



Lancashire,  
Manchester &  
N Merseyside

14<sup>th</sup> April 2021

Dear Sirs

**Re: application No: LCC/2021/0012 – Extraction of Sand and Gravel, Including Construction of New Access Road and New Junction with A59 Preston New Road, Creation of Plant Site, Weighbridge and Stockpiling Area, Silt Ponds, Landscaping Including Screen ... &c**

Thank you for consulting The Wildlife Trust for Lancashire, Manchester & North Merseyside on the above application.

**Locus Standi**

**The Wildlife Trust for Lancashire, Manchester & North Merseyside** is your local charity, working hard to improve your local area for wildlife and for you.

Our Brockholes Nature Reserve & Visitor Village lies directly across the tidal River Ribble from this application site.

Since 1912, The Wildlife Trusts have been speaking out for nature in the UK. Our organisation is unique - while most of our work for wildlife takes place at local grassroots level, we also have a national voice.

The Wildlife Trust for Lancashire, Manchester and North Merseyside was founded in 1962, by people like you, who knew that they needed to take action for wildlife.

Since then we have grown to be the largest nature conservation body in the area. We are uniquely positioned to lead change our region, working at a grass roots, local level whilst also being part of a strong cohesive movement.

We have saved many special places, acquiring and managing many of them as nature reserves — we look after over 1 288 hectares of havens for rare and threatened species and habitats.

We have the powerful voices of over 28 000 members, whose invaluable support we simply could not do without. We engage over 4 000 volunteers in our mission, 1 200 are active on a very regular basis alongside our team of 140 staff. Whether this is 'digging in' on the land or helping with education, fundraising, governing the charity, working on planning matters, campaigning or working in finance.

We are delivering environmental education to around 20,000 children per year. We have built three eco buildings for our operations to demonstrate how we can live lightly on the earth; Brockholes floating visitor village being the latest of these, opened 10 years ago.



**We must lodge an objection to this application, as submitted. Our observations and reasoning follow below:**

## **1. Prematurity**

We feel that this application is premature, in that no pre-application discussion has taken place with us prior to submission; other than two years ago, when a putative vehicular access route to the application site through our Brockholes nature reserve and across a new bridge over the River Ribble was suggested by the applicant's agent to our then CEO and our Director of Development. We were unable to accommodate that, principally because of the risk to visiting members of the public from quarry traffic, and the loss of commercial attractiveness to the amenity value and so commercial viability of our Brockholes Visitor Village & Nature Reserve.

## **2. Current Ecology**

We note that your 'Ecology Service' has been consulted. Is your authority's contracted ecological consultant still Jacobs, or has this service gone back inhouse?

The stand-off distance from the tidal River Ribble (hereafter "the river") is labelled as 25m for the phases facing our Brockholes Visitor Village & Nature Reserve ("Brockholes"). This should protect the river-bank's Sand Martin colony from disturbance and is welcomed for that reason. We would expect the opportunity to be taken to create additional Sand Martin habitat as part of the implementation of any consented operations as part of the delivery of biodiversity net gain.

Anecdotally European Otter, a specially protected species, uses the river in the region of Phase 4, but according to the Ribble Rivers Trust the breeding holt was last seen (in March 2018) on the northern (Redscar/Preston City) bank (*i.e.* the opposite bank to the proposal). If otters continue to prefer that side of the river for breeding then they should be physically unaffected by the works.

Ms Lorna Bennett, our Nature Reserve Officer at Brockholes, understands, anecdotally, that Kingfisher (a Schedule 1 species) nests along this stretch of Bezza Brook; though we note that the applicant's ecological consultancy didn't pick up on this, perhaps because of the constraints of its survey.

In light of the above, and on a reasonable precautionary basis, we would be keen to see outline planning conditions requiring pre-commencement surveys for protected species, so allowing sufficient time for mitigation to be designed



and implemented where necessary; as key species could easily become established in the years that lapse between now and commencement of quarrying and related operations and developments.

There is no detailed planting or landscape restoration plan and the several phase plans are necessarily indicative. From what little is indicated on the 'phase' plans, the very limited species list for the trees to be planted along the riverside, and the lack of provision for natural regeneration, is disappointing; see top of Phase 5 plan.

To our mind unimaginatively, the final restoration proposal would also appear to propose 'woodland' planting (using the same 6 tree species) in all open space that is not open water or reedbed. Dogwood is a particularly disappointing choice, given its local invasiveness.

A more optimum outcome for nature's recovery, and one complementing our long-term management objectives for our Brockholes nature reserve, would be to allow for natural successional habitats to develop instead; right through from bare ground, to meadow, to scrub, then finally secondary woodland. That should secure a greater temporal and spatial diversity of habitats that would offer more niches for a locally characteristic assemblage of native, floodplain flora and fauna and greater adaptability to exigencies of climate breakdown locally; particularly if accompanied by provision for and implementation of low intensity livestock grazing, as practiced at our Brockholes nature reserve on the opposite ("Preston City") bank of the river.

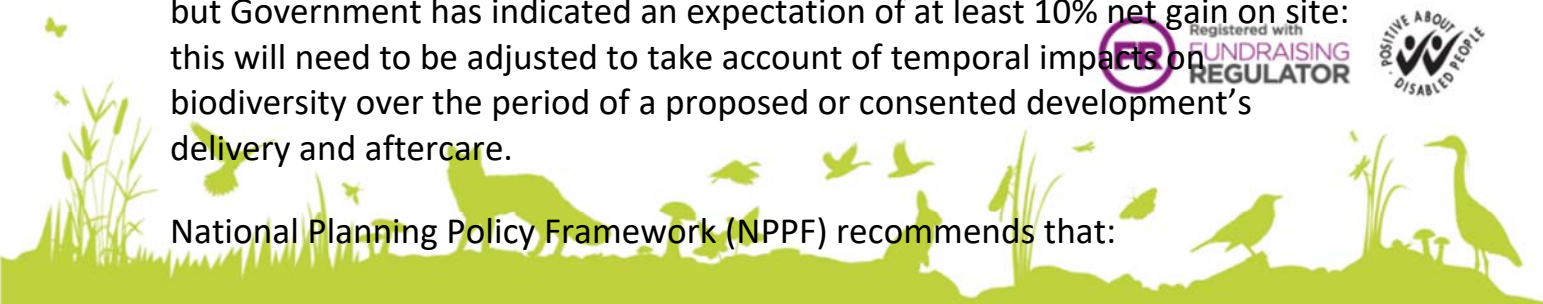
The mitigation measures recommended in the applicant's commissioned Ecology Report (including all the future surveys recommended) are accepted, and must be covered by planning conditions and/or legal agreement.

### **3. Biodiversity Net Gain**

We are disappointed that there has been no use of Defra Biodiversity Net Gain Metric 2.0 in assessing losses; and gains in the subsequent after-use phases as this might make assessment easier over the time of the development.

However, we recognise that this is not yet a statutory requirement in England; but Government has indicated an expectation of at least 10% net gain on site: this will need to be adjusted to take account of temporal impacts on biodiversity over the period of a proposed or consented development's delivery and aftercare.

National Planning Policy Framework (NPPF) recommends that:



170. Planning policies and decisions should contribute to and enhance the natural and local environment by [extract]:

*a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);*

*b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland;*

*d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures;*

Clause d) is particularly apposite in this case, given the current and potential future value of the lower tidal river floodplain and framing fragmentary ancient woodland network on the valley sides in this locality as a coherent ecological network; part of a larger potential nature recovery network extending at a catchment scale from the source of the Ribble in the Yorkshire Dales westward right across Lancashire to the Ribble Estuary and Irish Sea.

#### **4. We now come to the crux of our ecological concerns about the proposals, as submitted.**

The plan for the application site's development for nature's recovery as proposed operations progress over the decades is insubstantial. It currently has no identified, indicatively quantitative, proposed outcomes in terms of which particular species and/or species assemblages are to be achieved, and only the broadest in terms of habitats (broadleaved woodland plantation, open water, reedbed).

The current Joint Lancashire Minerals & Waste Local Plan states;

##### ***"POLICY CS5***

*Criteria will be developed for the site identification process, and also for considering other proposals brought forward outside the plan-making process, to ensure that:*



*“vii) sensitive environmental restoration and aftercare of sites takes place, appropriate to the landscape character of the locality and the delivery of national and local biodiversity action plans”*

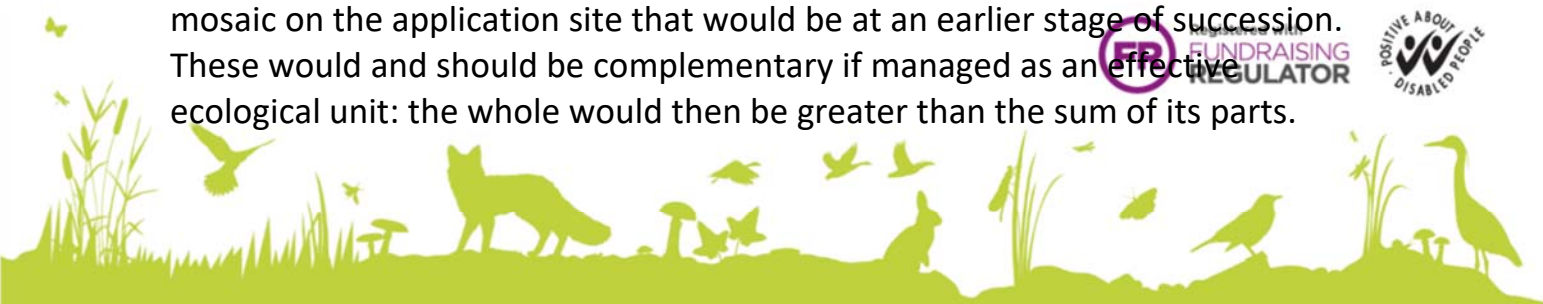
The application and supporting documentation do not appear to include an assessment of which national and local biodiversity action plans it would seek to deliver, and how.

In part, we accept that the uncertainties of what aggregate would actually be found and where and at what depth when mining commences limit detail; but a broad management plan with a series of options and species and habitat objectives that would be adopted in given circumstances would be a good precursor to a more detailed management plan, one that should be required to be produced, adapted and refined at regular intervals in consultation with your authority and other stakeholders as extraction proceeded. In particular, a more varied and less “blocky” aspirational outcome for spatial habitat outcomes would deliver a more semi-natural habitat mosaic, as well as one that would be more pleasing aesthetically.

We are mindful of our own experience at Brockholes where, having acquired the exhausted aggregate extraction site from Hanson plc in a competitive bidding process, we were obliged to raise and expend still more charitable resource in retro-fitting a topography and habitat structure more suited to nature’s recovery than that left by the relatively early and rapid departure of the previous owners & managers.

An opportunity is missed in this application to work with us as neighbours throughout the operation of the application site, if it be consented, in order to maximise the collective benefits to the tidal Ribble floodplain nature recovery network and so to Lancashire’s wider Nature Recovery Network; expected to become a statutory requirement on local authorities when the Environment Bill before Parliament is enacted – currently anticipated in October or November of this year.

We will be managing a maturing wetland habitat mosaic at Brockholes whilst the applicants would be creating and, hopefully, managing a wetland habitat mosaic on the application site that would be at an earlier stage of succession. These would and should be complementary if managed as an effective ecological unit: the whole would then be greater than the sum of its parts.



It is noted that the Draft Unilateral Undertaking includes a requirement to produce a 'Construction Environment Management Plan'. It does not appear to be stated in the application what its outcomes in delivery of biodiversity action and 10% biodiversity net gain would be; whether that plan would include nature conservation enhancement and aftercare; what the annual costs of delivery would be; and whether there is any provision for an annual commuted sum to enable a third party with sufficient expertise and local presence to manage the site in perpetuity: there is no evident plan for the after-use and aftercare of this site after 5 years from when the consent expires or operations cease, whichever might be the sooner.

The following are some of the most obvious and important functions of management planning:

1. To identify the objectives of site management
2. To identify the factors which affect, or may affect, the features
3. To resolve any conflicts
4. To identify and define the monitoring and surveillance requirements
5. To identify and describe the management required to achieve the objectives
6. To maintain continuity of effective management
7. To obtain resources
8. To enable communication within and between sites and organisations
9. To demonstrate that management is effective and efficient

We propose these should be required to underpin a management plan for the application site during and after completion and that production of a costed 25-year management plan should be a requirement of any consent. This would enable a suitable commuted sum to be identified - to be accumulated from the first year of operation throughout the life of the extraction operation, in order to support management of the site for nature conservation in perpetuity.

Given the longevity of the proposed operation, proposals will also be needed to adapt and adjust management of the application site phased after-uses in



anticipation of projected regional and local impacts of planetary climate change.

**5. Brockholes Nature Reserve & Visitor Village** (described in the applicant's documents as 'The Brockholes Centre')

Disappointingly, we feel obliged take issue with the broad thrust of the applicant's submission on Brockholes Nature Reserve & Visitor Village (paragraphs 3.40 to 3.52 inclusive): this could probably have been avoided by pre-application discussion and exchange of letters. It has relevance to the applicant's apparent proposal not to secure the active management of its site for nature conservation in perpetuity.

Brockholes Nature Reserve did not, as it were, "just happen" to become the important wildlife site that it is today, though its location on established major east-west and north-south bird migratory routes is of intrinsic value. Although the efforts of its various owners and lessees over the years of quarrying did help to enhance its value for nature conservation somewhat – particularly ornithologically - insofar as that was compatible with the operation of an active aggregate quarry, its subsequent and current significant value for a greater variety and abundance of wildlife and habitats in northwest England is a consequence of our active creation and ongoing management of the nature reserve to maximise its spatial and temporal capacity for wider and better ecological functionality.

When we finally acquired the site, ultimately opening it to the public 10 years ago, the capital creation costs to us were over £1 000 000 and the ongoing costs of managing the site *for nature* – under our nature reserve management plan - are approximately £150 000 *per annum*.

Frustratingly, the terms of the original planning obligations on the consent for that quarry were such that we were obliged to raise huge sums to compete against water skiing, angling and boating interests to acquire the site from Hanson plc (successors to Tilcon and Tarmac) and received no endowment under a s106 agreement (or its predecessor, a s52 agreement?), or similar, towards its aftercare; a situation not then being experienced in comparable situations in southern England ...

The applicant would appear to be proposing to leave the site 5 years after the consent expires or when operations cease, whichever might be the sooner, and expend nothing further on it in money or time to secure its continued



value for nature. That being so, with whom would the liability then rest? Would it be the applicant or its successor company or the previous landowner, or would it fall to Lancashire County Council - or whatever the equivalent authority may be in the increasingly warmer and more turbulent climate of 2048?

Given the proximity of our nature reserve to the application site and our experience in managing artificially created wetlands there, at our Mere Sands Wood nature reserve & visitor centre in West Lancashire Borough, and (with the Environment Agency and Mersey Forest) at Lunt Meadows in Sefton Borough, we would respectfully suggest that we are best-placed to ensure the effective management of this site for nature conservation in liaison with the applicant's agents and in perpetuity thereafter. We suggest that this be conditioned and/or incorporated in the finalised Unilateral Undertaking.

We recommend that these issues be resolved before any consent be granted to avoid difficulties at later dates, and with further applications and revisions associated with this site and the wider area.

## **6. Strategic Approach**

NPPF recommends that;

171. *“Plans should: ... take a strategic approach to maintaining and enhancing networks of habitats and green infrastructure; and plan for the enhancement of natural capital at a catchment or landscape scale across local authority boundaries.”*

When determining planning applications, NPPF recommends that;

205. *“great weight should be given to the benefits of mineral extraction, including to the economy” but, in considering proposals mineral planning authorities, should also: • ensure that there are no unacceptable adverse impacts on the natural and historic environment, human health or aviation safety, and take into account the cumulative effect of multiple impacts from individual sites and/or from a number of sites in a locality (205b) • provide for restoration and aftercare at the earliest opportunity, to be carried out to high environmental standards through the application of appropriate conditions (205e)*

The **emphases** are, of course, ours.

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In the current Joint Lancashire Minerals & Waste Local Plan, **Objective 5** is;

*“To support high standards of working practices and environmental protection, and take an integrated and innovative approach to enhancing the quality of land and our landscapes during extraction and in restoration for beneficial after-use, including potential benefits to biodiversity, amenity and access to the countryside”*

The current Joint Lancashire Minerals & Waste Local Plan predates the current NPPF but we respectfully suggest that, bearing NPPF para 171 and 205 in mind, and the Local Plan Objective 5 above, your authority be mindful of the strategic nature of the evolving wetland habitat on the tidal lower Ribble floodplain’s & valley’s green infrastructure and particularly its ecological network: a suite of aggregate extraction after uses is developing and will develop on sites in the area, which is allocated for such extraction in the Local Plan and – at least in our view - greater benefit, including net gain for nature, would be delivered by a strategic approach to after uses. The Cotswold Water Park on the Gloucestershire/Wiltshire boundary is the pioneering example of such an approach, begun in the late 1980s, but there are more cases now.

The applicant has gone some way to suggesting a strategic approach, in terms of its proposal that the application site should be managed as a quieter wildlife refuge complementary to the necessarily more public Brockholes Nature Reserve & Visitor Village across the river; but, to maximise that potential, it will be necessary to manage said site for that purpose; and to consider its strategic relationship with the consented after use of the Lower Brockholes former aggregate quarry site (LCC/2018/0024). And, *potentially*, with future consented aggregate extraction sites in the mineral allocation area.

## **7. Draft Unilateral Undertaking**

We have the following specific comments on the content of the above: for ease of reference, its headings and numberings are used:

### *3 Tree and Shrub Planting*

Native lowland meadow seeding would be more appropriate and complementary to the local ecological network than forestry ~~plantation~~ in some of these areas. Specific grassland seed mixes were prescribed by your planning authority’s then Senior Ecologist in respect of what is now our Brockholes Nature Reserve & Visitor Village and these would still have relevance. We can provide detail if necessary.

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#### 4 Hedgerow Planting

We note that the roadside planting plan provides species lists. Most of the listed species are locally native, but Dogwood is mentioned as a hedge species (10%). We'd recommend replacing that with Guelder Rose and/or Crab Apple as more appropriate to the locale.

### **8. Flood Management**

It is stated that:

*"The extraction of sand and gravel from this site will provide a further positive environmental effect via the availability of the void to provide flood alleviation for assets at risk downstream. This capacity will exist from the start and grow as operations advance. The capacity will exist naturally without any direct management, but ultimately can be managed subject to relevant permissions and permits."*

However, examination of the hydrology reports does not indicate where any ingress points from the tidal river would be and whether this putative benefit to downstream flood alleviation in the Preston/South Ribble conurbation would actually be realistic.

We know that Brockholes has very limited flood storage capacity, so it seems likely this would also be true of the application site; particularly as the water-table of the lower River Ribble floodplain is likely to be connected throughout its natural sand and gravel mineral base.

The Environment Agency will, of course, be able to advise in more detail as to how significant this is as a material consideration, and we see that it is one of your authority's consultees for this application. We look forward to sight of its response.

### **9. Impact on Brockholes Visitor Village & Nature Reserve as a neighbour**

In terms of our visitor attraction role at Brockholes, we perceive the main concern to be that there is no screening, with the ES stating that, "It is not possible to screen extraction operations on the site from the Brockholes Centre [sic] bankside, although the processing plant will be screened".

It would appear that Phases 1a, 1b, 2 and 3 are the closest to our eastern bank at Brockholes Nature Reserve & Visitor Village (e.g. see phase 2 plan attached -

on which the preceding phases 1a and 1b are the silt ponds), but only phases 4 and 9 are really distant enough or screened enough to have negligible visual impact from our eastern boundary. Views will be particularly important, notably from the “stone circle” viewing point above the Visitor Village. Screening may be possible on our side of the river. We’d welcome inclusion of exploration of this possibility in our requested discussions with the applicant or its agent.

The ES says there is no de-watering proposed. We hope and expect that this will mean less dust, and greater scope for natural colonisation and use of each phase by wildlife as soon as the machines move on. By the time they move onto Phase 4 there might actually be a bit of a birder attraction in phases 1 – 3, dependent on the nature of the landscaping proposal, which we expand on below.

## 10. Final comment

If your authority be minded, nonetheless, to approve this application, as currently submitted, then all the mitigation measures recommended in the applicant’s consultant’s Ecology Report (including all the surveys recommended) must be covered by planning conditions or legal agreement, preferably in the finalised Unilateral Undertaking: it is noted that the draft Unilateral Undertaking includes a requirement to produce a ‘Construction Environment Management Plan’. We would welcome consultation on content of said plan.

Thanking you for your attention.

Yours sincerely



David Dunlop  
Area Conservation Officer for Central & Western Lancashire  
(Blackburn with Darwen, Chorley, Preston, South Ribble, West Lancashire)



**Covid-19:** I'm avoiding face-to-face meetings and am working from home

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**Hash-tags:** #WilderFuture #EnvironmentAct #OurIrishSea #ActionForInsects

**The Wildlife Trust for Lancashire, Manchester & North Merseyside**

(Blackburn with Darwen, Blackpool, Bolton, Burnley, Bury, Chorley, Fylde, Hyndburn, Knowsley, Lancaster, Liverpool, Manchester, Oldham, Pendle, **Preston**, Ribble Valley, Rochdale, Rossendale, St Helens, Salford, Sefton, South Ribble, West Lancashire, Wigan, Wyre)



The Lancashire Wildlife Trust is a registered charity (Number 229325) and a registered company (Number 731548) registered at the above address. VAT No. 265754865

*Protecting Wildlife for the future*

## Pertinent Joint Lancashire Minerals & Waste Local Plan Policies (our emphases)

**Objective 5** To support high standards of working practices and environmental protection, and take an integrated and innovative approach to enhancing the quality of land and our landscapes during extraction and in restoration for beneficial after-use, including potential benefits to biodiversity, amenity and access to the countryside.

### **POLICY CS5**

Criteria will be developed for the site identification process, and also for considering other proposals brought forward outside the plan-making process, to ensure that:

- (i) our natural resources including water, air, soil and biodiversity are protected from harm and opportunities are taken to enhance them;
- (ii) features and landscapes of historic and cultural importance and their settings are protected from harm and opportunities are taken to enhance them;
- (iii) workings will not adversely contribute to fluvial flood risks or surface water flooding;
- (iv) proposals for mineral workings incorporate measures to conserve, enhance and protect the character of Lancashire's landscapes;
- (v) the amenity, health, economic well-being and safety of the population are protected by the introduction of high operating standards, sensitive working practices and environmental management systems that minimise harm and nuisance to the environment and local communities throughout the life of the development;
- (vi) essential infrastructure and services to the public will be protected;
- (vii) sensitive environmental restoration and aftercare of sites takes place, appropriate to the landscape character of the locality and the delivery of national and local biodiversity action plans. Where appropriate, this will include improvements to public access to the former workings to realise their amenity value.

**Policy DM2 - Development Management Development** for minerals or waste management operations will be supported where it can be demonstrated to the satisfaction of the mineral and waste planning authority, by the provision of appropriate information, that all material, social, economic or environmental impacts that would cause demonstrable harm can be eliminated or reduced to acceptable levels. In assessing proposals account will be taken of the proposal's setting, baseline environmental conditions and neighbouring land uses, together with the extent to which its impacts can be controlled in accordance with current best practice and recognised standards. In accordance with Policy CS5 and CS9 of the Core Strategy developments will be supported for minerals or waste developments where it can be demonstrated to the satisfaction of the mineral and waste planning authority, by the provision of appropriate information, that the proposals will, where appropriate, make a positive contribution to the:

Local and wider economy

Historic environment

Biodiversity, geodiversity and landscape character

Residential amenity of those living nearby

Reduction of carbon emissions

Reduction in the length and number of journeys made

This will be achieved through for example:

The quality of design, layout, form, scale and appearance of buildings



The control of emissions from the proposal including dust, noise, light and water. Restoration within agreed time limits, to a beneficial afteruse and the management of landscaping and tree planting.  
The control of the numbers, frequency, timing and routing of transport related to the development

**Policy DM3 - Planning Obligations** Where planning obligations are required to make a development acceptable in terms of its social, economic, and environmental impacts, the Minerals and Waste Planning Authority will seek to ensure the provision of, but not exclusively the following, where appropriate:

Access or road improvements.

Long term aftercare or management.

Provision of new or diverted footpaths.

Public access to restored sites.

Compensatory provision elsewhere for ecological mitigation.

Wider transport improvements highlighted in the development's travel plans

District heating infrastructure sought under Policy DM4

Time limiting the development

Ensuring full site restoration by a fixed date.

