

Simon Rees  
Greenfield Enviro  
1 Commercial Road  
Keyworth  
Nottingham  
NG12 5JS

Email: Devman@lancashire.gov.uk

Phone: 01772 534130

Date: 27<sup>th</sup> March 2024

Dear Mr Rees

**PLANNING APPLICATION REF LCC/2023/0030 – PROPOSED EXTRACTION OF SAND AND GRAVEL FORM LAND AT BOURBLES FARM, PREESALL**

I refer to your planning application for the above development. Following the receipt of consultation responses and my own review of the planning application and Environmental Statement, I have compiled the following schedule of comments and further information comments. I would be grateful if you could address these comments to allow the planning application to be determined. These comments comprise a request under Regulation 25 of the Environmental impact Assessment Regulations

Documents : Can you please supply the appendices to the planning statement as they do not appear to have been supplied with the original submission

1.Geology / reserve assessment

The requirement within Policy CS4 of the Joint Lancashire Minerals and Waste Local Plan is for specific sites and / or preferred areas to be identified for the extraction of not less than 4.1 million tonnes of sand and gravel by 2021 and that preference will be given to the release of sand and gravel reserves which provide for the maximum practicable contribution of high quality sand. High quality is not defined in the glossary to the Plan but my interpretation is that it should mean sand which meets the relevant BS / European standards for aggregate products. I cannot find any information within your planning statement which sets out the volumes of mineral which would satisfy the relevant BS / European standards for sand and gravel materials.

What is the proportion of the reserve that would be over size that would require further processing to produce saleable product?

2. Site design

Access – The Planning Statement explains that the first 30 metres of the access road from the junction with Lancaster Road will be hard surfaced. In my view the wheel wash needs to be located at the junction of the hard surfacing and unsurfaced roads. The wheel cleaner either needs relocating or the extent of the hard surfacing needs

extending further into the site to the position of the wheel cleaner as shown on the submitted drawings.

Impacts on existing infrastructure – you will note the letter from United Utilities dated 4<sup>th</sup> October 2023 which comments upon possible impacts on their water infrastructure and related easements. UU have requested that you submit a detailed drawing showing the proven location of the water main in relation to the proposed layout of the site including bunds, mounds and other structures and engineering works.(please see comment below in relation to phasing plans)

Proposed plant area (drawingPA23-6v2)-

- The southern side of the proposed plant area is currently formed by a hedge which is quite 'gappy' during winter. The soil storage is proposed in two areas – a large square mound on the western side and a rectangular mound close to Bourbles Lane. Would it be possible to amend the soil storage locations so that a linear bund is constructed along the southern and western sides of the plant area? This would create a greater degree of visual and acoustic screening particularly to the properties at Hillfield House / Pointer Farm compared to the existing soil storage mound design where there would be very little screening in the currently proposed design.
- The proposed plant area drawing states that the plant surface levels would be approximately +5 m AOD. I am therefore assuming that the following heights of the various stockpiles are correct
  - Topsoil / subsoil 3 – 3.6 m
  - Imported inert wastes – 7 metres
  - Raw feed – 7 metres
  - Processed materials from plant– 4 metres
  - Product stockpiles – 7 metres
- The proposed plant area drawing shows the processing plant layout. The planning statement discusses the requirement to use plant periodically to crush over size. Where would that plant be located? How often would it be used (see question above relating to the proportion of over size)

Design of Quarry

There are no detailed plans showing how each phase will be worked including where soils will be stripped and used to form screen bunds particularly where extraction areas are close to residential properties. Some more detail would be useful on these matters.

- Phase A – Paragraph 4.3 of your planning statement discusses working the sand and gravel in this area to a shallow depth of around 2 metres. Is it proposed to also excavate the underlying silty clay? See comment in relation to Phase 1 works below

- Before any of the extraction activities could commence in Phase 1 the topsoil/ subsoil would need to be stripped. Where would it be stored? Are you proposing a temporary storage location pending these materials being used to form the mounds on the northern and eastern boundaries of Phase 1?
- Phase 1 –The planning statement describes how this phase would be worked and that the reserves nearest Bourbles Lane would be worked dry down to the watertable and then the area backfilled using the bedrock grey silty clay from the plant area before constructing the perimeter bund. However, Drawing PA23-8v2 shows a cross section through Phase 1 and shows the initial void backfilled using imported inert wastes. Can you confirm the actual proposal please. It would seem to be preferable to use the on site material as this will be readily available. If the proposal is to use the onsite material from the excavation of the clean water lagoon, would there be enough material generated to backfill the void area quickly to allow construction of the perimeter soil mound?
- Paragraph 4.4.1 states that 'during the early stages of the phase 1 development, the proposed extraction area adjacent to the residential properties will commence with the soils stored adjacent to Bourbles Lane.' Would this actually be possible? – from the cross section plan it looks as though construction of the soil storage will only be possible once the sand and gravel has been excavated and the area backfilled. Could you confirm please. Would there be a period of phase 1 when there is effectively no screen mound in place alongside Bourbles Lane.
- I think it would be useful to prepare a materials balance table showing the volumes of different materials that would be excavated and how they would be utilised on the site.
- Paragraph 4.4.5 of the Planning Statement describes the backfilling of Phase 1 and says that it is not proposed to deposit any imported inert material within the Phase 1 area. However this paragraph also says ' with restoration carried out using excavated bedrock grey silty clay sourced from the plant area (lagoon excavation and *incoming inert temporary tipping area*)'. There appears to be a contradiction here.
- Phase 2 – Paragraph 4.4.7 states that all minerals from this phase will be extracted in a single campaign of between 4 -6 weeks. If this is the method of operation, is there room within the processing area to store this volume of materials within the 7 metre storage height limitation.
- Again Phase 2 needs some more detailed explanation to show where soils will be stored particularly to provide some protection for the residents of Bourbles Farm House.
- Phase 3 – Can you explain the last two sentences in paragraph 4.4.8
- The conceptual restoration needs a contour plan to accompany the proposals to control the levels of infilling.
- I understand that the existing southern fishing lake is being used as a silt lagoon. However, the restoration concept plan shows the restored lake design in this location having the same form as the existing lake. Presumably there will be some change to this lake as it will be at least partially infilled with silt.

- Afteruse design – Part of the submitted afteruse design includes the chalet buildings. I assume it would be your intention that the exact design of this areas including the sizes and design of the chalet buildings would be the subject of a planning condition should planning permission be granted. However, I do wonder if this area might be better designed if the area inside the circulatory road could be developed to form a central lake / pond area with the chalets grouped around this.

Infill proposals – Figures are provided in the Planning Statement for the volume of infill of 220,000m<sup>3</sup> or 250,000m<sup>3</sup> depending on the paragraph. However, in paragraph 4.6.4 of Vibrocks Air Quality statement the volume of inert infill is stated to be <1,000,000 m<sup>3</sup>. It would be useful to have one accurate figure for the volume of imported fill required to create the restoration contours.

### Restoration proposals

Restoration concept plan – it would be useful to prepare a copy of this plan without the red line as this obscures the restoration proposals particularly the boundary treatments when they are on the same alignment as the red line.

It is noted that you are proposing a new hedgerow across the Phase 3 area along the line of the water main. However, this area is a BHS for its value for over wintering birds which will require a wide, open area. It may be better to remove the hedgerow from this area and carry out new hedgerow planting elsewhere on the site – for example along Bourbles Lane or around the boundaries of phases A, 1,2 or 4. I would advise that you seek some ecological advice on this matter.

It is considered that the proposal lacks significant enhancement for over wintering birds. Some further development of the restoration proposals should be undertaken to provide the distinct habitats required by the over wintering birds that are found on the site presently.

At least one of the new ponds on the site should be designed for use by amphibians with suitable profile slopes, planting mixes and the inclusion of hibernacula. All ponds provided for wildlife purposes should have gently sloping margins (1:15 – 1:20 slopes) with a variety of water depths.

Habitats proposed as part of the restoration for breeding birds should be targeted at those species identified during the bird surveys. Features should be provided for both ground nesting and hedgerow / tree nesting species.

All new hedgerows should contain at least seven native woody species that are suitable for planting in Lancashire.

You will note the comments of the RSPB in relation to the restoration and afteruse and biodiversity net gain that would be provided. However, this application is not affected by the mandatory BNG requirements and therefore the only requirement is for you to meet the biodiversity gain requirements in paragraph 185 and 186 of the NPPF. However, I do think there are opportunities for you to improve upon these aspects of the site design.

For example where you have shown new ponds / water features, I think it would be better if these could be surrounded by other marginal habitats rather agricultural land which is likely to diminish their value.

Afteruse : Wyre Borough Council have raised objection to the application. The first ground of their objection is that no business plan has been submitted with the proposals for the holiday accommodation to demonstrate how the business would operate and be a viable enterprise. This is a requirement of policy EP9 of the Wyre Local Plan.

#### Comments on Environmental Statement

Flooding : A large area of the site is located within flood zone 3. Paragraph 2.4.3 of the FRA concludes that the proposed sand and gravel extraction is water compatible development. However, this does not necessarily apply to the inert waste infilling aspect of the proposal which would be 'more vulnerable' development in terms of the flood risk vulnerability classification.

Land levels following infilling – Paragraph 6.2 of the FRA states that ground levels will be restored to similar levels to pre development conditions whilst the 4<sup>th</sup> paragraph of the conclusion states that ground levels will be lower than pre development conditions. Can you explain the inconsistency. The restoration land levels will be important in ensuring that the existing flood risk is not increased.

The FRA also comments frequently on the need for mitigation for flood events. However, I cannot see anywhere where the mitigation measures proposed are explained.

Brine wells – A possible issue an existing brine well is raised in the letter from the EA dated 3/10/23.

Ecology : These comments have been compiled using the responses from Natural England, the County Council's own ecologist and the representations from organisations such as the Lancashire Wildlife Trust and RSPB.

Impact on European sites : The site is relatively close to Morecambe Bay SPA and directly affects land that may comprise functionally linked land (land used by species for which the SPA is designated). The ecological assessment acknowledges a possible impact on the SPA and therefore a Habitats Regulations Assessment should be undertaken prior to the determination of the application.

Natural England have concluded that the proposal could have potential significant effects on nearby designated sites. They say that further information is required including a Habitats Regulations Assessment is needed demonstrating consideration of the potential impacts on designated sites. Without this information, NE say that they may need to object to the proposal. They have concluded that the information provided with the application does not enable the requirements of Regulation 63 of the Habitats Regulations to be satisfied.

It appears that there are some issues regarding the assessment of the development upon birds that are associated with the SPA. It is understood that the Fylde Bird Club provided data on the use of the site by certain bird species but that this data has not be

fully utilised or included with the ecological assessment. In particular, this relates to the use of the site by whooper swans and pink footed geese which are associated with the SPA. Further background information on the use of the site by over wintering birds is contained in the representation from the RSPB which can be viewed on the application webpage.

Comments are made on the adequacy of the over wintering bird surveys. I understand that you have commissioned further surveys during the 2023/24 winter period in order to address this issue and provide further information that can be used to inform any HRA. The surveys should at the very least provide the following data:

- The numbers of over wintering birds
- The species found on the site
- The zone of influence
- The types of habitat found within the site and wider area and an assessment of their suitability for qualifying bird species.
- The appropriateness of proposed mitigation measures

One of the mitigation measures for over wintering birds is likely to be a method of operation which avoids the need to undertake any extraction works over the wintering period. Does the processing area have space to accommodate sufficient 'as dug' material to supply the plant over a five month over wintering period? Potentially this could be around 40,000 tonnes with a 100,000 t annual output.

In addition there should be an assessment of possible disturbance impacts (particularly noise) on the areas of land that are used by qualifying bird species. This assessment should take account of the site phasing and times when different operations would be undertaken of each area of the site. You will note that Natural England have included some information within their letter as to how noise impacts on bird species should be assessed.

The survey data should provide for the survey effort described in their letter including two survey visits per month between September and March. This survey data should be used to make a conclusion on whether the site comprises functionally linked land to the SPA. If the data concludes that the site (or part of the site) is functionally linked land, the County Council will then need to carry out a Habitats Regulations Assessment and sufficient information on bird activity and likely impacts will need to be submitted to enable the assessment to be carried out.

Impact on Biological Heritage Sites – the proposed development would result in the loss of part of Piling Moss – Head Dyke BHS. The planning application should detail the measures that will be employed to reduce or eliminate impacts upon the BHS.

Hedgerows : None of the hedgerows present on the site have been classified as important under the Hedgerow Regulations 1997. However, the EIA identifies hedgerows H1, H2 and H5 as containing bluebell which would normally qualify a hedgerow as 'important' for the purposes of these Regulations. Clarification should be provided as to the status of the hedgerows and whether they would actually be impacted by the development.

Breeding bird surveys : three breeding bird surveys have been undertaken across the site. The numbers of surveys undertaken do not comply with current guidelines which recommend six surveys spread between March and July. Justification should either be given for the reduced survey effort or additional surveys commissioned to cover the missing periods.

Water voles :There are no surveys for water voles. Given that the site contains a range of potential water vole habitats, the applicant should either explain why such surveys are not required or provide suitable survey information.

Bats :There appears to be a difference between the ecological assessment and arboricultural assessment regarding the suitability of trees on the site for bat species.

It also appears that the survey effort for bats was below that normally recommended particularly in terms of the duration of each survey event. It is therefore possible that bat activity could have been missed. The report should be updated to either provide a justification for the reduced survey effort or the results of further surveys submitted.

Common Toad : The ecological assessment identifies that surveys for this species were undertaken but provides no details of the methods of survey, dates of survey or numbers of surveys completed. Further information to address these issues should therefore be submitted.

Cumulative ecological impacts : This assessment is mentioned in the ES but there is no evidence that such an assessment has actually been undertaken.

A precautionary working method statement should be produced for the site detailing the measures that will be employed to avoid harm to reptiles, common toad, other common amphibians, nesting birds and brown hares particularly during vegetation clearance.

The ecological mitigation measures including features provided for as part of the restoration should be accompanied by a suitable management period. 30 years is suggested which will equate with that required if this development was to fall within formal biodiversity net gain requirements.

Ecology and water quality : Natural England have requested that any HRA should include an assessment of how any surface waters flowing to designated sites would be effected. This might require a better explanation of how water at the site would be managed including the requirement to discharge to any surface watercourses.

Impacts on Peat ; You will note that Natural England have raised issues regarding the need to remove peat and peat based soils. Presumably the borehole information contained in the appendices to the Planning Statement will contain some data on the depths and distribution of peat across the site.

Arboricultural Survey – this only appears to cover part of the whole site area – for example the red line area on the tree constraints plan is not the same as the planning application area. It would also be useful if the tree constraints plan could identify the vegetation (trees/ shrubs and lengths of hedgerow) that require removal to facilitate the

development. For example, some hedgerow removal will be required within hedgerow H5 to construct the access road and associated visibility splay.

Landscape issues : Landscape comments have been provided by Atkins Ltd for the County Council. In general it is considered that the landscape assessment is satisfactory subject to the following:

- Tree / hedge removal – The ES at 7.5.1 and 7.5.2 notes the loss of hedges and clarifies that this will be 55 metres of hedgerow. This is different from that shown in the arboricultural report. The two documents should be aligned.
- The weight given to residential receptions is described as 'low' and it is questioned whether this is correct.
- Have the visual effects of the built development within the afteruse proposals been considered?
- Landscape mitigation – it is considered that further detail is required to accurately conclude the effectiveness of the mitigation. The detail should include detailed landscape proposals, cross sections and elevations to illustrate the likely effectiveness of the mitigation proposed. In particular this relates to the further phased drawing information referred to above and the comments about the redesign of the soil screening mounds around the plant area.
- The viewpoint photographs are taken in summer and are therefore likely to show an 'at best' perception of the visual impacts. A winter assessment would have allowed a better comparison of visual impacts as a worst case
- Figure 6 : Site layout and proposed levels and figure 7 : Restoration scheme do not provide adequate information relating to operational and restoration phases. This does reduce the reliance that can be placed on the ES conclusion that the development would have a positive landscape effect. More information on development screening and restoration / landscaping proposals are needed in order to properly reach such a conclusion.

Air Quality : Comments on this topic have been supplied by Atkins for the County Council. The County Council's Public Health Team and UK Health Security Agency have also made comment. The main issues raised on the Vibrock Air Quality report are as follows:-

- The report does not reference the most recent pm2.5 targets which were introduced in January 2023. There is also retained EU law relating to air quality limit values
- The report also does not acknowledge the new Air Quality Strategy Framework
- The report references previous studies in relation to open cast coal mining but it is unclear how these are relevant to the sand and gravel extraction proposal
- Meteorological data – no reference is provided for the data source that has been used. Atkins are of the view that 10 years of wind data from Blackpool Airport would be appropriate to assessing air quality impacts from this proposal. The data used also only uses predominant winds and does not recognise that there are winds from other directions which is relevant given the distribution of sensitive receptors around the site.



- Paragraph 3.2.2. states that dust generating activities will be carried out within areas protected by screening bunds – however, that does not necessarily seem to be the case taking into account the proposed site design. There is either a lack of information on this point or the design requires amendment to provide a greater level of protection.
- NO<sub>2</sub> – the assessment only appears to consider pm<sub>10</sub> impacts. This may be appropriate but some mention should be made of baseline NO<sub>2</sub> levels and whether the development would be likely to significantly increase these
- Baseline dust monitoring – The nature of monitoring used was acceptable although the duration of the monitoring is considered to be too short and no details were provided of the weather conditions during the monitoring period.
- Description of the extraction method – Atkins are concerned that insufficient information has been submitted. It is understood that only the lower parts of phase 1 would be worked wet which is due to the depth of the deposit in this area. Extraction in the remainder of the site would be dry using limited pumping. Could you confirm my understanding please. In my view the aspect of the development with the most potential to generate dust will be the haulage of 'as dug' material to the plant site. It might be useful to provide some further information as to the likely duration of these activities for each phase.
- Dust generation and mitigation : Atkins have noted the potential for dust generation by dump trucks traveling on haul roads and then need for mitigation measures including use of a water bowser through a dust management plan. They have also raised the need for a paved surface between the wheel cleaner and surfaced entrance road.
- Atkins have also raised the issue of dust from soil stripping activities. In my views these activities in themselves do not normally generate large volumes of dust but the transport of such soils using dump trucks may give rise to significant dust impacts. It would be useful to prepare some better information showing the soil stripping and storage proposals for each phase so that the potential dust impacts can be more accurately assessed.
- The Planning Statement mentions the importation of hardcore material to create the access road and processing area and it is unclear if these works have been considered in Vibrock's report. However, I don't consider that the dust impacts from these activities would be significant.
- Paragraph 4.6.10 of the Vibrock report notes that a maximum of 100,000 tpa is anticipated to be processed but that much of the material may not require processing. This statement seems to be at odds with the Planning Statement which appears to say that the quarry will produce a range of concreting and other building aggregates. Presumably to ensure these all meet the required quality standards, they will all require some form of processing?
- Particulate assessment – the method presented by Vibrock considers pm<sub>10</sub>'s and pre dates more recent Government advice regarding PM<sub>2.5</sub>'s. The applicant should consider how operations may affect PM<sub>2.5</sub> concentrations at nearby sensitive receptors. Atkins have also made a number of comments regarding the

calculation of PM2.5 and the justification for the argument that the development would not result in an exceedance of PM2.5 objectives.

- Respirable crystalline silica – Atkins recommend that a source – pathway – receptor approach is used to model the impacts of RCS. It is noted that the majority of materials will be processed (but see comment above) presumably using water to remove silt and other contaminants which should mitigate against dust including RCS. However, would there be any dust impacts from any crushing of over size as presumably this would not require the use of water and could potentially produce more dust from the crushing process?
- Paragraph 7.5 of the Vibrock report references a site at Misterton – presumably a mistake carried over from another report.
- The assessment of air quality impacts from traffic should reference the actual traffic flows from the proposed development rather than <100 HGVs per day.
- Conclusions : Vibrock conclude that there will be no significant impact. Atkins agree that this is likely to be the case but cannot be agreed at this time due to omissions in the report and supporting information. For the low risk to be confirmed, it is essential that more information is provided on the site design, mitigation measures and dust management plan. Atkins have also raised issues regarding the monitoring of RCS to address community concerns including RCS potential in the mineral and exposure to workers on - site and to off site locations.

Noise ; Comments on this topic have been supplied by Atkins. They have raised the following issues:-

- The site would be worked in phases but the assessment results do not identify which phases the results relate to. As the working areas and sensitive receptors are spread out over a large area this should be confirmed. For example, it is assumed that the noise impact assessment results for the property at Woodlands on Bourbles Lane is during Phase 1 when the operations are closest to this house. However, what would the noise impact be for the remainder of the operation. Presumably there would also be some noise impacts from the processing area that would be experienced over the full duration of the development. I think it would be useful to have a table showing the noise levels that would be experienced at all receptors during all phases of the development
- The noise mitigation measures are not fully detailed – see the same issue discussed above
- There does not appear to be any assessment of noise impacts arising from additional HGV traffic particularly on those properties closest to the site access nor is there any assessment of noise impacts from dump trucks moving materials on internal haul roads where these pass close to properties. The second issue is probably more significant in terms of noise impacts.
- Baseline noise measurements : these were measured at 7 locations for two 15 minute periods during the middle of the working day. It is possible that the background noise level could vary over time and there is no commentary on the degree to which noise levels vary over the course of the proposed working hours.

The site is seeking permission to work on a Saturday morning and background noise levels could be lower during these times.

- The assessment demonstrates that for 'normal operations' noise levels are below 55 dB(A). At three receptors, noise levels are more than 10 dB(A) above background levels which should not be permitted unless meeting this imposes an unreasonable burden on the operator. The assessment has not shown if it would be possible to reduce noise levels so they are less than 10dB(A) above background. The assessment notes that exceedances above the 10 dB(A) above background will be short lived. However, there is no information to illustrate what is meant by 'short lived'. How many weeks would 'short lived' actually be?
- Paragraph 5.3.3 states that noise levels 'from normal operations could exceed the background level by more than 10 dB at Woodlands, Red Lea and Bourbles Farm. However, the proposed screening bunds reduce potential noise levels to within the 55 dB(A) limit at all assessment locations....' There needs to be better demonstration of the screening bunds particularly at Woodlands. How long would it take before a screening bund could be erected and what would be the noise impacts of working this area without the screen bund being in place?

Highways ;

You will note that LCC Highways conclude that planning permission should not be granted in its current form as the development would have an unacceptable impact on highway safety.

Highways have identified four main issues:

- The access plans fail to demonstrate that adequate sight lines are achievable
  - The access plans do not show that a vehicle can enter the site safely whilst another is leaving
  - The access plan does not provide a swept path for all vehicle movements
  - The application does not demonstrate that there is adequate width on Lancaster Road between the site access and the junction with the A588 to allow two HGVs to pass safely.
- 
- To address the Lancaster Road issue, I think it would be useful to include a drawing to show how two HGVs can pass safely on this section of highway particularly on the bend leading up to the A588 junction. It would also be useful to include some information on HGV flows on this road to demonstrate the frequency where HGVs might have to pass on this road. I note that there is information within the TA on traffic flows but this appears to be only on the A588 from a Department of Transport traffic count. There does not appear to be any traffic count information for Lancaster Road. You will also note that highways have drawn attention to the lack of pedestrian facilities on this section of highway and the implications for road widths. Some information on pedestrian usage of this road might therefore also be of assistance.

I hope these comments are useful to you and I look forward to receiving your response. If you wish to discuss any of the issues raised in more detail please contact me.

Yours sincerely,

Jonathan Haine  
Team Leader – Development Management