

Development Management Committee

Wednesday 26 February 2014

Late Observations Schedule

Schedule Items

<u>Item</u>	<u>App No</u>	<u>Observations</u>
2	13/0433	<p><u>Additional Officer Comment:</u></p> <p>Natural England have now confirmed that amendments to the European Protected Species Licences previously granted in respect of Great Crested Newts will be necessary. In order to satisfy its statutory duty under the Conservation of Habitats and Species Regulations 2010 (as amended) Reg 9, the Council will require a positive response from Natural England that any proposed amendment is acceptable and an amended licence is likely to be issued, that no amendment is necessary or that a new licence is likely to be issued.</p> <p>Any decision to grant planning permission should therefore be subject to a satisfactory consultation response from Natural England</p> <p><u>Amended Recommendation</u></p> <p>The recommendation be amended to delegate powers to determine the application to the Head of Planning & Regeneration, subject to a satisfactory response from Natural England.</p>
3	13/0590	<p><u>Ecology Update</u></p> <p>The officer report to Committee explains that there are still matters of ecological importance that need to be resolved prior to the favourable determination of the application. That remains the case, but the applicant has progressed matters since the report was written, in regard to the two species that remain at issue.</p> <p><u>Pink Footed Geese</u></p> <p>A site survey has been undertaken in an attempt to identify the actual use of the site by these birds and further work has been undertaken to document the extent of the use of the land around the site by these birds. This is still in draft form and so once completed it would be appropriate for the views of the ecological consultees to be sought on its content and proposals.</p> <p>This supports the position explained in the report, being that Pink Footed Geese do use the Staining area for wintering habitat, but that the small size of the site surrounded by hedgerows, proximity to the village and so human disturbance, and the presence of the high voltage power lines will limit the attractiveness of the site itself. The draft report suggests that more attractive areas for Pink Footed Geese habitat are located over 1km from the site and screened by topography and boundary features.</p>

Great Crested Newts

The applicants are having difficulty securing access to a number of the ponds around the site to establish the size of any Newt population. They propose a scheme of mitigation that they believe to be appropriate assuming that these ponds contain a high population of Newts, although they explain that this is unlikely from the existing survey reports.

They also highlight that Natural England are the government's wildlife advisors and had no issue with the submitted reports. Officers will need to consider this position further once 'final' comments are received and potentially undertake an Appropriate Assessment under the Habitats Regulations.

The recommendation remains as set out in the agenda.

6 13/0786 **Amended Condition**

In order to ensure the implementation of the landscaping scheme as the site progresses, it is recommended that a change of wording of 1st sentence of condition 3 by inserting words, 'each phase of,' after 'completion of,' in the second line.

The amended condition would read:

Tree, shrub & grass planting plans as approved under this planning permission shall be implemented during the first available planting season following the completion of each phase of the development, as identified in the approved landscaping scheme, and subsequently maintained for a period of 10 years following the completion of the works.

8 14/0089 **Additional Consultation Replies**

CPRE Fylde District Group

We did not intend to respond formally to these applications as CPRE Lancashire Branch will be responding to the relevant LCC applications.

9 14/0090 **Clarification of Site Description and Location**

For the purposes of clarification, there are also 9 residential properties on the south side of Preston New Road, approximately 140m to the west of the site access (approx 230m west of the proposed site pad) and further residential properties on the north side of Preston New Road, approximately 640m to the east of the site access (approx 360m east of the proposed site pad).

As the proposal includes an assessment of the potential impacts of the proposed development, taking account of the nearest dwellings (including those on Preston New Road), the recommendation remains unchanged.

Additional Consultation Replies

CPRE Fylde District Group

We did not intend to respond formally to these applications as CPRE Lancashire Branch will be responding to the relevant LCC applications.

Additional Neighbour Comments

Although the consultation on the EIA Scoping document is being carried out by Lancashire County Council, a number of comments have been forwarded to Fylde Borough Council for consideration.

Comments have been received from two neighbouring residents on the following grounds:

A number of Westby residents are being totally missed out of the impact assessment for the proposal

The scoping document does not take into account subsidence to properties which are within 230m of the drill site. It states this is unlikely however given the close proximity if they are convinced of this they should ensure this is covered and forms part of the document.

There is no mention on the document of how regularly check will be made on the chemicals used, the air condition, the ground toxicity. An outside regulator needs to do this and a baseline check should be done of all the areas that may become polluted before any work could commence. In Canada having agreed to chemical to be used they soon drifted into using tally different ones which then affected ground toxicity.

The document does not make mention of how many trucks will be permitted to site. A well can result in over 300 trucks carrying supplies and water. So any measurement needs to be carried out on a regular basis?

What area around the site will be cleared of agricultural crops/farm animals to protect the food chain?

The scoping document should also consider applications which have been rejected for planning on this site and the reason.

In addition comments have been received that would normally be assessed if/when a planning application is submitted.

industrialization of the rural environment and its affect on the wildlife impact on quality of life for local residents resulting from noise from the drilling, noise from the diesel generators that will be powering the site 24x7 and light pollution from the floodlit site effect that increased HGV traffic will have on an already busy road, the hazard presented by such vehicles turning in and out of the site and also the risk generated from transporting hazardous waste past our homes possibility of protesters setting up camps at the proposed sites. Given our proximity to the site, this also gives us concerns regarding personal safety, security of property, and again, the impact and safety implications of protesters on a busy main road. We would like assurances that the police would have sufficient resources to manage this should it occur and would like to understand what the process will be to engage them.

How do we ensure that the concerns of local residents are being considered and fed back to Lancashire County Council?

Additional Comment and Analysis

A number of comments that have been received comment on the potential impacts of the proposed development rather the content of the proposed scoping report. Several of the issues raised would be addressed as part of the work set out in the Scoping Report, for example disturbance from traffic is to be assessed, which would have to include an assessment of traffic generation from the site.

It is proposed that the comments sent directly to Fylde Borough Council be passed to Lancashire County Council in order that they may consider these comments in their scoping decision.