

APPENDIX A

Geology Report

The sand and gravel deposits at Lower Hall Farm, Samlesbury form part of a raised fluvial river terrace sequence as shown on the 1:50,000 scale geological map Sheet 75 (Preston).

A detailed borehole survey was carried out in March 2008 by A J Geoff Ltd. Bulk samples were collected showing that the resource consists of generally clean to silty, well graded, brown to pale brown, sand and rounded gravel (mainly quartzite and flint with some sandstone). The samples were subject to grading analysis by M&B Geotechnical Services.

The borehole survey proved that the sand and gravel deposit varies in thickness from some 3 to 7 m across the site. The grading analyses confirm that the material will comply with the relevant specification for concreting aggregate (BS EN 12620 'Aggregates for Concrete').

After allowance for discards the total net saleable reserve is some 3.0 million tonnes consisting of about 60% sand (1.8 million tonnes) and about 40% gravel (1.2 million tonnes).

Eur Geol Richard Fox, BSc, C Geol, C Eng, FIMMM, FIQ, FGS, FRGS

Richard Fox & Associates Ltd

APPENDIX B

Draft Unilateral Undertaking

DRAFT 27.01.21

HEADS OF TERMS FOR UNILATERAL UNDERTAKING

**APPLICATION TO EXTRACT SAND & GRAVEL & RESTORE TO A NATURAL
FLOOD MANAGEMENT FACILITY/WETLAND & WOODLAND**

LOWER HALL FARM, SAMLESBURY, LANCASHIRE

PA REF XXXXXX

OBLIGATIONS GIVEN JOINTLY BY:

Harleyford Aggregates Ltd (the ‘Mineral Operator’)

Booth Trustees (the ‘Estate’)

TO

Lancashire County Council (the ‘Council’)

DEFINITIONS

(To be further detailed)

PLANNING OBLIGATIONS

This Unilateral Undertaking will be given subject to Lancashire County Council resolving to grant consent for the above application in the final form in which the application is submitted and in relation to the works area as identified in that application.

1 Retention of Woodland, Trees and Hedgerows

Other than in the interests of safety, not to undertake any action, or permit any action, other than that permitted by the grant of planning permission or by a felling licence, that would lead to the removal, damage, harm to, or loss of those woodlands, trees, shrubs and hedgerows, including such shrubs and hedgerows contained within woodlands or groups of trees, within the

application area, during the permitted life of the consent for the above application.

2 Seed Park Wood

Other than in the interests of safety or only in accordance, not to undertake any action, or permit any action, other than that permitted by the grant of planning permission or by a felling licence, that would lead to the removal, damage, harm to, or loss of trees within Seed Park Wood (as defined on the enclosed plan) during the permitted life of the consent for the above application.

3 Tree and Shrub Planting

Within the first planting season following the completion of the construction of the private access road to undertake the planting of the areas coloured green and identified on the relevant plans (to be identified) with mixed broadleaf trees and shrubs of the species, size and density in accordance with the schedule set out on each such plan. Within the first planting season following the completion of each phase of mineral extraction to undertake the planting of the areas identified for planting in each phase with mixed broadleaf trees and shrubs of the species, size and density in accordance with the schedule set out for each such phase.

4 Hedgerow Planting

Within the first planting season following the completion of the construction of the private access road to undertake the planting of hedgerows alongside that road in the locations identified on the application plans and of the species, size and density in accordance with the schedule set out on each such plan.

5 Maintenance of Planting

Any tree, shrub and hedgerow planting undertaken in accordance with clauses 3 & 4 above shall be maintained for a period of 5 years from the completion of the planting works in accordance with a maintenance scheme as set out in Schedule 1.

6 Retention of Planting provided under Clause 3 & 4 after the Maintenance period specified in Clause 5

Other than in the interests of safety, after completion of the maintenance period as set out in Clause 4, all tree, shrub and hedgerow planting will be retained for the life of the planning permission.

7 Retention of Woodland, Trees, Shrubs and Hedgerows alongside Private Access Road after Completion of Mineral Extraction Operations.

The woodland, trees, shrubs and hedgerows planted in accordance with Clauses 3 and 4 will not be removed during the site restoration and aftercare period.

8 Access to Site Only via Private Access Road

No mineral or any other material will be brought onto or removed from the site other than by the route of the private access road. No vehicles involved in or related to or serving the site construction or preparation or mineral operations or restoration shall access or egress the permission area other than by the route of the private access road. No plant, structures, buildings, materials, waste or consumables shall be brought onto or removed from the site other than by the route of the private access road. Suitable signage to the access road and to exclude the use of Potters Lane shall be agreed with and erected to the satisfaction of the Council. Any signs so erected will be maintained in a legible form throughout the life of the planning permission.

9 Crossing of Potters Lane

During construction and prior to the private access road being open for use to provide, construct and erect such gates, cattle grids and associated drainage works as detailed in Plan (to be detailed) at the crossing of Potters Lane. Such works shall be off the line of Potters Lane, shall not prevent any authorised use of Potters Lane but shall inhibit access by unauthorised persons or vehicles to the private access road except in an emergency. The crossing of Potters Lane will be suitably signed, including such warning signs as necessary, in accordance with a scheme agreed with the Council, and such signs erected prior to construction operations commencing and prior to the private access road being open for use. Any signs so erected will be maintained in a legible form throughout the life of the planning permission. The gates provided will be shut across the line of the new private access road outside of operating hours, or except as otherwise may be required in connection with maintenance work at the extraction site, on the access road or its associated infrastructure, or in an emergency. The hedgerows within the relevant sight lines of this crossing shall be managed to ensure adequate and safe visibility for traffic on the private access road and users of Potters Lane.

10 Junction with A59

Prior to the private access road being open for use to provide, construct and erect such gates, cattle grids, footpaths, and associated drainage works as

detailed in Plan (to be detailed) adjacent to the junction with the A59. Prior to the private access road being open for use, the junction will be suitably signed, including such warning signs as necessary in accordance with a scheme agreed with the Council. Any signs so erected will be maintained in a legible form throughout the life of the planning permission. The gates will be shut across the line of the new private access road outside of operating hours, or except as otherwise may be required in connection with maintenance work at the extraction site, on the access road or its associated infrastructure, or in an emergency.

11 Entry to Extraction Site

Prior to the private access road being open for use to provide, construct and erect such gates, cattle grids and associated drainage works as detailed in Plan (to be detailed) at the entry to the extraction site. The works will include provision for gates allowing the crossing of the access road by those persons authorised by the Estate, but without stock, to access by foot land outside the operation area. Prior to the private access road being open for use, the works will be suitably signed, including such warning signs as necessary in accordance with a scheme agreed with the Council. Any signs so erected will be maintained in a legible form throughout the life of the planning permission. The gates will be shut across the line of the new private access road outside of operating hours, or except as otherwise may be required in connection with maintenance work at the extraction site, on the access road or its associated infrastructure or in an emergency.

12 Car Park for Fishing Club

The mineral operator shall ensure that there is no encroachment by its operations on the car park used by the fishing club to the immediate west of Bezza Nursery and shall make available when jointly agreed suitable material to maintain the car park in an acceptable condition for the parking of cars and other light vehicles.

13 Crossing of Public Rights of Way

Prior to the private access road being open for use to provide, construct and erect gates or stiles or other agreed facilities and associated works as detailed in Plan (to be detailed) to enable the continuation of use of the Public Rights of Way where the private access road crosses any Public Rights of Way. Prior to the private access road being open for use, the crossings will be suitably signed, including such warning signs as necessary in accordance with a scheme agreed with the Council. Any signs so erected will be maintained in a legible form throughout the life of the planning permission.

14 Maintenance of Fencing etc alongside New Private Access Road

All fencing, gates, cattle grids, drainage works and associated infrastructure provided in connection with the construction, use and operation of the new private access road shall be retained and maintained in an effective state throughout the life of the planning permission.

15 Cleaning of Private Access Road and Other Roads

The private access road and such relevant adjacent lengths of Potters Lane and the A59 will, where necessary, be cleaned as required to ensure that no deposit of material on the surface of such roads is sufficient to cause a nuisance and/or hazard to other authorised users of the private access road, Potters Lane or the A59.

16 Speed Limit on Private Access Road

A speed limit of 15mph will apply to all vehicles using the private access road from the A59 junction to the entry to the proposed processing area during its construction and on its completion. This limit will be signed, applied and enforced in accordance with a scheme to be agreed with the Council prior to the private access road being open for use. Any signs so erected will be maintained in a legible form throughout the life of the planning permission.

17 Speed Limit on Internal Haul Road(s) and in Processing Area

A speed limit of 10mph will apply to all vehicles using the internal haul road(s) from the extraction area(s) to the processing area and to all vehicles traversing the processing and stockpiling area. This limit will be signed, applied and enforced in accordance with a scheme to be agreed with the Council prior to mineral extraction operations commencing. Any signs so erected will be maintained in a legible form throughout the life of the planning permission.

18 Public Rights of Way Maintenance Fund

At the commencement of use of the new private access road for removal of mineral the mineral operator will pay the Council the sum of £2,000, and annually, on the anniversary of that date, the same sum, until mineral sales cease at the site, to form a Public Rights of Way Maintenance Fund. Such fund shall be administered by the Council in consultation with the Samlesbury Parish Council exclusively for any maintenance work, including signage, as determined as jointly necessary by the Council and Samlesbury Parish Council in consultation with the Estate and the Mineral Operator, for any Public Rights of Way crossed by the private access road or in the event

that such works are not required any Public Right of Way within Samlesbury Parish.

19 Construction Environment Management Plan

Prior to construction operations commencing a Construction Environment Management Plan (CEMP) shall be prepared by the mineral operator and agreed with the Council.

20 Definition of construction extraction and operational areas

Prior to the commencement of site construction operations the relevant construction, landscaping and operational areas will be defined by a suitable fence to be maintained in place until completion of construction operations, or the completion of each phase of restoration.

21 Restoration of construction sites and corridors

On completion of construction operations any construction sites or construction corridors outside the development area shall be restored to a condition suitable for the previous use of the land or as may be otherwise agreed with the Estate and the Council. All equipment and any surplus materials shall be removed from the land.

22 Dust Management Plan

Prior to the commencement of construction operations a Dust Management Plan shall be prepared by the mineral operator and submitted to the Council for its approval. The Plan shall cover the construction, operation and restoration phases.

23 Retention of Agricultural Land in Agricultural Use

Subject to any provisions of the relevant consent and any terms of this Unilateral Undertaking any land currently used for agricultural purposes and required for any purposes in connection with the permitted operations shall be kept available for suitable agricultural use, where that does not conflict with the construction operations or future mineral operations, associated landscaping, habitat creation or restoration of those operations, until such time as determined by the mineral operator that such agricultural use is required to cease to enable construction operations or any permitted operations or operations associated with those permitted operations to commence.

24 Provision of Bat and Owl Boxes

Prior to the new private access road being open for use to place a number of bat and owl boxes (of a number and at sites to be agreed between the parties) on existing mature trees in the control of the Estate, on Dean Lane and Potters Lane, alongside Bezza Brook and in woodland alongside the new private access road.

25 Badger Routes and Gates

Subsequent to the definition of the private access road construction corridor a survey of the route shall be undertaken by a suitably qualified person appointed by the mineral operator to identify any main badger routes and such routes shall be identified and protected from storage of construction materials and where necessary shall be provided with badger gates in fencing to be retained during the construction period. Fencing erected across such routes for the operational phase shall be provided with badger gates.

26 Aftercare Scheme

On completion of the final restoration operations the mineral operator will prepare an aftercare scheme to be agreed with Council to cover all the restoration works and for a period of 10 years from completion of the restoration works.

27 Planting and Green Engineering on Banks of River Ribble

The application proposes tree and shrub planting within the development area as part of landscaping and restoration operations. Tree and shrub planting is excluded from the application from that part of the application area between the River Ribble and the limit of extraction operations. Planting and green engineering in this area may assist control of river bank erosion, assist flood control, and enhance biodiversity and the aesthetics of the river. However, such works may affect fishing interests and water management. On receipt of planning permission the mineral operator will investigate and agree a scheme of such additional planting and associated green engineering, if any, within the application area, in conjunction with the Estate, the Environment Agency, the Ribble Life Partnership, the Council and fishing interests and undertake such additional planting of trees and shrubs or green engineering in the relevant area(s).

28 Natural Flood Management and Habitat Creation on Bezza Brook

Bezza Brook runs across the application site from the bridge at Potters Lane to its confluence with the River Ribble. On receipt of planning permission

the mineral operator will investigate and agree a scheme of creation of Natural Flood Management Features and habitat, if any, in conjunction with the Estate, the Environment Agency, the Ribble Life Partnership, the Council and fishing interests along that course of Bezza Brook and for a width of 5 metres on either bank of Bezza Brook between the Potters Lane bridge and the confluence with the River Ribble.

29 Replenishment of Headwaters of River Hodder

The River Hodder, a tributary of the River Ribble, starts beyond and passes through the Stocks Reservoir. While the flow of water through and downstream of the reservoir continues the reservoir acts as a sediment trap for coarse sediment (gravel to boulder size). In addition, the downstream flow has, subsequent to the construction of the reservoir, continued to transport existing coarse sediment from the bed of the immediate downstream section of the river further downstream depleting that immediate section of the river of such coarse sediment. This process is continuing and gradually moving the coarse bedload downstream. The biodiversity value and the landscape character of the river bed and adjacent land have therefore changed and are continuing to change from its 'natural' state. This is affecting fishing interest, the overall biodiversity of the relevant section and the aesthetics of the river. Similar effects are identifiable in other parts of the Ribble catchment. Substantial volumes of 'oversize' material (coarse hard well rounded gravel to boulder clasts of the same or similar and suitable geological provenance) will be produced by the sand and gravel operations at Lower Hall Farm. Most of this material will be used in site restoration. For a period of 20 years from the date of this UU the mineral operator will make available to a relevant body at no cost up to 500 tonnes per calendar year of such suitable 'oversize' material from the application area at Lower Hall Farm (to be collected by the relevant body from Lower Hall Farm) for the specific purpose only of replenishing and improving the bed of the Hodder and/or other such bed improvement works in the Ribble catchment.

30 Monitoring of European Eel

The European Eel has seen a dramatic decline over the last few decades. The reasons for this are unclear but may include pollution, over-fishing, habitat loss, barriers to movement, etc. The species is now described as 'Critically Endangered' by the IUCN. The status of and issues affecting the species in the Ribble are unclear. The restored wetland may provide habitat to support and enhance the population in the Ribble, the Bezza Brook and other nearby watercourses. The site operator will therefore give a grant of up to £7000.00 pa to a suitable body for a period to be agreed from the date of

this UU, to undertake such relevant and suitable research as agreed with the mineral operator, the Ribble Life Partnership, the Environment Agency, and the landowner into the status of the European Eel and its conservation enhancement within an area to be defined but including the application area, the restored site, the adjacent stretch of the Ribble and the adjacent stretch of the Bezza Brook.

31 Access for Scientific Research

No general public access is to be provided. However, it is recognised that the new habitat created and new geological sections exposed may be of scientific interest. Therefore suitable access for scientific study, where that does not inhibit operations or harm the habitat constructed, may be provided, where that has a science based objective, during the life of this permission. The form of that access will be agreed with the Council and set out in an access statement. Each such access will need prior agreement with the mineral operator. Access may be denied due to operational considerations including that related to health and safety.

SCHEDULE 1

Schedule 1 – Maintenance of Planting

The planting undertaken in accordance with clauses 3 and 4 shall be maintained for a period of 5 years as specified in clause 5 and as detailed below. On planting all trees or hedgerow plants shall be supported by a suitable sized bamboo cane and protected by a spiral plastic rabbit guard with a mulch applied around each specimen for a radius of 0.5 metre.

Year 1

March and September – Firm soil around planting and check condition of and replace as necessary bamboo canes and rabbit guards. Remove large weeds.

April – Apply suitable herbicide to control weeds as necessary.

November – Replace losses. Remove weak or diseased branches.

Year 2

March and September – Firm soil around planting and check condition of and replace as necessary bamboo canes and rabbit guards. Remove large weeds.

April – Apply suitable herbicide to control weeds as necessary.

November – Replace losses. Remove weak or diseased branches.

Year 3

March and September – Firm soil around planting and check condition of and replace as necessary bamboo canes and rabbit guards.

April – Apply suitable herbicide to control weeds as necessary.

November – Replace losses. Remove weak or diseased branches.

Year 4

March – Firm soil around planting and check condition of and replace as necessary bamboo canes and rabbit guards.

April – Apply suitable herbicide to control weeds as necessary.

November – Replace losses. Remove weak or diseased branches.

Year 5

March – Firm soil around planting and check condition of and replace as necessary bamboo canes and rabbit guards.

November – Remove canes and rabbit guards.

APPENDIX C

Notes of Public Consultation

LOWER HALL FARM, SAMLESBURY

Pre-Application Consultation 5 June 2014 Meeting with Parish Council Representatives

Swallow Hotel, A59 Samlesbury

Present:

Graham Ashworth (GA) – Chairman
Graham Young (GY) – Vice Chairman
Paul Mulrooney (PM) – Clerk
JFC

1 I introduced myself and noted that this was an initial meeting to advise the PC of the overall scope of the proposed operations so as to (i) ensure that the PC are properly informed as to the proposal and can thereby properly advise residents of its scope, and (ii) create an opportunity to clarify points and uncertainties and a route for a feedback as to those issues or matters of concern to the PC and the local community thereby potentially enabling those matters to be addressed and resolved where possible.

2 GA introduced himself and others. GA is a past president of the RTPI. He acknowledged that planning decisions are difficult (precisely why we have the legislation and process) and that the planning process only exists because of the need to undertake (or not undertake) development in the public interest and not just in the private interests of individuals who maybe directly benefit from or are adversely affected by any development.

3 GA noted that some issues (such as the relationship of the tenants to the Estate) are not planning issues. I agreed and would not propose to comment on such matters (but see 8A below).

4 GA explained that the PC looks at things in the round for the good of the whole community.

5 In that respect GA requested that we use the PC as the link to the local community (updating of submission, any further discussions, exchange of information or documents, etc) and not go direct to any action group. I agreed that we would use the PC as the conduit and consultation route for all such matters although I may have to answer directly questions from the local community.

6 I noted the desirability to consult with the PC and others on our draft proposals and before we have finally concluded matters and before we submit any application. To make the process work consultees should identify issues as they perceive them, and we should see if we can remove or mitigate such issues identified. However, I noted that there is no requirement on the public, or the PC, to engage with us although it would be better to engage on concerns.

7 I briefly introduced the draft scheme.

8 Issues arising:

A Estate Issues:

Before dealing with planning issues, GA and GY did raise matters relating to the Estate and tenants. GA accepted that these were not planning issues but in any event the PC would raise them directly with the Estate.

B Planning Issues:

(i) The Green Belt.

The GB is a major consideration for the PC. I noted that mineral extraction is 'not inappropriate' development in the GB. I also noted, that both HBQ and LBQ (and many other mineral extraction sites in Lancs) were in the GB and had been granted consent.

(ii) Concern about loss of flood plain and flood capacity.

I explained that the scheme assisted flood alleviation, would not cause 'loss' of the flood plain and increase flood capacity. I identified that the scheme would provide a natural flood management asset and was similar to schemes elsewhere in the UK and common in Europe, USA, Canada, etc, and often identified in EA catchment area studies as significant, environmentally desirable, sustainable and economic (because its construction is funded by another activity).

(iii) Potential harm following flooding of the operations (contamination, silting up of river).

I noted the mobile plant and fuel stores to be moved in event of flood warning to high ground along the access road and that the excavation would act as a sediment trap thereby reducing downstream silting up.

(iv) Conflict between cyclists on Potters Lane (they stressed the road is called Potters Lane) and hgvs crossing.

I noted that there were only going to be around 60 movements a day crossing Potters Lane and that there were very few cyclists on the route. Conflict would be negligible.

(v) The new junction was not acceptable and additional hgv movements joining the A59 would cause hazard.

I noted the junction is adequate and within relevant design standards and that the additional traffic generated (60 movements) would be negligible in relation to existing flows (total and hgv) and would still be well within design capacity of the A59.

(vi) LCC had advised that there was no need for more sand and gravel as supply was adequate. This was not quantified.

I noted the rapid rundown in units and reserves to end of decade and lack of identified replacement reserves.

(vii) Previous exploration data confirmed that the deposit was poor.

I noted that I had not seen this data and that this comment conflicted with detailed data I had seen. I also noted that if the data was available to the PC then they should forward that to me so that I can review the data and advise both the PC and LCC of its quality and relevance.

However, by the form of reply to my questions it would appear that they have no data as such, but either only a verbal comment to/by the tenant farmer, or some letter saying that Tilcon were not interested.

I noted (i) that the same had been said about Lower Brockholes but this site was currently the only one in Lancashire producing significant volumes of concreting sand and (ii) the disinterest of one company (for unknown or unspecified reasons) was not evidence of poor quality.

I also noted that the detailed geological assessment and particle size distribution of samples had been reviewed by perhaps the most experienced and acknowledged sand and gravel resource expert in the UK.

PC said they would come back to me in due course with the previous exploration data etc to prove the poor quality point (nothing provided).

JFC 060614

LOWER HALL FARM, SAMLESBURY

Pre-Application Consultation Samlesbury Parish Council 25 May 2017, Samlesbury War Memorial Hall

Summary

1 The purpose of the meeting was to advise Councillors as to the draft proposals as a follow up to the discussions in 2014. However, residents had been circulated and about 60 turned up. The MP Nigel Evans was also present.

2 A few sets of draft plans to A4 size were circulated. These had previously been forwarded electronically to the PC prior to the meeting but the PC was “unable” to print them.

3 A quick overview of need and scheme was given. This was followed by a Q&A from anyone (MP, PC Councillors and residents) when the following points were raised (not in order or priority):

- A No need according to LCC – 40 years supply
- B Poor quality of mineral in site
- C Impact of crossing on Potters Lane traffic, cyclists, horse riders, etc
- D Potters Lane junction with A59 not acceptable for further traffic
- E New junction on A59 would not meet design criteria
- F Noise and dust impacts on nearby property
- G Flooding will be made worse
- H Impact on Civil War burials on site and other archaeology
- I Impact on tenants
- J Conflict with Green Belt
- K Impact on trees and through Ancient Woodland not acceptable
- L Why wasn't the ES available for the meeting
- L Extra hgvs on A59 not acceptable
- M Conflict with gas main

3 In verbal response I noted that: (i) the project was in draft form and the ES was not concluded as it may be modified by the consultation process; (ii) there was developing a major shortfall in supply and operating quarries; (iii) the policy ‘gap’ which LCC said would be addressed but had not been; (iv) the need for aggregate to meet demand locally (‘City Deal, etc); (iv) that the scheme complied with accepted standards and thresholds (and importantly that it would not be sensible for an applicant to prepare a scheme which did not comply) and that mineral working in the GB was appropriate and the works proposed were appropriate in the flood zone; (v) that the traffic would be insignificant crossing Potters Lane and on the A59; (vi) that the scheme would provide a significant flood management facility; (vii) that substantial new planting and habitat was provided; (viii) that it did not cut into an

Ancient Woodland and only a few trees outside old mineral working would be felled; (ix) that the access road did not cut across the gas main; etc.

4 I noted that I would be happy to receive requests for clarification or comments and my email contact address was provided.

5 The PC raised the issue of poor quality (but again provided no evidence) and also a claimed Civil War burial affected by the proposals (also no evidence).

6 The MP was particularly concerned about the possible burial site, flooding, mineral quality and the position of the tenants. These matters have subsequently been addressed and the MP advised as to their resolution or relevance. I noted that the position of the tenants was not a planning matter, nor one I was dealing with, but that I understood that the estate was working with the tenants to find an acceptable solution.

JFC 260617

Subsequent Minutes

The published Minutes of the Parish Council Meeting noted the presentation given by myself, noted that a further presentation would be made in the near future and noted that I gave my email address for contact to the meeting. A further presentation over two days was subsequently given in July. No subsequent contact with myself.

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At the conclusion of the meeting Mr Evans reaffirmed his specific concerns in relation to matters raised by the public in relation to (i) a statement by a resident that there were Civil War burials on site; (ii) evidence available to the PC and residents that the mineral on site was of poor quality; (iii) the views of residents that the development would cause more flooding; and (iv) the status of the tenants.

Subsequently Mr Evans was advised on the above points as follows:

Civil War burials

The consensus of experts, records and knowledge was that that there is no record of any battle or associated activities around LHF. Significantly, archaeological investigations at HBQ and LBQ and in association with recent industrial development north of the Ribble have not discovered any relevant evidence in relation to the Civil War. The extensive review undertaken by OA North and the University of Liverpool (ALSF Aggregate Extraction and the Geoarchaeological Heritage of the Lower Ribble, Lancashire, 2006) did not identify any considerations relating to the Civil War at LHF.

Quality

That this was raised by the PC in 2014 but despite many requests from HAL for sight of such evidence of poor quality, no evidence of any form had been produced by the PC or any resident to justify the claim of poor quality. In contrast the detailed evidence arising from recent exploration and mineral quality was reviewed by one of the most experienced sand and gravel exploration geologists in the UK and demonstrated a high quality deposit suitable for producing concreting aggregate to the relevant BS EN specification.

Flooding

Sand and gravel extraction is considered in guidance as a compatible use in the flood plain, that the development satisfies the policy tests and that the development would provide a significant flood management facility mitigating flooding elsewhere and providing an asset for the community; and

Tenants

In relation to the tenants, he was advised that this was not a planning matter but in any event was a matter where the tenants and landowners had reached a settlement that is acceptable to all the parties.

LOWER HALL FARM, SAMLESBURY

Pre- Application Consultation 2/3 July 2017, Samlesbury War Memorial Hall

Summary of Event/Comments – Action/Response in Red

1 The pre-application consultation display of background information and draft plans was arranged for the afternoon of Sunday 2 July (15.30-18.00) and the morning of Monday 3 July (09.00-11.30). This was to ensure adequate time for visitors, enable people to attend outside the normal working day and to hold the event before the start of the main summer holiday period. The event was hosted in a room in the Samlesbury War Memorial Hall, a location easily accessible and well known in the local area, with good pedestrian access and parking, where there were no physical obstructions on the day and where the public would be comfortable in visiting.

2 The weather on Sunday was warm and dry. Monday started with fine drizzle but quickly turned dry and warm. Weather was not a constraint. There were no issues with parking availability. There were no complaints as to the venue. The room was perfectly adequate for the numbers who attended.

3 Approximately 65-75 people (mainly adults) attended (at least one person came both days), 13 came on Monday with the majority on Sunday. The electoral roll indicates some 40-50 adults in the relevant Potters Lane, Dean Lane, Bezza Lane areas. Most (some 40-45) visitors arrived and had departed by 16.30 on Sunday. On both days there were a number of periods in the latter part of the event days when no one was in the Hall. From those who spoke to me the visitors consisted of people from the immediate Samlesbury area (the majority); and then others from other parts of the Ribble Valley, South Ribble or Preston. The visitors included, to my knowledge, County Councillors and Parish Councillors.

4 One person said the event should have been all-day on both days to give people more time (although at the time of their visit [early on Monday] there were only 2 other people in the Hall and there was more than sufficient time to answer all questions raised by all three persons before they left and the room was then empty). On both days 2 people formed the total visitors over the last 30-45 minutes. The discussions with the last two visitors on Monday ranged over many topics not associated with the project.

5 From my extensive experience of such events the number of visitors was typical given the location and the form of the development. The rapid 'drop-off' in numbers after the first hour on the first day is also typical. The time provided and the venue location was clearly more than adequate despite the comments of the one person noted in 4 above.

6 The purpose of the consultation display was to (a) set the scene as to the need and requirements for sand and gravel aggregate in Lancashire and how the proposed site could assist in that and (b) to outline the main elements of the proposals in draft form so that

matters, in principle, of concern or of interest to the community, could be raised for the development to address, where possible. This pre-application consultation event followed an introduction given at a meeting with the Parish Council on 25 May 2017. That event was attended by the Parish Council, the local MP and upwards of 50 people. That event mainly raised questions/statements on major issues (“mineral extraction conflicts with Green Belt”; “why needed, LCC say adequate supply”; “the site is known to be of poor quality”; “the site contains a Civil War burial site”; “the works will increase flooding”; etc), rather than details, and the main purpose of the event on 2/3 July was to deal with those issues, I provided my email contact details at the meeting on 25 May and noted that I would wish to hear any comments. My email contact details were also provided at the consultation display.

7 Where possible I explained that this pre-application consultation was not to present the definitive application pre-submission. It also was not to provide detailed documents as to how the development would comply with relevant standards, or thresholds, or various licence requirements. This was explained but often not understood. Some visitors challenged that the development could be carried out within that framework. Some expected/wished to see a full ES or to question consultants on matters such as highway standards, noise, ecology, etc. I noted that the ES is a living document that will be informed by this consultation and other consultations. I also noted that compliance with standards, advisory thresholds, etc was essential to gaining consent and therefore the draft proposals had been prepared within the requirements of such standards or thresholds and as advised by specialist consultants and that it would be counter-productive of the prospective applicants to prepare a draft that did not meet those thresholds or standards.

8 As was perhaps to be expected most visitors who expressed an opinion expressed objection to any operations.

9 A number of general “I have been told that” comments or ‘facts’ were made to me by visitors. These were generally erroneous ‘facts’, where, when I asked for the source, the origin was unknown to the questioner. The detail of the actual matter was often unknown to the individual. These ‘facts’ included:

- (a) That the site was to be banded to prevent the site flooding – **the site is not banded like HBQ**
- (b) That the operations will increase flooding by that banding, by removing the flood plain and by the extraction operations – **the provision of a NFMF will increase flood protection**
- (c) That the relevant ecological and other surveys have not been undertaken, as I advised, as no access to the area had or has been granted – **access was granted for a range of surveys over a number of years**
- (d) That the access road crosses the main gas pipeline near the A59 – **the access road does not cross the gas main**

- (e) That traffic will be allowed to use Potters Lane – the access road will be used for all traffic and designed to ensure that
- (f) That the site is known to have poor quality aggregate – contrary to evidence – no information has been provided to justify these claims despite repeated promises
- (g) That the site is of considerable historic interest – minor historic interests in the surrounding area only
- (h) That the Green Belt prevented mineral extraction – mineral extraction is ‘appropriate’ in GB providing it retains openness
- (i) That LCC had some 40 years supply of aggregates or sand and gravel in total, and over 40 years supply in a number of sites – contrary to LAA evidence – no such statements made by LCC
- (j) That the site was (or wasn’t) going to be used for landfill – some were concerned that it was going to be a landfill site – some were concerned that it wasn’t going to be a landfill site and therefore could not be restored back to agriculture – landfill not proposed as that would produce significant complications, reduce flood capacity and prevent new habitats being provided
- (k) That the access road junction affected Ancient Woodland – relevant wood not in provisional AW inventory
- (l) That the extraction fields were of great ecological value – fields consist of open grassland, with sparse hedges a very few small trees and of no significant ecological value

10 Some of these matters had been raised on 25 May and I had attempted to answer these points by providing printed background information on policy etc, made available in the display. Many of the ‘facts’ (i) conflicted with statements made on 25 May, or (ii) conflicted with the plans, or (iii) conflicted with the background data provided (mainly from published public domain sources, such as the latest LCC Local Aggregate Assessment).

11 I attempted to answer the poor quality point by reference to our analyses as displayed and the summary by Richard Fox, etc. No actual information as to where the claim as to poor quality arises was produced by any visitor. Neither was any analytical evidence provided to justify the claim of poor quality. I used the particle size analyses we provided to demonstrate to a number of visitors the compliance of the deposit with relevant specifications. I noted that the claim of not high quality was misleading people.

12 The flooding point is clearly a difficult topic to understand and will need further detailed description.

13 While the origin of many of these erroneous statements was not known to the individual, a number of the points appear to flow from statements made by one person and included in a blog associated with that person.

14 Seven people said that the plans were too small to show the context (see Q below).

15 A number of matters were the subject of some detailed discussions in line with the purposes of the consultation in respect of possible changes or mitigation or outcomes which we need to consider prior to submission. These were, in no particular order:

A Public Access

The possibility of increasing public access, or alternatively of supporting the provisions within the draft proposal of ensuring no public access, was raised. These are totally conflicting objectives coming from two different sectors. We need to review this and fully explain the final decision. **Public access would conflict with providing a 'quiet' reserve.**

B Conflict with cyclists

Potters Lane forms (has always formed) part of a cycle route. Concerns were expressed as to conflict of HGVs with cyclists. The visibility, warning and vehicle control measures may need clarity, but put into the scale of the limited degree of conflict of crossing movements. **Surveys confirm minimal use and potential conflict with cyclists. Speed limits and other controls will apply.**

C Restore to Agriculture

A section of visitors drew attention to their desire that the excavation be restored to agriculture with or without landfill. Disregarding the transport and operational issues it was pointed out that landfill would almost certainly not be permitted. It was pointed out that low level restoration was not possible or practical. Nevertheless, we need to consider the agricultural restoration issue and then explain the decision. **Landfilling will remove the major assets of the NFMF and the created habitat. It would also reduce the flood capacity of the site by removing pore space within the fill and also prevent groundwater recharge. Landfilling would require disposal in dewatered cells, which would be required to be clay lined on the base and side walls to prevent groundwater and river water contamination. Landfill either as Recovery or as an Inert Landfill would be slow due to the low volumes of arisings and the large capacity of existing voids in Lancashire. This would delay restoration. Low level restoration to agriculture is not viable due to the high groundwater and passive flooding potential.**

D Flooding

There is clearly great concern about flooding, and worry that climate change and extraction may make things worse. This concern follows flooding of property and 'promises' (not clear if they were requirements of the permission), in the event clearly not carried out by either the operator or Lancs Wildlife Trust, to either (i) remove bunds at closure of mineral extraction operations or (ii) subsequently to provide flood relief channels; at the former Higher Brockholes Quarry (now Brockholes Centre).

The increase in flood alleviation capacity created by our excavation should not be that difficult to understand and is 'good practice' used elsewhere and supported in policy. However, it seems to be difficult for people to understand the 3 dimensional nature and the simplicity of operation of washlands in that context. Some sketches and further explanation may help. **Provided.**

The issue also seems to be severely tainted by the legacy of perceived non-compliance at Brockholes and will need to be more clearly explained in the context of the issues there and of the strategy at national and local level.

Issues with Brockholes are not in our control, but we should not shy away from noting the concerns with the bunding etc and possible alleviation.

F Operating Hours

People do not want any operations taking place in the evenings, although that is not proposed. This partly reflects exasperation with noisy events at Brockholes which can take place until late at night (although background L90 due to the M6 is very high in context throughout the day and night even though some people locally seem not to notice it – a typical position where there is an existing and continuous high background source). The time limits of the extraction operations need full explanation and consideration and we should ensure that it is absolutely clear that there will be no operations in the evening. **No operations after 5pm.**

G Access via Brockholes

The possible access via a bridge to Brockholes was raised by two people. The operational and traffic management constraints were discussed and need to be fully and clearly explained in the submission. The issue of noise and visual impact of a bridge was not apparently of concern to these two (that is not the view of others). We need to explain the transport access issues, the area, screening and impact of stockpiles at Brockholes, etc. **Dealt with in the ES in relation to Alternative Access. In retrospect, the amenity impacts of a bridge and its use would be unacceptable. The access through Brockholes proved to be non-viable as well.**

H Use of Private Access Road

The status of the access road now/post extraction/aftercare was raised. There were no particular dominant view on the merits of keeping it open for agricultural use or for ripping it up and planting once operations have ceased.

However, a Parish Councillor raised the specific prospect of the road being used as a replacement for the existing Potters Lane road given the poor access of Potters Lane to the A59. Lots of questions here – would it/could it be a private road still – what about the design of curves (tight because of speed limit – acceptable for private road?) – is this for

residents?, plus the School and Church? – what about the agricultural contractor driving the rump of Potters Lane, so will the existing junction still need to be kept open for that business?

Reducing turning movements at Potters Lane would seem to be desirable both to users of Potters Lane and general traffic on the A59. However, discussion on the road produced unsolicited comments by other visitors (including those associated with the School) which suggested that they were perfectly happy with the Potters Lane/A59 junction/access which they thought acceptable both in relation to safety and access (for residents and the school) and they were not interested in having or using a new road/junction.

This is initially a matter for the local community to consider and take a view on and then put to us. However, it can only be a matter to consider if and when permission is granted. If it were to go forward it would require a new application and consent itself. We need to consider this concept in due course post consent for the mineral operations, although perhaps the Parish Council can give a steer on the community view. **No comments from PC to date and the planning submission will reference removal of road.**

I Control of Traffic on Access Road/Potters Lane

We need to provide detail of the mechanisms to control access/speed on the access road and to prevent use of Potters Lane. **This is a matter to be resolved via condition.**

J Additional Tree Planting/Landscaping

Concerns raised as to visual impact on properties on Potters Lane/Dean Lane may require or benefit from further tree planting/landscaping works north of Bezza Nursery and west of the lime tree avenue. This needs to be reviewed. Comments made in relation to the bund around the plant site show that the pre-existing screening presence of the existing wood is not understood. We need to make this clear. **Further planting provided and described.**

K Additional Tree Planting/Landscaping etc works along the A59

A suggestion was made that additional tree planting and replacement of hedgerow be made east of the new access. This needs to be reviewed. **To be provided.**

L Lighting on Access Road

We need to make it absolutely clear that there will be no lighting on the access road. **Dealt with in ES.**

M Location of Junction on the A59

We need to explain the issues in bringing the access further west downhill on the A59. **Dealt with in ES.**

N Impact on Woods

The impact on woods and trees (mainly along the route of the access road) was raised by a number of people. I drew attention to the stand-off zone between woodland and any works and the infill planting.

It was suggested by a few people that the woods we were crossing to form the junction with the A59 were Ancient Woodland.

However, one resident confirmed that it was local knowledge to them that the wood along the A59 and up to our new access point was formerly pasture. The eastern end of this wood (where the access road cuts across a hollow to join the A59) was also formerly (pre 1900) affected by a sand and gravel or clay pit and the hollow is the former excavation.

Some residents did not realise that the trees in the NW part of the future excavation are naturally regenerated (post circa 1955) in a former sand and gravel working.

We should ensure that the historic land use of the area is clearly demonstrated to prevent confusion (see O below). **Dealt with in ES.**

O Former Sand & Gravel Working

No visitor had information on the closure date of the former working. It was suggested by one person that it made good concrete and was probably used in WW2 to build runways at Samlesbury. **No further information has surfaced.**

P Samlesbury

Samlesbury should be pronounced SAM LES BURY not SAARMLS BURY

Q Plans

Seven people complained that the plans were too small and/or wanted to see a single overall plan. This is an issue with the size of the site and showing the numerous phases at a plan size sufficient to allow the detail of the operations in each phase to be seen. Perhaps the solution is to show the detail as an inset on a 1:10,000 base of each phase so that the detail can be seen as well as the context. **Size of site precludes using a single plan because detail is lost. However, the issue relates to seeing the detail of restoration, but as details are indicative only and what is shown on the phase plans will in all probability not be the final form, showing such detail is misleading.**

R Impact on Species and Habitat

There were few comments in relation to possible loss of habitat or species. Some suggested that the fields to be excavated were of great ecological value. I noted that the existing site was in ecological terms of limited value due to the intensive agricultural operations and that

the restored mineral site, and the active mineral site, would be of greater value particularly in providing habitat in accordance with Biodiversity Action Plans. In relation to species I noted the lack of impact on bats and other protected species and the significant increase in new habitat of value. We need to make this clearer, although that is difficult to show on plans. **ES clarifies no significant impacts and major opportunities.**

S Reserves

There appears to be much confusion as to the reserves of sand and gravel in Lancashire. On the one hand people have been lead to believe that there is a very large volume of material in permissions, although it was put to me that there were two sites which have recently closed (“one in Chorley”) which each had/have some 40 years of reserves. So the point put to me was “they have large reserves but have closed because there is no demand”. I pointed out from the display the potential reserves in Lancs and the working out recently of LBQ. I said that I was not aware that another unit had closed (LCC officers have confirmed that they are not aware that a site in Chorley has closed – I think this is confusion in relation to Runshaw being mothballed – we need to explain this).

The information on “large reserves and large reserves in two closed sites” was stated to come from LCC but has been repeated in a blog noted in 13 above, etc. The display gave context to the actual reserve picture. In relation to LCC comments I noted the position in the latest Local Aggregate Assessment (LAA) which clearly does not indicate 40 years life either in total or at any site.

This is clearly a matter where it is essential that the known information is used to clear up public confusion. **The latest LAA confirms the reserve picture and the Review clearly identifies a need.**

T Civil War Burial

This was raised. I advised that LCC had confirmed that there is no known burial on site. **No further action.**

John Cowley; 17.07.17

Contacts subsequent to consultation up to ~~10.12.18~~ 31.12.20

- 1 Emails from Mrs Tufft requesting further info and plans – supplied**
- 2 Emails from Mr and Mrs Brierley requesting plans – supplied**
- 3 A number of emails from Mr Greaves first seeking clarification on possible discrepancies between plans and then withdrawing request for clarification**
- 4 No other comments or requests from PC or any other persons or organisation**

APPENDIX D

Display Material Public Consultation Event July 2017