

Town and Country Planning Act 1990

Form P3

REFUSAL OF PLANNING PERMISSION

Name and address of Applicant

CUADRILLA ELSWICK LTD
CUADRILLA HOUSE
STOWE COURT
STOWE STREET
LICHFIELD
WS13 6AQ

Name and address of Agent (if any)

ARUP – SOLIHULL
THE ARUP CAMPUS
BLYTHE GATE
BLYTHE VALLEY PARK
SOLIHULL
B90 8AE

Part I – Particulars of application

Date of application: **16 June 2014** Application No. **LCC/2014/0101**

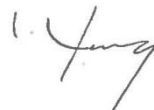
Particulars and location of development:

CONSTRUCTION AND OPERATION OF A SITE FOR DRILLING UP TO FOUR EXPLORATORY WELLS, HYDRAULIC FRACTURING OF THE WELLS, TESTING FOR HYDROCARBONS, ABANDONMENT OF THE WELLS AND RESTORATION, INCLUDING PROVISION OF ACCESS ROADS AND IMPROVEMENT OF ACCESSES 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 ON AGRICULTURAL LAND THAT FORMS PART OF ROSEACRE HALL, TO THE WEST, NORTH AND EAST OF ROSEACRE WOOD, AND LAND THAT FORMS PART OF THE DEFENCE HIGH FREQUENCY COMMUNICATIONS SERVICE (DHFCS) SITE BETWEEN ROSACRE ROAD AND INSKIP ROAD, OFF ROSEACRE ROAD AND INSKIP ROAD, ROSEACRE AND WHARLES, PRESTON

Part II – Particulars of Decision

The **Lancashire County Council** hereby give notice in pursuance of the provisions of the Town and Country Planning Act 1990 that permission has been refused for the carrying out of the development referred to in Part I hereof for the following reasons:

1. 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 highway network and on existing road users, particularly vulnerable road users and a reduction in overall highway safety that would be severe.
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Date: 25 June 2015

LANCASHIRE COUNTY COUNCIL

**IAN YOUNG
DIRECTOR OF
GOVERNANCE,
FINANCE AND
PUBLIC SERVICES**

Note: This permission refers only to that required under the Town and Country Planning Acts and does not include any consent or approval under any other enactment, byelaw, order or regulation.

NOTE:

1. Appeals to the Secretary of State

- If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State for Communities and Local Government and the Regions under Section 78 of the Town and Country Planning Act 1990.
- If you want to appeal, then you must do so within 6 months of the date of this notice, using a form which you can get from the Planning Inspectorate, Registry/Scanning Room, 3/05 Kite Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN.
- The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- The Secretary of State need not consider an appeal if it seems to him that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.
- In practice, the Secretary of State does not refuse to consider appeals solely because the local planning authority based their decision on a direction given by him.

2. Purchase Notices

- If either the local planning authority or the Secretary of State for Communities and Local Government and the Regions refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.
- In these circumstances, the owner may serve a purchase notice on the District/Borough Council in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

- 3.** In certain circumstances, a claim may be made against the local planning authority for compensation, where permission is refused or granted subject to conditions by the Secretary of State for Communities and Local Government and the Regions on appeal or on a reference of the application to him. The circumstances in which such compensation is payable are set out in Section 114 of the Town and Country Planning Act 1990.

The statutory requirements are those set out in Section 79(6) of the Town and Country Planning Act 1990, namely sections 70 and 72(1) of the Act.

