

Development Control Committee
Meeting to be held on 12th April 2017

Electoral Division affected: Fylde East
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Fylde Borough: Application number. LCC/2017/0020
Retrospective application for a 150mm diameter borehole for groundwater sampling, water level and water quality monitoring on agricultural land.
Field to west of Roseacre Village, Roseacre, nr Kirkham.

Contact for further information:
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Executive Summary

Application - Retrospective application for a 150mm diameter borehole for groundwater sampling, water level and water quality monitoring on agricultural land.

Field to west of Roseacre Village, Roseacre, nr Kirkham.

Recommendation - Summary

That planning permission be **granted** subject to conditions controlling, working programme and restoration.

Applicant's Proposal

The applicant (British Geological Survey) seeks retrospective planning permission for a 150mm diameter borehole for groundwater sampling, water level and water quality monitoring on agricultural land situated between Roseacre and Elswick, west of Roseacre Village. The borehole is 150mm in diameter and 500 metres in depth and is located within a 1m high, 2m x 3m wooden fence enclosure. This enclosure is located within a compound measuring approximately 15m x 30m formed from an impermeable geotextile membrane overlain by stone aggregate. The compound is accessed via a 350 metre access track leading from Roseacre Road.

The borehole was drilled in Autumn 2015. The applicant proposes to retain the borehole for a further five years dependent on results from the monitoring exercise.

Description and Location of Site

The site is located on an agricultural land off Roseacre Road, a C class road situated between Elswick and Wharles 600 metres west of Roseacre Village. Access to the

site is from Roseacre Road. The nearest residential properties are located approximately 400m away on Rosecare Road.

The site is comprised of a stone compound with the borehole head contained within a small timber fence enclosure.

Background

There is no relevant planning history.

Planning Policy

National Planning Policy Framework (NPPF)

Paragraphs 6 -17, 56 - 64, 109 -112 are relevant with regards to the requirement for sustainable development, need for good design and conserving and enhancing the natural environment.

Fylde Borough Local Plan

Policy SP2 - Development in Countryside Areas

Policy EP11 - Building Design and Landscape Character

Policy EP24 - Pollution of Ground Water

Consultations

Fylde Borough Council - No objection but recommend that part of the track nearest to Roseacre Road be planted with a traditional hedgerow. Fylde Borough Council have also raised a query whether water extracted from the borehole would be used for human consumption.

LCC Highways Development Control - No observations received.

Environment Agency - No comment.

Treales, Roseacre & Wharles Parish Council - Queried if application should be determined by Fylde Borough Council.

Representations - The application has been advertised by press and site notice. One representation has been received siting concerns about a lack of detail on site restoration, that no timescale for the retention of the borehole has been provided and that the borehole does not provide for independent monitoring.

County Councillor Elizabeth Oades has also requested that the application be reported to Development Control Committee for determination. She is concerned that the application does not appear to show 30m x 15m pad of aggregate built around the borehole and no timescales or restoration plan has been submitted with the application.

Advice

Retrospective planning permission is sought for a 150mm diameter borehole for groundwater sampling, water level and water quality monitoring. The borehole is 500 metres deep and extends into Triassic sandstone which is a groundwater bearing strata that extends under much of the Fylde.

The applicants (British Geological Survey) who are a Government funded research body are carrying out this monitoring programme in the Fylde area of Lancashire as a response to shale gas exploration developments. The aim of the research programme is to establish the baseline chemical / environmental conditions in a currently unmonitored aquifer prior to any shale gas exploration commencing and therefore enabling the environmental effects on the water environment to be monitored. The monitoring programme has been established partly in response to concerns from the public as to the impacts of shale gas exploration and specifically those relating to fracking and groundwater impacts. The applicant has confirmed the monitoring programme would be independent from the shale gas industry, providing impartial evidence based readings for groundwater sampling, water level and water quality in the local area.

The groundwater within the borehole is being monitored for a range of key indicators including water temperature, pH, dissolved gas and electrical conductivity. These parameters can be used to indicate if shale gas exploration is having any impacts on groundwater quality. The information that is collected from the borehole is published on the BGS website and the borehole is therefore considered to be important in allowing independent monitoring of the effects of any shale gas exploration including fracking activities on groundwater.

The site is located on land designated as Countryside Area in the Fylde Borough Local Plan. Policy SP2 of the Local Plan states that development within Countryside Areas will not be permitted except where it is required for agriculture, horticulture or forestry or other uses appropriate to a rural area. The drilling of a borehole is not one of the uses listed as appropriate in such areas. However, the site has been selected due to its proximity to the areas of land that are likely to be of future interest for shale gas exploration and the requirement that the drilling works be undertaken at a reasonable distance from residential properties.

The drilling of the borehole was completed during a 4 week time period in November 2015. The monitoring programme began in May 2016 and is due to be undertaken over the next five years with the possibility of being extended should circumstances dictate. As the drilling of the site has been completed any noise or visual impacts arising from that phase of the operation have already occurred and in any event were relatively short term. The remaining development at the site consists of the well head close to ground level, a wooden fence enclosure which surrounds the well head and a stone compound measuring 30m x 15m. The site is therefore not of significant scale and has very limited visual impact. Vehicle movements to the site are small in number and are associated with sampling of the water within the borehole. Provided that the site is subject to a temporary permission and is restored after that period, it is considered that the development is acceptable in terms of policy SP2.

A representation has been received questioning the size of the compound surrounding the borehole and the timescale for restoration of the site. The pad surrounding the borehole is constructed from an impermeable geotextile membrane overlain with a layer of aggregate and was sized to serve the drilling operations. The size of the pad has not been reduced following completion of the drilling but it is still relatively small and given its low visual impact, is considered acceptable. In terms of timescale, the applicant has requested a period of five years which is considered acceptable following which the site can be returned to agriculture. This can be the subject of a planning condition.

Fylde Borough Council have raised two issues regarding landscaping and the use of water from the borehole. In terms of the landscaping, the access is longstanding and the development did not increase the scale of the track or require removal of any vegetation. The requirement for additional landscaping is therefore considered unnecessary. With regard to the use of water, water in the borehole is only sampled and is not abstracted for public water supply. In any event the applicant has confirmed that the aquifer is not used as a water supply locally as the water it contains is expected to be saline.

In view of the scale, location and nature 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:

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 and supporting statement received by the County Planning Authority on 7th February 2017.
 - b) Submitted Plans and documents:

Drawing No - Location Plan
Drawing No - Site 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 Policy SP2 of the Fylde Borough Local Plan.

Restoration

2. The use of the borehole and compound hereby permitted shall cease by 31st March 2022 and the land restored within a further period of 6 months. The restoration works shall be undertaken in accordance with a scheme and

programme of restoration works which shall first be submitted to and approved in writing by the County Planning Authority.

The scheme and programme shall provide for the following:

- a) Details for the capping and restoration of the borehole.
- b) The removal of all compound surfacing materials including pollution prevention membranes
- c) The respreading of topsoils and measures to be undertaken to return the site to agricultural use.
- d) The management works to be undertaken on the site for a period of five years following the completion of the restoration works to secure the agricultural afteruse of the site.

Reason: To secure the proper restoration of the site and to conform with Policy EP24 of the Fylde Borough Local Plan.

Notes

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

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

Paper	Date	Contact/Ext
LCC/2017/0020	March 2017	Faiyaz Laly / Planning and Environment / 01772 538810

Reason for Inclusion in Part II, if appropriate
N/A