

Agenda



DEVELOPMENT MANAGEMENT COMMITTEE

Date:	Thursday, 1 December 2016 at 14:00
Venue:	Town Hall, St Annes, FY8 1LW
Committee members:	<p>Councillor Trevor Fiddler (Chairman)</p> <p>Councillor Richard Redcliffe (Vice-Chairman)</p> <p>Councillors Christine Akeroyd, Jan Barker, Michael Cornah, Neil Harvey, Kiran Mulholland, Barbara Nash, Linda Nulty, Liz Oades, Albert Pounder, Heather Speak.</p>

	PROCEDURAL ITEMS:	PAGE
1	Declarations of Interest: Declarations of interest, and the responsibility for declaring the same, are matters for elected members. Members are able to obtain advice, in writing, in advance of meetings. This should only be sought via the Council's Monitoring Officer. However, it should be noted that no advice on interests sought less than one working day prior to any meeting will be provided.	1
2	Substitute Members: Details of any substitute members notified in accordance with council procedure rule 25.	1
	DECISION ITEMS:	
3	Comments on LCC Application to Discharge Details For Planning Conditions At Shale Gas Site, Plumpton Hall Farm, Preston New Road, Little Plumpton	3-15

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<http://fylde.cmis.uk.com/fylde/DocumentsandInformation/PublicDocumentsandInformation.aspx>

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DECISION ITEM

REPORT OF	MEETING	DATE	ITEM NO
DEVELOPMENT SERVICES DIRECTORATE	DEVELOPMENT MANAGEMENT	1 DECEMBER 2016	3
COMMENTS ON LCC APPLICATION TO DISCHARGE DETAILS FOR PLANNING CONDITIONS AT SHALE GAS SITE, PLUMPTON HALL FARM, PRESTON NEW ROAD, LITTLE PLUMPTON			

PUBLIC ITEM

This item is for consideration in the public part of the meeting.

SUMMARY

Lancashire County Council have received an application from Cuadrilla Resources Ltd to discharge the details associated with a number of the planning conditions on the planning permission that has been granted for exploratory shale gas extraction at Little Plumpton.

As part of their consideration of this application LCC have undertaken consultation with various bodies, including the Parish Councils around the site, and with Fylde Council. This report is presented to the Development Management Committee to allow it to consider the views that that it wishes to put forward on behalf of the council in response to the consultation.

RECOMMENDATIONS

1. That no observations be made in relation to the proposed details submitted for conditions 8, 10, 11, 12, 13, 26, 28, 33, 37, 40, and 43.
2. That the following observations be made in respect of the other conditions:
 - Condition 32A – The dust monitoring regime gives inadequate clarity over the actions to be taken should the planned mitigation prove to be inadequate and so is likely to lead to justifiable complaints being received. Further information on this may provide greater confidence that the developer can manage this situation should it arise.
 - Condition 34 – The security fencing should not be retained in its galvanised steel form, but should be painted RAL 6005 green to reflect the finish to the acoustic barrier. In addition clarification should be sought over the finish to the taller items as the stated use of 'Light grey / white to blend into clouds' provides insufficient clarity over which colours are to be used and to what particular areas.
 - Condition 36 - The security fencing should not be retained in its galvanised steel form, but should be painted RAL 6005 green to reflect the finish to the acoustic barrier.
 - Condition 48 – It would be appropriate for the Community Liaison Group to be chaired by an elected County Council representative, rather than by a Cuadrilla employee, and that its membership be selected by this chair, rather than by Cuadrilla.

SUMMARY OF PREVIOUS DECISIONS

The Council was consulted on the application for exploratory shall gas wells at this site under FBC reference 14/0432. The response to this consultation was considered at the 17 September 2014 meeting of the Development Management Committee when it was resolved:

“That this Council recommends that the County Planning Authority be satisfied that the below and above ground operations will not have any significant adverse impacts, as well as ensuring the views of the County Highway Authority, County Archaeologist and County Ecologist are addressed in full in particular in respect of policies SP2, TR9, TREC10, EP10, EP11, EP12, EP13, EP13, EP14, EP15, EP18, EP19, EP21, EP22, EP23, EP24 and EP25.

*Notwithstanding Lancashire County Council’s assessment of the above matters, the proposed drilling operations would be in relatively close proximity to residential properties and the noise and general disturbance from 24 hour drilling operations and associated activity would be significant. For this reason it is recommended that LCC be advised **that this Council raises objections** to the proposal and recommends that planning permission be refused as being contrary to the provisions of Policy DM2 of the Minerals and Waste Local Plan and Policies EP26, EP27 and EP28 of the Fylde Borough Local Plan which are considered to be in conformity with the provisions of the National Planning Policy Framework.*

Furthermore, Lancashire County Council be asked to invite a member of this Council’s Development Management Committee to address its Planning Committee prior to the determination of the application.”

CORPORATE PRIORITIES

Spending your money in the most efficient way to achieve excellent services (Value for Money)	
Delivering the services that customers expect of an excellent council (Clean and Green)	√
Working with all partners (Vibrant Economy)	√
To make sure Fylde continues to be one of the most desirable places to live (A Great Place to Live)	√
Promoting Fylde as a great destination to visit (A Great Place to Visit)	√

PLANNING HISTORY

1. When consulted on the application for exploratory well heads and drilling in 2014 Fylde Council resolved to raise objection as reported above. Those objections were considered by Lancashire County Council as the determining body for the application alongside the other material considerations. They refused planning permission for that application (which has LCC ref: LCC/2014/0096) on 29 June 2015. That decision was subject to an appeal, with that being allowed by the Secretary of State for Communities and Local Government on 6 October 2016. Accordingly planning permission has been granted for the development.
2. The planning permission imposes a number of conditions, with a number of these requiring further details to be submitted and agreed prior to certain trigger points set out in the conditions. The developer has made the necessary formal application to Lancashire County Council to discharge the details for some of these, and so the County have consulted with Fylde Council for its views on the details provided.

3. The provision of opinions on consultations from other local authorities is delegated to the Director of Development Services. However, given the planning history here he has resolved to present this report to Committee to allow it the opportunity to formally confirm the council's position. This report sets out the conditions, summarises the details provided, and provides an opinion on each to assist with that.

DETAILS

Condition 8 – Access Arrangements

4. This condition is:

No part of the development hereby approved shall commence until a scheme for the construction of the site access works to Preston New Road and internal site access road (which shall provide details of the construction of the access points to the main site access and to the occasional access for National Grid and shall include details of width of access, surfacing, kerb radii, visibility splays retaining as much of the existing hedgerows as possible, fencing, gates, soil stripping, storage and drainage) have been submitted to, and approved in writing by the County Planning Authority. The site access works shall be completed in accordance with the approved scheme, details and plans prior to the commencement of the development of the site access road and exploratory works compound.

5. The details submitted to discharge this condition include engineering drawings of the Preston New Road access and internal access road to connect that access point to the main working compound. This access has an initial width of 8m and then narrows to 4m around 50m back from the junction. The details of a right turn land on Preston New Road and associated road marking changes are also provided. Other than to accommodate the access itself the existing roadside hedge is retained, albeit at a lowered height to secure visibility.
6. The officer advice is that the junction design and highway construction details are matters that Lancashire County Council are best placed to consider given their role as the highway authority. As such no comments are offered on this aspect. However, the works to accommodate the access retain the existing hedge and much of the landscaping and so appear acceptable in that respect.

Condition 10 – Wheel Cleaning Facilities

7. This condition is:

No part of the development hereby approved shall commence until details of the location (and which shall be within the planning application boundary), design and specification of wheel-cleaning facilities or other measures to prevent the tracking out of material or debris onto the public highway have been submitted to, and approved in writing by the County Planning Authority. The wheel cleaning facilities or other measures approved pursuant to this condition shall be installed and thereafter maintained in working order and be used by all Heavy Goods Vehicles leaving the site throughout the construction and restoration phases of the site to ensure that no debris from the site is deposited by vehicle wheels upon the public highway. Throughout the operational life of the site, the access road shall be maintained in a way to prevent the tracking out of material or debris onto the public highway.

8. The details provided confirm that a wheel wash facility is to be provided at the outward end of the access road so that all vehicles must drive over it when leaving the site. This will be a dry facility where vehicles drive over raised bars to dislodge materials and is to be monitored by a

trained operative. A road sweeper is to be maintained on standby to address any mud on the road issues despite this facility.

9. The officer advice is that this is an appropriate solution to minimise the deposits of mud on the road from the site, with the fact that the road and compound are to be hard surfaced further assisting in mitigating this eventuality. Officers believe that this is a suitable arrangement.

Condition 11 – Traffic Management Plan

10. This condition is:

No construction works shall commence on the site until a traffic management plan has been submitted to and approved in writing by the County Planning Authority. The traffic management plan shall include vehicle routeing to and from the site (from the M55); traffic management measures; provision for the sheeting of vehicles bringing materials to and from the site; times of access/egress; and emergency procedures on and off site. The traffic management plan shall be implemented as approved with links to monitored data and adhered to throughout the duration of the development.

11. The details provided are contained in a traffic management plan that has been submitted. This identifies a preferred route for HGV traffic to and from the site, and follows a left in/left out principle. This means that vehicles travelling to the site will leave the M55 at junction 4 and use the A583 to the site from the Whitehills direction. They will leave the site by turning left on exit towards Kirkham and then join the A585 to join the M55 at junction 3. Non-HGV traffic would not be constrained by this route.

The submitted information also refers to the establishment of a Site Maintenance Team who will be responsible for the implementation of this Plan and the other on-site vehicle arrangements such as the parking of contractor's vehicles, sheeting of vehicles, timing of deliveries, etc.

12. The officer advice is that this is a suitable arrangement for the routing of vehicles and the implementation of the other traffic management issues. Whilst Lancashire County Council are best placed to consider this issue as they are the highway authority, no adverse issues are raised by this proposal.

Condition 12 – Construction Method

13. This condition is:

No development hereby approved shall commence until a Construction Method Statement for the construction phase of the access and the site has been submitted to, and approved in writing, by the County Planning Authority. The Statement shall provide for:

- a. The location of parking of all vehicles of site operatives and visitors (on site);*
- b. The erection and maintenance of security and noise fencing;*
- c. A scheme for recycling/disposing of waste resulting from construction work (there shall be no burning on site);*

The approved Construction Method Statement shall be adhered to throughout the construction phase of the site.

14. The details provided include a programme for the construction of the site and includes the details required by this condition. Parking areas are included for the construction and operation phases of the development. The security fencing will be 4m in overall height with 2.4m as a mesh fence and 1.6m above that as a 'powerfence' which involves a series of horizontal wires. The fence

surrounds the well pad compound. Outside that fence is a typical stock proof fence. Inside the security fence and around the well pad itself is a noise barrier wall, which is a solid green structure with razor wire to the top. A waste management scheme is provided with details of targets to promote recycling.

15. The parking arrangements are considered to be acceptable. The provision of a 4m high security fence and the noise barrier wall is intrusive but necessary given the nature of the activity undertaken at the site with the design appropriately sympathetic for the site's location. No adverse comments are raised over these elements, which being around the well compound are at least set back from public vantage points. The waste element of the condition is a matter that Lancashire County Council are best placed to conclude given their role as the waste management authority. As such no comments are to be offered on this element.

Condition 13 – Baseline Highway Survey

16. This condition is:

No part of the development hereby approved shall commence until a scheme for a survey of baseline highway conditions (including the state of the carriageway, verges, from the junction of the A583 / Peel Road to the site entrance has been submitted to and approved in writing by the County Planning Authority. The baseline survey shall thereafter be carried out in accordance with the approved scheme and submitted to and approved in writing by the County Planning Authority and will be used to inform the operation of the Traffic Management Plan or to support the necessary additional highway maintenance as a direct result of the proposal.

Surveys of the highways covered by the baseline survey shall be resurveyed at the end of the construction, each of the drilling, hydraulic fracturing and restoration phases. The surveys shall be evidenced based with photographs of any existing areas of wear or damage. Surveys shall be undertaken in conjunction with the County Highways Authority and all documentation and evidence shall be submitted to the County Planning Authority within 7 working days of the survey having been carried out.

17. The details provided confirm that a survey of the highway condition is to be undertaken. It is proposed that the area to be surveyed extends from Whitehills to the site access on the A583 and then from that point to the A585 and junction 4 of M55. This reflects the proposed HGV routes to the site and is around 8.5km in length. Surveys are to be undertaken at the commencement of construction, following completion of construction, after each drilling and hydraulic fracturing stage, prior to decommissioning, and at the conclusion of restoration.
18. The officer advice is that this is matter that Lancashire County Council are based placed to consider given their role as the highway authority. As such no comments are offered.

Condition 26 – Noise Management

19. This condition is:

Prior to the commencement of development of the access and site and interconnections to the gas and water grid, a noise management plan shall be submitted to the County Planning Authority for approval in writing. The plan shall provide:

a. Data from the relevant manufacturers' noise tests for each item of noise-emitting plant to be used on site to establish whether noise emissions are likely to be compliant with conditions 29 and 30;

b. If not likely to be compliant, details of what mitigation would be introduced and timescales for implementation

c. Details of instantaneous mitigation methods for each item of noise emitting equipment and any longer term mitigation;

d. Procedures for addressing any complaints received.

The approved noise management plan shall be implemented in full throughout the operational life of the site including decommissioning and restoration.

20. The details provided in the Noise Management Plan are based on an estimation of the likely sources of noise and establishment of measures that will provide the 'Best Practicable Means' of protecting any sensitive receptors from excessive noise disturbance. This approach is consistent with the relevant legislation in the Control of Pollution Act 1974 and the Environmental Protection Act 1990.

The starting point for this is to undertake as far as reasonably possible all noisy activities during the normal working hours as controlled by condition 19 (7.30-18.30 Mon-Fri, 8.30-12.00 Sat); by the appropriate design, installation and repair of all machinery that is to be used on site and could generate noise sources; and through the implementation of appropriate mitigation measures.

The main noise sources will be the drilling rig, shale shakers, mud pumps and generators. These are to be sited where they will minimise the noise disturbance and the whole site is to be surrounded by a 4m high solid site hoarding and the drilling rig with a 7m high barrier to assist in noise mitigation. Plans are provided within the document to indicate the location of the equipment that will generate the noise and of the mitigation. The information includes details of the operational complaints procedure which includes a dedicated telephone number and reporting procedure to the various regulatory bodies.

21. The officer advice is that the intended 24 hour operation of the site, and the nature of those operations will inevitably mean that there is noise generated, and the implications of that were considered as part of the decision on the application. Your officer view is that the Noise Management Plan as described in this submission provides an appropriate response to this condition.

Condition 28 – Noise Monitoring

22. This condition is:

Prior to the commencement of development, details of a noise monitoring methodology shall be submitted to the County Planning Authority for approval in writing.

This methodology shall include:

a. permanent monitoring at a single location throughout all phases of the development, commencing from the construction of the access road and the site;

b. temporary monitoring at any other location as reasonably requested by the County Planning Authority;

c. details of the equipment to be used (which shall be of a type that can transmit live monitoring of noise data direct to the County Planning Authority and can record audio);

d. the locations at which the permanent equipment is to be installed; and

e. details of how and on what the equipment is to be attached, including the height and details of any structure to be used.

The approved monitoring methodology and equipment shall be employed and the monitoring data shall be made available to the County Planning Authority to view live on line at all times, provided this condition shall not be breached in the event of a temporary disruption in the live feed in which case reasonable endeavours shall be used to resume the live feed without compromising the integrity of the data record.

The results of the monitoring shall include LA901hr, LAeq1hr, LAeq100ms and LAm_{ax},1hr noise levels, the prevailing weather conditions on any hourly basis, details of equipment and its calibration used for measurements and comments on other sources of noise which affect the noise climate and including audio recording to identify noise sources where noise limits are exceeded. Audio recording shall be triggered to commence at a level below the noise limit to be agreed in advance with the County Planning Authority.

If the results indicate that the noise levels from the site exceed those set out in conditions 29 and 30, remedial action shall be implemented within 48 hours.

23. The details provided confirm that noise monitoring will be undertaken 24 hours a day by a series of automated noise monitoring stations within and around the site, with the information from them available in real-time by LCC. These monitors are set to highlight when the specified noise levels are exceeded at any point so that appropriate action, such as temporarily ceasing works until mitigation is introduced or the repair of a faulty machine, can be implemented.
24. The officer advice is that there is clearly a need to ensure that the noise generated is effectively recorded, and that measures are available to ensure that any excessive noise can be actioned by LCC as the planning authority responsible for the site. Your officer view is that the Noise Management Plan as described in this submission provides an appropriate response to this condition, and should allow LCC to identify and appropriately enforce any breaches of the specified noise limits.

Condition 32A – Control of Dust

25. This condition is:

Prior to the commencement of development, a detailed dust management plan for the access and site construction, interconnections to the national gas and water grids and restoration of the site and access phases of the site shall be submitted to the County Planning Authority for approval in writing. The dust management plan shall include details of the equipment to be used, location of such equipment, details of how dust is to be monitored and the results to be made available to the County Planning Authority. Monitoring shall be carried out and the results of such shall be submitted in writing to the County Planning Authority in accordance with the approved management plan.

The approved dust management plan shall be adhered to throughout the development of the access and site construction, interconnections to the national gas and water grids and restoration of the site and access phases of the site and restoration phases of the site.

26. The details provided for dust monitoring refer to the IAQM guidance for this and relate to the site construction, the connection to the natural gas and water grids, and the restoration of the site and its access. The nature of the machinery to be used is specified and the mitigation explained. The measures include a review of the existing baseline, training of staff, display of the complaints procedure information, regular inspections on and off site, the layout of the site being arranged to minimise the potential for generation, the regular sweeping and damping down of surfaces, the sheeting of vehicles, the use of the wheel wash, the damping of any dusty materials, the prevention of burning, and other such measures.

The effectiveness of these measures is to be regularly monitored, including with the use of Dust Gauges that are to be positioned around the site to record the deposits of dust around the site. In the event that complaints are received these are to be handled by the Cuadrilla Complaints Procedure, with results of the dust monitoring passed to LCC on a monthly basis.

27. The officer view on this is that the scale, location and duration of the development ensures that it is inevitable that dust will be generated by the processes that are undertaken to implement the planning permission. This was clearly a matter that was considered in the decision to grant planning permission, and this condition seeks to minimise the harmful impacts of this aspect. The proposals presented appear to provide a comprehensive approach to minimising the potential for dust to be generated, and for monitoring the circumstances whereby dust is generated.

Whilst the submission provides details of the works that are planned and the monitoring of it, the detail of what measures will be taken if it is ineffective and significant and / or justifiable complaints are received is not particularly detailed, especially as the complaints received are to be assessed by Cuadrilla rather than by the minerals planning authority. This is an area of concern with the submission and should be highlighted to LCC.

Condition 33 – Lighting

28. This condition is:

Prior to the commencement of each phase specified in condition 3, a scheme for the lighting/floodlighting of the site must be submitted to the County Planning Authority and approved in writing for that phase. The scheme for each phase shall include details of:

- a. Type and intensity of lights;*
- b. Types of masking or baffle at head;*
- c. Type, height and colour of lighting columns;*
- d. Location, number and size of lighting units per column;*
- e. Light spread diagrams showing lux levels at the site boundary and calculation of the impact of these on nearby residential properties;*
- f. The maximum hours of employment of the proposed lighting relative to the proposed nature of the operations.*

Thereafter the lighting/floodlighting shall be erected and operated in accordance with the approved scheme throughout the operational life of the relevant phase.

29. The details provided are prefaced by an intention to undertake the construction work during daylight hours to minimise the need to utilise external lighting for those works. They then refer to the use of localised task-based lighting to allow safe working should it be needed with a curfew of 7pm introduced for this activity to minimise the potential for impacts from this. The lighting to be used is then specified, and is said to be in accordance with ILP GN01 which is a standard that looks at ensuring the lighting is appropriately located and designed to provide the appropriate levels of illumination for safe working whilst minimising the extent of overspill. This is achieved through the use of towers that do not exceed 6m in height and the appropriate shielding and directing of lights towards the site. The security teams will operate 24 hours a day during construction and so will require some night-time lighting, but this is to be focused on torches and task lighting to manage any incidents that arise.

30. The officer view on this is that as the site is in a countryside location the use of intensive lighting can have a significant and intrusive impact on the wider area. However, in this case the site is

relatively confined and is located reasonably adjacent to the well-established light sources on the A583. The operational lighting will be more intensive than the street lighting, but as the scheme proposes to utilise lighting in accordance with the appropriate technical guidance it is considered that no objections should be raised to this element.

Condition 34 – Equipment Colour

31. This condition is:

No development shall commence until details of the colours of the external cladding or finish of the acoustic fencing, sand silos, flare stacks and drilling rig have been submitted to and approved in writing by the County Planning Authority. The details shall provide for the colour finish to be a single or combination of browns, greens and greys.

The fencing, sand silos, flare stacks and drilling rig shall be painted in the approved colours prior to or within 2 weeks of their arrival on site and thereafter maintained in the same colour(s) throughout their presence on the site with the exception of plant and equipment required for short durations associated with well operation activities.

32. The details provided are that the taller equipment to be utilised is to be painted light grey and white with the intention that this will blend in with the clouds better in the more distant views that will be available of it. This primarily relates to the drilling rigs which have heights of up to 53m, but is also to be used on the containers that are 6m, the sand silos/equipment that are 10m, and the flare stack that is also 10m. The solid acoustic barrier fence is to be painted green (RAL 6005 – Moss Green is specified) to assist with assimilation against the field backdrop as these will only be visible in near and middle distance views. The proposal is that the security fence be retained in its galvanised steel colour.

33. The officer advice is that the extreme size of some of the equipment is such that views will be prominent of it from a range of near and distant aspects. However, the proposed colours are an accepted method to minimise that prominence and so no adverse comments are raised to this element of the condition discharge. One area of concern is the reference to the use of light grey / white for the taller materials as this is not sufficiently clear as to which elements will be which colour, and what RAL colour is to be used. This is a matter that LCC should be advised needs more clarity. A further issue relates to the intended retention of the security fence in its galvanised steel colour as this is a potentially intrusive element that should also be painted green to match the acoustic barrier.

Condition 36 – Security Fencing

34. This condition is:

Prior to the commencement of development, a scheme identifying the height, location and appearance of any security fencing which may be required to be installed on the site shall be approved by the County Planning Authority. It shall not include fencing of more than 4.5m in height. Only security fencing in the approved scheme shall be erected on the site. Any security fencing installed shall be removed upon the conclusion of site decommissioning.

35. The details provided form part of the Construction Method Statement that for the submission to condition 11, and is a 4m high weldmesh fence that is to be painted green and will surround the well compound and the access track from Preston New Road.

36. The officer advice is that this is a suitable design and extent of fencing given the proposal to which it relates. The submission proposes that this be retained in its original galvanised colour,

which is not appropriate and it should be painted green as is the case with the noise mitigation barrier. LCC are to be advised of this.

Condition 37 – Ecology

37.This condition is:

Prior to the commencement of development, a Biodiversity Mitigation Strategy, which shall include, but not be limited to, details of measures for the avoidance/mitigation of impacts on protected species and their habitats together with a method statement for the protection of wildlife, flora and fauna during construction and during the operational life of the site shall be submitted to and approved in writing by the County Planning Authority. The requirements of the method statement shall be implemented in full.

38.The details provided is a detailed Strategy that builds on the findings of the Environmental Statement which supported the application and focusses on the impacts of the habitat loss and the potential impacts to birds, bats and brown hare as a result of the development. It identifies the potential elements of the development that could impact on these species and identifies mitigation measures that are proposed to be implemented to address the harm that could be caused to them during site construction and over the 6-year operational life of the site. An Ecological Clerk of Works is to be employed to monitor these works and oversee the habitat creation and enhancements that are also proposed in the Strategy.

39.The officer advice is that this is a comprehensive submission, but one that Lancashire County Council are best placed to advise on given that they employ ecologists who will no doubt be able to provide expert advice to their planning team.

Condition 40 – Landscaping

40.This condition is:

No development shall commence until a scheme for the landscaping of the site has been submitted to and approved in writing by the County Planning Authority. The scheme shall include details of:

- a. A plan of all established trees, shrubs and existing planting within the site or along the site boundary which are to be retained and measures for their protection during construction;*
- b. The location and dimensions of screening mounds and planting;*
- c. Details for the planting of trees and shrubs including numbers, types and sizes of species to be planted, location and layout of planting areas, protection measures and methods of planting;*
- d. Details for the seeding of any landscaping areas including mixes to be used and rates of application;*
- e. Details for the management of any landscaping areas including maintenance of tree and shrub planting and grazing or mowing of grassland areas*

41.The details provided are contained within a Landscaping Maintenance and Management Strategy that includes the results of a tree survey across the site and then proposes a series of landscaping measures along with their maintenance regime.

With regards to the construction phase the landscaping scheme proposes that a number of trees are to be removed to facilitate the construction, but all others are to be surrounded by protective fencing. The top soil and sub soil of the site compound will be removed to provide 4m high

bunds around the well pad which will be seeded with grass. There will also be strategic planting of trees, filling of hedge gaps, and allowing the growth of existing hedges to assist in minimising clear views of the site.

In the operational phase the tree protection is to be retained and the new trees, hedges, and grass all maintained.

On completion of operations the site is to be restored with the access road and other infrastructure broken up and removed from site, the bunds are to be removed and the soil and other material levelled across the site which will then be seeded with grass to reinstate the current situation.

42. The officer comment on this is that whilst there will be the loss of some hedgerows and 2 trees during the development of the site access point and track and the lowering of a further stretch to secure adequate visibility to Preston New Road, this is inevitable to allow the development to proceed. The Landscaping scheme provides appropriate protection for the retained trees and hedgerows, provides additional tree and hedgerow planting around the site, and confirms the reinstatement of the removed elements as part of the reinstatement of the site at the conclusion of works. As such the officer advice is that no objections are to be raised on this matter.

Condition 43 – Archaeology

43. This condition is:

No development shall commence until a scheme for archaeological work in accordance with a written scheme of investigation has been submitted to and approved in writing by the County Planning Authority. The archaeological work contained in the approved scheme shall be undertaken during all soil stripping exercises.

44. The details provided are contained in the Construction Method Statement and confirm that a competent and trained Archaeologist will be on site during all soil stripping operations. They will supervise the mechanical excavation of the site to ensure that they can supervise this work and inspect the material that is removed and the ground area for any archaeological remains of interest. The report explains the actions to be taken if matters of archaeological interest are revealed or if any human remains are exposed in line with the relevant legislation.
45. The officer advice is that this is a comprehensive submission, but one that Lancashire County Council are best placed to advise on given that they employ archaeological experts who have reviewed the submission and made some comments on its content.

Condition 48 – Community Liaison

46. This condition is:

Prior to the commencement of the development, a scheme detailing the establishment of a local liaison group shall be submitted to the County Planning Authority for approval in writing. Membership of the group shall include representation from the site operator and shall be open to the County Planning Authority, other regulators, the District Council, Westby with Plumpton Parish Council, and local residents. The scheme shall include its objectives, membership, frequency and location of meetings and arrangements for the publication of minutes. Liaison group meetings shall be held in accordance with the approved scheme.

47. The details provided explain that the intention is that this Group serves as a link between Cuadrilla and interested local parties such as residents and business groups regarding the construction and operation of the site. It is proposed that the membership be made up as

follows: County Councillors for Fylde West and East (1 representative), Ward Councillors for Warton and Westby (2 representatives), Westby-with-Plumpton Parish Council (1 representative), Local community (up to 4 representatives), local business (up to 2 representatives). This gives a maximum community representation of 10 members. The submitted details propose that the Chair is provided by Cuadrilla, and that they provide other attendees with relevant expertise to the matters on the agenda. In addition LCC would provide 1 officer representative with similar input from other industry regulators such as the Environment Agency and Health and Safety Executive. It is suggested that Cuadrilla's communications consultants would provide administrative support for the Liaison Group.

Cuadrilla would also undertake the other organisational roles for the Group such as writing to potential members to establish their interest, selecting the membership from any nominations received to ensure it is reflective of the local community and will be beneficial to the core aim of the Group, the arranging of meetings, and the costs of its operation. It is suggested that the Group meets on a monthly basis with the option of extraordinary meetings if needed.

48. The officer advice is that this Group has a key role in allowing the community to better understand the potential implications of this controversial development on them and in allowing direct access to the technical experts within Cuadrilla and the regulatory bodies so that any areas of concern that may arise are capable of being addressed. It could be argued that the Group membership should be open to a broader community representation, albeit this is tempered by a desire to maintain a focussed approach to tackling any issues which can sometimes be lost if membership is overly large. Perhaps the most appropriate way of addressing this would be for the Chairmanship of the Group to rest with a community representative rather than with a Cuadrilla representative so that they then have a greater role and so will help ensure that this Group has more community support. They could also be responsible for agreeing the membership of the group from those who apply to join it, rather than this being agreed by Cuadrilla as this would also provide greater community confidence that this Group was representative of their views. LCC should be advised of this.

CONCLUSION

49. Lancashire County Council have received an application from Cuadrilla Resources Ltd to discharge the details associated with a number of the planning conditions on the planning permission that has been granted for exploratory shale gas extraction at Little Plumpton.
50. As part of their consideration of this application LCC have undertaken consultation with various bodies, including the Parish Councils around the site, and with Fylde Council. This report is presented to the Development Management Committee to allow it to consider the views that that it wishes to put forward on behalf of the council in response to the consultation.
51. Having set out the issues above the officer opinion is that the majority of the conditions are to be left to LCC to determine either as the details raise no issues of concern, or they fall into areas where LCC have the in-house specialist knowledge to comment. However, there are a few areas where comments are suggested and they are laid out in the recommendation. Committee are asked to endorse these views and they will then be passed through to LCC to assist in their determination of the application.

IMPLICATIONS	
Finance	None
Legal	None

Community Safety	Addressed in the report
Human Rights and Equalities	Addressed in the report
Sustainability and Environmental Impact	Addressed in the report
Health & Safety and Risk Management	Addressed in the report

LEAD AUTHOR	TEL	DATE	DOC ID
Andrew Stell		21 November 2016	

LIST OF BACKGROUND PAPERS		
Name of document	Date	Where available for inspection
Application file 16/0856	26 October 2016	Via fylde.gov.uk