff at the depot. 20 full time staff currently use the building.

The Highways Depot is a function of the Environment Directorate. The application must therefore be determined by the Development Control Committee.

Planning permission has previously been granted but subject to a temporary permission in view of the demountable unit being considered unacceptable as a permanent form of development in the Green Belt.

Paragraphs 87-90 of the NPPF advise that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green

Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations. Certain forms of development are not inappropriate in the Green Belt provided they preserve the openness of the Green Belt and do not conflict with the purposes of including land in Green Belt.

Policy DS2 of the West Lancashire Replacement Local Plan states that planning permission will not be granted for the erection of new buildings within the Green Belt other than for a limited number of uses including those which preserve the openness of the Green Belt and do not conflict with its purposes.

New buildings connected with highways maintenance functions are not one of the uses considered as appropriate development within the Green Belt. Consequently the applicant must demonstrate very special circumstances to justify the development in this location. The demountable offices provide office accommodation to allow the continued delivery of the highway maintenance service within an existing highways depot which has become established in this location for operational reasons. The whole highways depot is located within the Green Belt and therefore there is no alternative location within the site which would not affect the Green Belt. Very special circumstances are therefore considered to exist to justify the development in this location.

The demountable office is located well within the depot and is screened from the surrounding area by the trees around the site. Consequently, it is now considered that the unit does not have a harmful effect on the character and or openness of the Green Belt. However, to ensure it does not have a harmful effect, a condition is proposed requiring the unit to be retained in the current green colour. A condition limiting the life of the development is no longer required given the period of time the unit has already been in situ, the acceptable design and quality of the unit and subject to it being maintained in its current green colour.

Subject to the condition to retain the green colour, it is considered that the unit does not generate any unacceptable adverse impacts and therefore complies with the policies of the NPPF and the policies of the West Lancashire Replacement Local Plan and can be supported as a permanent form of development.

In view of the scale, location and nature of the proposed development it is considered no Convention Rights as set out in the Human Rights Act 1998 would be affected.

Recommendation

That planning permission be **granted** subject to the following conditions:

Working Programme

1. The development shall be carried out, except where modified by the conditions to this permission, in accordance with the following documents:
 - a) The Planning Application received by the Director of Transport and Environment on 17 March 2014.

- b) Submitted Plans and documents received by the Director of Transport and Environment on 17 March 2014:

Location Plan
Drawing No. B01 - Planning Reference Drawing

Reason: To minimise the impact of the development on the amenities of the local area, and to conform with Policies DS2 and GD1 of the West Lancashire Replacement Local Plan.

Building Materials

2. The external elevations of the building shall be maintained in its existing colour RAL 6026 (or similar) throughout its presence on the site.

Reason: To protect the visual amenities of the area and to conform with Policies DS2 and GD1 of the West Lancashire Replacement Local Plan.

Notes

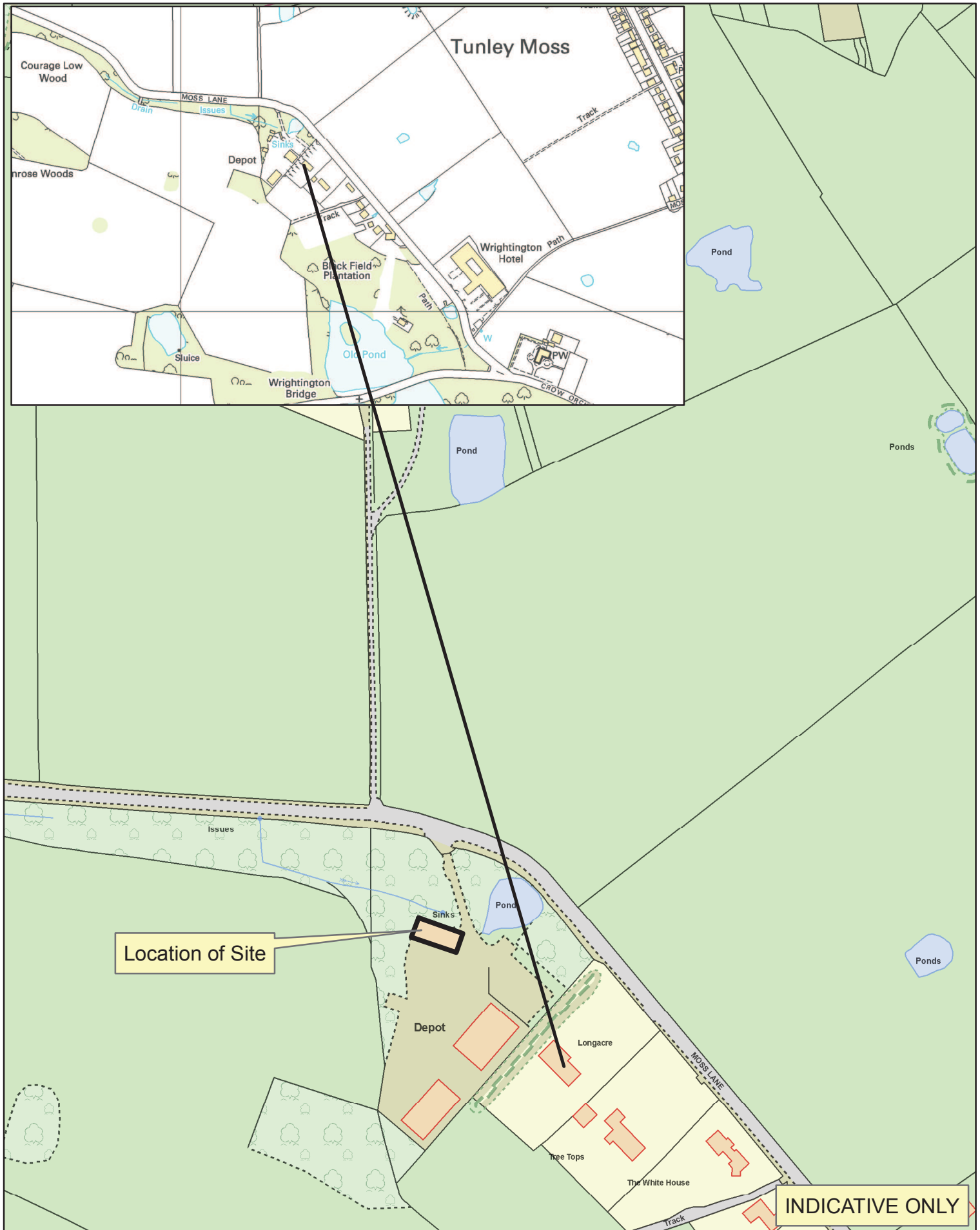
The applicant's attention is drawn to the requirements of the Equality Act 2010 and the British Standards Institution Code of Practice for Design of Buildings and their approaches to meet the needs of Disabled People (BS8300:2009). The design of the building will also need to comply with Part M of the Building Regulations 2010.

Local Government (Access to Information) Act 1985 List of Background Papers

Paper	Date	Contact/Directorate/Ext
LCC/2014/0044 08/11/0323	17 March 2014	Rob Jones/Environment/534128

Reason for Inclusion in Part II, if appropriate

N/A



APPLICATION LCC/2014/0044 RETROSPECTIVE APPLICATION FOR THE RETENTION OF THE SITE OFFICE. WRIGHTINGTON HIGHWAYS DEPOT, MOSS LANE, WRIGHTINGTON.

Agenda Item 9

Development Control Committee
Meeting to be held on 21 May 2014

Electoral Division affected: Rossendale South
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Rossendale Borough: application number. LCC/2014/0061
Retrospective application for the erection of a new temporary bridge, new access road, 2.4m high security fencing and erection of two 6m high lighting columns. It is anticipated that the temporary bridge will be required for a period of two years on land adjacent to Ogden Bridge, Irwell Vale Road, Irwell Vale, Rossendale

Contact for further information:
Catherine Lewis, 01772 530490, Environment Directorate
DevCon@lancashire.gov.uk

Executive Summary

Application –Retrospective application for the erection of a new temporary bridge, new access road and 2.4m high security fencing and erection of two 6m high lighting columns on land adjacent to Ogden Bridge, Irwell Vale Road, Irwell Vale, Rossendale. It is anticipated that the temporary bridge will be required for a period of two years.

Recommendation – Summary

Subject to no objections being received after the expiry of the consultation period on 23 May 2014 raising matters that have not already been addressed in the report, planning permission be **granted** subject to the conditions controlling time limits restricting the time period for the temporary bridge, working programme, colour of the bridge, fencing, reinstatement of site following dismantling of the temporary bridge and ecology.

Applicant's Proposal

Planning permission is sought for the erection of a temporary bridge measuring 14m in length and 5.9m wide incorporating a 1.2m wide footway. It would be of a modular steel system dark grey in colour with 1m high parapets and an anti skid surface. The bridge is required to provide temporary access across the river whilst the existing bridge is being repaired.

Two 6m high lighting columns would be located to the north of the site on the eastern side of Irwell Vale Road. One would be permanent and one would be removed when works to the existing bridge have been completed. A length of approximately 51m of concrete posts and chain link security fencing to a height of 2.4m is proposed to the north east boundary of the site for a temporary period. A site compound measuring 12m x10m is proposed to the north of the existing bridge.

The application is part retrospective in view of the urgency of the works and to reflect the commencement of some landscape clearance to facilitate the development in anticipation of planning permission being forthcoming.

Description and Location of Site

Ogden Bridge provides an important vehicular access connecting Irwell Vale Road and Bowker Street within a small urban hamlet approximately 2km south east of Helmshore town centre. The temporary bridge would be located approximately 10m downstream from the existing bridge. The site includes a number of trees and the banks of the River Irwell some of which have already been removed.

Ogden Bridge is within the Irwell Vale Conservation Area. A group of Grade Two Listed mill cottages are located approximately 7m away on the south side of the River Irwell.

Background

There is no relevant planning history.

Planning Policy

National Planning Policy Framework (NPPF)

Section 8 Promoting healthy communities

Section 11 Conserving and enhancing the historic environment

Rossendale Core Strategy

Policy 1 General Development: General Development Locations and Principles

Policy 16 Preserving and Enhancing Rossendale's Built Environment

Policy 17 Rossendale's Green Infrastructure

Policy 18 Biodiversity, Geodiversity and Landscape Conservation

Policy 24 Planning applications Requirements

Rossendale District Local Plan

Local Plan Saved Policy DS1

Consultations

Rossendale Borough Council - No comments received

LCC Developer Support (Highways) - No objection

Environment Agency - No objection

Representations – The application has been advertised by press and site notice, and neighbouring residents informed by individual letter. No representations have been received.

Advice

Planning permission is sought for the construction of a temporary pedestrian and vehicular bridge for a period of two years adjacent to the existing Ogden Bridge at Irwell Vale to facilitate the rebuilding of the existing bridge which is in dangerous state of disrepair.

Ogden Bridge (privately owned) provides vehicular access to properties in the communities of Irwell Vale, Meadow Park and Lumb and to Irwell Vale Halt on the East Lancashire Railway. Approximately 100 properties rely on Ogden Bridge as their only means of vehicular access. There have been maintenance problems with the bridge for several years and Lancashire County Council in 2012 made a commitment to acquire the Bridge and then strengthen it. However, due to access issues to the adjacent land progress has been delayed. In July 2013 a hole was reported on the bridge. To ensure that access to the communities in Irwell Vale can be safeguarded, a temporary bridge is proposed.

The main issues include the principle of the development, the impact of the development on the Irwell Vale Conservation Area and ecological issues.

The location of the temporary bridge is within the settlement of Irwell Vale as defined on the proposals map that forms part of the Rossendale District Local Plan. The site is also within the Irwell Vale Conservation Area and the junction of the bridge with Aitken Street and Bowker Street is a major focal point in the conservation area. The views upstream and downstream from the bridge along Ogden Brook are also important.

Policy 16 of the Rossendale Core Strategy aims to protect, preserve, and enhance the historic built environment including Conservation Areas and Listed Buildings. The temporary bridge would be located approximately 10 m downstream from the existing bridge. The existing bridge has a weight capacity of 7.5 tonnes and the temporary bridge would be constructed in three sections from a modular steel system with 1m high parapets which would dictate the design and choice of materials.

It is acknowledged that construction of the bridge in this location using the proposed materials would not preserve or enhance the overall ambience of the conservation area. However, the bridge is required in this location due to the requirement to join the main carriageway to the north known as Irwell Vale Road. It is therefore considered that there is an overriding need for a temporary bridge, so that the existing Ogden Bridge can be refurbished and strengthened.

The applicant is proposing to erect two 6m high street lighting columns to match the existing street lighting. One would remain permanent and one would be removed following the dismantling of the temporary bridge. The application boundary also includes an area to the north of the bridge currently forming part of the waste water treatment plant (Rossendale Treatment Works). The applicant proposes to utilise an existing, vehicular, gated access on to Irwell Vale Road and provide a small site compound for the duration of the works. To ensure that the waste water treatment plant remains secure a 2.4m high concrete post and chain link security fence would

be re-routed. It is considered that these aspects of the proposal are acceptable given the nature of the application and a condition requiring the area to be reinstated following the dismantling of the temporary bridge is recommended.

The application site includes a number of trees lining the banks of the River Ogden and the application is accompanied by a Stage 1 Arboricultural Report dated April 2014. Some trees have already been felled as part of an application to the Borough Council as the trees are within a Conservation Area. The Arboricultural Report states that there would be a conflict with the construction of the temporary bridge and the trees on the site. Overall, the proposal would result in the loss of 17 trees most of which (14) are classed as low category. However, the most dominating tree in this area could be retained.

The applicant has considered a different location for the temporary bridge, upstream of the existing bridge that would not require the loss of so many trees. This has been discounted due to poor sightlines, the narrowness of the road and the location of a sewer that goes under the river bed which could be affected by potential piling operations.

The application is also accompanied by an ecological risk assessment dated 5 February 2014 in relation to bats, water voles and otters. This concluded low potential for impact on protected species. However, the habitat upstream becomes more favourable for otters. The presence of otter footprints in 2011 and 2014 indicated they are present within the wider local catchment and the applicant should be aware of their potential presence. Therefore, the recommendations within the report should be adhered to and a condition to this effect is proposed.

In conclusion, the proposed temporary bridge is required whilst structural work is carried out upon the existing Ogden Bridge. The location of the temporary bridge is within the Irwell Vale Conservation Area and whilst the design and materials do not preserve or enhance the conservation area, it is considered that due to the need to maintain vehicular access to the properties to the south of the existing Ogden Bridge the temporary bridge in this location can be supported. Conditions controlling the temporary period, colour of the temporary bridge, reinstatement of the site, tree planting and removal of a lamp post are proposed. Subject to such conditions it is considered that the proposal is acceptable for the purposes of the policies to the National Planning Framework and policies 1, 16, 17 and 18 of the Rossendale Core Strategy.

In view of the scale and temporary nature of the proposal it is considered that no Convention Rights set out in the Human Rights Act 1998 would be affected.

Recommendation

That planning permission be **granted** subject to the following conditions

Working Programme

1. The development shall be carried out, in accordance with the following documents:

- a) The Planning Application received by the Director of Transport and Environment on 16 April 2014
- b) Submitted Plans and documents:

Drawing Number 4773/PA1 entitled "Location Plan, Site Plan and Block Plan"

Drawing Number 4773/PA2 Rev B entitled "Existing and Proposed Elevations and Site Sections"

Drawing Number 4773/PA3 entitled "Tree Plan"

- c) All schemes and programmes approved in accordance with this permission

Reason: To minimise the impact of the development on the amenities of the area and to conform with Policies 1, 16 and 24 Rossendale Core Strategy

- 2. The use of the bridge hereby permitted shall cease within two years of the date of this Decision Notice unless further planning permission has been granted.

Reason: To ensure the temporary nature of the development is maintained in the interests of local amenity and to comply with policy 16 of the Rossendale Core Strategy.

- 3. Within six months of the date of this Decision Notice a scheme and programme shall be submitted to and approved in writing by the Director of Transport and Environment for the treatment and management of the surface of the site from where the temporary bridge and road has been demolished. The scheme and programme shall provide for:

- a) The removal and demolition of the temporary bridge, access road and street lighting column and grubbing up of foundations to existing ground levels.
- b) Clearance of all demolition materials off site.
- c) The making safe of all utility ingress and egress points.
- d) The treatment of the surface of the removed building.
- e) The management of the soft areas within the site.
- f) Details to make good the boundary walls adjacent to the river bank.

The approved scheme and programme shall be implemented in full within three months of the removal of the temporary bridge.

Reason: To ensure the land is returned to its former use and condition in the interests of local amenity and to comply with policy 16 of the Rossendale Core Strategy.

- 4. The temporary bridge hereby approved shall be painted dark grey and be retained in the approved colour throughout its presence on the site.

Reason: In the interests of the visual amenity of the area and to conform with Policy 16 of the Rossendale Core Strategy.

5. The security fencing shall be constructed of concrete posts and mesh fencing to match the existing.

Reason: To secure the site boundaries.

6. The recommendations contained within the Ecology report entitled `Ogden Bridge Irwell Vale Road/Bowker Street, Bury, Lancashire ` dated 5 February 2014 shall be implemented in full.

Reason: In the interest of ecology and to comply with Policy 17 and 18 of the Rosendale Core Strategy.

**Local Government (Access to Information) Act 1985
List of Background Papers**

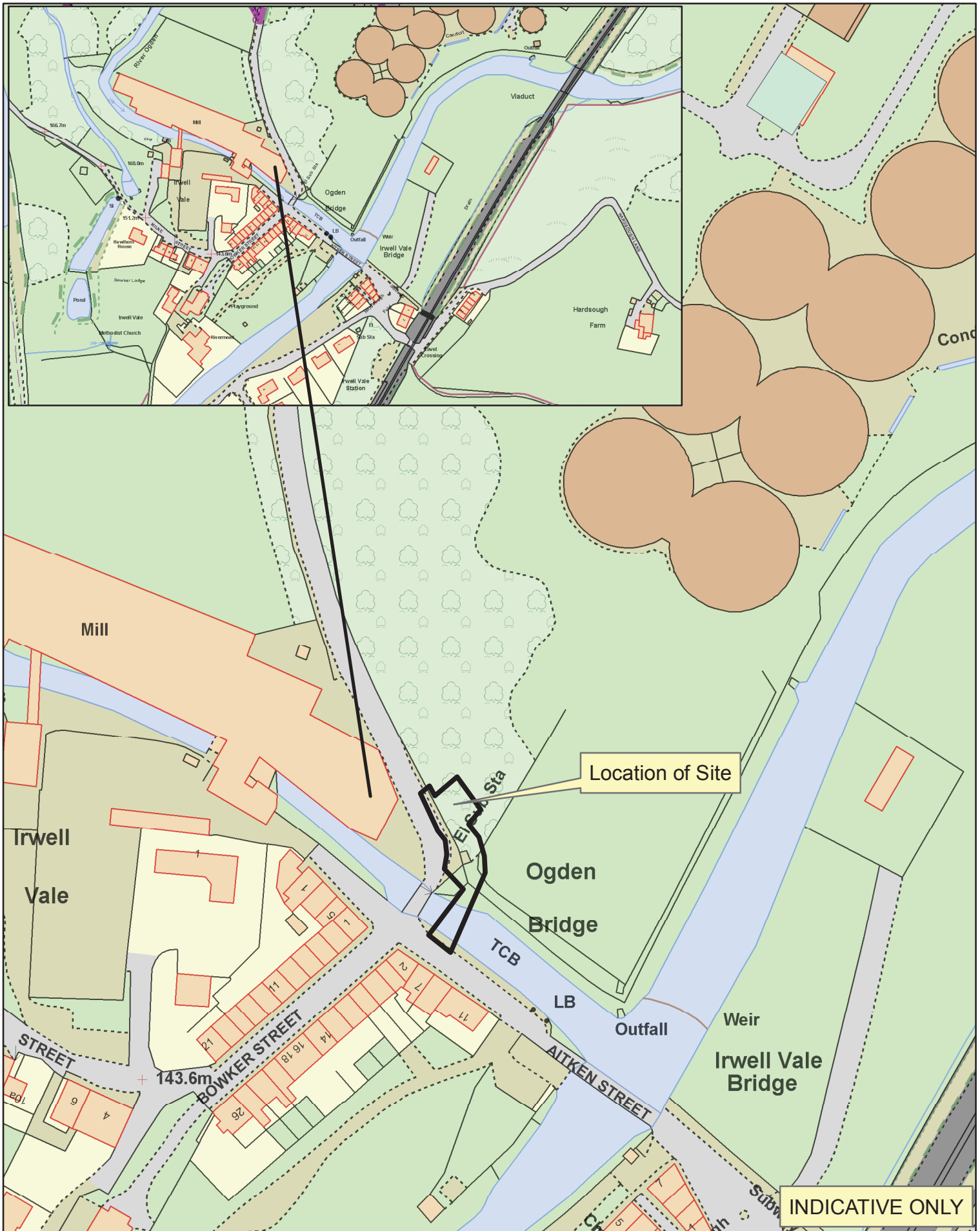
Paper	Date	Contact/Directorate/Ext
LCC/2014/0061	16 April 2014	Catherine Lewis/Environment/30490

Reason for Inclusion in Part II, if appropriate

N/A

Notes

The grant of planning permission does not remove the need to obtain the relevant statutory consents/licences from the Environment Agency.



APPLICATION LCC/2014/0061 RETROSPECTIVE APPLICATION FOR THE ERECTION OF A NEW TEMPORARY BRIDGE , NEW ACCESS ROAD AND 2.4M HIGH SECURITY FENCING AND ERECTION OF 6M HIGH LIGHTING COLUMN. IT IS ANTICIPATED THAT THE TEMPORARY BRIDGE WILL BE REQUIRE FOR A PERIOD OF TWO YEARS.

Development Control Committee
Meeting to be held on 21 May 2014

Electoral Division Affected: All

Planning applications determined by the Executive Director for Environment in accordance with the County Council's Scheme of Delegation

Contact for further information:
Susan Hurst 01772 534181, Environment Directorate
DevCon@lancashire.gov.uk

Executive Summary

Planning applications determined by the Executive Director for Environment in accordance with the County Council's Scheme of Delegation.

Recommendation – Summary

That the report be noted.

Since the last meeting of the Development Control Committee on the 09 April 2014, the following planning applications have been granted planning permission by the Executive Director for Environment in accordance with the County Council's Scheme of Delegation.

Lancaster City Council

Application: No. LCC/2014/0051
Hala Square, Lancaster
Construction of a joint use pedestrian/cycle path.

Application: No. LCC/2014/0045
Westgate Primary School, Langridge Way, Morecambe
Installation of two sail shades to children's play area.

Application: No. LCC/2014/0040
Back Lane Quarry, Nether Kellet, Carnforth.
Retrospective application for the installation of a sub station and below ground cable.

Application: No. LCC/2014/0033
Bowerham Community Primary School, Bowerham Road, Lancaster
Creation of a 2m wide running track around the outside of the playing fields with spoil spread along existing steep slope.

Application: No. LCC/2014/0031

Arkholme C of E Primary School, Main Street, Arkholme, Carnforth
Erection of timber shed and adjoining seating area.

Application: No. LCC/2014/0027

Green Ayre Public Open Space, Off Parliament Street, Lancaster
Variation of condition 9 of planning permission 01/12/0821 to extend the hours of working to 0730 - 1900 hours Monday to Friday (except public holidays) and 0800 - 1500 hours Saturdays and Sundays.

Wyre Council

Application: No. LCC/2014/0032

Land North of Main Dyke Bridge, Off Garstang Road East, Poulton Le Fylde
Proposed 15m wide pipe bridge across main dyke, supported on raised manholes, and with associated hardstanding, bank stabilisation and ground reprofiling.

Ribble Valley Council

Application: No. LCC/2014/0042

St Augustines RC High School, Elker Lane, Billington Clitheroe.
Extension to existing staff car park to rear of school to create additional parking spaces.

Preston City Council

Application: No. LCC/2014/0046

Moor Nook Primary School, Ribbleton Hall Drive, Ribbleton, Preston
Extension to the entrance of the school to create a new meeting room

Application: No. LCC/2014/0017

Former Ashton Community Science College, Ribbleton Hall Drive, Preston.
Alterations to the elevations of the existing buildings, extensions to form new sixth form block and hydro pool, alteration to the access to provide vehicle and pedestrian access, new and extension to existing car park to include disabled bays and cycle shed and mini bus parking, relocation of existing security fence and additional gate and associated landscaping. the facilities will be available for community use.

South Ribble Council

Application: No. LCC/2014/0041

Leyland Youth and Community Centre, West Paddock, Leyland
Extending the existing security fencing to the basket ball area.

Application: No. LCC/2014/0036

Moss Side Primary School, Paradise Lane, Leyland.
Adaptation to existing canopy to front of school to form a weather proof and secure enclosure and provision of a new canopy to east of school.

West Lancashire Council

Application: No. LCC/2014/0037

Ormskirk C Of E Primary School, Greetby Hill, Ormskirk
New pedestrian footpath to side of but separate from the school vehicular access road, provision of 16 no. new parking spaces, 4 no. low level lighting bollards and associated landscaping.

Burnley Council

Application: No. LCC/2014/0035

Padiham Green C Of E Primary School, St Annes Street, Padiham, Burnley
Erection of a fully enclosed canopy to form covered play area for 2 no. infant classrooms.

Rosendale Council

Application: No. LCC/2014/0039

Rosendale Youth Zone, Burnley Road, Rawtenstall
Provision of a multi use games area with 5 metres high fencing and floodlighting.

Recommendation

That the report be noted.

**Local Government (Access to Information) Act 1985
List of Background Papers**

Paper		Contact/Directorate/Ext
LCC/2014/0051	LCC/2014/0046	Susan Hurst, Environment
LCC/2014/0045	LCC/2014/0017	Ext: 34181
LCC/2014/0040	LCC/2014/0041	
LCC/2014/0033	LCC/2014/0036	
LCC/2014/0031	LCC/2014/0037	
LCC/2014/0027	LCC/2014/0039	
LCC/2014/0032	LCC/2014/0035	
LCC/2014/0042		

Agenda Item 14

(NOT FOR PUBLICATION: By virtue of paragraph(s) 5, 7 of Part 1 of Schedule 12A of the Local Government Act 1972. It is considered that all the circumstances of the case the public interest in maintaining the exemption outweighs the public interest in disclosing the information)

Document is Restricted

(NOT FOR PUBLICATION: By virtue of paragraph(s) 5, 7 of Part 1 of Schedule 12A of the Local Government Act 1972. It is considered that all the circumstances of the case the public interest in maintaining the exemption outweighs the public interest in disclosing the information)

Document is Restricted

