

Development Control Committee
Meeting to be held on 6th March 2019

Electoral Divisions affected:
Fylde East, Fylde West, Wyre
Rural Central

Fylde and Wyre Boroughs: application number. LCC/2014/0101

Construction and operation of a site for drilling up to four exploratory wells, hydraulic fracturing of the wells, testing for hydrocarbons, abandonment of the wells and restoration, including provision of access roads and improvement of accesses onto the highway, security fencing, lighting and other uses ancillary to the exploration activities, including the construction of a pipeline and a connection to the gas grid network and associated infrastructure to land west, north and east of Roseacre Wood and between Roseacre Road, Roseacre and Inskip Road, Wharles.

Agricultural land that forms part of Roseacre Hall, to the west, north and east of Roseacre Wood, and land that forms part of the defence high frequency communications service (dhfcs) site between Roseacre Road and Inskip Road, off Roseacre Road and Inskip Road, Roseacre and Wharles, Preston

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Executive Summary

Application – Construction and operation of a site for drilling of up to four exploratory wells including hydraulic fracturing, testing and site restoration on land at Roseacre Wood near Elswick

The purpose of the report is to report the Secretary of State's decision on the above planning application.

Recommendation – Summary

That the report be noted.

Background

A planning application for the development of an exploration well site to drill for hydrocarbons within the Bowland Shale at Roseacre Wood near Elswick was

originally submitted to the County Council in June 2014. The application provides for the construction of an exploration well pad and access from Roseacre Road, perimeter fencing, the drilling of four boreholes, hydraulic fracturing of each of the boreholes and a period of flow testing to monitor the quantities and flow rates of any gas produced.

The planning application was reported to the County Council's Development Control Committee on 24th June 2015. At that meeting, the County Council resolved to refuse the application for the following reason:-

1. The proposed development would be contrary to Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan – Site Allocation and Development Management Policies in that it would generate an increase in traffic, particularly HGV movements, that would result in an unacceptable impact on the rural highway network and on existing road users, particularly vulnerable road users and a reduction in overall highway safety that would be severe.

This decision was subject to an appeal which was determined by way of a public inquiry held in February and March 2016.

The Inspector considered the evidence that was presented by the appellant, County Council and other parties in relation to highway impacts. The Inspector concluded that the volume and percentage increases in traffic combined with the deficiencies of the route would give rise to real and unacceptable risks to the safety of people using the highway including vulnerable road users and that the proposed mitigation measures would not satisfactorily address these impacts. The Inspector therefore concluded that the selected route was unsuitable for its intended purpose and that the development was contrary to paragraph 32 of the NPPF.

Due to the nature and significance of the proposals, the appeal was recovered by the Secretary of State. In his decision, the Secretary of State disagreed with the Inspector and that he was minded to allow the appeal subject to the highway issues identified by the Inspector being satisfactorily resolved. The Secretary of State therefore deferred his decision on the Roseacre Wood exploration site appeal to allow the matter to be considered further via a re-opened public inquiry.

The reopened public inquiry commenced on 10th April 2018 and heard additional highway evidence over 9 days.

The Secretary of State's decision following the reopened public inquiry was announced on 12th February 2019.

The Secretary of State's Conclusions

Prior to the reopened public inquiry commencing, the appellant consulted on a revised HGV routing strategy for the site. This was based upon the results of updated surveys of motorised and non- motorised traffic flows and also involved two additional access routes to the site in addition to the original 'blue' route from the south along Dagger Lane. A number of traffic management proposals were proposed

along all three routes including additional passing places, temporary traffic lights and management of HGVs to avoid sensitive locations and times of day.

At the reopened inquiry, the County Council maintained its opposition to the planning application on the basis that the revised traffic management proposals did not address the highway safety issues on the local road network.

The Inspector and Secretary of State has reached the following conclusions on the evidence that was presented to the reopened public inquiry:-

- That the additional surveys that were undertaken did not accurately assess the pedestrian use of parts of the Green and Red routes in Elswick and Inskip and that the surveys of equestrian and pedestrian use along other critical parts of the Green and Red routes were inadequate.
- The Secretary of State has noted the predicted increases in the number of days when peak traffic volumes would occur and the significant increases that would occur in the volume and type of HGVs using the affected roads on weekdays.
- The Secretary of State has taken into account the representations made in relation to the traffic management measures proposed by the appellant. He has concluded that the measures proposed by the appellant would be of questionable effectiveness and would not be available to all HGV drivers. Concerns were also raised that visibility at five of the passing places that were proposed had inadequate visibility and that the funds proposed by the appellant to rectify safety hazards on the routes were inadequate.
- The Secretary of State also considered the highway constraints along each of the access routes to the site and has concluded that none of the routes would provide safe and sustainable access and that the mitigation measures proposed to overcome highway constraints would either be inadequate or unworkable. He also had concerns that the traffic management plan was not as flexible as it appeared and that the implications of an unviable route across the Inskip MoD site as part of the Green and Red routes had not been fully assessed.

For these reasons, the Secretary of State has concluded that the highway impacts of the development conflict with policy DM2 of the Lancashire Minerals and Waste Local Plan and paragraphs 108 and 109 of the National Planning Policy Framework. Whilst great weight should be attributed to the benefits of mineral extraction, the highway impacts are such that overall, the Secretary of State considers that the proposal does not represent sustainable development and should therefore be refused planning permission.

Reason for report being submitted under urgent business

The decision of the Secretary of State was announced on 12th February 2019 which did not allow this report to be prepared before the officer's closing date for reports for this Committee

Recommendation

That the Secretary of State's conclusions be noted.

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

None

Reason for Inclusion in Part II, if appropriate

N/A