

Inskip with Sowerby Parish Council

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APPEAL CONCERNING THE CONSTRUCTION AND OPERATION OF A SITE FOR DRILLING UP TO FOUR EXPLORATION WELLS, HYDRAULIC FRACTURING OF THE WELLS, TESTING FOR HYDROCARBONS, ABANDONMENT OF THE WELLS AND RESTORATION, INCLUDING PROVISION OF AN ACCESS ROAD AND ACCESS ONTO THE HIGHWAY, SECURITY FENCING, LIGHTING AND OTHER USES ANCILLARY TO THE EXPLORATION ACTIVITIES, INCLUDING THE CONSTRUCTION OF A PIPELINE AND A CONNECTION TO THE GAS GRID NETWORK AND ASSOCIATED INFRASTRUCTURE LAND AT ROSEACRE WOOD, ROSEACRE

APPEAL REF: APP/Q2371/W/15/3134385

Statement of Case presented by Inskip-with-Sowerby Parish Council

1. Introduction

1.1. This Statement of Case has been prepared by the Inskip-with-Sowerby Parish Clerk of 45, School Lane, Inskip, Preston, PR4 0TS in relation to the application by Cuadrilla Elswick Ltd (“the Appellant”) for planning permission from Lancashire County Council (“LCC”) for application reference LCC/2014-0101:

“The construction and operation of a site for drilling up to four exploration wells, hydraulic fracturing of the wells, testing for hydrocarbons, abandonment of the wells, restoration including provision of an access road and access onto the highway, security fencing, lighting and other uses ancillary to the exploration activities, including the construction of a pipeline and a connection to the gas grid network and associated infrastructure to land west, north and east of Roseacre Wood and between Roseacre Road, Roseacre and Inskip Road, Wharles” (the “Proposed Development”).

1.2. It is proposed by the Appellant that the Proposed Development would be temporary for a period of six years.

1.3. This Statement of Case is submitted by the Inskip-with-Sowerby Parish Council (IwSPC). It has been prepared in response to the appeal by the Appellant of the refusal of the Proposed Development, and the Appellant’s revised transport route strategy published in November 2017 and issued out for public consultation. The Statement of Case relates solely to the appeal against refusal of the Proposed Development (Planning Inspectorate reference APP/Q2371/W/15/3134385).

1.4. IwSPC will submit its case jointly with Treales, Roseacre, and Wharles Parish Council, other local Town and Parish Councils, and with Roseacre Awareness Group (RAG).

1.5. IwSPC assert that the appeal against this refusal should be dismissed for the reasons set out in this Statement of Case and in evidence that will be jointly presented on behalf of Treales, Roseacre, and Wharles Parish Council, other local Town and Parish Councils, and RAG.

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2. The Application

2.1. The application for the Proposed Development was submitted to LCC on 17 June 2014. Since it is 'EIA development' for the purposes of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2011 (SI 2011/1824) ("the EIA Regulations"), the planning application was accompanied by an Environmental Statement ("ES"). It was also accompanied by a Planning Statement and other supporting documents. Between October 2014 and March 2015, further information was submitted by the Appellant to LCC.

2.2. LCC refused the application on 25 June 2015. LCC's decision notice cites the following Reason for Refusal:

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

2.3. The Planning Inspector recommended that the appeal by the Appellant against the original decision be dismissed, however on 6th October 2016 the Secretary of State decided "to give the Appellant and other parties the opportunity to provide any further evidence on highway safety and allow parties to make any representations on that before reaching a final decision on this appeal".

2.4. In November 2017 the Appellant submitted a revised transport route strategy for public consultation with regards to access to and egress from their Proposed Development at Roseacre Wood. The revised transport route strategy proposes to utilize three routes to and from Roseacre Wood, and would route up to 50 x HGV vehicle movements to and from the site on any one of these routes on any one day. One of these three routes proceeds from the A585 Fleetwood Road along the B5269 through Thistleton, Elswick, and Inskip and then along Higham Side Road and through DHFCS Inskip towards the Roseacre Wood site.

3. The IwSPC Case

3.1. The IwSPC case will present evidence on the matters set out below.

3.2. With regards to the temporary nature of the Proposed Development, IwSPC understands that should permission be granted and the testing prove successful, the Appellant will apply for permission (potentially by way of an application to carry out development without complying with conditions) for longer-term operations at the site. Inevitably, the fact that the exploratory and appraisal works would then be in place would make it much harder for LCC to refuse permission for the use of the works for production. It is therefore considered appropriate to

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reflect on the precedent effect that the Proposed Development may have beyond the period of six years proposed.

Traffic and Transport

- 3.3. The IwSPC Case shares the consistent concerns of LCC regarding the inappropriate location of the Proposed Development.
- 3.4. The proposed revised transport strategy is unsound and unsafe. It would result in an increase in traffic particularly HGV movements – up to 50 x 16.5 metre 44 tonne 6-axle OGV2 vehicle movements per day together with an unspecified number of OGV2's in convoy on 3 specified routes. All three proposed routes traverse poorly maintained unclassified rural roads of insufficient width to deliver and remove materials from the Proposed Development.
- 3.5. This would have a material impact on existing road users, particularly vulnerable road users, leading to an overall impact on highway safety which is considered to be severe. Evidence will show that insufficient weight has been attributed to the numbers and nature of anticipated traffic and that the variables and their potential impact on highway safety have been underestimated. It will be shown that there is inadequate consideration of the length and condition of all routes and the consequences of the adverse impacts of the traffic proposed.
- 3.6. It will be demonstrated that the use of OGV2 on narrow roads with acute bends and limited forward visibility present on all routes and very few footpaths would avoidably lead to an increased risk compared to current traffic on the rural road network. There would be increased traffic conflict, especially where 'HGV' site traffic meets on-coming vehicles, including other HGVs, or when overtaking or approaching school children, pedestrians, cyclists and horse riders as well as agricultural tractors & machinery, PSV's, emergency services vehicles and other vulnerable road users. As the submitted Traffic Addendum shows, in many locations these OGV2 will have to manoeuvre dangerously at bends and junctions into the path of oncoming traffic by using the opposing carriageway to execute the turn.
- 3.7. It will be shown, that the severe impact on highway safety could not be adequately ameliorated by the mitigation proposed by the Appellant. The Appellant has proposed to limit specific types of traffic movements to 50 per day, however it is unclear how this would be independently monitored or what would happen if that level became unworkable in the context of a business delivering to a challenging programme. Some of the mitigation measures would also have the potential to increase the safety risks associated with the Proposed Development.
- 3.8. The Case will demonstrate that the Proposed Development will have severe adverse impacts on road users accessing all routes around the site as an amenity because of the characteristics of the area and the nature of current road traffic. It will be demonstrated that the amenity value

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of the area has been understated which in turn exacerbates the inherent dangers of all the routes proposed.

- 3.9. The case will demonstrate that both highway and transport impacts make the Proposed Development unacceptable with regards to the use of all three routes for ingress to and egress from the Proposed Development, and witnesses on behalf of IwSPC will present evidence related to the proposed “Red Route” through Inskip.