

Development Control Committee
Meeting to be held on 2 March 2016

Item of Urgent Business

Electoral Divisions affected: Fylde West

**LCC/2014/0084 GRANGE HILL EXPLORATION SITE, OFF GRANGE ROAD,
SINGLETON, POULTON LE FYLDE**

Contact for further information:
Andrew Mullaney 01772 534190 Andrew.mullaney@lancashire.gov.uk

Appendix A – Development Control Committee report 20 May 2015
Appendix B – Planning Inspectorate Appeal Decision 23 February 2016
Appendix C - Planning Inspectorate Costs Decision 23 February 2016

Executive Summary

The Development Control Committee refused planning permission for the retention of an existing site compound and access track for a further period of three years for the installation of seismic and pressure monitors within the existing well; undertake seismic and pressure monitoring; plugging and abandonment of the existing exploratory well and restoration of the site at Grange Road exploration site off Grange Road, Singleton, Poulton Le Fylde. An appeal was lodged against the Council's decision and which was considered under the written representations procedures. The Planning Inspectorate has issued the decision letter on the appeal and on the Appellants application for costs. The appeal has been allowed subject to planning conditions; the application for an award of costs has been refused. This report provides background information to the application and appeal process.

Reason why the business is considered to be urgent

To report the Planning Inspectorate's decisions in respect of the appeal and award of costs to the Development Control Committee at the earliest opportunity. The decision was received after the committee agenda was finalised.

Recommendation

The Planning Inspectorates decisions in respect of the appeal and application for the award of costs be noted.

Background

Application LCC/2014/0084 was considered by the Development Control Committee for the for the retention of an existing site compound and access track for a further period of three years for the installation of seismic and pressure monitors within the existing well; undertake seismic and pressure monitoring; plugging and

abandonment of the existing exploratory well and restoration of the site at the meeting of 25 February 2015. The Committee resolved to refuse the application having concluded that it is contrary to Policy SP2 of the Fylde Borough Local Plan, Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan (Site Allocation and Development Management Policies – Part 1) and Policy CS5 of the Joint Lancashire Minerals and Waste Development Framework Core Strategy Framework DPD (Managing our Waste and Natural Resources). It was also resolved that the details of the reason(s) for refusal would be reported back to the Development Control Committee for approval.

The application was reported back to the Committee at the meeting of 20 May 2015. The report set out the reason that could be used to refuse the application based upon the Committee's conclusion that the impacts of the proposal were considered so great as to render the proposal unacceptable as follows:

The proposal is contrary to Policy CS5 of the Lancashire Minerals and Waste Development Framework Core Strategy DPD (Managing our Waste and Natural Resources) and Policy DM2 of the Lancashire Minerals and Waste Local Plan (Site Allocation and Development Management Policies – Part One) in that the retention of the site in its current form and scale would adversely affect the landscape character of the area.

The Committee resolved to refuse the application for the reason proposed. A copy of the report is attached at Appendix A.

Appeal

The applicant lodged an appeal against the council's decision to refuse the application. The appeal was proposed to be heard in accordance with the written representation process. The County Council requested the appeal to be heard at a public inquiry either as part of the Public Inquiry into the applicants appeals for the Preston New Road and Roseacre Wood sites for shale gas exploration or, if this were not possible, by way of a public inquiry in its independence in view of the proposals association with shale gas exploration and the level of public interest in the proposal. The council's request was not supported and the appeal continued to be considered in accordance with the written representations procedures.

In view of the Committee refusing the application contrary to officer recommendation consultants were appointed to present the council's case and attend the accompanied site visit with the Inspector.

As part of the appeal process the County Council had to submit proposed planning conditions to the Planning Inspector without prejudice to the outcome of the appeals.

Advice

The site was inspected on the 5 February 2016 and the Planning Inspectorate issued the Inspectors decision on 23 February 2016. The appeal has been allowed and conditions imposed reflective of those proposed and which in themselves were

reflective of the conditions initially proposed. The conditions address matters relating to the following:

- Time limits
- Working programme
- Hours of working
- Highway matters
- Control of Noise
- Floodlighting
- Safeguarding of watercourses and drainage
- Restoration
- Aftercare

A copy of the appeal decision is attached at Appendix B.

The applicant applied for costs against the unreasonable behaviour of the council in refusing the planning application. The application was refused. A copy of the Costs Decision is attached at Appendix C.

Recommendation

The Planning Inspectorates decisions in respect of the appeal and application for the award of costs be noted.

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

Paper	Date	Contact/Directorate/Tel
Planning application LCC/2014/0084		Andrew Mullaney 01772 532284