HARLEYFORD AGGREGATES LTD

Lower Hall Farm, Samlesbury, Lancashire

Proposed Sand & Gravel Extraction

PLANNING STATEMENT

January 2021

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1.0 INTRODUCTION

Outline of the Proposed Development

1.1 This statement is submitted on behalf of Harleyford Aggregates Ltd (HAL) in relation to land at Lower Hall Farm (LHF), Samlesbury, Lancashire where HAL have a mineral lease from the owners, the Booth Charities. The relevant land forms part of a larger estate owned by the Booth Charities.

1.2 The application is for:

- the extraction and processing of sand and gravel aggregate;
- the associated construction of a private access road to the A59 with a 'left in, left out' junction to the A59;
- the landscaping and restoration of the site to wetland and associated woodland, and
- the provision of the excavation as a passive Natural Flood Management Facility (NFMF)

1.3 The gross application area including operational land, margins, landscaping areas, planting areas and non-operational land extends to some 90 hectares. The application is provided with a Unilateral Undertaking relating to various operational, amenity and environmental matters on site and off site.

1.4 The application provides for the extraction of a net saleable reserve (after the removal of oversize and fines) of circa 3.0 million tonnes of sand and gravel meeting the relevant BS EN specification for coarse and fine concreting aggregate. A geological report and mineral analysis is included in Appendix A.

1.5 The provision of concreting aggregate is essential for the continued economic, environmental and social well-being and security of Lancashire. It will assist in enabling the development objectives of the Preston City Deal and the Central Lancashire Core Strategy. The mineral will also assist the wider objectives of Government as set out in the National Infrastructure Strategy to 'level-up' society, to create the Northern Powerhouse, and in the provision of essential infrastructure and materials to assist the economy to recover from the Covid 19 pandemic. Further the development will assist with the provision of resilience to address the impacts of climate change and to increase biodiversity on site and/or off-set biodiversity losses elsewhere.

1.6 As noted in the National Planning Policy Framework 'great weight' should be given by decision makers to the various benefits of mineral extraction including those benefits to the economy.

Terms

1.7 The following describes terms used in this statement:

The Applicants – the Applicants are Harleyford Aggregates Ltd (HAL) which company has rights from the Owners to pursue an application on land at and adjoining LHF

The Owners – the owners are the Booth Charities who are the landowners of the application site and adjacent land

The Tenants – the Tenants are those persons who have an agricultural tenancy from the landowners within the Application Area

The Survey Area – that area where baseline and other surveys were undertaken as part of the definition of the Development Area, which surveys may have extended well beyond the subsequently defined Development Area as part of the iterative process defining the Development Area

The Application Area – that area outlined in red on the application plan which extends beyond the Development Area and includes the extent of all works associated with the application including extraction operations, the access route, landscaping and tree planting, the temporary construction works and surrounding land. This area is all the land under the control of HAL as leased from the Trustees

The Development Area – that area within the Application Area within which all works associated with the extraction and processing of sand and gravel and the provision of a new Private Access Road will take place on grant of the relevant consents

The Extraction Area – the area within the Development Area within which sand and gravel extraction operations are proposed

The Plant Site – the area of the processing plant, stockpiles, office, weighbridge and consumables storage

The Haul Road – that unsurfaced internal road provided as a spine road from the plant site to the limit of extraction for the haulage of the extracted mineral to the plant site for processing, which will be limited to use to mobile quarry plant and removed as the site is progressively worked and restored

The Access Road – that surfaced road to be constructed from the plant site to the A59, which will used by all vehicles associated with the haulage of processed mineral and associated staff and service traffic from the Plant Site to the public highway at the A59, which will normally have no public vehicular or other access and which will be restored on completion of operations.

The Operations

1.8 The sand and gravel will be extracted by hydraulic excavator and processed in a fixed washing and screening plant using water extracted from ponds created on site. The washing water will return to an excavated pond, transporting the residual fines (clay and silt) unsuitable for aggregate use, forming a closed loop 'use' of water resources with no losses other than minor volumes lost in product leaving the site or via evaporation.

1.9 The mineral will be transported from the site via the surfaced access road to a junction with the A59 and then via the public highway network to customers. The A59 is defined as a strategic route.

Restoration

1.10 The restored site will provide a diverse wetland and woodland habitat. Public access will be excluded to ensure that the site will provide a 'quiet' undisturbed reserve for wildlife.

1.11 There is a large body of research confirming that the random presence or awareness of people (perceived as a predator) has serious impacts on birds and other fauna during breeding but also during feeding and resting. This impact is particularly serious on ground nesting species and during migration. The exclusion of the public will reduce that effect and maximise the biodiversity significance of the restored site. The public will still be able to enjoy the biodiversity created from the other side of the river.

1.12 The restored site will mimic an abandoned natural river course, meander 'ox bow' and/or overbank wetland with significant areas of wet woodland, reed bed, river cliff, gravel beach and sheltered water, etc, which features have either been lost or are now small and isolated along the Ribble.

1.13 The restoration will not in itself introduce faunal species in a form of re-wilding and neither will it seek to try to control or manipulate the habitat to meet the requirement of a specific species such as particular UK megafauna or iconic UK extinct species. However, by creating habitat where UK fauna (insects, amphibians, reptiles, mammals and birds) and native flora can naturally repopulate, according to the viability of the varied ecological niches provided, it will create a balanced 'natural' low maintenance biodiversity representative of long-term stable natural forces.

1.14 The initial planting and phased restoration works will from commencement of operations not only provide additional valuable habitat but will, extend, enhance and link to existing isolated woodland and wetland habitats. This will provide synergistic connectivity, enhancing the intrinsic biodiversity value of those isolated units and significantly enhance the totality of the existing and new biodiversity assets.

1.15 The UK minerals industry and the applicants have extensive experience in producing highly successful restoration of mineral extraction sites to a range of after uses including in particular restoration to protect,

replace and enhance biodiversity habitats already lost or being lost due to other permanent development. In that context the minerals industry is the leading provider in the UK of UK important or scarce habitat such as wetlands, reed beds, heathland, calcareous grasslands, etc and providing the diversity of ecological niches within these broad habitats and for various environmental situations. The industry has demonstrated how rapid restoration of such habitats can be achieved and how the provision of long-term stability can be managed.

1.16 On completion of restoration the site will be the subject of an aftercare scheme to run for 10 years to be undertaken by the operator. It will subsequently be managed by the owners as part of their management of the wider estate.

Net Biodiversity Gain

1.17 The Environment Bill includes a requirement for biodiversity gain as part of all planning permissions other than for minor works. The net gain sought is that the biodiversity 'value' created by the development exceeds at least 10% of that pre-development. The progress of the Bill has been delayed and hence the subsequent details of the application and measurement of that net gain process have not been concluded. A draft mechanism to assess net gain has been subject to consultation but has not been concluded and may need to be amended.

1.18 That mechanism is focussed on the impacts and outcomes of what in effect is permanent built development where the existing biodiversity will be lost forever and where the space for biodiversity gains is often limited. The procedure provides for gains to be off-set by being provided off-site.

1.19 Currently, the mechanism does not adequately cater for mineral operations where ultimately the site is fully restored and where the net biodiversity gains can considerably exceed 100%, which is not possible where permanent 'urbanisation' occurs. However, such gains from mineral working could thereby off-set inadequacies or difficulties in net gain arising from urban development, although the mechanism for that 'trading' has not yet been adequately addressed.

1.20 The development proposed will provide significant net biodiversity gains, on site and for a wider area. These gains will arise from the start of construction operations (with new tree and hedgerow planting and the construction of new water features) and continue to grow through the operations themselves, through the continuing phased restoration and through to the final restoration of the site at completion. From the start the area subject to the operations will therefore change from effectively a biodiversity poor to a biodiversity rich environment and landscape. As shown in the table below the net gain will greatly exceed 10% in total and for a number of specific biodiversity habitats.

Table 1

Feature/ Habitat	Existing	To be Provided
Large Water Body	1 (poor ecological quality) circa 1.0 ha	1 (designed to maximise wetland biodiversity) circa 20.0 ha with islands
Small Ponds	Nil	7 within influence zone of existing ponds
Watercourses	Nil	Circa 650 metres, including linking new ponds
Trees/Woodland	< 50 individual plus circa 2.5 ha sparse wood in former mineral excavation	Circa 16.0 ha
Hedgerow	<450 metres (short lengths or poor and thin with gaps)	Circa 900 metres
Reed Beds	Nil	Circa 5.0 hectares

1.21 As well as providing net biodiversity benefits directly on site, the significant new tree planting and extensive wetlands provided in the development will help to mitigate and offset the production of wider air and water quality impacts. It will assist in the amelioration of greenhouse gases, air quality pollutants and other environmental impacts and emissions arising from the urban, commercial and transport infrastructure around the site, from further afield and from future commercial or residential development in the wider local area. It will also assist in the reduction and amelioration of water quality pollutants from agriculture and commercial or residential development upstream and downstream.

1.22 These net improvements to air and water quality are difficult to quantify, may be very small overall, but they will arise with the development and contribute to enhancing biodiversity quality in the immediate local area and the wider area. They will assist in off-setting air quality impacts on designated biodiversity sites.

The Natural Flood Management Facility

1.23 The value of natural flood management facilities has long been recognised. Such facilities have been utilised in countries such as the Netherlands to achieve low cost management of flooding with considerable net biodiversity gains. It is often used as part of a catchment area strategic plan where the provision of construction aggregate thereby not only provides the flood management facility and biodiversity or recreation facilities but also provides essential minerals without disturbing other land.

1.24 This potential has been recognised for some time in the UK but with only limited development to date. The significant potential and value of NFMF has been recognised by Government and all relevant agencies. The Environment Agency (EA) supported NFMF as part of its Working with Natural

Processes research and strategy. That analysis noted that natural flood management was part of the nation's flood resilience tools and that its uptake should be enabled, alongside more traditional flood engineering, because of its sustainability, its cost-effectiveness, its ability to provide multiple benefits for people and wildlife and its ability to increase resilience to climate change.

1.25 Without any further direct action, the excavation will provide a passive NFMF. The NFMF will provide a nature based solution achieving both a significant natural flood alleviation feature and a major net biodiversity gain for the location. The NFMF so created has the potential to become a major such feature along the Ribble. As a substantial passive flood alleviation facility it will be provided at no cost to the public purse.

1.26 The NFMF will provide natural flood retention and will thereby (i) assist in flood prevention; (ii) off-set the increase in flood risk arising from other development or the loss of potential flood capacity caused by such development and/or climate change; (iii) assist in the reduction of water pollution and in improving river quality downstream and in the Ribble estuary; (iv) assist in improving the quality of bathing waters; and (v) assist in improving groundwater recharge.

1.27 The NFMF will assist, protect and complement the recently announced flood defence scheme for that part of the Ribble downstream from the M6 Bridge over the Ribble. That scheme, costing currently £49 million from public funds, primarily involves the construction of hard engineering flood management through the raising of flood walls. Hard engineering flood management is essential in the area of the works. However, the NFMF will enable that scheme to have greater resilience and ensure higher protection for residents from flooding. Further, as noted by the EA in relation to the above proposed scheme, NFMF offers a sustainable approach to managing floods and can help to restore and emulate the natural functions of floodplains and rivers.

1.28 In the event that permission is granted for the extraction operations, details will be subsequently submitted (including the submission of any planning or other permit application) for works to formalise these passive functions so as to maximise their potential as a NFMF without reducing the biodiversity gains.

The Development Plan

1.29 The Development Plan is the Joint Lancashire Minerals and Waste Local Plan (the Plan) which consists of the Core Strategy (CS), adopted 2009, and the Site Allocation and Development Management Policies (SP), adopted 2013. The Plan period was to 2021 and the Plan period has now expired.

1.30 That does not mean that all the policies in the Plan are out of date. Policies relating to, for example, development management considerations of traffic, or noise or restoration are still relevant (so long as

they still comply with recognised thresholds), and policies relating to spatial considerations such as protection of designated sites are also still relevant (so long as they still comply with current objectives).

1.31 However, the policies relating to supply of minerals and the landbank are now out of date because they were based entirely and specifically on meeting need to 2021 and did not look beyond that date.

1.32 A review of the Plan is now underway but it is unlikely that a new Plan giving clarity on how landbank requirements are to be resolved and what new allocations for sand and gravel are required, will be in place during the determination period of this application. That said the only potential new sand and gravel site identified by the County Council to date during the Plan review process has been the site of this application.

1.33 Further considerations on the status of the Plan and the landbank are detailed later in this statement but in that situation paragraph 11(d) of the NPPF now applies. Permission should therefore be granted for this application given that it complies with the relevant development management conditions and does not harm any designated site.

The Green Belt

1.34 The application site is in the immediate urban fringe of Preston and in the Green Belt. The fundamental purpose of the Green Belt is to prevent urban sprawl by keeping land open. Mineral extraction is defined in the National Planning Policy Framework (NPPF) as a land use which can be appropriate in the Green Belt provided it does not harm openness.

1.35 The preservation of openness does not require that there be no development at all nor no change to the landscape or no visual impacts. A quarry may not be visually attractive during its operational phase, but minerals can only be extracted where they are found. Further the impacts are temporary, and in this case contained in discreet phases which will be restored as operations proceed.

1.36 Restoration will provide a different but more attractive landscape and significantly increase the extent of desired habitats and provide other environmental assets for the community. Restoration will therefore not just retain but will enhance openness.

1.37 In operation and when restored as wetland and woodland the mineral extraction operations will prevent urban sprawl and maintain openness. The extraction operations therefore may be regarded in Green Belt policy terms as equally effective in preventing urban sprawl as the current use as agricultural land.

The Draft Unilateral Undertaking

1.38 A draft Section 106 Unilateral Undertaking (UU) is provided alongside this application. This Undertaking provides for various

commitments to undertake or maintain works or features. The UU also includes provision for funding to maintain Public Rights of Way in Samlesbury Parish and contributions in the way of materials and funding for environmental improvements and research relating to biodiversity interests along the River Ribble and its headwaters. In the event that permission is proposed to be granted by Lancashire County Council (LCC) as the mineral planning authority (MPA) then the UU will be signed and submitted. The draft UU is enclosed with this planning statement.

EIA Development

1.39 The application is EIA development and is submitted together with a separate Environmental Statement (ES) as required by the relevant Regulations. The ES demonstrates that the development will not give rise to any significant negative effects to the environment or to amenity, individually or cumulatively. The ES identifies the substantial net positive effects provided through the application in relation to resource provision, the economy, air quality, mitigation of greenhouse gases, landscape improvements, biodiversity enhancement, flood alleviation and the overall provision of green infrastructure and ecosystem services.

Harleyford Aggregates Ltd

1.40 Harleyford Aggregates Ltd (HAL) is involved with the extraction of sand and gravel and crushed rock aggregate, mainly in southern England. The Company has extensive experience in the exploration and development of sand and gravel and other aggregates in a diversity of resources. It is an innovative and growing company actively seeking expansion across England and Wales.

1.41 Harleyford has undertaken restoration of its extraction operations back to a wide range of after uses, including those with substantial water elements. It is currently actively involved with the RSPB on restoration of operations at Eversley, Hampshire to wetland. This site received a restoration award in 2017.

1.42 The company has experience in using waterborne transport of aggregate. Its work in this area has been referenced in various reports including as good practice guidance in 'Planning for Freight on Inland Waterways' (published for the Association of Inland Navigation Authorities, DoT, DEFRA, ODPM) and as a business case example in 'Developing Water Borne Freight on the West London Canal Network' (published for British Waterways and Transport for London).

1.43 The company is a member of the Mineral Products Association and therefore a member of the MPA Restoration Guarantee Fund where any default in restoration will be resolved through the Fund.

The Application Area

1.44 The application area is contained within land where HAL have been granted rights by the Trustees to explore and develop mineral

resources. Most of this land is currently held in agricultural tenancies for Lower Hall Farm, where the extraction and processing area is included, and Seed House Farm, which the access road crosses.

1.45 The agricultural businesses will be affected by the removal of land for the extraction operations, the provision of the private access road and such associated necessary landscaping and screening. This land take has been minimised as far as possible and the design of the private access road and phasing of operations in the application have been devised to interrupt continuing agricultural operations as little as possible.

1.46 The whole of the application area will come under the control of the applicants once operations commence. The applicants will manage the land, together with the estate and tenants, to ensure that access, landscaping, tree planting works, restoration and aftercare are undertaken as proposed in the application and in the UU, and to enable such residual land to be used for agricultural operations for as long as practical so far as such agricultural operations conform to the provisions within the submitted application as consented and/or as set out in the UU.

The Development Area

1.47 Most of the development area is in intensive agricultural use as grassland for grazing of sheep and cattle. The area to the north-west was the site of a sand and gravel quarry which started in the 1930s but was restored some time in the 1950s. A significant volume of mineral remains in this area and this will be recovered by the proposed operations.

1.48 The route of the new access road crosses improved and semi-improved grassland cutting through but with minimal disturbance to hedgerows and part of a wood adjacent to the A59.

The Mineral Reserve and 'High Quality' Sand

1.49 The mineral reserve of 3.0 million tonnes (after processing) consists of circa 60% sand (1.8 million tonnes) and circa 40% gravel (1.2 million tonnes). This reserve is based on the material in both the unworked part of the site and from the site of the previous sand and gravel operations. Oversize removed by processing may be sold directly but most will be used in site restoration, although the UU provides for some of the oversize to be utilised in improvements to the headwaters of the Ribble system.

1.50 The sand will meet the specification and need for concreting sand, a material in very short supply in current permitted reserves in the County, and will conform to BS EN 12620 for coarse, medium and fine concreting sand. The sand will thereby match the concept of 'high grade' or 'high quality' sand as termed by Lancashire County Council and as referenced directly or indirectly in historic, current and proposed policies. The gravel will meet the specification and need for coarse concreting aggregate and will conform to BS EN 12620 for such aggregate.

Timescale of Operations

1.51 The operating hours will be 07.00 – 17.00 Monday to Saturday.

1.52 The annual rate of extraction will be circa 150,000 tonnes and with a reserve of some 3.0 million tonnes the site will have a life of 20 years.

1.53 If permission is granted in 2021 it is reasonable to assume that the site will be able to commence full operations within 2 years of a grant of permission by end 2023 and that extraction operations will continue until end 2043.

1.54 However, allowance should be made for delays in bringing the operation on line and therefore consent is sought for extraction operations to cease by 31st December 2048.

2.0 CONSULTATION

HAL Involvement in the Local Plan Process

2.1 The potential for extraction of sand and gravel within the general location of Lower Hall Farm has been promoted by HAL through the various stages of the consideration of the CS and the SP. Representations were made throughout that process in relation to difficulties in ensuring future sand and gravel supply and particularly of 'high quality' sand, throughout the Plan period and at the end of the Plan period.

2.2 Those representations noted that bringing forward LHF could help to resolve those problems in general and particularly towards the end of the Plan period when resources in total, number of production units and the supply of 'high quality' sand for concreting would become very significant concerns. The representations also noted that bringing forward LHF would provide more long term certainty as to supply for the authorities, the public, the construction industry and the mineral extraction industry as to adequacy of supply and the locations where that supply might come from.

2.3 In relation to the Draft Local Plan Scoping Review in 2014 HAL made similar representations in relation to the scope of the review and developing sand and gravel supply difficulties and identified LHF as a suitable site to help to resolve those difficulties.

2.4 In relation to the 2018 published Reg 19 Consultation Draft Local Plan, HAL replied to the consultation concurring with the conclusions of that Draft Plan that further reserves need to be released in Lancashire and that the site at LHF, as identified in that document, would meet the relevant policy tests and contribute towards meeting supply.

Pre-Application Discussions

2.5 Throughout the evaluation and promotion of LHF discussions have been held with various officers of Lancashire County Council, to consider policy and supply considerations and assist in identifying relevant planning issues at LHF their resolution and mitigation and to demonstrate the positive environmental gains, including the NFMF and new habitats, that would flow from the development.

2.6 The preparation of the application has also been informed by discussions with officers of South Ribble Borough Council and various statutory and non-statutory relevant interests and agencies, such as the Environment Agency, the Lancashire Wildlife Trust, the River Ribble Trust, etc.

2.7 The discussions and consultations with officers of LCC and other authorities, agencies and interests, including 'walk-over' site visits, have helped to inform the development proposal and where possible these have been amended to remove possible objections and to incorporate advice and comments. Those consultations have continued in some cases for years up to the submission of this application.

2.8 The agricultural tenants were fully consulted throughout this process (through the Trustees and the agent for the tenants as the tenants desired) and their views were noted and considered and changes made to the proposed development where possible. Following those discussions the tenants are content with the scheme.

Public Consultation with the Local Community

2.9 Initial contact with Samlesbury and Cuerden Parish Council (PC) was first made in summer 2014 in a meeting with the Chairman, Vice Chairman and Clerk to the PC. The objective of that meeting was ensure that the PC was accurately informed as to the draft proposed broad scope of the potential development and could thereby take a properly considered view and advise residents accurately and accordingly, but also to open a channel to then enable the PC to feedback comments from the PC and residents to HAL, if it so desired. That meeting also sought to identify, from local knowledge, any significant issues that might relate to the development which the developers might need to avoid, mitigate or resolve. The PC advised that they should be the avenue for contact with the local community and that subsequently has been the route adopted by HAL. A note of that meeting is included in Appendix C.

2.10 A further meeting with the PC was arranged in May 2017 to explain the draft proposals to the PC and to seek feedback on those proposals. The local MP, Nigel Evans, and circa 50 local residents also attended. Various comments were made by the PC, Mr Evans and residents on the scheme and HAL responded as required. The comments made were noted. Contact details were provided if any party wished for further information from HAL or to subsequently provide comment. A note of that meeting is included in Appendix C.

2.11 Following that meeting a public consultation event on the draft proposals took place at the Samlesbury Memorial Hall in July 2017 where the draft proposals and background information on the uses and need for sand and gravel, supply and planning policy were displayed. Around 65-75 people attended over the event period. Their comments were noted. A note of that event and material displayed is included in Appendix C and D respectively.

2.12 Contact details were provided if any person wished to subsequently make comment. No such comments were received. Visitors were advised that copies of the information would be provided on request. Two members of the public requested copies and were supplied with that information. One resident sought clarification, on what were said to be significant conflicting details on the development. HAL offered to resolve the supposed conflicts but the request for clarification was effectively withdrawn.

2.13 In December 2017 the Chairman of the PC contacted HAL to request a meeting to discuss the proposed extraction at which he would be

accompanied by the local MP and the Chairman of the Samlesbury Residents Forum. HAL advised that they were willing for a meeting to be held at which their agent would act for them. However, in the event, this offer was not taken up by the PC. A locally circulated newspaper (Community News) made a request for a meeting between HAL and three local MPs. HAL advised that it was willing for their agent to meet the MPs either locally or in London whichever was convenient to their commitments. However, in the event, this offer was not taken up.

3.0 THE SETTING OF THE APPLICATION

Introduction

3.1 The site consists of agricultural land and former mineral workings adjoining the urban fringe of Preston. It lies within the South Ribble Borough Council administrative area. It falls within the Preston 'City Deal' area and within the Green Belt.

3.2 The surrounding land uses in the general location consist of typical urban fringe land uses including intensive agricultural land and horticultural activities; major transport elements; extensive commercial areas at Red Scar and adjoining; isolated large commercial complexes (the InBev brewery and Samlesbury Airfield EZ); major utility facilities (Blackburn Waste Water Treatment Plant and Preston Crematorium); 'ribbon' housing along the main routes; and a number of scattered hotels and similar service facilities (petrol stations, cafes, etc).

3.3 The site lies to the east of the M6 motorway and J31 of that motorway with the A59. This stretch of the M6 is one of the busiest sections of the whole UK motorway network and traffic on that section of road dominates the general location aurally and visually, including by light pollution, 24 hours a day. Similar impacts, but at a lower scale arise from the A59.

Topography

3.4 The application area lies within the valley of the River Ribble. The extraction area and plant site are located in the core of a pronounced meander on the valley floor at around 15 metres aod on the terrace of the River Ribble. The access road rises from that location, up the gently rising southern flank of the valley, to a plateau surface at around 55 metres aod.

3.5 The main topographic feature of this immediate landscape is the incised valley of the Ribble which extends roughly SW-NE upstream and downstream with a typical width of around 1500 metres. The incised form of the valley the flat floor of the present valley and the pronounced meanders within the incised valley reflect glacial or periglacial deepening and associated processes and subsequent erosion and deposition of gravels and other sediment by periglacial and immediate post-glacial fluvial conditions. At that time the river flow was significantly greater due to supply from melting ice or spring thaw. The various deposits in the valley were laid down as sea level rose and fell during subsequent retreats and advances of ice and sea levels in the current ice age.

The River Ribble

3.6 The River Ribble wraps around three sides of the site although there is a minimum 25 metre stand-off between the edge of extraction and other mineral operations and the top of the bank of the River. The river is generally some 55-65 metres wide although reduced to some 45 metres at Red Scar and is around 85 metres wide on the northern boundary of the site where the river contains an island and prominent in-stream gravel bars.

Other in-stream and bankside coarse gravel bars elongated along the direction of river flow are present along the course of the river. The river is an important fishery and angling clubs are active on both sides of the river. The river is a Biological Heritage Site.

3.7 Monitoring of flow is undertaken by the Environment Agency near the school in Samlesbury. Flow rates and depth of water can vary quite significantly over a short term. Except in flood conditions the River generally flows with a depth of 1.14 to 4.83 metres with a bank height of 2.0 to 6.5 metres depending on flow. The highest water level recorded at Samlesbury was 6.56 metres.

3.8 Except for the outside curve at Red Scar the banks of the river are generally present as a slumped or concave feature with a sub-vertical top exposing soil and clayey subsoils and a pediment of slumped material banked by coarse gravel with an overall gradient of 35%-45%. At Red Scar the river cuts into bedrock sandstone forming a steep eroding unstable slope.

3.9 The river may rise quite quickly due to rapid run-off in the headwaters upstream in upland areas or due to run-off from upstream agricultural land or urban development. The River may very occasionally flood into adjacent land particularly at a low spot at the M6 bridge where flooding may prevent access to Brockholes or, in more severe flooding conditions, affect properties at Samlesbury. In low flow conditions extensive gravel banks both along and across the river are exposed. While the sediment in such banks actively moves the general location of the banks are stable reflecting the dynamic forces within the river.

3.10 Flood management plans and strategies have been developed for the whole catchment to address flooding problems in the Ribble. These seek to provide defences to urban areas (barriers or other engineering works) where appropriate; reduce rapid run-off in the headwaters (planting of trees, restoring peat and delaying agricultural discharges); and slow or store floodwater in floodplains (by restoring natural channels and by creating floodwater retention features).

3.11 Climate change is predicted to increase rainfall and the intensity of rainfall and this in association with potential rises in sea level could exacerbate flooding in the Ribble catchment unless more direct action is taken. It is against this background that more attention is being given generally across the UK and specifically in the Ribble through working with nature to manage flood risk. This includes actions such as tree planting and storing flood water. In that context the excavation produced by the extraction will become a significant flood management asset. This working with nature approach also produces a range of environmental improvements to habitats, species and water quality.

3.12 There is active erosion on the Red Scar slope the other side of the river to the site. This is caused by the natural process of the river where the river is both faster and deeper on the outside curve of the meander. There is some active erosion where the river is wider on the northern boundary of the site. Provisions in the UU provide for green engineering in this location to stabilise the bank.

3.13 A weir was formerly located across the river between the Brockholes Centre and the site. This was removed in 2020 to improve the natural state of the river and its ecosystem.

3.14 The valley sides of this incised river display both steep faces and more gentle slopes. The steeper faces are where the Ribble has, geologically recently, actively eroded into the bedrock, while the gentler slopes are where the steep valley sides have been modified by minor rivers on the flanks. The disposition of slopes reflect the natural meandering nature of the river, such that at Red Scar the meander lies immediately adjacent to a steep slope, which the river created and which is still being eroded, leading to the plateau surface. On the opposite side of the valley a gentle slope rises. Small 'misfit' streams, such as the Bezza Brook and the Tun Brook, occupy deep narrow valleys or clough features, on the valley flanks, which features were carved out by more powerful rivers during recent glacial and periglacial periods.

Historic Land Use

3.15 The human land use response to this landform along the length of the valley has been to utilise the plateau, and the terraces and the gentler slopes for settlement and agriculture and leaving the steeper slopes as woodland. Subsequently, major settlements developed mainly on the plateau or on the lower flanks of the valley sides, or occasionally on local high spots in the valley floor above the area of seasonal or flash flooding risk. The current land uses in and around the site still reflect this general pattern but incorporate various modern infrastructure elements, notably the M6 corridor which cuts across this pattern.

3.16 The field pattern in the area of the extraction operations consists of a few large fields bounded by thin and poor hedgerows or wire fences with no significant hedgerow trees. This pattern, as shown on old OS plans has existed here since at least 1849. Adjacent land upstream and downstream of the site consisted of smaller fields in 1849 and still today include more significant hedgerows and more numerous and significant hedgerow trees. The field pattern adjacent to the proposed private access road has not significantly changed since 1849.

3.17 Old OS maps show a tramway from the junction of Potters Lane and Dean Lane to the river bed of the Ribble towards the western extremity of the site. This was probably associated with the extraction of coarse rounded river bed gravel deposited by the Ribble. The gravel would

presumably have been used in construction works. The presence of the tramway and its length would suggest that substantial quantities of gravel were extracted over a period of years with the extracted material being replaced by river transported material from upstream

3.18 The western half of the proposed extraction area has previously been worked in part for the extraction of sand and gravel by Ribble Sand and Gravel. From historic air photography and OS map evidence the operations appear to have commenced in the early 1930's. The operations appear to have ceased in the late 1950's. The LCC planning department hold no records of this site. There is no detail of any planning application or of a working scheme or of a restoration scheme. It has been suggested that the site was used to supply concreting aggregate in connection with runway construction at the former Samlesbury Airfield during WW2.

Current Land Use in the Application Area

3.19 The former sand and gravel working was restored to agriculture, although apparently not to any detailed scheme, with levels falling into the centre of the site. Due to incident rainfall and occasional flooding from the river the central depression now forms a wet area in which trees have regenerated naturally around a shallow pond. The pond may vary significantly in extent and hence depth and encroach on the trees. Old topsoil or overburden dumps, now grassed over or with shrubs, can be seen around the edges of the site. Stock can directly access the pond and woodland.

3.20 The restored or unworked land immediately surrounding the ponds and wood is intensively farmed grassland grazed by cattle and sheep with shrubs and small trees. A much degraded excavation face forms the eastern boundary of this area. That face now includes various small trees and shrubs. Stock can directly access the banks and course of the Ribble.

3.21 Ecological surveys, set out in the ES, confirm that the pond is of low ecological value due to the agricultural operations on the land surrounding the pond including stock mucking directly in the pond. The survey also concludes that the surrounding restored agricultural land is of low ecological value.

3.22 The eastern half of the proposed extraction area consists of intensively farmed improved large fields currently to grass and grazed by cattle and sheep and cut for hay or silage. This area is essentially flat with no distinguishing physical features. It is partly demarcated by fences and hedgerows, where the hedgerows are fragmented and in very poor condition, into three main fields although the field boundaries are non-existent in places. One field is partly defined on the ground by a few stones lying in the soil representing the course of a former wall. There are a very few small hedgerow trees in poor condition in the area. Stock may access the Ribble directly.

3.23 The proposed plant site is contained within a single semi-improved roughly undulating grassland field defined mainly by a stock proof fence with occasional hedge length and isolated hedgerow tree. The boundary to Bezza Brook consists of a more continuous, but varied, line of overgrown hedge and trees.

3.24 The proposed route of the access road crosses Bezza Brook and then an intensively farmed improved field to Potters Lane. It then crosses mainly improved and semi-improved fields to the A59. The road also crosses the site of old mineral workings just south of Potters Lane and just north of the A59.

Surrounding Land Uses

Immediate Area South of the Ribble

3.25 The operational area is surrounded on three sides by the River Ribble. Most of the immediate land beyond is agricultural land, mainly to permanent grass, with woodland blocks and bounded mainly by hedgerows.

3.26 Bezzabrook Nursery lies to the immediate east of the plant site west of Potters Lane. This contains a few buildings and is a commercial nursery which is not open to sales from the site to the general public. It generates very few vehicular movements per day all of which use Potters Lane. The Nursery will not be affected by the proposed operations.

3.27 Just west of the Nursery is a small gravel surfaced car park with gated restricted access used for parking by members of the Ribchester and District Angling Club, who will have accessed the car park via Potters Lane and a concrete road north of the Nursery. After parking Members walk across fields to the bank of the Ribble south of the car park. The car park, its access and pedestrian access to the river banks will not be affected by the proposed operations but a defined pedestrian access will be provided to the south bank with a new pedestrian access to the north bank.

3.28 There are two farm complexes and a very few scattered residential/business properties in this immediate area.

Red Scar and Pope Lane, Biodiversity Interests

3.29 To the NW of the site on the other side of the Ribble, and running from the M6 in the west to Elston New Hall Farm in the east, are the Red Scar and Tun Brook Woods Site of Special Scientific Interest (SSSI) declared in 1979. The SSSI is in favourable status. This woodland is included in the 1994 Provisional Ancient Woodland Inventory and part is a local nature reserve managed by the Lancashire Wildlife Trust. The 'Red Scar' carved out of the bedrock red sandstones by the river is now effectively hidden by woodland.

3.30 Immediately to and north of the SSSI is the Pope Lane Playing Fields local nature reserve (LNR) managed by Preston City Council. This is shown on the BGS geological map as 'made ground' (that is it is artificially

raised ground or filled former excavations). Although described as a local nature reserve the land is not identified as either a statutory or non-statutory biodiversity site. The land is predominantly semi-improved grassland invaded with rank species and with some very minor areas of scrub and hedgerow and ephemeral wet areas. The ecological value of the site has been described as low in surveys of the site.

3.31 North of Pope Lane Fields is the Pope Lane Ponds Biological Heritage Site (PLP BHS). The defined BHS includes a recently constructed road and is mostly covered by derelict and semi-derelict land, most of which is recently disturbed or made ground (with a variable degree of anthropogenic land contamination) over the occasional former landfill. This site is described as of limited ecological value. However, the southern strip of the BHS contains a series of ephemeral and partly filled ponds and wet areas of some potential value for amphibians and other fauna and flora.

The Red Scar Industrial Estate and adjacent Commercial Development

3.32 The PLP BHS lies almost wholly within an allocation for employment use in the Preston City Local Plan. It has previously been granted planning permission for its whole area, minus the ponds, for industrial use and has been the subject of more detailed applications and consents. Most of this allocation currently consists of derelict or disturbed land through which a road system has been constructed.

3.33 A substantial part of the allocation has recently been granted consent for an 'energy from waste', (EfW) incinerator on land at the southern fringe of the site. This development, which at the time of submitting this application has not yet commenced, involves the erection of buildings up to circa 37metres in height and two flue stacks up to 85metres in height. The buildings and stacks will be visible over an extensive area. This development is adjacent to the Red Scar SSSI.

3.34 To the immediate north of the industrial allocation is the very extensive Red Scar Industrial Estate (RSIE) and other adjacent industrial and commercial business areas. The RSIE is based on the 1939 Courtaulds rayon factory site. The extensive industrial area includes various waste management activities for hazardous and other wastes; open storage; manufacturing businesses as well as warehousing, office complexes and a crematorium. The site includes former railway land, disturbed land and former tips for industrial waste and areas of land with potential contamination.

3.35 Additional substantial allocations to extend the industrial area, and development of allocated land within the industrial complex, are provided in the Preston Local Plan and the Central Lancashire Core Strategy bringing such land use further south and east and adjacent to other parts of the Red Scar and Tun Brook Woods SSSI.

3.36 The buildings and structures within the industrial area are mainly not visible from the application site, and vice versa, due to the woods of Red Scar etc and the lie of the land. However, the stacks and some of the building mass of the recently permitted EfW plant will be visible from most of the mineral operational area and surrounding land including the few residential properties such as Bezza House.

3.37 Noise from the current activities in the industrial area is identifiable in the northwest part of the application area and this is expected to encroach further across the application area and surroundings as the industrial area and associated activities expand southwards over the allocated land. Such noise already impinges on the adjacent biodiversity interests at Red Scar.

3.38 Some of the industrial and waste management operations at Red Scar involve operations, treatment and storage of materials and wastes in the open and give rise to fugitive emissions and to a range of point source emissions of air quality pollutants. The planning consent for the EfW incinerator has concluded that the in-combination air quality impacts of the incinerator and all permitted and allocated uses at Red Scar are not significant in relation to dust or any air quality pollutant.

3.39 The activities at Red Scar produce variable levels of light pollution. The planning consent for the EfW incinerator accepted that the individual and in-combination light pollution impacts of the incinerator and all permitted and allocated uses at Red Scar are not significant.

The Brockholes Centre

3.40 To the SW is the former Higher Brockholes Quarry (HBQ), now the Brockholes Centre and owned and managed by the Lancashire Wildlife Trust. HBQ was restored in phases by the mineral operator to woodland, grassland and wetland. On completion of extraction operations it was subsequently acquired by Lancashire Wildlife Trust (LWT). The LWT have subsequently constructed an award-winning visitor centre on site.

3.41 This area was intensive managed agricultural land prior to being worked to supply 'high grade' concreting sand and gravel from 1992 to 2005. The deposit was a terrace sand and gravel deposit similar to that in the application area. The quarry was the main source of 'high grade' material for Lancashire over that period.

3.42 As noted in various Lancashire Bird Reports, HBQ was a notable site for birds during the period of extraction. The LWT identified in its tender documents for the Brockholes Development Brief (2007) that HBQ had a notable 53 species breeding on the site between 2000 and 2005, including ground-nesting species and waders, with some 110 additional species using the site for over-wintering or as a resting stop during migration, when it was an active quarry. Possibly due to the severe restrictions on public access to an operational quarry preventing disturbance while in operation (particularly

important for ground nesting birds); HBQ became one of the major birdwatching sites in Lancashire at the time. The quarry was also a valuable refuge and breeding site for other species.

3.43 The mineral operator was the recipient of an award in 2003 to reflect the biodiversity enhancement and range of species attracted and protected by the site provided in what was an active major quarry. The quarry was identified as a Biological Heritage Site (BHS) and retains that categorisation.

3.44 The operator of HBQ erected and planted substantial screening bunds around the site (up to 10 metres above local ground level) to screen the processing plant from view, on which tree and shrub planting was undertaken. These trees are now well established and of significance in the landscape and are prominent in that section south of Boilton Wood on the NE flank of the old quarry. Together with the retained screening bunds they screen the current application site from virtually all of the area of the Brockholes Centre and the route of the public right of way across Brockholes.

3.45 The LWT objected to the original mineral extraction operations, but the restored mineral site is clearly of greater biodiversity value than the former intensive agricultural land use. That biodiversity value could not have been achieved without the mineral extraction. Indeed while Brockholes has been described by the LWT as its 'Flagship Nature Reserve' this considerable biodiversity asset would not be present but for the mineral extraction and the new landscape and habitats created by the mineral operations.

3.46 The Brockholes Centre is not however a typical nature reserve. Due to funding obligations the ethos of the Centre is to provide a major recreation and tourism facility with associated activities together with nature conservation. The objective is to make Brockholes one of the most visited recreational facilities in the North West with a target of some 250,000 visitors per annum.

3.47 The Centre therefore also provides facilities for conferences, corporate events, exhibitions, shopping and associated catering and service facilities. The site is licensed for weddings and has consent to operate musical and drama events with lighting and music up to midnight. These activities are essential to fund the maintenance of the biodiversity provisions.

3.48 Brockholes potential as a biodiversity conservation reserve is therefore somewhat constrained and compromised because of its obligation to provide recreation and tourism facilities and its provision of events unrelated to conservation. These activities together produce random disturbance by people and vehicles and noise, air and light pollution.

3.49 The conservation potential is also compromised by an unlimited potential for public access, and random disturbance, via the effectively unconfined bridleway through the middle of the site and the uncontrollable public access along the permissive path on the bank of the Ribble.

3.50 Public access into the site is therefore available even when the centre is closed. Notices are posted seeking to prohibit dogs from the site so as to prevent disturbance to fauna (notably ground nesting birds). However, dogs cannot be prohibited from the public or permissive paths nor can they, or their owners or other people be prevented from access across the site when the centre is otherwise 'closed'.

3.51 The Centre is therefore subject to a degree of disturbance by planned events and of uncontrollable disturbance outside management control.

3.52 In contrast the habitat to be created at Lower Hall Farm will sit as an island of 'quiet' wetland and woodland undisturbed by any public access, dogs or intensive and random private or public activities during the day or night.

The M6

3.53 To the immediate west of Brockholes is the M6 and the major grade separated junction, junction 31, of the M6 with the A59. This section of the M6 has been constructed by cut and fill with the road exiting from a deep (circa 25 metres) cutting part way up the steep face of Boilton Wood to then traverse a high embankment across the valley of the Ribble to Junction 31 (the M6/A59 junction) on the south side of the river, before climbing out of the valley to the south.

3.54 The section of the M6 (from J29 to J1 of the M55) is part of the original Preston By-Pass (opened in 1958) which was the first part of the UK Motorway network to be opened. The original road was widened twice but within the footprint of the original works, although with major changes to the works at J31. This section of the M6 is one of the busiest lengths of Motorway in the country.

3.55 Where the M6 is in cutting this helps to reduce noise propagation. However, where it exits the cuttings and crosses the valley on the high embankment there is no noise screening and noise from traffic on the motorway provides a continuous background drone over most of the application area and surrounding property 24 hours a day all year round.

3.56 Noise maps prepared as required by the Environmental Noise (England) Regulations 2006 indicate that over most of the mineral application site and the settlement of Samlesbury noise from the M6 (with a contribution from the A59) falls within the 55-59.9 dB LAeq 16 hour band during the day within the 50-55 dB band at night and 60-64.9 dB LDEN.

3.57 The extraction area is visual screened from views from the M6 by woodland on the screening bunds on the NE flank of Brockholes. In any event the distance to the site and the angle of view from fast traffic on the M6 effectively prevents any view bar a fleeting glimpse for passengers and clearly prevents any significant view from drivers. This woodland provides minor mitigation of light pollution and lighting on the M6, including from passing traffic, but the M6 is a significant source of light pollution to the adjoining area.

Lower Brockholes Quarry

3.58 Lower Brockholes Quarry (LBQ) is located immediately west of the M6 and not visible from the application area or vice versa. This quarry was working similar terrace sand and gravel deposits to those in the application area and at the former HBQ. The area was also formerly intensive managed agricultural land but subsequent to receiving planning permission produced 'high grade' concreting aggregate sand and gravel from 2007. The quarry was a main source of such material for Lancashire but permission and reserves expired in 2017.

3.59 The site at LBQ is currently being restored to a lake for recreational fishing and nature conservation and to agricultural land with some landfilling of construction, demolition and inert waste. This waste will typically consist of dense non-porous materials (clay, recycled aggregate fines, mixed excavated material, silt, etc) unsuitable to process into secondary aggregate directly and compacted as part of the landfilling operations.

3.60 The filled land will therefore not be available for flood alleviation or flood storage or for groundwater storage because it removes total void capacity and replaces the original porosity in the sand and gravel deposit by a very low porosity mainly impermeable mass. Filling will also thereby reduce ground water recharge potential and may affect the chemistry of water in the proposed lake.

South of the Application Area

3.61 From the M6 junction the A59 dual carriageway runs eastwards at about 900 metres to the south of the operational area. The road initially runs on a terrace of the Ribble before rising up a gentle valley side to the plateau top at 55 metres aod. For most of this section of the A59 the route of the two carriageways are divided by a substantial median which contains woodland and run at different horizontal and vertical curvatures.

3.62 The application proposes to construct a new junction for the private access road near the top of the rise on the eastbound carriageway. The junction works will all be off of the existing carriageway. The construction of the junction may require the temporary closure of the nearside eastbound lane. Such closures have been undertaken a number of times recently in connection with utilities and other operations along a

considerably longer length of the carriageway (including the junction with Potters Lane) without any unacceptable impacts on traffic.

3.63 Potters Lane joins the A59 on the north side some 850 metres from the M6 junction. Potters Lane is a single track road which is public for the first 300 metres. Beyond that point public use is restricted to a bridleway as Potters Lane then becomes a private road. Potters Lane has an acute uphill junction where it joins the A59. There are arrangements on the A59 to allow for access to and from Potters Lane to the westbound carriageway.

3.64 Between the application site and the A59 and backing onto the Ribble the land is mainly in agricultural use with areas of woodland. A scattering of properties forming the settlement of Samlesbury are located along the southern 500 metre segment of Potters Lane or immediately adjoining the A59 towards the M6 on the terrace of the Ribble. This southern segment of Potters Lane also provides access to the Parish Church of St Leonard the Less and Samlesbury C of E Primary School.

3.65 St Marys and St John Southworth RC Church and Presbytery are located in woodland near the A59 half way up the valley side with access direct to the A59. That access lies some 450 metres to the west of the proposed access for the mineral extraction.

3.66 A former petrol filling station site some 200 metres to the east of the proposed access has been developed as a retail decorative and landscaping stone centre. Traffic to that business is considerably less than to the former petrol station. Agreement has been reached with the owners of the stone centre and with the Trustees to improve the approach sightlines by minor landscape works on land within the control of the Trustees.

3.67 At some 550 to the east is a traffic light controlled junction with the B6230 with the former Samlesbury Hotel located immediately to the north after that junction. At some 650 metres to the east is the roundabout junction of the A59 with the A677.

3.68 The former Samlesbury Aerodrome, now mainly the Samlesbury Enterprise Zone lies to the east of that roundabout with other industrial and commercial activities including non-conforming activities in the surrounding area. To the south of the A59 is the extensive area of the United Utilities Blackburn waste water treatment plant and the substantial INBEV brewery.

Climate

3.69 There is no weather station on site or nearby. The nearest weather station is at Blackpool Airport which lies some 27 kilometres to the east adjacent to the coast at near sea level. The typical average climatic factors in the general location of significance to the development are rainfall and wind as these will relate to the possible movement of dust and other air pollutants and influence noise patterns. Rainfall is on average between 1000-1250mm

per year falling sometime on around 180-220 days per year dominantly in the period from September to February but with significant rain throughout the year. Throughout the year wind is dominantly from the south-southwest-west. Average wind speeds are greater in the period October to March reaching circa 12.5 to 15 mph on average whereas the average in April to September is between 10 to 12.5 mph. However, such statistics do not reflect days without wind or how much wind speed is in excess of the average on particular days.

4.0 PLANNING CONSIDERATIONS

Planning Designations

4.1 The proposed development is within the Green Belt but does not lie within or adjoin, or is within the impact setting, of any international or national planning or environmental designation or feature.

Property

4.2 There are very few residential properties in the vicinity. The distance of the nearest relevant residential properties by compass direction from operations is identified in Table 1 below.

TABLE 1

PROPERTY	From nearest edge of operational land	From nearest edge of private access road	From nearest edge of extraction	From furthest edge of extraction	From nearest edge of temporary screening operations around mineral
The Brambles & Bezza Villa	275 E	280 NE	275 E	1425 E	225 E
The Hawthorns	500 E	450 NE	575 E	1675 E	475 E
Bezza House	700 E	625 NE	700 E	1850 E	650 E
Riverside Cottage	575 S	225 W	650 S	1600 SE	550 S

4.3 There are only two residential properties within 500 metres of the operational area. These properties are a pair of semi-detached houses ('The Brambles' and 'Bezza Villa'), which are located at the junction of Dean Lane with Potters Lane and opposite Bezzabrook Nursery. The Nursery buildings and surrounding woodland to the west provide a substantial and complete visual screen for these two properties of the proposed operational and plant area. The bund constructed to protect the two properties from noise will be screened itself by planting on the bund and on surrounding land which will reinforce this visual screen. The bund itself will not be visible from these two properties due to the existing Nursery buildings and surrounding woodland.

4.4 The nearest other residential property is 'The Hawthorns' located on Dean Lane at 500 metres to the east of the edge of operational land. The intervening woodlands provide a complete visual screen of the proposed operations from the 'Hawthorns'.

4.5 Bezza House is some 700 metres to the east of the operational area in an elevated position at circa 30 metres aod and looks directly along the axis of the meander containing the extraction area. Bezza House has internal woodland screening. The plant site is screened from Bezza House by the existing woodland in and around Bezzabrook Nursery. The initial stages of extraction are also screened by that woodland.

4.6 A substantial screening bund and planting to be provided at commencement is to be provided around the plant site and north of the Nursery. As the operations proceed in a clockwise direction away from Bezza House, there are initially no potential views from Bezza House. In circa year 10 of operations and at a distance of 1.8 kilometres from Bezza House the extraction operations turn back eastward. By that time, the screening bund will be well vegetated and the associated planting to the east of the bund will provide a substantial barrier to any views from Bezza House. Views from other properties adjacent to Bezza House are screened by Bezza House, the adjacent woodland and by the proposed bund and planting.

4.7 The nearest property on the northern edge of Samlesbury is 'Riverside Cottage' located some 575 metres to the south. There are some 20 properties between that location and the A59 of which approximately half immediately adjoin the A59 and are in excess of 1000 metres distant from the proposed development.

4.8 Discounting property on the western side of the M6, there are only a further 4 properties within 1000 metres of the site, none of which have views into the site.

4.9 The access road crosses the terrace of the Ribble then rises up the valley side. It passes between Seed House Farmhouse and Bezza Villa. Vehicles on the access road may be glimpsed from the grounds of Bezza Villa, but planting in a field corner near Bezza Villa will further mitigate this.

Public Rights of Way

4.10 There are no public rights of way across or around the perimeter of the extraction area or the plant site. The access road crosses three Public Rights of Way (PRoW) between the plant site and the A59 (at Potters Lane, the path from Seed House Farm and the path parallel to the A59. There is no need to divert or stop up any right of way.

4.11 The crossings of the PRoWs by the Access Road will be designed to protect public rights, ensure safe and accessible access and provide suitable advisory signage for both vehicles and walkers. The site operator will enforce speed limits and ensure that drivers are aware of their responsibilities at each crossing. The vehicles will be contracted and the site will not be open for casual collections and as such the site operator will be able to enforce limits. Together with the low level of use of the access road

and speed control of vehicles on the road, this will ensure safety of PRoW users.

4.12 No new PRoWs or permissive paths are proposed across or around the extraction and plant area so as to ensure that the restored site maximises its biodiversity potential as a site undisturbed by uncontrolled or random access by people and dogs and is protected from antisocial behaviour and vandalism. However, pedestrian access for the fishing club is provided and protected together with protection of the fishing club car park adjacent to Bezza Nursery.

Potters Lane

4.13 Potters Lane is a public road for 300 metres north from the A59 and then becomes a private road heading north to Lower Hall Farm. The public length of Potters Lane from the A59 is used to access residential properties, an agricultural contractor, the local school and the church. This traffic is unauthorised to use the private road beyond. Potters Lane will not be used for access for the proposed development but the private access road will cross Potters Lane where it is a private road. The road is essentially a single track road apart from the first 60 metres from the A59. There are few passing places on the route. The private section of Potters Lane is also a bridleway for use by pedestrians, horse riders and cyclists.

4.14 Dean Lane joins Potters Lane by Bezza Brook Nursery and heads east to meet the A59 some 350 metres east of the Swallow junction. There are barriers in Dean Lane just after the access point for Bezza House which prevents cars and other vehicular traffic proceeding further along Dean Lane. There is also a barrier on Bezza Lane just after the access point for properties to the rear of Bezza House which prevents cars and other vehicular traffic proceeding further west to Dean Lane and Potters Lane.

4.15 Potters Lane is therefore a 'no-through road' in respect of both public access and private access for cars and larger vehicles and beyond the public length is used for authorised access only to a few residential properties off of Potters Lane and Dean Lane, to the farms, for the fishing club and to Bezzabrook Nursery.

4.16 The section of Potters Lane north of the proposed crossing by the private access road to the quarry therefore serves one farm (Lower Hall Farm), Bezza Brook Nursery, the car park to the west of the Nursery used by the fishing club and five residential properties (Bezza Villa, The Brambles, The Hawthorns, Button Oak and Bezza House). These generate very few vehicle movements and therefore conflicting movements at the proposed crossing will potentially be negligible.

4.17 The dimensions, width constraints (steep banks, ditches, trees and boundaries) and the geometry of Potters Lane, plus the need to consider other users of the road, effectively limit maximum speed on Potters Lane to 20mph but in particular locations to 15mph or lower. These considerations

limit speed at the location of the proposed crossing by the private access road to around 15mph.

4.18 Potters Lane now forms part of an advisory cycle route, defined by the County Council, (partly on the A59) for recreation and access for workers to the Samlesbury Enterprise Zone. However, as a bridleway this route was open to cyclists to use regardless of that definition. There has been only very limited works on the whole route off of the A59 which would have improved its attractiveness for cyclists on work related journeys (no lighting or other winter/night time hazard warning works have been provided) and such works as have been undertaken are mainly restricted to reducing potholes.

4.19 No works are proposed in connection with this application which would in any way restrict the use of the footpaths or bridleway or the use as an advisory cycle route. There will be no conflict with night time use by cyclists or pedestrians as operations will cease before night time.

4.20 The specific level of use by cyclists has been monitored near the Access Road crossing point and is shown in the table in Appendix 2. That monitoring also included the use by vehicles, pedestrians and horse riders. Monitoring periods were normally warm, dry periods in the summer to capture the maximum potential use by cyclists, horse riders and pedestrians.

4.21 In relation to relevant traffic levels and speeds there are satisfactory visibility conditions (both for Potters Lane and the Access Road) where the access road crosses Potters Lane. Hedgerows and verge will be managed to ensure this visibility is maintained and suitable advisory signs will be erected to be agreed on Potters Lane and on the Access Road.

5.0 THE PROPOSED DEVELOPMENT

The Construction Phase

5.1 Construction operations will be undertaken in accordance with a Construction Environmental Management Plan (CEMP) to be produced and agreed with the MPA. The construction operations will commence with a temporary access on to the A59 so as to develop a construction compound near the A59 junction. Provisionally this will be located in the eastern part of the triangular field with access off of the A59. With the exception of a 20 metre strip adjacent to the access road, which will be planted with trees and shrubs, the land used for this compound will be restored to agricultural use on completion of the construction works.

5.2 A construction corridor for the new access road will be demarcated by a suitable fence from the junction to the plant site and the preliminary works for the access road undertaken followed by the construction of the access road, commencing with the completion of the junction works to the A59 itself, including drainage and fencing. No works will intrude on the route of the gas main or its stand-off zone to the east. No construction traffic will use Potters Lane. Tree planting adjacent to the road will be undertaken in the next planting season following completion of the road.

5.3 Once the preliminary access road is in place the plant site and the initial clean water pond and silt lagoons will be defined and developed, screening bunds constructed and the plant brought on site and commissioned. The construction compound will then be cleared and the land restored.

5.4 The extraction area will be defined by a suitable fence to ensure limits of extraction are clear and to prevent stock from entering the site. Following final commissioning of the plant full scale extraction operations will commence.

5.5 Substantial areas of new woodland and hedgerow will be planted around the plant site and adjacent to the access road during the initial construction phase. A network of new watercourses and small ponds will be provided alongside the access road at that time.

The Access Road

5.6 The access road, some 1100 metres in length, will be constructed from the A59 dual carriageway road to the plant site leaving that road on the eastbound lane. The junction with the A59 will be a ‘left in and left out’ junction. The junction is some 1500 metres to the east of the eastern junction with the M6. It is some 550 metres to the west of the traffic light controlled junction of the B6230 with the A59, shortly beyond which at some 650 metres, is the roundabout junction of the A59 with the A677. The A59 is a dual carriageway road throughout this section, which is subject to a 50 mph speed limit on the eastbound lane.

5.7 The access road will be single width with passing places. There will be no lighting on the access road. There will be no use of or need for speed bumps. The road will be constructed partly in concrete (from the plant site to Potters Lane) and black top (from Potters Lane to the A59) to full relevant engineering standards. Surface water run-off will be managed to minimise external impacts.

5.8 The provision of cattle grids and the long hard surface will ensure that no material will be tracked out onto the A59. In the event that tracking of mud or other material occurs on that section of the access road approaching the A59 a road sweeper will be contracted to sweep the access road. In the unlikely event that any significant tracking on to the A59 occurs the operator will be under an obligation to prevent that tracking. The specific actions to prevent that tracking cannot be determined at this time.

5.9 It is intended that the access road shall primarily only be used in connection with the extraction operations. Traffic shall therefore mainly be restricted to aggregate delivery vehicles, staff access and the delivery of consumables. No such vehicles shall be permitted to use Potters Lane. There will be a strict enforcement on the ban on using Potters Lane to be controlled by CCTV or other technology. All vehicles using the access road shall be required to observe a 15 mph maximum speed limit which limit can be controlled by CCTV or other technology. The vehicles accessing the site will be under contract and such limits can be enforced.

5.10 Where it may be desirable the access road may be made available for the occasional heavy goods vehicles accessing the two farm complexes or Bezza Nursery. This will remove such traffic from the inadequate southern section of Potters Lane to the A59 which is used to access Samlesbury Primary School and a few residential properties, and remove such traffic from having to access left out from the difficult junction of Potters Lane with the A59. This will need prior agreement with the operator. However, normal agricultural activities are to be kept off of the access road so as to ensure that no material is tracked on to the public highway. In an emergency, and if Potters Lane were blocked between the access road and the A59, then the access road will be made available for residents along Potters Lane and Dean Lane.

5.11 Most of the new access road will be separated from agricultural operations by a suitable stock proof fence and hedgerow where an existing fence/hedgerow does not exist. Where the road crosses public footpaths or agricultural access routes, cattle grids, gates and stiles in a form to be agreed will be constructed. Immediately following construction of the access road substantial planting of woodland and shrub species will be undertaken in various areas adjacent to the route. New lengths of hedgerow will also be constructed alongside most of the access road. The management of surface water flows from the access road will consist of the construction of lengths of ditches and swales leading into pond systems which will then feed back

into existing ditches or streams. This network will therefore match the principles of the provision of sustainable drainage systems.

5.12 The planting and hedgerow provision will not only compensate for the loss of a few existing trees and minor lengths of hedgerows, but will substantially increase woodland and hedgerow habitat, and associated woodland edge habitat. Further it will provide suitable connections to link the existing isolated woodlands. The ditches, swales and ponds will provide opportunities for planting and natural colonisation by relevant flora and fauna. Bat and owl boxes, of a number and location to be agreed, will be provided on suitable trees adjacent to the access road or nearby.

5.13 The access road from Potters Lane eastward will have constructed falls and kerbs and an associated drainage system. The design will therefore reduce noise and dust propagation and ensure that the integrated surface water run-off drainage system can be constructed and managed successfully. The surfacing of the road will also ensure the reduction in turbidity in discharge water. The road will be constructed as a 3.5 metre wide single track road, with passing places. Soil, excess bedrock and weak material underlying the route of the access road will be removed for use on site for landscaping and screening works and a suitable foundation provided for the access road.

5.14 The access road will be gated at the entrance to the plant site. It will then run between an area of new planting and over a cattle grid before crossing Bezza Brook. The crossing of Bezza Brook will consist of a concrete bridge founded on concrete foundations, constructed back from both banks of the Bezza Brook so as not to affect or disturb the bank or river bed. The final details of the construction and bridge form are matters to be concluded in discussion with the relevant agencies following the grant of planning permission, although outline details are provided in the Infrastructure Design Statement in the ES. A line of trees and shrubs grow on the northern bankside of Bezza Brook.

5.15 The location for the crossing of Bezza Brook avoids any medium to large trees and makes use of a partly open section which only requires the removal of a few very young small trees and shrubs in an overgrown hedge.

5.16 The access road then diagonally crosses a large flat open field for a distance of some 250 metres. The access road will not be fenced or otherwise bounded to enable the field to be managed as a single entity for either grazing or arable cropping.

5.17 The road then crosses Potters Lane, which at this location is a private road but also a public right of way in the form of a bridleway. Cattle grids will be located within the immediate field boundaries either side of Potters Lane to prevent stock accessing or leaving the fields or entering the access road. The crossing will be gated such that the gates can be locked open during working hours but locked closed across the access road outside

of working hours to prevent unauthorised access to the access road, but without affecting access along Potters Lane.

5.18 Small lengths of hedge and one large oak tree in the hedge boundary on the south side of Potters Lane will need to be removed. Surveys have confirmed that this tree is not used as a bat roost. If consent is granted for this application, a bat survey of the tree will be undertaken prior to construction operations commencing. The removal of this single tree will not disrupt the flight path of foraging bats.

5.19 After crossing Potters Lane, the access road crosses a small semi-improved field, currently used for grazing, in a southerly direction. Some 60 metres, at its nearest, to the east is Seed Park Wood, a Biological Heritage Site (BHS). Seed Park Wood is included in the Provisional Lancashire Ancient Woodland Inventory. The proposed works are distant from this wood and will not affect or harm the woodland soils, the ground flora or individual trees.

5.20 A main badger sett is located just inside Seed Park Wood at some 60 plus metres from the edge of the access road works. Badgers are protected but there is no specific legislation relating to the relationship of Badger setts to development or the impact of development on setts. Current Natural England guidance notes that tunnels may extend up to 20 metres from the sett entrances, suggesting that works should not take place within this radius. Previous guidance by English Nature (2002) advised that heavy earth moving machinery should not be used within 30 metres of a sett. As noted above the works for the access road is well beyond these advisory distances. Any construction corridor will be kept beyond such distances.

5.21 In taking this line the road makes use of a hollow, which is an old, partly filled, former mineral excavation. The hollow is partly surrounded by trees with some small shrubby trees and shrubs on the inner flanks of the hollow. The construction of the access road will require the removal of some of the small shrubby trees on the western inner flank and southern lip, but not the large trees which partly surround the feature. However, a large ash tree is located near the line of the road and may be required to be removed. A stock proof fence will be erected on the western boundary of the works area.

5.22 On leaving the hollow the road will rise in a minor cutting to ground level at the southern boundary of the field at circa 26 metres aod. The former excavation provides a screen to the west for part of this route, with the cutting providing further screening to the south of the hollow. Material excavated from the route and the cutting will be used to construct a bund on the south-west flank of the road after it crosses Potters Lane so as to extend the screening effect. This bund will be planted on its external face with trees, shrubs and a hedgerow.

5.23 Substantial areas of varied tree and shrub planting are provided alongside both sides of this section and in the land up to Seed Park Wood. Surface water run-off will be managed by providing the road with a cross fall and then via intercepting gullies to feed ditches and swales. An intercepting pond of suitable size will be provided at to the east of the road just south of Potters Lane with an overflow into the ditch on the south side of Potters Lane.

5.24 The access road then crosses a circa 15 metre wide 'greenway' track used for agricultural access and also the route of a public footpath. As at the crossing of Potters Lane the route will be provided with cattle grids and gates to prevent access to the access road but still maintaining access along the track. The location of the access road on the northern side of the track avoids any trees along that boundary. The location of the access road on the southern side of the track requires the removal of a large ash tree and a few small shrubby hedgerow trees and associated hedge.

5.25 The access track then enters a large semi-improved field in grass which rises to the east from circa 26 metres aod to 53 metres aod. The access road runs south for 170 metres, some 20 metres parallel to the east of the western boundary, and then curves to run east for 320 metres, some 15-20 metres parallel, and to the north of, a wooded clough known as Samlesbury Wood.

5.26 Samlesbury Wood is a BHS and included in the Provisional Lancashire Ancient Woodland Inventory. However, there is no evidence that this wood was in place prior to 1600 and it is therefore not Ancient Woodland within the provisions of the NPPF. It is not within a TPO. The construction and use of the access road will not affect this wood. The outer eastern and northern boundary of the access road will consist of a stock proof fence with a new hedge on the access road side of that fence.

5.27 The western boundary of the field consists of a fence with a very thin, low and patchy hedge. A few medium sized trees lie within or adjacent to the hedge. The section alongside the western boundary traverses a slightly undulating landform with occasional seasonal rivulets. This section will be constructed in low cut and fill with suitable culverts as required.

5.28 It is proposed to construct an earth filled bank between the road and the existing field boundary at the same time as constructing the access road. This bank will be filled with sods, soil and rock recovered from the route of the road and planted with shrubs and mimic similar typical banks or dykes. The bank will immediately provide effective visual and aural screening to the west but will not be an intrusive feature itself. It will be supported on the outer western margin by further tree, shrub and hedgerow planting.

5.29 Where the bank crosses the route of rivulets, culverts will be incorporated as required. Surface water run-off from this section of the

access road will be channelled into the existing route of rivulets and proposed culverts, to an intercepting pond in the north-west corner of the field to then overflow, as at present, if needed into the ditch on the south side of the 'greenway' track.

5.30 The 15-20 metre wide 320 metre long strip area of land between Samlesbury Wood and the access road will contain drainage works immediately adjoining the road with the residual area being planted with a mix of trees and shrubs to create a varied and natural 'ecotone' woodland edge. Surface water will be channelled into intercepting gullies, ditches and swales. Downstream linked intercepting ponds will be provided with an outflow, if required, into the clough.

5.31 The access road then crosses a small partially enclosed depression, before entering a further semi-improved field currently to grass. The depression has a narrow exit to the south west and is a head ward eroded extension of the Samlesbury Wood clough feature. The depression is fenced and partly surrounded by small hedgerow trees and shrubs with similar shrubs growing in the flanks of the depression. This area is not included in the Provisional Lancashire Ancient Woodland Inventory.

5.32 On numerous visits to the site no water, other than very minor seeps, has been observed to flow either from the flanks of the depression or along the bottom of the depression. Flow and erosion may therefore occur only under rare and extreme weather conditions. Such conditions are expected to be more frequent because of climate change.

5.33 It is proposed to construct a rock filled gabion embankment on the southern side of the access road and then to backfill the depression beneath the road and to the north of the road with suitable free draining rock fill. This will help to reduce head ward erosion under extreme conditions. The details of this work are to be agreed. This will require the removal of a few small saplings and shrubs.

5.34 The road then crosses the southern part of a large gently sloping field to grass and then curves to the south cutting through a hedge at circa 56 metres aod, which hedge forms the southern boundary of the field. The road will be constructed to a width of 7.3 metres so as to enable two vehicles to pass, from here to the A59. The area between the existing hedge and the road will be planted with trees but will also include drainage works with an intercepting pond and an overflow westwards into the clough. The outer northern boundary of the road will consist of a stock proof fence with a new hedge provided on the inner road side of the fence.

5.35 The final circa 100 metre section of the road runs due south across the northern corner of a triangular field in a shallow cutting, then across a narrow tree/hedge bounded 'greenway' track, across part of a further field in a further shallow cutting, and finally across a steep wooded hollow feature adjoining the A59 at circa 55 metres aod. The road will

initially be on a falling gradient to the A59 with at least the last 15 metres to the A59 being level.

5.36 The 'greenway' track has a bowl cross section around 1 metre below the adjacent ground surface and is the route of a public right of way footpath as well as a seep leading westward. The road will cross the hollow on a shallow embankment or at grade.

5.37 The wooded hollow feature adjoining the A59 forms part of large woodland which extends along the north side of the A59 and is sometimes identified as St Mary's Church Wood. The wood is a BHS, but is not in the Provisional Lancashire Ancient Woodland Inventory. The wood is subject to a Tree Preservation Order (TPO) made in 1976 which extends to cover all the woodland on the northern boundary of the A59 from Potters Lane to the old petrol station, plus other woods, tree groups and individual trees in the wider area. The second schedule of the TPO confirms that the Order shall not apply where the removal of any tree or trees is required for the purposes of carrying out development authorised by a planning permission.

5.38 In this location the hollow consists of a steep sided feature up to 5 metres deep falling and opening out to the west. A rivulet lies in a small incised ditch at the bottom of the hollow. There are mature trees and scrub growing around and occasionally at the bottom of the hollow and a number of trees, hedgerow trees and saplings will need to be felled to provide the access road and associated works. The access road will be constructed across the hollow using rock filled gabions or such other engineering works as may be agreed.

5.39 This wooded hollow is not wholly a natural feature as the wider location was part of a former sand and gravel working. Beyond this former mineral working, the woodland running westward alongside the A59 is a recent woodland being formerly a pasture field with hedgerow trees that gradually over the period from circa 1939 was allowed to be overgrown into woodland. This lies outside the control of the applicants and has a valid felling licence allowing forestry operations including clear felling.

5.40 Gates and cattle grids will be provided some 60 metres back from the A59, thereby allowing any vehicles accessing the quarry to stand clear of the highway. Provision will be made for gates or stiles and suitable signage at this crossing. The outer eastern boundary of the road will consist of a stock proof fence with a new hedge provided on the inner road side of the fence. Tree planting will be provided in a 20 metre strip adjacent to the eastern edge of the triangular field and in residual field areas. Surface water drainage will be provided by ditches leading southwards via an intercepting pond into the clough.

5.41 The junction with the A59 will consist of a left-in and left-out junction designed to meet the relevant standards for such a junction as set

out in the Design Manual for Roads and Bridges. This junction will be signed on the public highway in accordance with a signing scheme to be agreed with the Highway Authority. Internal signage to manage traffic speed, access arrangements to the A59 and to provide awareness of rights of way crossed by the haul road will be erected in accordance with a scheme to be agreed with the MPA and the Highway Authority as the rights of way Authority.

5.42 All gates on the access road either at the junction with the A59 or internal will be locked across the access road outside of operating hours to prevent unauthorised access except in an emergency.

5.43 On completion of operations the access road will be removed and the land will be restored to woodland between Potters Lane and the A59 and to agriculture west of Potters lane.

The Plant Site

5.44 The plant site is located due west of the Bezzabrook Nursery on an area of semi-improved grassland at around 15m aod but with a slightly undulating landform. The plant site area will contain the processing plant, stockpiles of processed mineral, the weighbridge, office and associated staff amenities, and load out and adequate parking for staff and visitors. No overnight parking of vehicles will be allowed. No maintenance of haulier vehicles will be allowed other than in emergencies. All loaded vehicles leaving the processing area will be sheeted.

5.45 A thick and tall belt of trees up to 15 metres high lies within the Nursery site and provides effective screening to views from the east, notably from Bezza Villa and The Brambles and will screen views of the bund from those properties. A riverside line of trees lies on the southern boundary of the plant site and breaks up and partly screens views from that direction.

5.46 The plant site will be developed on a concrete pad at around 15 metres aod within a 8 metre high screening bund to the east, south and west, constructed from soil and overburden removed to expose the initial areas of extraction. This screening bund will hide the plant site to views from the relevant directions and ensure that noise levels are kept within acceptable thresholds. The bund will be sown with a low maintenance grass mixture and planted extensively with low growing shrubs to soften its outline. The area of land between the bund and the southern boundary with Bezza Brook will be planted with trees with a private footpath for the angling club to access the Ribble.

5.47 On completion of processing operations, the plant will be removed, the concrete removed for re-sale as recycled aggregate and the screening bunds bladed down to create a gently undulating landform. Shrubs from the bund will be replanted where possible on this landform which will then be planted to provide a mixed open woodland with glades.

5.48 The plant itself will consist of a low level washing and screening plant, including a lignite removal plant with a maximum height of 7 metres. Rejects screened off prior to washing will either be sold or be returned to the extraction area for use in restoration. Stockpiles of the relevant grades of sand and gravel will be provided. The height of stockpiles will be below that of the surrounding screening bund. A weighbridge, office and fuel stores will be provided on the plant site. The fuel etc stores will be contained in a mobile structure so that they can be removed out of the risk area in the event of a flood warning. The office and staff facilities will be in portacabin type structure raised above likely flood levels. Parking for staff cars and visitors will be provided near the offices. Waste arising from the office and non-mineral waste will be collected by private contract.

Extraction Operations

5.49 The extraction area consists of the part worked mineral workings to the west and the unworked, currently intensively grazed terrace deposit lying at circa 15 metres aod to the east. Extraction operations are phased mainly in a clockwise direction around this area, first heading west from the plant site. The extraction cells will be worked in two stages: first extracting the mineral above the water table 'dry' and secondly extracting the mineral below the water table 'wet'. Extraction will be undertaken by tracked excavator standing on the mineral feeding a circa 35/40 tonne capacity articulated dump truck.

5.50 The dump truck will take the excavated mineral to the plant site, at a rate of less than 40 movements (20 out, 20 back) per day. The length of haul from the face to the plant first increases and then decreases. A spine haul road is proposed which will serve virtually all the phases. As operations retreat back eastwards, the spine road itself will be extracted. The extraction operations will keep a minimum buffer of 25 metres from the extraction edge to the top of the bank of the Ribble.

Transport

5.51 The sand and gravel will go direct to fixed concrete plants located in Lancashire and will leave the site in 6 axle heavy goods vehicles with a net load of 30 tonnes. The total movements on planned production including staff, service and consumables will be up to 60 movements per day of which 50 movements will be of aggregate and the remaining 10 of staff, servicing and consumables. Staff movements will be mainly at the end and beginning of the day. Heavy goods movements associated with the quarry will therefore typically average around 5 per hour. A single vehicle entering the site, loading and then leaving the site laden equates to two movements; the first movement is to access the site; the second movement is to leave the site. 50 hgv movements therefore equate to 25 hgvs entering and then leaving the site.

5.52 All vehicles will arrive at the site via the A59 from Junction 31 to the east. Vehicles leaving the site will turn left on to the A59 then proceed

to the roundabout junction of the A59 and distribute either further east from there or turn back to the west and Junction 31 to access other destinations.

Restoration

5.53 The objective of restoration is to create and mimic a large naturally 'abandoned' section of a typical lowland river, where the abandoned course of the former river provides variable water depths and margins with wet and dry woodland, abandoned former point bar gravel banks, reed beds and variable bankside margins of river cliffs and shallow banks. Such individual elements are present along the Ribble, although in very small and isolated pockets, whereas large abandoned sections displaying most of these elements are more prominent in other large rivers in the UK.

5.54 The detail of exactly where such features would be located within the extraction area cannot be determined at this stage as that will be influenced by the depth of mineral in each phase and the amount and type of overburden from the next phase that needs to be emplaced in the current restoration phase.

5.55 In that respect the phased restoration plans are only indicative of the type of landform and vegetation that would be developed. The actual restoration landform and suitable vegetation cover in say phase 6 may be considerably different in practice.

5.56 The resulting water body and surrounding margins, reed bed and woodland will not be developed for any casual, occasional or organised recreational activity.

5.57 No public rights of access will be provided as the purpose of the restoration scheme of the extraction area is to provide a 'quiet' remote and sheltered wetland and woodland habitat with no significant or random disturbance by people, cars, dogs, cyclists, lighting, loud music, etc. Access may, on a strictly controlled and limited basis, be provided for relevant scientific research.

5.58 Fishing will be excluded from the new water body. The existing pedestrian access to the banks of the Ribble for the Ribchester Fishing Club to the south bank will be retained and improved and a new pedestrian access will be provided to the north bank from the car parking area to the west of Bezza Brook Nursery. The access to the fishing club car park from Potters Lane will be retained.

5.59 The provision of woodland planting in and around the excavation, the plant site and the access road will fill in the gaps between the habitats of the Red Scar and Tun Brook Woods SSSI and those adjacent isolated woodland areas towards the A59 thereby creating continuous wildlife corridors and synergies across the locality.

The Natural Flood Management Facility

5.60 There are significant flood management problems in the valley of the Ribble, including downstream from this site at Samlesbury village, at Preston and elsewhere.

5.61 The NPPF and NPPG note that flooding events and their severity are predicted to increase due to climate change. It is a primary objective of the planning process to take account of and assist with adapting to climate change. The current Environment Agency (EA) strategy for resolving this problem includes the provision of low maintenance works, essentially by landowners and developers, to provide flood water storage capacity and produce a low maintenance sustainable flood risk solution.

5.62 The extraction void will naturally become available for use as valuable flood alleviation capacity and serve as a passive Natural Flood Management Facility in accordance with that strategy. The net void created by the extraction of some 3.0 million tonnes of aggregate will be around 2.0 million cubic metres. The actual air space between the potential water level in the excavation and the former surface will vary over time naturally due to rainfall, changes in groundwater levels, etc such that this void may be larger or smaller.

5.63 Initial discussions have been held with the EA in relation to the managed provision of this flood alleviation capacity. However, it is not the intention of this application to include details of any works required to manage that flood alleviation capacity. Such matters will form a separate application, once this application has gained consent, when the relevant operational and management requirements can be concluded with confidence, and in the knowledge that the flood alleviation capacity will be available. The provision of such flood alleviation capacity conforms to sustainability objectives and the relevant policies of the Environment Agency, in the NPPF and the NPPG and of local authorities.

6.0 POLICY

Determination of Planning Applications

6.1 The Planning and Compulsory Purchase Act 2004 (PCPA) states in S38 (6), that planning applications must be determined in accordance with the development plan unless material considerations indicate otherwise. The determination of planning applications is therefore 'plan-led' by the local relevant development plan with a presumption in favour of sustainable development. Therefore any planning application for development which accords with the development plan should be approved without delay. Where the development plan is absent, silent or out-of-date, approval should be given unless adverse impacts outweigh the benefits. This position is restated in the National Planning Policy Framework (NPPF) and the National Planning Policy Guidance (NPPG).

6.2 However, while the determination of applications is 'plan-led' any such determination must consider relevant 'material considerations' which will reflect the individual circumstances of each case.

6.3 In relation to mineral working for example each application must be considered on its merits regardless of the length of the landbank. Where the landbank is below the minimum level (in 'shortfall') then that would be considered as a strong indicator of urgent need to provide further reserves in new permissions.

6.4 In such a situation, if the landbank is below the minimum level then the urgent need for minerals might thereby create for example 'very special circumstances' or 'exceptional circumstances' which would support mineral extraction in the Green Belt which might otherwise not be acceptable in the GB. The degree of that shortfall and the quality of the mineral resource would influence the scale of such GB 'very special circumstances' or 'exceptional circumstances' or other significant consideration.

6.5 It is not necessary for an application to accord with all relevant policies in the development plan, as there will always be circumstances where policies pull in various different directions and may be mutually irreconcilable. The primary determinant is to what extent the application accords with the overall objective of the development plan, and particular how an application and the development plan accords with up-to-date national policy.

6.6 Further, the breach or conflict with one policy in a development plan does not automatically make a proposed development not in accordance with the development plan if it complies with the overall objectives and policies of the whole plan and the NPPF taken as a whole. This applies even where such a particular policy is unqualified and states that permission for development will not be permitted. And this also applies even if the development might produce a degree of harm, if that harm is outweighed by the greater economic or other benefits.

6.7 In that context the NPPF notes in paragraph 205 that "great weight" should be given to the benefits of mineral extraction, including to the economy.

The Development Plan

6.8 The relevant development plan is the adopted Joint Lancashire Minerals and Waste Local Plan (the Plan) consisting of a Core Strategy (the CS) adopted in 2009, and a Site Allocations and Development Management Policies Local Plan (the SP) adopted in 2013. Both documents together form the Plan.

6.9 The relevant plan period was to 2021 and the Plan period has now expired. In this situation while the Plan Period has expired recourse may still be made to some policies in the Plan when determining applications, in so far as they are still relevant. In that respect such policies are relevant to this application where they relate to development management considerations or the protection of designated or valued land as those considerations are not bound by time. The application conforms to those policies and the overall objectives of the Plan.

6.10 However, policies relating to the need for allocations and new permissions to meet demand for minerals were based entirely on the period to 2021 and made no provision for meeting demand subsequently and have become out of date. Nevertheless, the underlying strategy of maintaining supply remains up to date. The application conforms to that objective and, as noted above, meets that while complying with those specific development management policies.

The Core Strategy

6.11 The CS sets out a Spatial Vision (SV) which is to ensure that Lancashire will continue to contribute an appropriate supply of minerals required for local, regional and national needs from a productive and diverse minerals industry. The SV seeks to ensure that communities in Lancashire will value and appreciate the importance of continuing mineral extraction to the economy and quality of life. The SV also seeks to ensure that all mineral developments will conserve and enhance landscape, natural heritage and quality of life and will be exemplars of best practice. Objectives set out in the CS seek to translate that SV into specific actions. The current application is in accordance with the SV and the Objectives.

6.12 The CS sets out in Policy CS3 future provision for aggregates including for sand and gravel to 2021. That sets out the need to release "not less than" 4.1million tonnes of sand and gravel by 2021 and a preference to release reserves where the maximum contribution would be of 'high quality' sand. That policy also sets out that the authorities will endeavour to maintain a landbank of "at least seven years" for sand and gravel. While not specified in the Policy the relevant table on requirements includes the provision for a further 3.5 million tonnes to maintain a seven year landbank at the end of the Plan. The current application would supply 'high quality' sand and given

the real landbank (as detailed below) there is neither a landbank of 3.5 million tonnes nor a 7 year landbank. Granting consent for this application would meet those requirements.

6.13 The CS sets out in Policy CS5 broad 'development management' criteria to achieve sustainable mineral production and ensure no harm to people or the environment. The development proposed in this application would assist or comply with the objectives so defined.

The Sites Plan

6.14 The SP proposed no new allocations for sand and gravel over the Plan period as there was stated to be more than a 7 year landbank for sand and gravel. No provisions were made for beyond the Plan period. That approach was set out in Policy M1. This approach was the subject of objections by HAL and others.

6.15 In the hearings into the SP the Inspector noted the representations as to the inadequacy of policies in the SP to maintain supply of aggregate and that the Plan has only a short life. In such a situation he noted his concerns that the whole Plan could be considered to be at risk of being found unsound. He noted that to remedy this would involve lengthy delay with, in the meantime, planning having to rely on an 'out of date' earlier plan.

6.16 In response the Authorities confirmed that a review of the whole Plan would be commenced with a minimum of delay and that an adopted replacement Plan would be in place by May 2017. On that commitment, included subsequently in the Local Development Scheme of October 2012, the Inspector in his report of June 2013 noted that he was prepared to not find the SP unsound and thought it better to adopt the Plan.

The Review of the Development Plan – The Scoping Consultation 2014

6.17 In accordance with the commitment made by the Authorities at the Sites Plan hearings the Authorities produced a Regulation 18 Scoping Consultation on the form and contents of the prospective Review in November 2014.

6.18 HAL made representations on that consultation identifying the inadequacies in policies in the Adopted Local Plan in relation to sand and gravel supply, the inadequacies of reserves of sand and gravel and the potential of LHF to assist in overcoming those inadequacies. Progress on the review then stalled for some years.

The Scoping Consultation Outcomes 2018

6.19 A Scoping Consultation Outcomes Report on the 2014 scoping consultation was produced in May 2018. This identified a number of 'main issues' around the adequacy of the existing sand and gravel supply policies most notably in relation to (i) the inadequacies of the existing landbank for sand and gravel in total, (ii) a probable shortfall in relation to permitted

reserves to meet predicted demand, (iii) that a large part of the landbank is in one quarry, and (iv) the risk that as the other quarries become worked out in the plan period that there will be an impact on supply to the local market.

6.20 The Report noted that this risk to supply would be overcome through a policy in the Draft Revised Local Plan recognising the local supply benefits and the need to resolve the possible shortfall arising in the plan period.

The Draft Revised Plan 2018

6.21 In June 2018 the Joint Advisory Committee for Strategic Planning considered the publication and consultation of a Draft Revised Minerals and Waste Local Plan. The Introduction to that draft noted that the intention of the review was to ensure a plan is in place to 2032 (equal to 15 year plan period, start of 2017 to start of 2032) and that it is up to date. However, the draft policy on aggregates provision and the relevant background table in the draft identifies a period from start of 2017 to start of 2034 (equal to 15 year plan period plus 2 years) and made calculations of need and shortfalls on that basis.

6.22 The officers' report to the Committee noted, inter alia, that there was an identified need for new sand and gravel reserves to support the Plan areas economy. In that context the Draft Plan put to committee identified a new policy (MW14) which would replace in due course Policy M1 in the Sites Plan and which would support proposals for extraction of sand and gravel, subject to certain provisos, to ensure continuity of supply in the new plan period.

6.23 The Draft Plan put to committee identified Lower Hall Farm as a resource of high quality sand. It noted that the need for those reserves at LHF to be permitted in accordance with the new draft policy MW 14 should be considered to have been demonstrated at LHF, subject to mitigation of any outstanding impacts. No other site for possible sand and gravel extraction was identified.

6.24 The Committee considered and discussed the draft document. A question was raised as to the status of LHF within the Plan but the Committee resolved to publish the Plan for consultation with the inclusion of the reference to LHF and the supporting comments.

6.25 The Authorities subsequently issued a Regulation 19 Draft Revised Local Plan (the Draft Local Plan) for consultation to 28 November 2018. HAL made representations on that draft and noted that the reserves at LHF could meet the tests of the new policy.

6.26 The Draft Local Plan proposes a plan period to 2034 (15 years from start 2019 to start 2034) seeking to ensure that the Plan is up to date and meets the requirements of the National Planning Policy Framework (NPPF) in relation to the provision of an adequate supply of minerals. With

the lapse of time since that consultation it would be essential to now propose a plan period to 2037 (15 years from start 2022 to start 2037). A further 7 years should be added to ensure that the revised plan can maintain a minimum 7 years landbank throughout the plan period. This would equate to a landbank requirement of between 8.80 to 11.44 million tonnes (depending on demand base) at start 2022.

6.27 Existing reserves will meet some of that requirement. This is discussed in detail in the next chapter but given current reserves of some 4.45 million tonnes as at start 2021 (discounting any limitations on those reserves) and annual production of circa 0.50 million tonnes, the additional reserves to be provided in the plan as from start 2022 would be circa 4.8 to 7.44 million tonnes.

6.28 The Draft Local Plan, and therefore its policies and proposals, need to be progressed further before it becomes set policy. However, progress on that Plan has stalled since mid-2018. Nevertheless, the Draft Local Plan represents an agreed direction of travel by the Authorities in both policy and in the determination of applications. In that respect this application should be determined favourably.

The Development Plan Scheme and Prematurity

6.29 The current development scheme is dated August 2018. The timetable set out in that scheme for the review of the Draft Local Plan suggested further consultation in autumn 2018, submission to the Secretary of State in summer 2019 and adoption, following a hearing, in Spring 2020.

6.30 That timetable is clearly out of date. On the planned scale of work set out in the scheme to adoption (effectively 2 years) it would seem sensible to think that an adopted plan will not be in place until at least 2 years from now. That is in summer 2023 at the earliest.

6.31 However, in assessing risks to meeting the timetable in the 2018 scheme the scheme noted various factors that could cause delay to production or adoption. That assessment included reference to “high levels of objection to site allocations”. The risk assessment did not in that context consider objection due to the possible inadequacies of site allocations either in terms of meeting total demand for the Plan period, with a 7 year landbank at the end of the Plan period, or in providing a range of allocations to ensure production capacity and competition.

6.32 Given the almost complete void in the current Plan as to guidance on future sites post the current Plan period, coupled with the virtual loss of almost all production sites in the next few years, it is perhaps to be expected that the process of identifying sufficient sites for the next Plan period will be difficult, highly contentious and drawn out. Summer 2023 therefore seems an unlikely adoption date.

6.33 The application might be considered to be premature pending the adoption of the new Plan. The NPPF notes that such an argument would be unlikely to justify refusal in the circumstances where the draft plan has yet to be submitted for examination. In this situation the Plan review has yet to attempt to assess demand or consult on draft allocations and associated supply policies. However, the application complies with the relevant spatial and development management policies that are still in force and are up to date, and further it helps to resolve a current significant shortfall in mineral supply which will only get worse if decisions are delayed. The application is therefore not premature.

National Planning Policy and Guidance

6.34 National planning policy and guidance considerations are S38 (6) 'material considerations' in the determination process. The relevant national planning policy is set out within the National Planning Policy Framework (NPPF), 2019, and the on-line National Planning Practice Guidance (NPPG), (live from March 2014).

The NPPF

6.35 The NPPF provides a presumption in favour of sustainable development. The NPPF states in paragraph 11 that sustainable development means in this context that local plans should, inter alia, meet the development needs of their area, be sufficiently flexible to adopt to rapid change, should grant consent for applications in accordance with up to date development plans and grant consent where the development plan is absent, silent or out of date, unless there are significant and demonstrable impacts that would outweigh the development benefits when assessed against the NPPF as a whole.

6.36 In relation to mineral supply paragraph 203 states that it is essential that there a sufficient supply of minerals to provide the infrastructure, buildings, energy and goods that the country needs. Paragraph 205 notes that in determining planning applications for mineral extraction that "great weight" should be given to the benefits of mineral extraction, including to the economy.

6.37 The NPPF confirms that MPAs should ensure that the minimum landbank for sand and gravel should be at least 7 years. There is, contrary to some perception, no actual upper limit for a landbank set out in the NPPF or the NPPG.

6.38 The NPPF makes it clear in paragraph 207 that the provision of a minimum landbank is an obligation laid on an MPA in planning for aggregate supply. Paragraph 207 also notes that the obligation must ensure (i) that the ability to supply a wide range of materials is not compromised by the form of the landbank and (ii), that longer periods (of landbank) may be appropriate to take account of need to supply a range of materials, productive capacity, etc and (iii) that the landbank should not be bound up in very few sites which would stifle competition.

The NPPG

6.39 The NPPG confirms the statement in the NPPF that landbanks are, principally a monitoring tool in relation to plan making by identifying the need to consider whether to review the local plan to ensure the provision of an adequate and steady supply of land-won aggregate in their area. The NPPG references the need for mineral planning authorities to comply with the Managed Aggregates Supply System (MASS).

6.40 The NPPG specifically addresses the question as to if refusal is justified if the landbank is in excess of the minimum level. The NPPG states categorically (paragraph 84) that there is no maximum landbank level and that each application must be considered on its merits regardless of the length of the landbank. The NPPG identifies some, but not all, of the valid reasons to grant consent in a location with an adequate landbank. Those reasons might include, but are not limited to, matters such as the type of material, location, constraints on consented reserves, etc.

6.41 However, paragraph 84 also notes that where the landbank is below the minimum level that this may be seen as a strong indicator of urgent need to provide further reserves in new permissions.

Other Relevant Policy Considerations

Green Belt

6.42 The application site is located in the North West Green Belt (GB) which extends mainly in the area from Preston south to Macclesfield and Chester but includes isolated GB areas north of Preston and is contiguous with the South and West Yorkshire GB to the east. The application site is located to the outer limits of the GB where Red Scar Wood forms the northern limit and the agricultural land of the farms of Elston New Hall and Elston form the eastern limit. The Lancashire GB part of the North West GB was originally outlined in the 1970s/1980s with the detailed boundaries of the GB being defined in subsequent local plans.

6.43 The application site is located within South Ribble Borough Council, with Preston City Council immediately adjoining on the other side of the Ribble and the boundary of Ribble Valley District Council about 1 kilometre to the east. All the adjacent land in South Ribble up to the borough boundary is in the GB. The GB in Preston City does not extend beyond Red Scar Wood to the north. None of the adjacent area of Ribble Valley is included within the GB.

6.44 The fundamental aim of Green Belt policy is as defined in paragraph 133 of the NPPF to prevent urban sprawl by keeping land permanently open by which it serves the five purposes as defined in paragraph 134 of the NPPF. Paragraph 143 of the NPPF states that inappropriate development in the GB is, by definition, harmful to the GB and should not be approved except in very special circumstances.

6.45 The NPPF states, in paragraph 141, that planning authorities should plan to enhance the beneficial use of GBs including exploiting positive opportunities to retain and enhance landscapes, visual amenity and biodiversity.

6.46 In paragraph 142 the NPPF specifically identifies the positive aspects of planting trees in the GB. It notes that new 'forests' (which would clearly be on currently open un-forested land, and which would include the planting of native mixed woodland and not just commercial coniferous forests) around towns and cities can improve the GB environment by upgrading the landscape and provide for recreation and wildlife.

6.47 Mineral extraction is defined in paragraph 146 of the NPPF as one of a few forms of development which is 'not inappropriate' development, and is therefore 'appropriate' development in the GB, provided it supports the five GB purposes as defined in the NPPF and permanently preserves its openness.

6.48 The proposed development wholly and directly supports the five GB purposes as it involves development which in itself (i) would not create urban sprawl, but which would permanently physically prevent urbanisation or suburbanisation; (ii) would thereby physically prevent neighbouring towns merging into one another; (iii) and by its operations and after use safeguard the countryside from encroachment by built development. Further (iv) the development is not located near an historic town, and in that it provides for development away from an historic town it therefore supports, so far as is relevant, the objective to preserve the setting and character of such towns; and (v) as it not in an urban area and the recycling of derelict and other urban land is not involved, it does not therefore conflict with the objective of assisting urban regeneration of such urban land.

6.49 Openness and its preservation is not defined in the NPPF, nor elsewhere in any statement. Preservation of openness is a wider consideration than merely the lack of built development as it reflects how any development may restrict openness. Compliance with this objective is a planning judgement based on the merits of the case. In that context the planning judgement should determine if a development would harm openness permanently and therefore not preserve openness.

6.50 Preservation of, and the prevention of harm to, openness does not require that there should be no change. Change in land use, the landscape and visual impact in the GB is implicitly stated or implied as acceptable in NPPF policy for development that meets the objectives of paragraphs 141 and 142 and which is paragraph 145 or 146 'appropriate' (such as mineral extraction), provided that change in relation to paragraph 146 does not harm openness.

6.51 Therefore, the preservation of openness cannot be synonymous with a conclusion that such preservation requires no physical change in land

use, the landscape or visual impact or indeed requires the preservation of the exact nature of the current extent of views. If that conclusion were adopted then such an interpretation would diametrically conflict with the landscape change and change in views implicit in paragraphs 141 and 142, and the 'appropriate' development by mineral extraction (and other appropriate development), which will in almost every circumstance involve a degree of change in land use, the landscape and visual impact. If that conclusion was adopted, mineral extraction, as provided by paragraph 146 (or many other paragraph 146 developments), could never be permitted. That would negate the whole purpose of paragraph 146 and make GB policy unworkable.

6.52 Further, the preservation of openness, and the prevention of harm to openness, does not imply the essential presence or retention of long distant vistas. Large areas of many designated GBs consists of extensive areas of dense commercial coniferous forest or mixed woodland, existing prior to designation or subsequently planted, with no or very limited views (the very opposite of what would be considered 'open' in other circumstances). Other parts of GBs may consist of intimate close landscapes narrowly defined by topographic features and woodland parcels where views are limited naturally and not 'open' with wide vistas.

6.53 The planting of trees, woodlands and forests will change and restrict existing views (again the very opposite of what would be considered 'open' in other circumstances), but that does not remove or harm the GB 'openness' of the landscape. Such actions support and are in compliance with NPPF paragraphs 141 and 142 particularly where they may enhance and improve the GB landscape by upgrading the landscape and providing for wildlife. And, in that context, the extent of new planting for the new Northern Forest announced by Government in 2018 would extend over much of the North West GB and virtually all of the adjacent South Yorkshire GB, the West Yorkshire GB and the York GB. This will produce very significant landscape and visual impact change, but this change must be seen by policy as being supportive to the purposes of the GB and implicitly not harming openness.

6.54 The proposed development consists of various elements of mineral extraction including the winning of the mineral, the processing of the mineral and its removal from the processing area via a private access road. These operations and the change to the land involved are all temporary. New tree and hedge planting will be undertaken at commencement and the land will be restored continuously, as operations proceed, to woodland and wetland thereby preserving openness and supporting and enhancing the purposes of the GB designation.

6.55 The development includes various screening bunds all of which will be planted with trees and/or shrubs. The main screening bund around the processing area will be removed and the land restored mainly to woodland at the cessation of operations. The presence of this bund during

the operations will have a negligible visual impact from outside the site given that it is itself screened from any significant public view by existing horticultural buildings and existing woodland. Those buildings and existing woodland will not be affected by the development and the woodland will be reinforced by substantial new planting at commencement of operations. Due to the presence of that existing woodland and horticultural buildings the nearest residential properties (The Brambles and Bezza Villa) will not have views of the proposed bund. This bund will be removed at cessation and while producing insignificant change to the GB by its presence it will not harm openness while in place or on its removal.

6.56 Other screening bunds are provided north of the processing area and at locations alongside the route of the private access road. These bunds will be integrated into the landscape by tree and shrub planting on them and around them and will provide landscape and ecological connectivity. These bunds are to be retained at restoration as their removal would entail a loss of woodland and ecological connectivity which would be contrary to the landscape and ecological objectives in the NPPF at paragraphs 141,142 and 170 etc. The retention of the planting complies with the 'Recommendations' for this general location and landscape as set out in the Lancashire Landscape Strategy. The retained bunds will in any event be visually lost within the tree planting and unrecognisable externally. The resulting change will not harm openness.

6.57 The LVIA contained in the ES notes that the development will lead to changes in the landscape but concludes that overall the changes will not harm the openness of the GB, during operations and following restoration. The LVIA also notes that the development will lead to positive landscape and biodiversity improvements in line with national and local policy and will as such enhance the GB in line with national policy. Therefore any change in openness or visual impact will be policy compliant but also positive and supportive.

6.58 The LVIA considers the detail of the GB landscape and identifies the Zone of Visual Influence (ZVI) of the development. This Zone is entirely within the GB and extends over the floodplain to the north and east and to smaller areas to the south and west. The LVIA notes that the vast majority of this area is agricultural land with no public access. Any landscape change or visual impact arising from the development over this agricultural area would have no, or only a negligible, effect during operations on the perception by an individual, and would therefore preserve openness.

6.59 The LVIA identifies the presence of visual influence in the ZVI where Public Rights of Way are crossed by the private access road but notes that the magnitude of any visual impact of the road is limited and largely obscured. As such the landscape change or visual impact arising from the presence and use of the private access road would have no, or only a negligible, effect on the perception by an individual, and would therefore preserve openness. The road will be removed on completion of operations

and restored to woodland or agricultural use and continue to preserve openness.

6.60 The LVIA identifies the presence of visual influence in the ZVI from part of the Brockholes Centre. This covers views from a designated Public Right of Way, a Permissive Path and areas where the public may roam without defined rights. The view potential is increased due to elevated view points on a screening bund retained around the former Higher Brockholes Quarry.

6.61 The content of the view of the site from this area will change during operations and on restoration, although the openness of that view of the site will not be affected as there will not be any physical interruption of the openness of the view of and beyond the site by structures or screening bunds, etc during operations and the openness will be retained at restoration.

6.62 Views of, and the perception of openness of, Red Scar Wood, the Ribble Valley and more distant views beyond the site, most of which is outside the GB will not change. The retention of 'openness' of land which is outside the GB is not a relevant consideration.

6.63 The LVIA concludes that the proposed development meets the relevant landscape and visual impact requirements of policy and provides a positive contribution to landscape enhancement objectives for Lancashire. It therefore supports and is in compliance with NPPF paragraph 141 and 142.

6.64 The proposed development will therefore produce change in land use, in the landscape and to views, but such changes will not harm the GB openness of the site or the surrounding location and will ensure that the site meets the GB objectives and assists their attainment. The development is therefore NPPF paragraph 146 'appropriate' in the GB. The changes associated with the mineral operations are temporary. The long-term changes to land use, the landscape and views arising from the restoration of the site will enhance the GB landscape and biodiversity in compliance with paragraphs 141 and 142 of the NPPF.

6.65 Further, even if the scale of changes were as part of the planning balance to be considered to produce some harm to openness or some degree of negative visual impact then the severe shortfall in sand and aggregate reserves in Lancashire (in total and of high quality), the need to resolve that position and the demonstrable ability of the site at LHF to so do (and the lack of any other allocated site at all) creates 'very special circumstances' justifying consent in the GB.

Climate Change and Flooding

6.66 Action to mitigate climate change is a key policy imperative of Government. The NPPF notes that planning plays a key role in, inter alia, the delivery of low carbon infrastructure and in minimising vulnerability to the

impacts of climate change. Climate change is seen to increase flood events and the severity of those events.

6.67 The extraction of minerals generates emissions that in themselves may contribute towards harmful climate change. That said minerals are an inescapable requirement of the maintenance of our society and the delivery of infrastructure, including that to protect property from climate change including increased inland and coastal flooding.

6.68 As minerals are essential, the choice of location for extraction should be (i) where the most useful and 'high grade' deposits are present, so as to reduce energy costs on beneficiation of poor quality deposits and so as to minimise cement content in concrete, particularly as cement production produces significant quantities of greenhouse gases; (ii) where transport links are energy efficient; and (iii) where during extraction and after, the maximum benefit can be achieved to offset the impacts of climate change, including providing CO2 sinks in planting and managing increased risk of flooding.

6.69 The operations at the application site will be energy efficient because of their 'high grade' and excellent transport links. The development will increase woodland and wetland cover providing sinks for CO2. Lastly the development will provide a NFMF flood alleviation asset to tackle increased flood risk.

7.0 SUPPLY OF SAND AND GRAVEL

The Landbank

7.1 As noted in the section dealing with national policy both the NPPF and the NPPG clearly state that each application must be considered on its merits, regardless of the length of the landbank, and that an adequate or excess landbank is not a reason for withholding permission. The size of an excess landbank may be a consideration in determining a planning application but only where other planning objections are not outweighed by the planning benefits of releasing new reserves. Conversely the degree of shortfall in that landbank may overcome objections to mineral development.

7.2 The NPPF and the NPPG describe some of the valid reasons to be taken into account when considering the relevance of the landbank. These considerations may be sufficient to overcome planning objections even when there are disbenefits. Such considerations include, but are not restricted, to:

- Significant increases in demand
- Inappropriately located reserves
- The nature, type and qualities of the aggregate
- Constraints which limit availability
- Issues of competition
- Where major production sites need to be replaced

7.3 In considering such factors, it has long been held that an excessively detailed evaluation of the production capability of plant on a site should not be required or undertaken. Production capacity of individual units should not generally be assessed as that can change by modifications to plant or the use of mobile plant without conflicting with the terms of a planning permission, although restrictions on output applied due to justified planning reasons are relevant considerations.

7.4 If the number of producing units falls dramatically then there clearly is a position of inadequate total production capacity requiring the replacement of major sites. It is often unrealistic to suggest that a significant loss of production could be taken up by a shrinking number of other producing units as such units may have limited reserves themselves. In any event, such an approach would create near monopoly conditions as well as possible unsustainable traffic movements and impacts. These matters are explored in the following paragraphs where the reserves and their limitations are considered in depth.

The Current Landbank in Lancashire

The Local Aggregate Assessment & Monitoring Report

7.5 The latest Local Aggregate Assessment (LAA) dated November 2019 uses 2018 data in relation to reserves. It is not clear if that is at 1.1.18 or 31.12.18 which is a significant consideration given the limited reserves. For the purposes of the following assessment that is taken to relate to 31.12.18 and therefore the following may underestimate the shortfall. The stated reserves were 5.9 million tonnes (mt) held in 7 extraction sites,

although the LAA provides a figure indicating that there are planning permissions with reserves at 8 extraction sites.

7.6 Most (4.2mt) of those total reserves of 5.9mt were held in the unworked and mothballed but valid permission at Runshaw. While the 2019 LAA notes that over half of the reserves were contained in Runshaw the actual position at 31.12.20 was that Runshaw contained in excess of 90% of all Lancashire reserves.

7.7 Of the remaining sites in the 2019 LAA two (German Lane and Clayton Hall) had reserves at the end of 2018 of less than 25,000 tonnes each. In total that amounts to only to around 1% of all Lancashire reserves for each site. The sand at both these sites is of poor quality and fundamentally both the reserves and the sites are irrelevant to the landbank or future supply.

7.8 With the loss of licence at St Annes (see below) the reserves at that site can no longer be incorporated in the land bank

7.9 The LAA provides in 4.2 a diagram showing the life of the planning permissions for the 7/8 quarries. That is somewhat misleading because that life does not equate to the production life of the reserves but merely to the life of those planning permissions. Once the reserves have been worked out mineral production will cease regardless of the remaining permission life. The actual production capability of such sites into the future is considerably different due mainly to sheer lack of reserves.

7.10 Further, while Runshaw contains reserves of 4.10 million tonnes it has an effective production limitation applied by condition 24 which thereby limits sales. With only a few years left remaining of the existing permission only a proportion of the reserves can currently be considered part of the landbank.

7.11 Therefore while the discussion in and the conclusion of the LAA in relation to supply and demand is that there is an indicated sufficient supply at the 10 year average scenario for a 15 year period with a shortfall in supply on the 3 year average scenario, the actual position is considerably worse when realistic assessment is made of the loss of reserves, the disposition of reserves and the limitations that apply to their production and use.

7.12 Similarly while the discussion in the Plan review notes that permitted reserves will not be sufficient for the new Plan period and that the landbank will fall below the minimum in the NPPF by 2026, the actual position is that the effective and available reserves and landbank are already insufficient and below the minimum. These considerations as they apply to the individual sites are explored below.

7.13 However, given that there have been significant changes since the publication of the latest LAA (which is based on 2018 data) an assessment has been made of the life of reserves in the current landbank in Lancashire and this is tabulated below in million tonnes. This demonstrates that the 'available' total of reserves is equivalent to less than 7 years supply when all 'reserves' (including those of limited aggregate potential and those unlikely to be sold) are included.

SITE	RESERVES	EXPIRES	HIGH GRADE
St Annes	Nil – no valid permission		NO
Sandons Farm	0.12	2022	NO
Lydiate Lane	0.10	2030	YES (part)
Bradleys	0.08	2023	NO
Runshaw	4.10*	2026	YES
Sharples	Nil – worked out		YES
Clayton Hall	<0.025#	2028	NO
German Lane	<0.025#	2033	NO
TOTAL	**4.45**		

*probably circa 1.5mt cannot be worked prior to permission expiring

#effectively no reserves

'AVAILABLE' TOTAL 3.00 = 6 years supply @ 0.50 mtpa

The Landbank In Individual Quarries

St Annes Foreshore

7.10 This site involved extraction of sand from the foreshore. It ceased operation in 2019 when it became clear that the site had been operating without the benefit of a licence required from the MMO.

7.11 The operation consisted of the extraction of sand from below mean high water which was then transported to a stockpile above mean high water and then loaded into road vehicles without processing. There is not a fixed stock of reserves within the permission area as the extracted sand is replaced by sand transported in by coastal processes from adjacent and more distant sandbanks both offshore and elsewhere in the near shore or along shore.

7.12 The relevant area is owned by Flyde Borough Council which had granted a lease or licence to the current operator, although it was unclear as to if this lease had expired. The agreement ran for set periods and the operator paid the Council a royalty per tonne extracted.

7.13 The detail of the planning permissions relating to the extraction, transport and the stockpiling operations are unclear although the primary extraction permission dated from February 1989. There has been some confusion as to the length of the permission. The 2018 and earlier LAAs

noted that the permission ran to 2020. However, the end date was noted in the 2019 LAA as 2049 base (on the possibly erroneous understanding that the lease extended to that time).

7.14 There has been considerable uncertainty as to the reserves position at St Annes and therefore their real contribution to reserves in Lancashire. The change in end date would affect the potential 'reserves' at St Annes. The LAAs to 2018 LAAs indicated that the permission at St Annes would expire at end 2020 producing reserves at 31.12.19 of circa 0.24 million tonnes. The 2019 LAA indicates that the planning permission expires in 2049 which would indicate that reserves at 31.12.19 are some 6.96 million tonnes (at circa 29 years at 0.24 million tonnes per annum). This uncertainty is now irrelevant given that permission has effectively been removed.

7.15 The permission allowed for up to 150,000 cubic metres per annum (estimated in this submission to equate to up to circa 240,000 tonnes per annum). Actual production was understood to be much less than that permitted and has reduced over recent years.

7.16 This permission was subject to a review in accordance with the Review of Old Mineral Permission (ROMP) under the Environment Act 1995. That review required a Habitats Regulations Assessment (HRA). However, the ROMP review has been 'stalled' for many years mainly it would appear due to considerations relating to lack of provision of environmental information by either the operator or the Council. Such information was required to enable the environmental impacts to be assessed and to undertake the HRA.

7.17 There was no processing plant on site and sand was removed from tidal flats by wheeled hydraulic excavator and then transported and stockpiled above normal high water mark to allow for water to drain and then directly loaded out to highway vehicles which were weighed on a weighbridge before gaining the public highway. The planning permission did not however include the access route across the sands between the extraction area and the stockpiling area and the weighbridge.

7.18 The weighbridge office is still contained within but mothballed in a small compound where excavation plant, etc was stored. The sand was not processed by any washing and screening prior to being sold and taken off-site.

7.19 The sand has a variable content of shell fragments ranging in size from whole shell downwards. Such fragments are the only coarse elements and the proportions of shell etc can vary over time. The sand contains a significant but variable amount of fine, soft and friable organic debris as well as variable inorganic material. The majority of the inorganic material consists of very fine well rounded quartz grains or weakly organically bound silt.

7.20 No evidence has ever been supplied to demonstrate that the sand as a resource can meet either the specification for concreting sand or building sand for mortar consistently or in total. It is sold unprocessed and is unlikely to meet any specification on its own other than fill. It is not high quality sand as identified by LCC.

7.21 The extraction site and the transport route to the stockpiling area were within or adjoining the internationally significant Ribble and Alt Estuaries Ramsar and SPA a marine SAC and were within or adjoining various SSSI's, NNRs, LNRs and a number of BHS sites. The stockpile area and access affect an SSSI and BHS. Sand extraction is identified as an operation that might directly harm the purposes of the SPA designation and the component SSSIs and the condition of the SSSIs has been noted as being 'unfavourable', partly due to inappropriate coastal management related to "a sand winning operation".

7.22 Attention has also been drawn to the significance of maintaining the resupply of sand to the sand dunes on the coast to mitigate coastal erosion and to protect the conservation and recreation value of the dunes. There is a concern that losses of sand, which may include losses caused by extraction, are not being off-set by accretion. Concerns with regard to coastal erosion, particularly in relation to climate change impacts of rising sea levels and more severe weather were not a consideration at the time permission was granted in 1989. These considerations alone may require cessation of this extraction.

7.23 However, in 2019 the extraction operations ceased and the stockpiles were removed as was all extraction equipment and other material from the compound.

7.24 Fylde Council issued a statement in December 2019 clarifying the position. This statement noted that in effect the sand extraction operations have been undertaken without any licence from the Marine Management Organisation as required under the Marine and Coastal Access Act 2009. Both the Council and the contractor agreed to cease all operations pending both the determination of any licence application under that Act and also the conclusion of the stalled ROMP.

7.25 It is acknowledged by Fylde Council that resolution of the MMO licence and the stalled ROMP may take a considerable time. Therefore throughout this interregnum while the planning permission may still exist there is no MMO licence and the reserves are incapable of being worked. As such the reserves do not currently form part of the landbank.

7.26 A scoping request has recently been submitted to LCC by Fylde Council in relation to a possible future planning application.

Sandons Farm

7.27 This is a glacial deposit. The 2019 LAA notes that the planning permission will expire by 2022. An application to extend the life of the permission to end 2030 was submitted in December 2019. Extraction operations at Sandons are followed by landfill and it is the life of the future landfill which defines the time extension required.

7.28 The reserves were stated to be 150,000 tonnes as at end 2019 and at typical sales noted by the applicant of 30,000 tonnes per annum would be 120,000 tonnes at end 2020 and are likely to runout at end 2024. It is understood that a washing plant has never been deployed on site and that production has only been of dry screened building sand or fill or as tip cover. An extension of the quarry, if possible, would not produce significant quantities of concreting aggregate.

7.29 The reserves at Sandons are not significant and will not meet the specification for concreting sand. There is no potential for significant new reserves in any extension.

Lydiate Lane

7.30 This is a glacial deposit. The LAA notes that the planning permission will expire by 2031. However, the relevant permission includes subsequent landfilling operations which require the extended period to 2031 for completion when reserves of sand will have long run out. Reserves in 2016 were stated to be around 500,000 tonnes (now probably 100,000 tonnes) and extraction operations will probably cease around 2023 when the mineral will be worked out. Landfilling will continue beyond that date.

7.31 A small quantity of fine concreting aggregate may be produced at Lydiate Lane. Production is now around 50,000 tonnes per annum.

7.32 An extension of Lydiate Lane is not possible given the proposed development of the Cuerden Strategic Site immediately to the north.

Bradleys

7.33 The LAA notes that the planning permission will expire by 2022. The reserves at Bradleys are not known in detail but are estimated to be less than 100,000 tonnes. Extraction is from a glacial deposit followed by landfill. Bradleys' cannot supply any significant quantities of concreting sand. Production is less than 50,000 tonnes per annum.

7.34 The potential for continued extraction in an extension area is unknown but irrelevant due to the poor quality of the material.

7.35 Bradleys and Lydiate Land are both operated by J A Jackson. The combined production of these two units has been stated by the operator to be approximately 90,000 tonnes per annum.

Runshaw

7.36 The LAA notes that the planning permission will expire by 2027. Runshaw is currently inactive and has yet to commence any significant extraction. The reserve is 4.2 million tonnes of sand. Evidence supplied indicates that the reserve will consist of sand to BS EN 12620 grade F, fine concreting sand, and sand to BS EN 13139 for use as mortar sand. No medium or coarse grade concrete sand will be produced, presumably due to the overall fineness of the deposit.

7.37 The access point to the site has been constructed but there is no processing or other plant on site. There is a condition limiting the number of hgv vehicles that can take away sales. While that equates to a sales tonneage well in excess of the proposed production when consent was granted that has, with the passing of time, now become a limit which prevents all the reserves being extracted before the permission expires. If all such hgv movements involved the largest capacity hgvs commonly available then approximately 2.6 million tonnes could be extracted before the permission expires leaving some 1.5 million tonnes behind. No doubt an application for an extension of life may be forthcoming before the permission expires but currently that reserve which cannot be worked should be deleted from the landbank.

7.38 The delineation of the current reserve was informed by detailed exploration in the surrounding area and it is unlikely that a significant extension of the site is possible. Even if an extension was possible it would probably be subject to the same production limitation, therefore be worked after the current reserves and not be capable of resolving the impending shortfall.

Sharples (Tarnacre) Quarry

7.39 This quarry is now worked out. The delineation of the former reserve was informed by detailed exploration of the site and the surrounding area which demonstrated that there is unlikely to be any significant or commercially workable mineral in the area outside the current permission.

Clayton Hall

7.40 The LAA notes that the planning permission will expire by 2029. However, the relevant permission includes subsequent landfilling operations which require the extended period. Reserves in 2015 consisted of 6,000 tonnes plus ‘pockets’ of sand within an extension extraction area of some 72,000 cubic metres of dominantly clay material.

7.41 The potential for continued extraction in an extension area is unknown but irrelevant due to the poor quality of the material.

German Lane

7.42 Reserves at this site are minimal and of poor quality. The potential for an extension is unknown.

Alternative Supplies to Sand and Gravel

7.43 The current local policy in relation to aggregate supply is based on considering the call on, and the reserves of, each of the main resources of aggregate in Lancashire. Provision is therefore made in policy for a contribution from land-won sand and gravel, from limestone and from gritstone, reflecting demand for the various end uses for which such materials are most suitable for. That total provision makes allowance for supply from alternative or recycled aggregate. However, in relation to both limestone and gritstone no significant new provision of reserves is sought in policy as there were and are very substantial reserves.

The Reserves Position

7.44 As demonstrated in the above analysis the actual sand and gravel reserves and landbank position is much more unsatisfactory than the LAA suggests.

7.45 Most of the production units have either closed or will close in the next few years.

7.46 For most of those quarries which will shortly exhaust their reserves there seems no possibility of replacing those reserves by any significant extension to the current working area.

7.47 By the mid-2020s effective reserves will be contained in one, currently inactive, site the permission for which itself would then soon expire.

7.48 There is therefore a demonstrably urgent need for new reserves of sand and gravel and for a number of new sand and gravel operating sites in Lancashire.

8.0 CONCLUSION

8.1 There is a demonstrable urgent and very significant need to release new reserves of sand and gravel in Lancashire to comply with the supply and landbank obligations in the NPPF and the NPPG and as indicated in the review Plan.

8.2 As identified in the review Plan, Lower Hall Farm meets the policy objective of supply. The potential environmental impacts identified in the review can be mitigated. In that context extraction at LHF also complies with the spatial and development management policies in the adopted Plan even though the Plan period has expired, and those similar policies in the review Plan.

8.3 As demonstrated in this Statement and the Environmental Statement such impacts will not just be mitigated but the development will provide valuable biodiversity net gains, a valuable flood alleviation asset, assist climate change obligations and provide other wider benefits.

8.4 Given the above the application should be granted consent at the earliest opportunity so as to enable and ensure supply for the economic benefit of Lancashire.