

## PLANNING PERMISSION

***Name and address of Applicant***

CUADRILLA RESOURCES  
LIMITED  
BBD House  
Stowe Court  
Stowe Street  
Lichfield  
Staffordshire WS13 6AQ

***Name and address of Agent (if any)***

ARUP  
THE ARUP CAMPUS  
BLYTHE VALLEY PARK  
SOLIHULL  
B90 8AE

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### Part I – Particulars of application

Date of application: **27 March 2014** Application No. **LCC/2014/0047**

Particulars and location of development:

**Permission is sought for the retention of the site compound and access track for a further 3 years to allow pressure monitoring of the Bowland shale reservoir, followed by plugging and abandonment of the existing exploratory well and site restoration. Beconsall Exploration Site, Off Bonny Barn Road, Hundred End, Banks**

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### 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 granted for the carrying out of the development referred to in Part I hereof in accordance with the application and plans submitted subject to the following conditions:

#### Time Limits

1. No works other than those associated with the pressure monitoring testing and plugging and abandonment of the borehole and for the restoration of the site shall be carried out on the site.

The pressure monitoring testing equipment shall not be installed and no activity shall take place at the site, except for necessary routine site visits and inspections, during the wintering wildfowl season that takes place between the dates of 31 October - 31 March.

If the pressure monitoring testing equipment is installed prior to the 01 November 2014, the site shall be restored in accordance with the conditions to this permission by not later than 31 October 2016.

If the installation of the pressure monitoring testing equipment commences post 31 March 2015, then it will be installed by the end of May 2015 and, the site shall be restored in accordance with the conditions to this permission by not later than 31 October 2016.

*Reason: To avoid disturbance to birds during the wintering wildfowl season and to provide for the completion and restoration of the site within a reasonable timescale in the interests of the visual amenities of the area and to conform with Policy CS5 of the Joint Lancashire Minerals and Waste Development Framework Core Strategy DPD, Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan - Site Allocation and Development Management Policies - Part One and Policies GN3 and EN2 of the West Lancashire Local Plan 2012-2027 Development Plan Document.*

2. Written notification of the date of each of the following events shall be made to the County Planning Authority within 7 days of each event:
- a) The commencement and completion of the installation of the pressure monitoring testing equipment.
  - b) The commencement and completion of the plugging and abandonment of the existing exploratory wells.
  - c) The commencement and completion of the restoration of the shale gas exploratory site.

*Reason: To enable the County Planning Authority to monitor the development to ensure compliance with this permission and to conform with Policy CS5 of the Joint Lancashire Minerals and Waste Development Framework Core Strategy DPD, Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan - Site Allocation and Development Management Policies - Part One and Policies GN1, GN3, EC2 and EN2 of the West Lancashire Local Plan 2012-2027 Development Plan Document.*

### **Working Programme**

3. 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 27 March 2014 as amended by the planning application forms received on the 17 April 2014, letter dated the 10 April 2014, emails from ARUP dated 08 and 30 April 2014, 09 May 2014 and the email of 27 June 2014 with the two attachments; Shadow Habitat Regulations Assessment - Screening and the Report of Winter Bird Surveys wintering bird mitigation area, and email from ARUP on the 15 July 2014 with attached Beconsall Wintering Birds mitigation plans Bird Area 1 2014/2015 and Bird Area 2 2014/2015.
  - b) Submitted Plans received by the County Planning Authority on 27 March 2014:  
  
Drawing No. Figure 1 - Planning Application Boundary  
Drawing No. Figure 2 - Planning Application Boundary  
Beconsall Workover drawn 03/03/14

Typical Workover Rig dated 16/01/14  
Submitted Plan received by the County Planning Authority on  
09 May 2014:  
Geology cross-section

- c) All schemes and programmes approved in accordance with this permission.

*Reason: For the avoidance of doubt and to enable the County Planning Authority to control the development and to minimise its impact on the amenities of the local area and to conform with Policies CS1 and CS5 of the Joint Lancashire Minerals and Waste Development Framework Core Strategy DPD, Policies NPPF 1 and DM2 of the Joint Lancashire Minerals and Waste Local Plan - Site Allocation and Development Management Policies - Part One and Policies SP1, GN1, GN3, EC2 and EN2 of the West Lancashire Local Plan 2012-2027 Development Plan Document.*

## **Ecology**

4. Throughout the wintering wildfowl seasons (31st October - 31st March) while the Becconsall Shale Gas exploration Site is present, the wintering bird mitigation area shown on approved plans Bird Area 1 2014/2015 and Bird Area 2 2014/2015 (or such alternative area of similar size as the Council may approve) shall be managed in accordance with the Recommendations set out in section 7.2 of the Report of Winter Bird Surveys submitted with the application, and all other measures set out in section 7.2 of that Report shall be complied with.

*Reason: To provide mitigation to offset the loss of bird foraging habit that the exploration site occupies within the Marsh Farm Fields; North Meols Biological Heritage Site during the wintering wildfowl season and to conform with Policy EN2 of the West Lancashire Local Plan 2012-2027 Development Plan Document.*

5. No development shall commence or be carried out during the bird-breeding season between 1 March and 31 July inclusive unless the site has been previously checked and found clear of nesting birds in accordance with Natural England's guidance and if appropriate, an exclusion zone set up around the site to be protected. No work shall be undertaken within the exclusion zone until birds and any dependant young have vacated the area.

*Reason: To provide mitigation to nesting birds and to conform with Policy EN2 of the West Lancashire Local Plan 2012-2027 Development Plan Document.*

## **Soils and Overburden**

6. No topsoils or subsoils shall be exported from the site. All such soils shall be retained for use in the restoration of the site.

*Reason: To ensure the proper removal and storage of soils to ensure satisfactory restoration and to conform with Policy CS5 of the Joint Lancashire Minerals and Waste Development Framework Core Strategy DPD, Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan - Site Allocation and Development*

*Management Policies - Part One and Policies GN1, GN3, EC2 and EN2 of the West Lancashire Local Plan 2012-2027 Development Plan Document.*

7. All topsoil and subsoil mounds shall be retained in a grassed, weed free condition prior to their use in the restoration of the site.

*Reason: To ensure the effective restoration of the site in the interests of the visual amenity of the area and to comply with Policy CS5 of the Joint Lancashire Minerals and Waste Development Framework Core Strategy DPD, Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan - Site Allocation and Development Management Policies - Part One and Policies GN1, GN3, EC2 and EN2 of the West Lancashire Local Plan 2012-2027 Development Plan Document.*

### **Hours of Working**

8. No delivery or removal of materials, plant or equipment, site development or site restoration works shall take place except between the hours of:

07.30 to 18.30 hours Mondays to Fridays (except public holidays)

07.30 to 13.00 hours on Saturdays (except Public Holidays)

No delivery or removal of materials, plant or equipment, site development or site restoration works shall take place at any time on Sundays or public holidays.

The hours of working 24 hours a day are only allowed for the period when rigging and setting up the pressure monitoring equipment, and during the plugging and abandonment of the well.

This condition shall not apply to the carrying out of essential repairs to plant and equipment used on the site.

*Reason: In the interests of the amenities of the area and to conform with Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan - Site Allocation and Development Management Policies - Part One.*

### **Highway Matters**

9. Heavy traffic to and from the site shall follow the route provided in accordance with the submitted Transport Assessment throughout the lifespan of the development.

Works and routing signage shall be provided in accordance with the submitted Transport Assessment throughout the lifespan of the development.

*Reason : In the interests of highway safety and local amenity and to conform with Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan - Site Allocation and Development Management Policies - Part One.*

10. Measures shall be taken at all times during the site construction, operational and restoration phases of the development to ensure that no mud, dust or other deleterious material is tracked onto the public highway by vehicles leaving the site.

*Reason : In the interests of highway safety and local amenity and to conform with Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan - Site Allocation and Development Management Policies - Part One.*

11. All vehicles shall enter or leave the site in a forward direction.

*Reason : In the interests of highway safety and local amenity and to conform with Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan - Site Allocation and Development Management Policies - Part One.*

12. All vehicles associated with the development, operational or restoration phase of the development shall park in the site. No vehicles associated with the development shall park on Bonny Barn Lane or Marsh Road

*Reason : In the interests of highway safety and local amenity and to conform with Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan - Site Allocation and Development Management Policies - Part One.*

### **Control of Noise**

13. All plant, equipment and machinery used in connection with the operation and maintenance of the site shall be equipped with effective silencing equipment or sound proofing equipment to the standard of design set out in the manufacturer's specification and shall be maintained in accordance with that specification at all times throughout the development.

*Reason: To safeguard the amenity of local residents and adjacent properties/landowners and land users and to conform with Policy CS5 of the Joint Lancashire Minerals and Waste Development Framework Core Strategy DPD, Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan - Site Allocation and Development Management Policies - Part One and Policies GN3 and EN2 of the West Lancashire Local Plan 2012-2027 Development Plan Document.*

14. Noise emitted from the site shall not exceed 42 dB Laeq(1 hour) (free field), as defined in this permission, when measured at any point on the red edge application site boundary.

*Reason: To safeguard the amenity of local residents and to prevent disturbance to birds and to conform with Policy CS5 of the Joint Lancashire Minerals and Waste Development Framework Core Strategy DPD, Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan - Site Allocation and Development Management Policies - Part One and Policies GN3 and EN2 of the West Lancashire Local Plan 2012-2027 Development Plan Document.*

### **Floodlighting**

15. No lighting shall be used at the site until a scheme and programme for the lighting of the site has been submitted to the County Planning Authority and approved in writing. The scheme and programme shall include details of:

- a) Type, number and intensity of lights including the height of any poles or structures upon which floodlighting would be attached.
- b) Direction, types of masking or baffle to reduce light pollution.
- c) Light spread diagrams showing lux levels at the site boundary and calculation of the impact of these on land within 100 metres of the site boundaries and on nearby residential properties

The lighting shall be employed in accordance with the approved details at all times during the development.

No lighting shall be used during the bird wintering wildfowl season that takes place between the dates of 31 October - 31 March.

*Reason: To safeguard the amenity of local residents and adjacent properties/landowners and land users and to reduce light pollution in the countryside and to conform Policy CS5 of the Joint Lancashire Minerals and Waste Development Framework Core Strategy DPD, Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan - Site Allocation and Development Management Policies - Part One and Policies GN3 and EN2 of the West Lancashire Local Plan 2012-2027 Development Plan Document.*

### **Safeguarding of Watercourses and Drainage**

16. Provision shall be made for the collection, treatment and disposal of all water entering or arising on the site to ensure that there shall be no discharge of contaminated or polluted drainage to ground or surface waters throughout the lifespan of the development.

*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 CS5 of the Joint Lancashire Minerals and Waste Development Framework Core Strategy DPD, Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan - Site Allocation and Development Management Policies - Part One and Policies GN3, EC2 and EN2 of the West Lancashire Local Plan 2012-2027 Development Plan Document.*

17. All foul drainage shall be discharged to a public sewer or else to a sealed watertight tank fitted with a level warning device to indicate when the tank needs emptying. Upon emptying the contents of the tank shall be removed from the site completely.

*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 CS5 of the Joint Lancashire Minerals and Waste Development Framework Core Strategy DPD, Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan - Site Allocation and Development Management Policies - Part One and Policies GN3, EC2 and EN2 of the West Lancashire Local Plan 2012-2027 Development Plan Document.*

18. 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 (Director of Transport and Environment).

*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 CS5 of the Joint Lancashire Minerals and Waste Development Framework Core Strategy DPD, Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan - Site Allocation and Development Management Policies - Part One and Policies GN3, EC2 and EN2 of the West Lancashire Local Plan 2012-2027 Development Plan Document.*

19. Buffer zones with a width of not less than 5 metres shall be maintained between the perimeter mounds or edge of the drilling compound and the ditches on the boundaries of the site within which there shall be no vehicle movements, storage of materials, excavation, or other construction activity.

*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 CS5 of the Joint Lancashire Minerals and Waste Development Framework Core Strategy DPD, Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan - Site Allocation and Development Management Policies - Part One and Policies GN3, EC2 and EN2 of the West Lancashire Local Plan 2012-2027 Development Plan Document.*

20. Prior to the commencement of the abandonment of the well and the ground water monitoring boreholes, full details of the proposed abandonment schedule, including any ground water monitoring, must be submitted to, and approved in writing by, the local planning authority. The scheme shall be implemented as approved.

*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 CS5 of the Joint Lancashire Minerals and Waste Development Framework Core Strategy DPD, Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan - Site Allocation and Development Management Policies - Part One and Policies GN3, EC2 and EN2 of the West Lancashire Local Plan 2012-2027*

## **Restoration**

21. Site restoration shall take place in accordance with the following:-
- a) All plant, buildings, hard standings, aggregates/ hard-core and lining systems shall be removed from the land.
  - b) The upper layers of the subsoil material shall be subsoiled (rooted) to a depth of 600mm with a heavy-duty subsoiler (winged) prior to the replacement of topsoils to ensure the removal of material injurious to plant life and any rock, stone, boulder or other material capable of preventing or impeding normal agricultural land drainage operations, including mole ploughing and subsoiling.

- c) Following the treatment of the subsoil, topsoil shall be placed over the site to a minimum depth of 150mm and shall be ripped, cultivated and left in a state that will enable the land to be brought to a standard reasonably fit for agricultural use.
- d) Measures to relieve compaction or improve drainage
- e) the passing places on Bonny Barn and widened junction with Marsh Road shall be restored including removal of all surfacing materials, respreading of soil materials and seeding

*Reason: To secure the proper restoration of the site and to conform with Policy CS5 of the Joint Lancashire Minerals and Waste Development Framework Core Strategy DPD, Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan - Site Allocation and Development Management Policies - Part One and Policies GN1, GN3, EC2 and EN2 of the West Lancashire Local Plan 2012-2027 Development Plan Document.*

## **Aftercare**

22. Within 3 months of the certification in writing by the County Planning Authority of the completion of restoration, as defined in this permission, a scheme and programme for the aftercare of the site for a period of five years to promote the agricultural afteruse of the site shall be submitted to the County Planning Authority for approval in writing.

The scheme and programme shall contain details of the following:

- a) Maintenance and management of the restored site to promote its agricultural use.
- b) Weed control where necessary.
- c) Measures to relieve compaction or improve drainage.
- d) An annual inspection to be undertaken in conjunction with representatives of the County Planning Authority to assess the aftercare works that are required in the following year.

*Reason: To secure the proper restoration and aftercare of the site and to conform with Policy CS5 of the Joint Lancashire Minerals and Waste Development Framework Core Strategy DPD, Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan - Site Allocation and Development Management Policies - Part One and Policies GN1, GN3, EC2 and EN2 of the West Lancashire Local Plan 2012-2027 Development Plan Document.*

## **Definitions**

Completion of Restoration: The date the County Planning Authority certifies in writing that the works of restoration in accordance with condition x have been completed satisfactorily.

## **Notes**

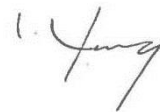
If the abandonment process could lead to a discharge occurring then a groundwater activity permit may be required in line with Schedule 22 to the Environmental Permitting Regulations 2010.



The Environmental Permitting (England & Wales) Regulations 2010 (Regulation 38(1)) makes it an offence to cause or knowingly permit a groundwater activity (discharge of a pollutant that might lead to its direct or indirect input into groundwater) except under and to the extent authorised by an environmental permit or an exemption as provided for in the Regulations.

Any testing activities associated with the proposed development that generate waste may constitute mining waste operations and require a Permit under the Environmental Permitting (England and Wales) Regulations 2010.

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**Date: 1<sup>st</sup> May 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.

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**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, 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.