

Lancashire County Council

Development Control Committee

Wednesday, 15th July, 2020 at 10.30 am - Virtual meeting

Agenda

Part I (Open to Press and Public)

No. Item

1. Apologies for absence

2. 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.

3. Minutes of the last meeting

(Pages 1 - 6)

The Committee are asked to agree that the Minutes of the last meeting held on 3 June 2020 be confirmed and signed by the Chair.

4. Update Sheet

Officers to present an update in relation to matters under consideration on the Agenda. The additional information will be considered as part of the related agenda report.

5. Fylde Borough: application number. LCC/2020/0006 Retention and continuation of use of Elswick Generation Station for natural gas extraction and electricity generation for a further five years including installation of new generation unit. Elswick Generation Station off Roseacre Road, Elswick

(Pages 7 - 38)

6. Planning decisions taken by the Head of Planning and Environment in accordance with the County Council's Scheme of Delegation

(Pages 39 - 40)

7. 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.

8. Date of Next Meeting

The next virtual meeting of the Development Control Committee will be held on Wednesday 12 August 2020 at 10.30 a.m.

County Hall
Preston

L Sales
Director of Corporate Services

Agenda Item 3

Lancashire County Council

Development Control Committee

Minutes of the Meeting held on Wednesday, 3rd June, 2020 at 10.30 am in Virtual online committee meeting

Present:

County Councillor Barrie Yates (Chair)

County Councillors

S Clarke	A Kay
M Dad	M Pattison
B Dawson	E Pope
K Ellard	A Schofield
D Foxcroft	C Towneley
P Hayhurst	

1. Apologies for absence

None received.

2. Disclosure of Pecuniary and Non-Pecuniary Interests

None declared.

3. Minutes of the last meeting held on 4 March 2020

Resolved: That the Minutes of the meeting held on 4 March 2020 be confirmed and signed by the Chair.

4. Update Sheet

The Update Sheet was circulated prior to the meeting and attached as a supplementary agenda item.

5. Ribble Valley Borough: application number. LCC/2019/0066 Retrospective application to regularise the importation of soils for use in ground stabilisation and landscaping works associated with the consented residential development. Land off Old Road, Chatburn.

The Committee considered a report on a retrospective application to regularise the importation of soils for use in ground stabilisation and landscaping works associated with the consented residential development on land off Old Road, Chatburn.

The report included the views of Ribble Valley Borough Council, the County Council's Ecology Service and details of eight letters of representation received.

The Development Management Officer presented a PowerPoint presentation showing an aerial view of the site and the nearest residential properties together with photographs of the site and the proposed mitigation area.

The Officer reported orally that additional representations had been received from Chatburn Parish Council and the applicant following publication of the agenda (details set out in the Update Sheet at Item 4 of the agenda). It was also reported that committee members had received additional representations from local residents.

Officers responded to concerns raised by the committee with regard to the mitigation proposed, the timescale for management works and the failure of the applicant to comply with the committee's earlier decision to remove the tipped materials and restore the grassland.

Following further debate it was Moved and Seconded that:

"The application be refused on the grounds that the mitigation proposals by reason of their location, design and management period would not be sufficient to fully address the ecological impacts which have resulted from the tipping of waste soils on the application site. The proposal is therefore contrary to paragraph 174 of the National Planning Policy Framework, Policy DME3 of the Ribble Valley Core Strategy and policy DM2 of the Lancashire Minerals and Waste Local Plan".

On being put to the vote, the Motion was Carried. It was therefore:

Resolved: That the application be refused on the grounds that the mitigation proposals by reason of their location, design and management period would not be sufficient to fully address the ecological impacts which have resulted from the tipping of waste soils on the application site. The proposal is therefore contrary to paragraph 174 of the National Planning Policy Framework, Policy DME3 of the Ribble Valley Core Strategy and policy DM2 of the Lancashire Minerals and Waste Local Plan.

- 6. Burnley Borough: application number. LCC/2019/0069 Change of use of end of life vehicle building to use for the drying and pelletising of waste solid recovered fuel (SRF), construction of 2 x 20m high flues, construction of underground ducting to transfer warm air from boiler to the pelletising building, and the storage of baled SRF in the northern yard at Hapton Valley Transfer Station, Hapton Valley Estate, Accrington Road, Hapton.**

A report was presented on an application for the change of use of end of life vehicle building to use for the drying and pelletising of waste solid recovered fuel

(SRF), construction of 2 x 20m high flues, construction of underground ducting to transfer warm air from boiler to the pelletising building, and the storage of baled SRF in the northern yard at Hapton Valley Transfer Station, Hapton Valley Estate, Accrington Road, Hapton.

The report included the views of the Environment Agency, the County Council's Highways Development Control and three letters of representation received.

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

Officers responded to questions raised by the committee members in respect of noise mitigation measures and the potential for flood risk from the run-off from the site.

Following further debate it was:

Resolved: That subject to the applicant first entering into a Section 106 Agreement in relation to earthworks and landscaping, planning permission be **granted** subject to conditions set out in the report to the committee.

**7. Wyre Borough: Application number LCC/2020/0020
Provision of multi-use games area with 2m high ball stop fencing.
Northfold County Primary School, Ringway, Cleveleys.**

A report was presented on an application for the provision of multi-use games area with 2m high ball stop fencing at Northfold County Primary School, Ringway, Cleveleys.

The report included the views of the Wyre Borough Council, the County Council's Highways Development Control, the Environment Agency, Sport England and one letter of representation received.

The Development Management Officer presented a PowerPoint presentation showing an aerial view of the site and the nearest residential properties together with photographs of the site from various aspects.

Resolved: That subject to the Secretary of State confirming that the application will not be called in for determination, planning permission be **granted** subject to the conditions set out in the report to the committee.

**8. Chorley Borough: Application Number. LCC/2020/0023
Application for remodelling of Charnock Richard Golf Course
incorporating the reconfiguration of 9 holes and localised raising of
levels using imported inert waste without complying with condition**

11 of permission LCC/2019/0054. The Laurels Golf Course, Charnock Richard, Preston Road, Charnock Richard.

County Councillor Hayhurst joined the meeting at this point in the proceedings.

A report was presented on an application for the remodelling of The Laurels Golf Course, Preston Road, Charnock Richard, without complying with condition 11 of permission LCC/2019/0054.

The report included the views of the Charnock Richard Parish Council, the County Council's Highways Development Control and three letters of representation received.

The Development Management Officer presented a PowerPoint presentation showing an aerial view of the site and the nearest residential properties together with photographs of the site entrance and access road and illustrations showing the proposed swept path analysis and signage plan.

The Officer reported orally that it was proposed to amend the list of approved drawings in condition 4b as set out in the Update Sheet at item 4 of the agenda.

The Committee was informed that the highway improvements originally recommended by the Highways Authority and the subject of this application, were no longer felt necessary given the applicant proposed to limit HGV movements to 1 inbound and 1 outbound movement per hour during the permitted hours of working of the site. The direction of the movements from the site in Standish on the A49 had also been confirmed.

Following questions to the officers with regard to the highway safety it was Moved and Seconded that the application be refused for the following reason:

"The highways improvements required by Condition 11 of Planning Permission LCC/2019/0054 are required in order to protect highways safety on the A49. The applicant's proposal to limit the numbers of HGVs would not be sufficient to eliminate the risk of conflicts between the vehicles at the access into the site and on the A49. Without the highway works required by condition 11, the development would give rise to an unacceptable impact on highways safety contrary to paragraph 109 of the National Planning Policy Framework and Policy DM2 of the Lancashire Minerals and Waste Local Plan."

On being put to the vote the Motion was Carried, it was therefore:

Resolved: That the application be refused for the following reason:

The highways improvements required by Condition 11 of Planning Permission LCC/2019/0054 are required in order to protect highways safety on the A49. The applicant's proposal to limit the numbers of HGVs would not be sufficient to eliminate the risk of conflicts between the

vehicles at the access into the site and on the A49. Without the highway works required by condition 11, the development would give rise to an unacceptable impact on highways safety contrary to paragraph 109 of the National Planning Policy Framework and Policy DM2 of the Lancashire Minerals and Waste Local Plan.

9. Planning applications determined in accordance with the County Council's Scheme of Delegation and Urgent Business Procedure.

It was reported that since the last meeting of the Committee on 4 March 2020, seven planning applications had been granted planning permission by the Head of Service Planning and Environment in accordance with the county council's Scheme of Delegation.

It was also reported that two applications had been granted planning permission by the Chief Executive and Director of Corporate Services in accordance with the county council's Urgent Business Procedure.

Resolved: That the report be noted

10. Urgent Business

None.

11. Date of Next Meeting

Resolved: That the next virtual meeting of the Committee be held on Wednesday 15 July 2020 at 10.30am.

L Sales
Director of Corporate Services

County Hall
Preston

Development Control Committee
Meeting to be held on 15th July 2020

Electoral Division affected: Fylde East
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Fylde Borough: application number. LCC/2020/0006
Retention and continuation of use of Elswick Generation Station for natural gas extraction and electricity generation for a further five years including installation of new generation unit.
Elswick Generation Station off Roseacre Road, Elswick

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

Executive Summary

Application - Retention and continuation of use of Elswick Generation Station for natural gas extraction and electricity generation for a further five years including installation of new generation unit.
Elswick Generation Station off Roseacre Road, Elswick

Recommendation – Summary

That planning permission be **granted** subject to conditions controlling time limits, working programme, hours of working, noise, colour of plant, highways issues and restoration and aftercare.

Applicant's Proposal

The application is for the continuation of gas extraction for a further period of five years and for the use of the gas to power an on - site electricity generating unit. As part of the development, the gas well would be subject to some maintenance and overhaul works and the existing electricity generating unit would be replaced with a new unit. The new generating unit would measure approximately 12 metres by 2.5 metres with a maximum height to the top of the exhaust of 6.7 metres. An existing portacabin and container at the site would be refurbished and retained over the extended period of operations along with the existing perimeter soil bunds, hardstanding and access track.

The overall timescale for the development is as follows:-

- Wireline assessment – approximately 5 months. Use of a wireline unit and crane to check the integrity of the well, determine fluid gradients and levels and bottom hole pressure and to take gas and water samples.

- Implementation works – approximately 6 months. This would include the installation and commissioning of the new generator set and refurbishment of the electricity connection to the local distribution network
- Production and electricity generation – approximately 3.6 years
- Well decommissioning and site restoration – approximately 3 months.

Description and Location of Site

The application site is an existing gas extraction and electricity generating site located off Roseacre Road approximately 1.3 km south of Elswick.

The site is accessed via a 600 metre long stone access track leading to a compound measuring approximately 100 metres by 100 metres surrounded by earth mounding between 2 and 3 metres high. A mature hedgerow surrounds the earth mounding on all four sides of the site. The compound contains a gas well head, electricity generating unit housed within a building and associated pipework, water storage tank, a portacabin and container and parking area. Mesh fencing separates different areas of the site.

The compound area is surrounded by agricultural land on all sides. The nearest properties to the site are located at Saswick House Farm and Saswick Court off Roseacre Road which are approximately 350 metres to the east of the site.

There are no protected ecological or landscape designations close to the site.

Background

History; Planning permission was originally granted for the development of a temporary exploration wellsite on the application site in 1989 (ref 5/98/682). A further permission authorising further well stimulation and testing was granted in 1992 (ref 5/92/780). In 1994 planning permission was granted for the extraction of hydrocarbons and installation of an electricity generator set at the site (ref 5/94/130). This permission was time limited for two years from the date of the permission.

Three further permissions were then granted in 1994, 1998 and 2008 to extend the period of the development. The 2008 permission ref 5/08/1027 authorised gas extraction and electricity generating operations to continue until 23rd February 2019 with restoration being completed within a further one year period.

In 2019 planning permission was refused by the Secretary of State for an exploration site for hydrocarbons (the Roseacre Wood site) approximately 2km south east of the current application site.

Planning Policy

National Planning Policy Framework

Paragraphs 8 -11, 80, 109, 180 – 181, 183, 205 and 209 of the National Planning Policy Framework are relevant with regards to the definition and presumption in

favour of sustainable development, supporting economic growth, highway issues, pollution and air quality, minerals and oil and gas extraction.

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

Policy CS1 – Mineral Resources

Joint Lancashire Minerals and Waste Local Plan (JLMWLP)

Policy NPPF 1 – Presumption in favours of sustainable development

Policy DM1 – Management of waste and extraction of minerals

Policy DM2 – Development Management

Fylde Borough Local Plan

Policy DG4 Development in the countryside

Policy GD7 Achieving good design in development

Policy ENV1 Landscape

Consultations

Fylde Borough Council: No objection.

Treales Roseacre & Wharles Parish Council: Object to the application. The original permission for this site was for a temporary period of two years which has been extended many times to a total of 26 years. The current application, if approved would result in the site being present for 31 years which is beyond the applicant's current oil and gas licence period. There is no evidence that the Oil and Gas Authority would be minded to support an extension of the licence beyond 31st December 2023. The Parish Council also consider that the site operator has breached the existing conditions as the site has not been restored by the date specified in the existing permission of 23rd February 2020. The ability of the operator to comply with planning controls is therefore in question. The Parish Council also consider that the proposal fails to conform with policy DM2 of the Lancashire Minerals and Waste Local Plan as the impacts of the development, particularly in relation to highways, cannot be controlled or mitigated to acceptable levels. In particular, the Parish Council draw attention to the conclusions of the Inspector to the Roseacre Wood appeal in respect of the Green Route and consider that the highway impacts of the proposal are unacceptable when considered against the Inspector's findings. In particular, the Parish draw attention the A585 / Thistleton Road junction, the Roseacre Road / Elswick High Street junction and multiple issues along Roseacre Road. The Parish Council also consider that the application fails to mitigate the impacts of HGV traffic on the residents living at Saswick Court adjacent to the site access track.

The Parish Council also consider that the remaining gas reserves are so small that their contribution would be outweighed by the disbenefits of the carbon emissions and local environmental impact.

Elswick Parish Council – Strongly object to the application as they consider that the impact on highways will be severely detrimental to highway safety. The development would require 40 HGVs to access the site on a regular basis and there are several blind corners and two children's play areas in Elswick. Turning off the A585 onto Thistleton Road is also not possible to carry out safely. The site has also not been utilised for 7 years.

Environment Agency: No objection. The Environment Agency state that a new permit will be required but they have not identified any information in the planning application that would give rise to major permitting concerns. The Environment Agency confirm that any permit will include controls on the management of the site, emissions to water, air or land, any disposal of waste and monitoring requirements for any emissions.

LCC Highways Development Control: No observations received.

Lead Local Flood Authority: No observations received.

Health & Safety Executive: The proposed development does not lie within the consultation distance of a major hazard site or major accident pipeline and therefore the Health & Safety Executive has no comment to make.

Oil and Gas Authority: The existing licence for the site will end on 31 December 2020. If a request is made to extend the term of the licence, the decision will be made in accordance with the Oil and Gas Authority Onshore Decision Making Framework. The Oil and Gas Authority comment that on other fields where a licence is reaching the end of its term, an extension has often been granted if it allows existing production to continue.

Representations – The application has been advertised by press and site notice, and neighbouring residents informed by individual letter. Seventy two representations have been received objecting to the application for the following summarised reasons. The majority of the representations are from residents living in Elswick and on Roseacre Road.

- The development would generate HGV movements which would be hazardous to highway safety and generate unacceptable levels of noise and vibration
- The highway safety issues were extensively debated during the Roseacre Wood public inquiry when it was concluded that Roseacre Road was unsuitable for HGVs. Even the applicant had previously discounted the use of this route in their original proposal for Roseacre Wood.
- Permitting this development would set a dangerous precedent for the future.
- The traffic would impact upon children crossing the roads and people attending events at the village hall and other village facilities
- Roseacre Road is already in poor condition and would deteriorate further with more HGV's. The additional traffic would result in further verge erosion and damage to pavements.
- Roseacre Road has a restricted width meaning that two HGVs cannot pass

- The site should have been restored by 2019. There has been no production since 2013 so why is it financially viable now? The works now proposed could have been carried out previously so there is no need to the proposed time extension.
- There would be safety impacts on the road between Inskip and Broughton
- The A585 junction is unsuitable and unsafe
- The highway surveys that have been undertaken or traffic levels, vehicle speeds and vulnerable users are inadequate. The assessment also underplays the traffic impact as the HGV numbers are averaged over the life of the project rather than assessing over a 24 hour period
- The health and safety of residents should come before the extraction of more fossil fuels.
- The gas industry should not be self-regulating and any permit regulations can be breached with immunity from prosecution.
- The topics of ground water, air and light pollution are well documented and the situation has not changed with regards to the impacts of earth tremors. The traffic light system to prevent earthquakes does not work.
- The highway issues along the route from the A585 to this site were thoroughly debated during the Roseacre Wood public inquiry and were found to be unacceptable by the Inspector and Secretary of State. This proposal would produce traffic of similar size and scale to that envisaged at the Roseacre Wood site – the rural infrastructure is not sufficient to support this level of traffic.
- Roseacre Road is widely used by pedestrians, cyclists and horse riders
- Approval would allow fracking by the 'back door'. Fracking in this rural community is totally inappropriate and is not commensurate with climate change
- The proposal is for the further extraction of fossil fuels at a time of climate crisis. The move towards renewables is gaining pace and the proposal would be contrary to the three climate change accords that have been signed by the UK.
- Roseacre Road already carries large numbers of agricultural vehicles
- There is no consideration of how rain water will be dealt with – management of this will require further traffic
- The site is not connected to the gas grid and therefore makes little or no contribution towards maximising security of gas and oil supply from indigenous reserves
- There is no reference to how the well will be stimulated to produce the gas
- The constant threat of gas extraction proposals in this area has devalued property and harmed resident's health.
- The proposal would lead to unvented methane gas emissions
- The planning application incorrectly identifies the nearest residents. The nearest houses would be subject to annoyance and disturbance particularly from night time noise.

A separate objection has been received from the Roseacre Awareness Group who object to the application on the basis that the works that are now proposed could have been accomplished during the period since 2013 when the site was dormant. Roseacre Awareness Group state that it is not clear why the time extension is

required now. Roseacre Awareness Group also consider that the traffic management plan is flawed as it fails to take account of the assessments that were undertaken as part of the Roseacre Wood public inquiry. Attention is drawn to the parts of the route that were highlighted as having particular safety issues including the A585 junction, the centre of Elswick village and impacts on other users along Roseacre Road. Roseacre Awareness Group also consider that the applicant's track record of complying with traffic management schemes is poor and that road safety breaches cannot be addressed after the event when they can have serious consequences.

County Councillor Liz Oades has also made representation opposing the application on highway safety grounds as she considers that the route has already been considered and judged unsuitable for HGVs. Approval of this application would set a dangerous precedent.

Advice

Planning permission for hydrocarbon exploration at the application site was originally granted in 1989. The target formation was the Collyhurst Sandstone which is a Triassic age deposit approximately 1000 metres below ground level. Whilst the initial drilling encountered gas, the reservoir characteristics were such that the gas would not flow at commercial rates. The operator at that time therefore carried out a gelled water CO₂ stimulation of the well in the top part of the formation to improve the gas flow rates. The Collyhurst Sandstone lies at a considerably shallower depth than the Bowland Shale which has been the subject of more recent hydrocarbon exploration activity in this area of Lancashire and the well stimulation activities that were carried out were similarly very different from the fracking operations that are required to promote the flow of gas from the Bowland Shale.

The well stimulation activities that were undertaken were successful. In 1994 a planning permission was granted for the retention of the wellsite and installation of a generator set powered by the natural gas to allow the generation of electricity for export into the local distribution network, this being an option to utilise the gas where there is no local gas main to link into. Electricity generation then continued until 2014.

The current planning permission for the site was granted in 2008 and required gas extraction and electricity generation to cease by 23rd February 2019 with a further one year period to complete the site restoration. Electricity generation at the site ceased in 2014 due to a mechanical failure of the generator. However, the applicant believes that the reservoir still contains viable quantities of gas and therefore proposes to restart operations using a new generator unit. The proposed works involve using a wire line rig to undertake maintenance of the well and to collect well data, procurement and installation of the new generator set and refurbishment of the existing site buildings, electricity generation for a further 3.5 year period and finally site restoration, the total duration being 5 years.

In the UK, the rights to explore for and extract hydrocarbons are held by the Crown. A licencing system therefore exists which is administered by the Oil and Gas Authority to allow companies to undertake exploration and production developments. The licencing system is totally separate and has a different purpose to planning

controls. The operator currently has a licence (no EXL269) from the Oil and Gas Authority which expires on 31st December 2023. This is before the end date proposed by the applicant as part of this planning application. However, if the well is still producing gas at the end of the licence period, the operator will be able to request an extension to the licence term which will be decided in accordance with the decision making framework operated by the Oil and Gas Authority having regard to their statutory obligations set out in the Energy Act. The duration of the EXL licence therefore has no implications for the current planning application.

The main issues arising from this proposal relate to the requirement for continued fossil fuel extraction and relationship with the UK's climate change obligations and the local environmental impacts arising from the redevelopment of the site. Traffic impacts are of particular importance at this site.

The requirement for fossil fuel extraction and climate change issues

Section 17 of the National Planning Policy Framework relates to facilitating the sustainable use of minerals which includes aggregates and building materials and energy minerals. Paragraph 203 states that it is essential that there is a sufficient supply of minerals to provide the infrastructure, buildings, energy and goods that the country needs. Paragraph 205 states that great weight should be given to the benefits of mineral extraction including to the economy.

A previous version of the National Planning Policy Framework contained paragraph 209a which required mineral planning authorities to recognise the benefits of on shore oil and gas development including unconventional hydrocarbons for the security of energy supply and supporting the transition to a low carbon economy. Although paragraph 209a was removed from the current version of the National Planning Policy Framework following a High Court judgement, the great weight to be given to the benefits of mineral extraction expressed in paragraph 205 remains and is a material consideration in the current application. Whilst the gas reserves at this site may be minor in terms of total UK production, the application would allow the continued exploitation of an existing gas reserve and would make a small but significant contribution towards energy production.

Many of the representations to this application are of the view that the application should be refused as continued fossil fuel extraction is incompatible with climate change objectives in the various international agreements to which the UK is a signatory. These include the 2016 Paris Agreement which is aimed at keeping global temperatures to below 2°C above pre industrial levels and the Government's own commitment in the Climate Change Act 2008 to cut greenhouse gas emissions by 80% by 2050 compared to 1990 levels. The Climate Change Act target was strengthened in 2019 to commit the UK to reaching net zero greenhouse gas emissions by 2050.

Paragraph 148 of the National Planning Policy Framework states that 'the planning system should support a transition to a low carbon future in a changing climateand support renewable and low carbon energy and associated infrastructure'. The National Planning Policy Framework does not specifically set out how the consideration of greenhouse emissions from a proposal should be balanced in the

decision making process and instead looks to new development to be designed to be resistant to climate change and to incorporate renewable or low carbon energy.

Government policy in relation to energy production is set out in the Government's Overarching National Policy Statement for Energy (EN1) of July 2011. Although this policy is intended to guide decisions on major energy projects brought forward under the nationally significant infrastructure regime, it is relevant to energy issues in general and has been referred to by Inspectors when considering planning appeals in relation to small hydrocarbon proposals such as that proposed.

Whilst EN1 pre dates the Paris Agreement, it remains Government policy that fossil fuels have a part to play in providing for UK energy needs during the transition to a low carbon economy. It should also be noted that a Written Ministerial Statement of 16th September 2015 on 'Shale Gas and Oil Policy' stated that shale gas can create a bridge while the UK develops renewable energy, improves energy efficiency and builds new nuclear generating capacity. Whilst this proposal does not relate to gas from shale resources, the policy is considered to be relevant in general terms to the current application.

Over the relatively short lifetime of the proposed development, gas will still be required for household heating and cooking and for use in many industrial processes including electricity generation. The Government is undertaking activities in many areas to enhance energy security whilst at the same time encouraging the decarbonisation of energy production. In this context, the proposal is consistent with national energy policy and given the short lifespan of the development, would not compromise the ability to meet the climate change objectives set out in international agreements or UK legislation.

Local Environmental Impacts

The site is an established hydrocarbon production site. Although located in the open countryside, it is surrounded by grassed mounds on all sides that were created when the site was first developed in the late 1980's. Outside the mounds are established hedgerows and other planting that was also implemented during the original site development. The topography in the area of the site is flat with the nearest public view points being a footpath approximately 250 metres to the west and the closest residential properties being 340 metres to the east at Saswick House Farm and Saswick Court on Roseacre Road. However, the screening surrounding the site compound provides a high level of visual screening and the existing site infrastructure is not prominent in views from either of these locations.

The proposed development involves works to confirm the integrity and production capacity of the existing gas well. This would require use of a wire line unit which is a specialist piece of equipment used for lowering tools and monitoring equipment down the well. The wire line unit would generally involve the use of a crane which would be visible above the existing perimeter screening. However, these works would only last a maximum of five months and therefore the visual impacts would not be significant.

The existing generation unit is housed inside a building measuring approximately 4 metres in height located on the western side of the site. The new electricity generation unit would be located on the compound between the building and the well head. The new unit would measure approximately 6.3 metres to the top of the exhaust stack but there is potential for the stack to be lower depending on the results of a local air quality assessment in relation to the dispersal of emissions. The new unit would therefore represent an additional structure on the site which would be higher than the existing building. However, only the stack would be markedly higher than the existing building and any views of this structure would be filtered by the existing landscaping which surrounds the compound. Taking into account these factors, the visual impacts of the development are considered acceptable provided conditions are imposed regarding the colour of the additional plant, retention of the existing landscaping and site restoration.

In relation to noise, the existing generator is housed within an acoustically clad building whereas the new installation would be sited on the compound. However, it would be a modern unit incorporating sound attenuation to reduce noise impacts. Background noise levels at night in this area are likely to be quite low and the noise assessment for the nearby Roseacre Wood site estimated these to be in the region of 29 – 37 dB(A). The existing site was operational for over 20 years including continual night time operation and there does not appear to be any record of complaints from such operation. The Borough Council's Environmental Health Officer has not objected to the new generator. Provided that a condition is imposed limiting noise levels to not more than 10 dB(A) above the background level when measured at the nearest residential property, the noise impact of the proposal during operation is considered acceptable. Prior to the new generator set being installed, there would be a programme of well maintenance and monitoring works. These works have the potential to generate some noise but providing a condition is attached in relation to hours of operation, it is considered that these works would be acceptable in relation to local amenity and the requirements of Policy DM2 of the Lancashire Minerals and Waste Local Plan.

The generator unit would include an exhaust to vent the emissions from the combustion of natural gas. The planning application includes a technical note which assesses the likely air quality emissions from the stack to select an appropriate stack height. The proposed unit is only marginally closer to the nearest properties than the existing generator building and given the separation distances there would be no unacceptable impacts on local air quality. The generation unit would have to be subject to its own permit from the Environment Agency which would set emission levels for the plant.

The proposed development would not generate any additional impacts in relation to water run off or ecology. Therefore, provided conditions are attached to the storage of any fuels or chemicals and to the restoration of the site, it is considered that the impacts in relation to water resources and ecology would be acceptable.

Many of the representations that have been received raise concerns regarding the impacts of fracking and seismicity. These concerns are acknowledged. Whilst the Elswick well was subject to some stimulation activities during the initial exploration operations, no further reservoir stimulation activities including fracking are proposed

to recover the remaining gas reserves from this well. It should also be noted that the gas in this well is recovered from the Collyhurst Sandstone which is an entirely different geological horizon from the Bowland Shale which has been the target of recent exploration activities in this area of Lancashire. There is no history of gas extraction from the Collyhurst Sandstone ever giving rise to seismic activity and there is no reason to consider that this should change during the recovery of the remaining gas reserves. A condition can be imposed preventing any further well stimulation techniques from being carried out.

Highway impacts

The application site is served off Roseacre Road, a C class road which links Elswick village with Roseacre to the south. From Elswick, traffic uses the B5269 to reach the A585 at Thistleton crossroads.

Paragraph 109 of the National Planning Policy Framework states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety or the residual cumulative impacts on the road network would be severe. Policy DM2 of the Lancashire Minerals and Waste Local Plan requires that development will only be permitted if it can be demonstrated that all material impacts including highways are acceptable or can be made so through the application of conditions or other controls.

The impacts of the development on the local highway network are the topic that is of greatest concern to local residents and the parish councils. These concerns are that the use of Roseacre Road and the B5269 by HGVs is fundamentally unacceptable as was concluded by the Inspector and Secretary of State following the public inquiry into the Roseacre Wood exploration site proposal.

The Roseacre Wood site is located approximately 2 km south east of the application site and was also to be accessed off Roseacre Road with access to and from the south off the A583 and then a network of minor roads to reach the site through Wharles village. Following the refusal of the original application and the subsequent public inquiry, the Secretary of State concluded that he was minded to support the proposal but that further evidence was needed in relation to the traffic management and highway impacts that the Inspector had identified. The public inquiry was therefore reopened in 2018 to hear that evidence.

In preparing for the reopened public inquiry, the appellant prepared a new scheme of traffic management which involved splitting the overall traffic over three different access routes. One of these was the Green Route which was to and from the A585 and along Roseacre Road and through Elswick village to reach the appeal site. During the public inquiry, detailed evidence was heard regarding the highway safety and amenity impacts along the Green Route along with the other two routes. In the Secretary of State's decision letter he notes the Inspector's concerns about passing places on Roseacre Road, the use of verges and the lack of relevant survey information, traffic speed and the implications for safety, the lack of proposed mitigation and uncertainty that a successful Traffic Regulation Order could be implemented at the cross roads in the centre of Roseacre village. There were also concerns about the risk of accidents involving children at the southern end of Elswick

village and the lack of any mitigation to address the problems that were identified. The applicant had proposed that Roseacre Road would be used on an inbound only basis but the Secretary of State was not convinced that the proposed mitigation would be sufficient to enable the route to be safely used even on that basis. Therefore the Secretary of State concluded that the use of the Green route or any of the other proposed routes would not represent a safe and sustainable approach and was therefore contrary to paragraph 109 of the NPPF and policy DM2 of the Lancashire Minerals and Waste Local Plan.

It is important to acknowledge the conclusions of the Inspector and Secretary of State in respect of the Roseacre Wood site and the use of Roseacre Road in particular. However, equally it is important to recognise the differences between the appeal proposals and the current application. The appeal proposal was for the development of a greenfield site for a new hydrocarbon exploration site which would have been operational for a period of 6 years.

The predicted traffic generation for the Roseacre Wood site was as follows:-

Activity	All routes - Average daily two way HGVs	All routes - Total HGVs for activity – two way
Site Construction	16	2277
Mobilisation for drilling wells 1 and 2	32	221
Drilling wells 1 and 2	9	2238
Drilling wells 3 and 4	15	1736
Fracturing wells 1 and 2	13	1772
Fracturing wells 3 and 4	16	2175
Pipeline Installation	6	946
Extended flow test	minor	minor
Site restoration	38	3410

The predicted traffic generation for the proposed works at the Elswick site is as follows:-

Activity	Average daily two way HGVs	Total HGVs
Wireline assessment	8	16
Implementation*	Maximum of 10	70
Well abandonment	40	410
Site restoration	Maximum of 20	470

*Implementation covers the period of the installation of the new equipment and full duration of extended generation activities (total duration of 3.6 years)

Although the traffic generation for the Roseacre Wood site would have been split across three different routes, it can be seen from the above tables that the traffic impacts that would have arisen from the Roseacre Wood proposals over the full life of the project were considerably greater than those from the works now proposed at the Elswick site. The conclusions of the Inspector and Secretary of State must therefore be viewed in that light.

Comparing the baseline conditions for large vehicles (HGVs and agricultural traffic) on an average day on Roseacre Road against the predicted HGVs for an average day for the current application provides useful context. The baseline movements of HGVs and agricultural traffic were set out in a Statement of Common Ground for the 2018 re-opened public inquiry. The baseline data shows that Roseacre Road typically has around 28 HGVs and agricultural vehicles per day; but can have up to 52 on peak days (the peak number for HGVs and agricultural vehicles is from data on separate days in July 2017, but when combined helps to provide an estimate of the worst case of the number of large vehicles that could be on the road in one day).

Similarly, for High Street in Elswick village, the baseline data shows that High Street typically has around 45 HGVs and agricultural vehicles per day; but can have up to 65 on peak days.

In addition it is important to recognise that this application relates to an existing site and the works relating to well abandonment and site restoration (by far the two largest sources of HGV movements) will have to take place in any event even if the current proposals were to be refused. Therefore they are not new impacts. As part of the current planning application, the applicant has revisited the parts of the Green route that were of the greatest concern including the issues relating to vulnerable users and other highway safety impacts. The applicant does not consider that any mitigation measures are necessary. It should be noted that Roseacre Road is already used by some HGVs particularly associated with agricultural activities and it is considered that the additional HGVs arising from the wireline assessment works and installation of the new equipment would not have any unacceptable safety implications due to the relatively low number of traffic movements that are proposed.

Although the works relating to well abandonment and site restoration would have to be undertaken in any event, it is considered that it would be desirable to mitigate their impacts given the higher level of vehicle movements that would arise from these stages of the development. There are no controls on the highway impacts of these operations in the current permission but the opportunity exists through the current proposal to require some additional control. Therefore, it is considered that any new permission should be subject to a condition requiring a traffic management plan to be approved prior to the abandonment and site restoration commencing. With such a condition it is considered that the development would not have any unacceptable impacts on highway safety and therefore complies with paragraph 109 of the National Planning Policy Framework and policy DM2 of the Lancashire Minerals and Waste Local Plan.

Conclusions

This development relates to a long standing gas extraction site. The proposal would allow the remaining gas reserves to be recovered and used to generate electricity. In securing the use of natural gas resource to generate energy, great weight should be attached to the proposal. It is considered that utilising the remaining gas reserves at this site would not compromise the ability to meet climate change objectives and would align with Government policy for a range of energy generation methods as the UK moves towards a low carbon future.

The new development that is proposed would have very little additional environmental impact provided that it is subject to planning conditions. There would be some traffic impacts but the majority of these would have to occur in any event from the plugging, abandonment and restoration of the existing site.

Provided that any new permission is subject to suitable conditions, the development is considered to be consistent with national policy and the policies of the development plan.

Human Rights Act Considerations

In view of the scale, location and design 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:

Time Limits

1. The gas extraction and electricity generation operations authorised by this permission shall cease not later than 31st July 2025 and the site shall thereafter be finally restored within a further period of 1 year in accordance with the scheme and programme of restoration approved under the requirements of condition 12 below.

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 Plan and Policy DG4 and GD7 of the Fylde Borough Local Plan.

Working Programme

2. 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 County Planning Authority on 17th January 2020.

b) Submitted Plans and documents:

Drawing 60615005.01 - Site Location
Drawing 60615005.02 - Application boundary
Drawing 190212-WDK-00-GF-DR-S 2000 - Proposed bund plan
Drawing 190212-WDK-00-SI-DR-A-4101 - Proposed site elevations
Drawing 190212-WDK-00-SI-DR-A-1002 - Proposed site plan
Drawing 190212-WDK-00-XX-DR-S-220 - Proposed cross sections
Drawing C4634-GA-001 - General arrangement of Jenbacher JGC320 container and associated equipment

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 Plan and policies GD4, GD7 and ENV1 of the Fylde Borough Local Plan.

3. The wireline operations, installation and testing of the generator set and restoration of the site shall not take place outside the hours of:

07.30 to 18.00 hours, Mondays to Fridays (except Public Holidays)
08.00 to 13.00 hours on Saturdays

No wireline operations, installation and testing of the generator set 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 Plan.

5. The external elevations of the new generator unit including the stack shall be coloured green (RAL colour code 6002) and thereafter retained in that colour for the duration of the development.

Reason: In the interests of visual amenity and to conform with Policy DM2 of the Lancashire Minerals and Waste Local Plan.

6. Noise emitted from the site shall not exceed a level of 10 dB(A) LAeq (1 hour) (free field), as defined in this permission, above the background level when measured from Saswick House Farm / Saswick Court

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 Plan.

7. Measures shall be taken at all times during the development and restoration of the site to ensure that no mud, dust or other deleterious material is tracked onto the public highway by Heavy Goods Vehicles leaving the site.

Reason: In the interests of highway safety and to conform with policy DM2 of the Lancashire Minerals and Waste Local Plan.

8. No well stimulation operations including the injection of any liquids or propants into the reservoir shall be undertaken as part of the development.

Reason: In the interests of local amenity and to conform with Policy DM2 of the Lancashire Minerals and Waste Local Plan.

9. All hedges and trees forming part of the site boundaries as shown on Drawing 190212-WDK-00-SI-DR-A-1002 shall be protected from any damage and maintained throughout the development.

Reason: In the interests of visual and local amenity and the local environment and to conform with Policy DM2 of the Lancashire Minerals and Waste Local Plan.

10. 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.

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 Plan.

11. Prior to the commencement of restoration operations, a Traffic Management Plan shall be submitted to the County Planning Authority for approval in writing. The Traffic Management Plan shall contain details of the following:-

- a) details for the routing of HGVs to and from the site during the plugging and abandonment works and during the site restoration operations.

- b) details of how hauliers and contractors will be informed of the proposed access routes.

The approved Traffic Management Plan shall be complied with at all times during the plugging and abandonment works and during site restoration operations.

Reason: In the interests of local amenity and highway safety and to conform with Policy DM2 of the Lancashire Minerals and Waste Local Plan.

12. Prior to the commencement of restoration, a scheme for the restoration and aftercare of the site shall be submitted for the approval in writing of the County Planning Authority. The scheme shall include details of the following:-
- a) the demolition of all buildings and removal of all plant, pipes and fencing.
 - b) the plugging and abandonment of the well
 - c) the removal of all hard surfacing materials and sealing membranes
 - d) details for the respreading of the soils stored in the existing soil storage mounds around the perimeter of the site including cultivation and seeding
 - e) details for the landscaping of the restored site including proposals for the existing landscaping belts and any new planting that is proposed including details of location of planting, numbers and sizes of species to be planted, planting techniques and protection measures.
 - f) proposals for the access road.
 - g) details of the agricultural aftercare works that are to be undertaken including weed control, measures to ensure fertility and measures to relieve compaction and ensure drainage.

The aftercare works approved under the requirements of part g) shall be undertaken for a period of 5 years beginning from the date when the County Planning Authority certifies in writing that the works in a) - f) have been completed satisfactorily.

Reason: In order to ensure the proper restoration of the site in the interests of visual amenity and to conform with Policy DM2 of the Lancashire Minerals and Waste Local Plan.

Definitions

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

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

Local Government (Access to Information) Act 1985

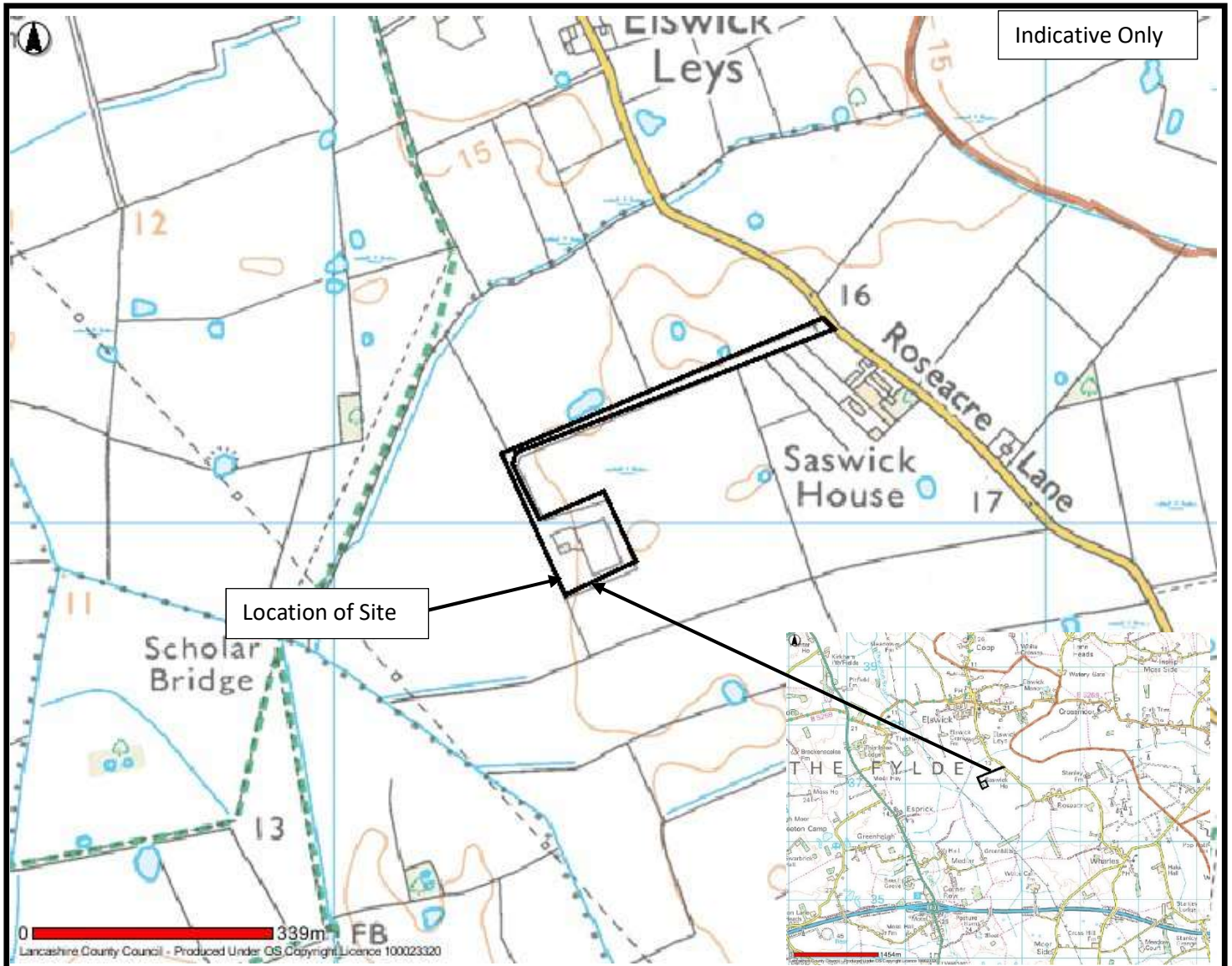
List of Background Papers

None

Reason for Inclusion in Part II, if appropriate

N/A

**APPLICATION LCC/2020/0006 RETENTION AND CONTINUATION OF USE OF
ELSWICK GENERATION STATION FOR NATURAL GAS EXTRACTION AND
ELECTRICITY GENERATION FOR A FURTHER FIVE YEARS INCLUDING
INSTALLATION OF NEW GENERATION UNIT. ELSWICK GENERATION
STATION OFF ROSEACRE ROAD ELSWICK**



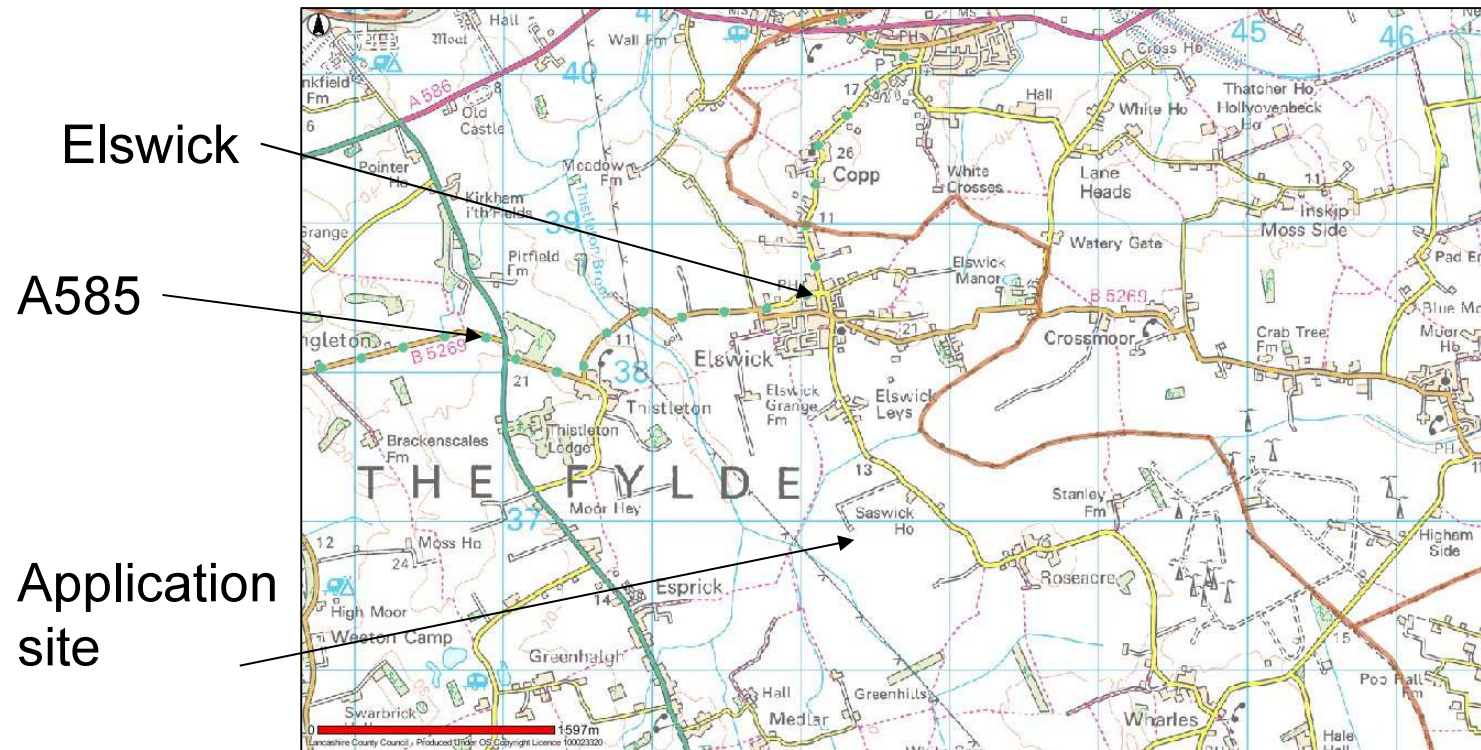
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Planning Application LCC/2020/0006

**Retention and continuation of use of Elswick
Generating Station and electricity generation for a
further five years including installation of new
generation unit.**

**Elswick Generation Station off Roseacre Road,
Elswick**

Planning Application LCC/2020/006 - Location Plan



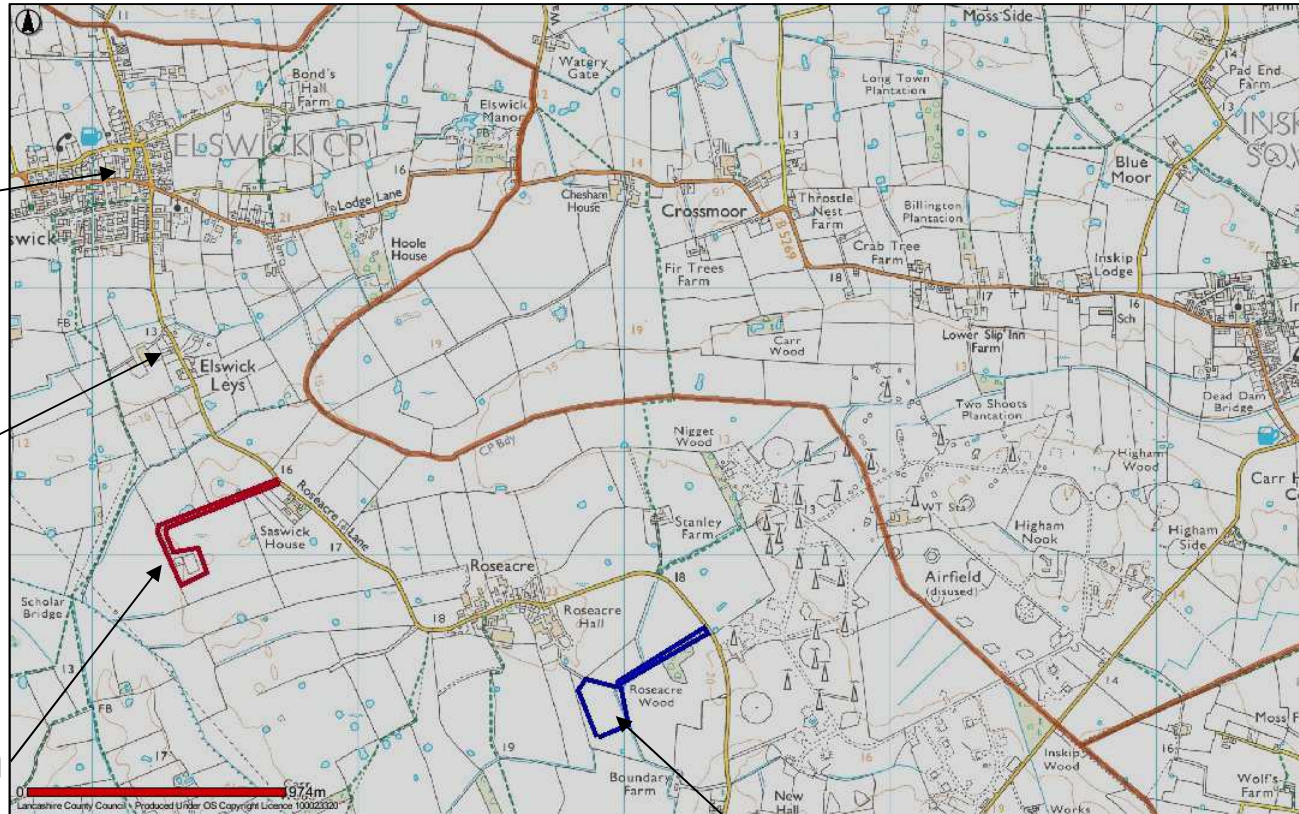
Planning Application LCC/2020/006

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Elswick

Roseacre
Road

Application
Site



Roseacre Wood
site

Planning Application LCC/2020/006 – Air Photograph



Planning Application LCC/2020/006 – Proposed site layout



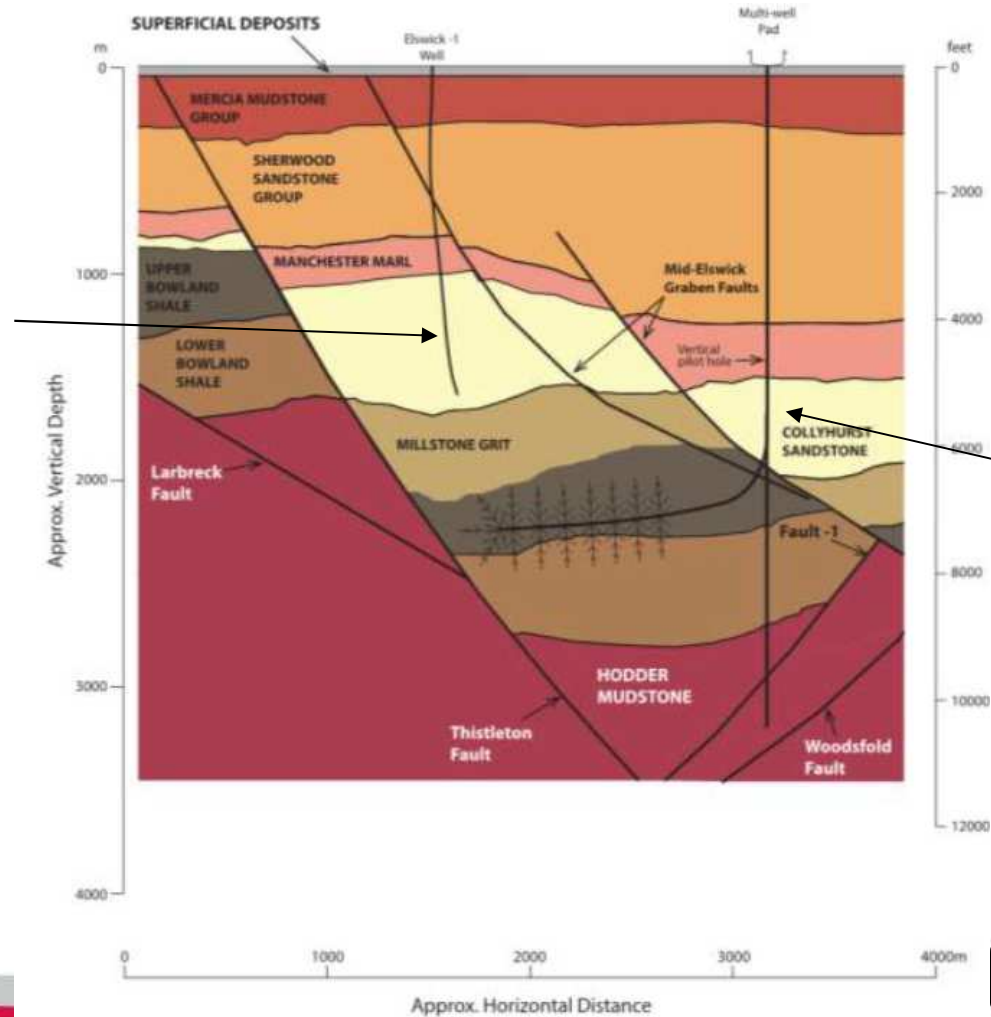
Proposed Generator unit

Existing generator building

Existing well head

Planning application LCC/2020/006 – Cross section through local geology

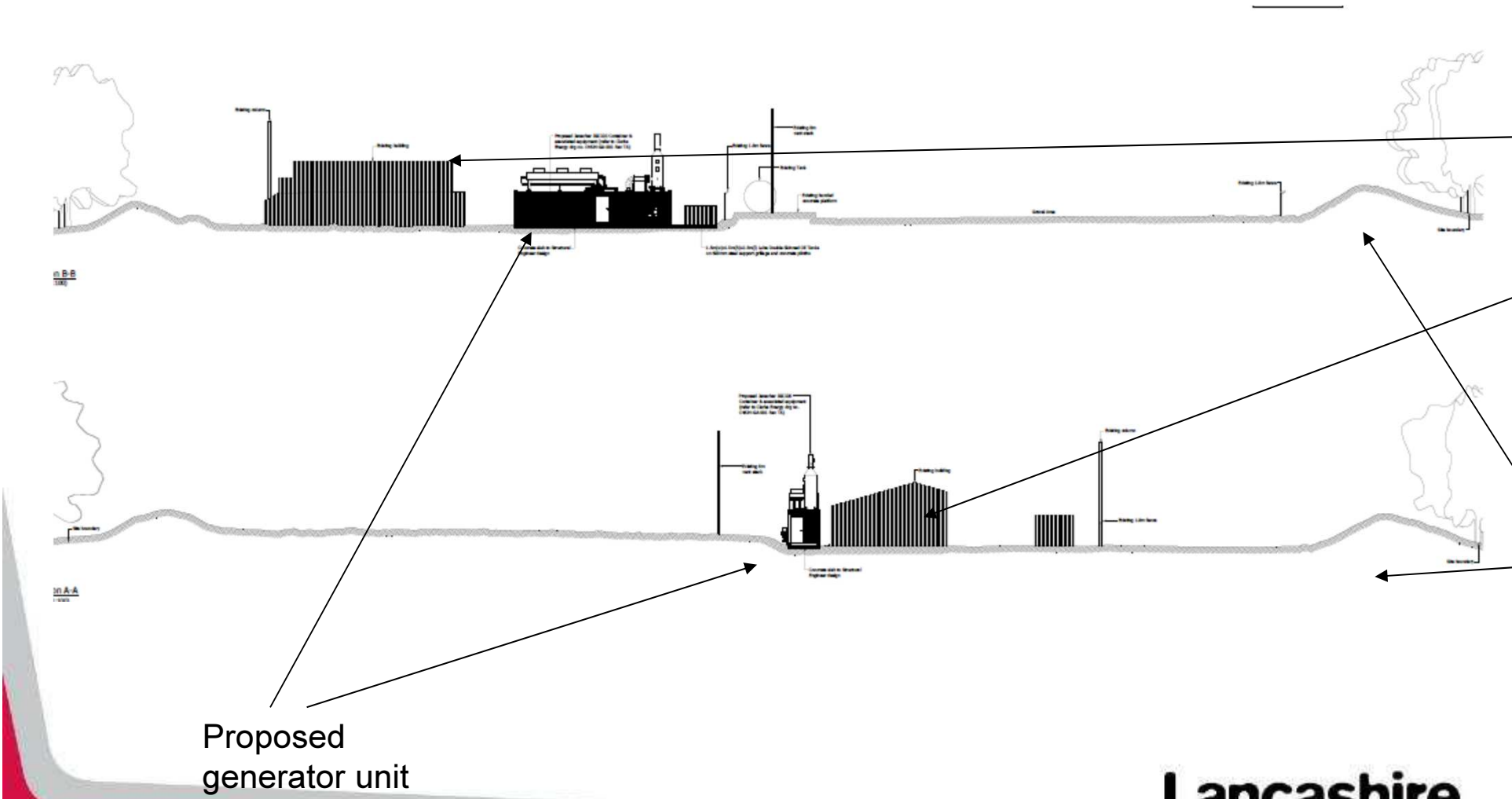
Elswick No.1 well



Roseacre Wood shale gas wells



Planning Application LCC/2020/006 - Proposed Site Elevations



Proposed generator unit



Planning Application LCC/2020/006 - Photographs

Well head



Planning Application LCC/2020/006 – Photographs – Existing generator building



Planning application LCC/2020/006 – Photographs Existing gas cleaning and water storage equipment



Planning application LCC/2020/006 – Photographs

Existing screen mounds



Planning application LCC/2020/006 – Photographs Access track from Roseacre Road



Agenda Item 6

Development Control Committee

Meeting to be held on 15 July 2020

Electoral Division Affected: All

Planning applications and other decisions determined by the Head of Planning and Environment in accordance with the County Council's Scheme of Delegation

Contact for further information:

Susan Hurst 01772 534181
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Executive Summary

Planning applications and other decisions determined by the Head of Planning and 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 3 June 2020, the following planning applications and other decisions have been approved by the Head of Planning and Environment in accordance with the County Council's Scheme of Delegation:

Ribble Valley

Application: No. LCC/2020/0021
Ribblesdale County High School, Queens Road, Clitheroe
Relocation of cycle shelter previously approved as part of wider scheme for extensions and alterations to existing school

Application: No. LCC/2019/0008NM2
Ribblesdale County High School, Queens Road, Clitheroe
Non material amendment to reposition roof-mounted ventilation cowels, following receipt of detailed M & E design layout

Application: No. LCC/2019/0064
Land on the Embankment of the A59 Roundabout off Longsight Road, Billington and Langho
Installation of a pressure relief column, ground reprofiling and associated works

South Ribble

Application: No. LCC/2019/0062/1

Moor Hey School, Far Croft, Lostock Hall
Compliance with condition 5 - proposed layby details of permission LCC/2019/0062

West Lancashire

Application: No. LCC/2020/0022
Greener Gardening Company, Simonswood Moss, North Perimeter Road, Kirkby
Retrospective application for additional covered storage bays

Pendle

Application: No. LCC/2019/0068
Colne Waste Water Treatment Works, Regent Street, Colne
Installation of 10 no. control kiosks

Rosendale

Application: No. LCC/2019/0071
Land between Carr Hall Street and Booth Street Haslingden
Creation of a 3m wide cycleway alongside the A56 associated works include
vegetation and tree clearance, 1.4m high stone masonry parapet on crossing over
swinnel brook and replacement of timber post and rail boundary fencing.

Recommendation

That the report be noted.

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

None

Reason for Inclusion in Part II, if appropriate

Not applicable