

Report to	On
Planning Committee	29 April 2021

Title	Portfolio Holder	Report of
Planning Application received by Lancashire County Council (LCC) Ref: LCC/07/2021/00012 – Land at Lower Hall Farm, Potters Lane, Samlesbury Preston.	Cllr Evans	Director of Planning and Property

Is this report confidential?	No
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Purpose of the Report

1. This report seeks resolution from the Planning Committee as to what response is provided to LCC in relation to the planning application for the:

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 mounding, with progressive restoration to wetland and passive flood management facility, woodland and agriculture at Lower Hall Farm, Potters Lane, Samlesbury

Recommendations

2. That if LCC are satisfied there is the need for the mineral then SRBC would seek assurances in the following areas:
 - Appropriate conditions to mitigate the impact upon the local highway network, to protect residential amenity and a robust restoration scheme. In particular the conditions at Appendix A recommended by the Environmental Health Officer be forwarded to LCC for their consideration.

Reasons for recommendations

3. Although part of the site has previously been a quarry it is unclear whether this site is currently required for sand and gravel extraction. If LCC support the application conditions to control the impact of the development upon residential and visual amenity are suggested.

Other options considered and rejected

4. No other options have been considered as Lancashire County Council is seeking our response as a consultee.

Corporate outcomes

5. The report relates to the following corporate priorities: *(tick all those applicable)*:

An exemplary council		Thriving communities	x
A fair local economy that works for everyone	x	Good homes, green spaces, healthy places	x

Background to the report

6. The planning application was received by LCC in March 2021 with all documentation available to view on the County Council's website <http://planningregister.lancashire.gov.uk> (using the LCC ref. LCC/2021/00012).

The Proposed Development

7. The application site located to the east of the M6 motorway and to the north of the A59 includes the following elements:
- The extraction and processing of sand and gravel aggregate of 3.0 million tonnes (net saleable reserve)
 - The associated construction of a private access road to the A59 with a left in and left out new junction to the A59.
 - The landscaping and restoration of the site to a wet land and associated woodland and
 - The provision of the excavation as a passible Natural Flood Management Facility (NFMF).
8. The application site measures 90 hectares and most of the land is currently held in agricultural tenancies for Lower Hall Farm(extraction and processing) and Seed House Farm (access road crosses) An area to the north west of the site is a former sand and gravel quarry started in in the 1930's and restored in the 1950's. Minerals still remain and would be recovered as part of the application.
9. The River Ribble forms the north, west and southern boundaries of the application site with the extraction area and plant site mainly located within this valley floor approximately 15 metres aod (above ordnance datum) with the access road rising to around 55metres aod.
10. The mineral would be extracted by a hydraulic excavator and processed within a fixed washing and screening plant. The mineral would then be transported via the haul road some 1100 metres in length, to a new junction with the A59. The new junction lies some 450 metres to the west of the existing junction that serves St Marys and St John Southworth RC Church and Presbytery.

11. Operating hours would be 07:00-17:00 Monday to Saturday and annual extraction rate would be 150,00 tonnes. The quarry would have an anticipated life span of 20 years and the application details include contingency plans which request an end date to extraction operations by end of 2048.
12. Restoration details provide for a diverse wetland and woodland habitat with no public access allowed.
13. The application is subject to an Environment Statement (ES) which demonstrates that the development will not give rise to significant negative effects to the environment or amenity.
14. The site is located in the Green Belt and is subject to the Joint Lancashire Minerals and Waste Local Plan which consists of the Core Strategy and the Site Allocation and Development Management Policies to 2021. The NPPF states at paragraph 205 that great weight should be given by decision makers to the benefits of mineral extraction including those benefits to the economy.
15. Two considerations for South Ribble Borough Council, are:
 - a) What is the impact upon residential and visual amenity?
 - b) What landscape mitigation is proposed?

Residential Impact

16. The transport movements have the potential to impact upon residential amenity. However, a separate haul road is proposed with Potters Lane not suitable for use. The application details advise *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.*
17. A further impact would be potential noise from the site and the scheme includes 8m bunds adjacent to the extraction activities to help alleviate this aspect. It should be noted that the bunds would have an impact upon the residential amenities of adjacent residential properties.
18. The Council's Environmental Health Officer (EHO) has been consulted upon the application and has raised concerns about the submitted information in particular the noise and air quality reports. A copy of their response is attached as Appendix A to this report. The EHO has suggested a number of conditions if LCC are minded to approve the application.

Visual Impact

19. There are no listed buildings or structures within the site, although there are a six listed buildings or structures in the surrounding area of which two (Samlesbury Lower Hall and Seed House Farmhouse) are in the vicinity of the operational land.
20. The plant site for the extraction will be developed on a concrete pad within an 8-metre-high screening bund to the east, south and west, constructed from soil and overburden. 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.
21. On completion of processing operations, the plant and concrete will be removed and the screening bunds bladed down to create an 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.

Mitigation and Enhancement

22. Mitigation measures will be required in order to avoid, reduce, remedy or compensate for any adverse landscape or visual effects of the proposed scheme in accordance with planning and environmental policy. The applicant has submitted landscape proposals as part of a phased approach including a final restoration scheme. The phased approach includes the construction of bunds and tree planting to screen the site. The bund would be reprofiled as part of a final landscape scheme.
23. The restoration of the site would be subject of an aftercare scheme to run for 10 years by the operator and then managed by the Trustees as part of the wider Booths Estate.

Risk

- 23 *This may be addressed in the body of the report. If it is not, then a paragraph addressing the identified risks and how they will be mitigated or managed should be included.*

Equality and diversity

- 24 *Please summarise the outcome of your Equality Impact Assessment (EIA) and Equality Act implications.*

Air quality implications

- 25 To be reported verbally

Comments of the Statutory Finance Officer

- 26 There are no financial implications as a result of this application.

Comments of the Monitoring Officer

27 Comments by South Ribble BC as consultee should relate to material planning considerations and relevant planning policies maintained by Lancashire County Council and also national policy.

Background documents

Appendix A: Environmental Health Officer's response

LT Member's Name: Jonathan Noad
Job Title: Director of Planning and Development.

Report Author:	Email:	Telephone:	Date:
Catherine Lewis Development Management Team Leader	Catherine.Lewis@southribble.gov.uk	01772 62541	12.04.2021

► Internal Consultation



To:	Mrs Catherine Lewis	From:	
Position:		Position:	
Division:	Development Management	Division:	Environmental Health
Your Ref:	LCC/07/2021/00012	Our Ref:	21/1107/PLACON
Extension No:		Extension No:	
Copy To:		Date:	16 April 2021

Application No: LCC/07/2021/00012

Development: 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 MOUNDING, WITH PROGRESSIVE RESTORATION TO WETLAND AND PASSIVE FLOOD MANAGEMENT FACILITY, WOODLAND AND AGRICULTURE

Location: Lower Hall Farm, Potters Lane, Samlesbury, Preston

We have considered the follow:			
Construction Activities	*	Storage of substances	*
Contaminated Land	*	Insects	
Noise	*	Foul and surface water discharges	
Odour		Land Drainage	
Dust	*	Waste storage	*
Light	*	Pest Control	
Air Quality	*	Radon	
Alternative fuel use		Food Safety	

Thank you for consulting me on this application. Further to my investigations I have the following comments to make:

The proposed development has the potential to significantly adversely affect the neighbouring residential properties. Having reviewed the application and visited the development site we would recommend refusal of the application for the following reasons.

Noise

The submitted draft noise impact assessment accompanying the application provides some acoustic data and information but this is not considered adequate to satisfy the concerns of the Council.

Firstly, the report is dated 2016 and is a draft format, with monitoring results report from 2015. Data that is over 5 years old is not considered to be suitable and therefore the report must be rejected.

It is also noted that the boundaries of the development have altered and the separation distance between the proposed development and surrounding properties is now smaller than considered within the draft report. The inevitable sound levels to be experienced will therefore be higher within the vicinity of the residential properties closest to the revised new boundary.

The noise report lacks some key information to allow a full and comprehensive assessment. It is presumed that this missing data is due to the fact the report is still in a draft format.

The following details are required within the revised report:

- Evidence and details of new current background monitoring data.
- Monitoring should be undertaken over representative time period. We would expect to see some long term monitoring for representative properties, particularly those close to the boundary, but all short term monitoring should be representative of the proposed operating hours i.e. a minimum of 1 hour.
- The qualifications and experience of the acoustician undertaking the assessment
- The equipment used to undertake the assessment
- A copy of the latest calibration certificates for the equipment used
- A copy of all background data monitoring collected
- Detailed calculations to support all of the calculated noise levels in tables, as within sections 5.8, 6.1 and 7.2 of the draft noise impact assessment
- Any additional mitigation measures to protect the residential properties surrounding the site, and the effectiveness of these. It should be noted that Lower House Farm is a tenanted property and should be treated in a similar manner to all other residential properties in the area.

Dust

Within the extensive application there is little mention of the impacts from dust either on the wider environment or to nearby residential properties in terms of health impacts or nuisance. The impact of dust and particulate emissions from the site is a significant factor to be considered and is identified as such within both the NPPF and the County Council's Core strategy.

There is evidence that existing sand and gravel extraction located some distance from the site has resulted in some limited impact on neighbouring properties over the flat open landscape. Previous experience by this Authority has identified some significant issues with dust from similar operations and the impact this is having on residential properties in the vicinity. The

size of the proposed development and the length of the access road has the potential to cause similar issues and nuisance to the neighbouring properties.

Detail consideration of the potential dust impact include the prevention of material being tracked along the road and the construction of the road is required in order to fully assess the impact on this proposal, concluding with a detailed dust management plan identifying all mitigation measures for this lengthy (+20yrs) project.

Air Quality

The submitted report does not follow the South Ribble (and County wide draft) published low emission strategy. The report is considered insufficient as it does not accurately consider

the impact of the development on local air quality. As such an additional assessment in line with the Low Emissions Strategy is required.

However, if Lancashire County Council is minded to approve this application the following conditions are requested in order to protect the amenity of local residents:

Operating hours

The proposed development shall only operate within the hours 07.00 -17.00 Monday to Friday, 09.00 – 13.00 Saturday. No operation shall be carried out on Sundays or Bank Holidays.

Reason: In the interests of the amenity of the nearby residents in accordance with Policy 17 of the Central Lancashire Core Strategy and the NPPF.

Hours of construction

During the site preparation and construction of the development no machinery, plant or powered tools shall be operated outside the hours of 07.00 -17.00 Monday to Friday 09:00 – 13:00 on Saturdays. No construction shall take place at any time on Sundays or nationally recognised Bank Holidays.

Reason: To safeguard the amenities of neighbouring properties in accordance with Policy 17 of the Central Lancashire Core Strategy and the NPPF.

No deliveries of construction materials or removal of construction waste shall be undertaken outside the hours of 07.00 -17.00 Monday to Friday 09:00 – 13:00 Saturday. No deliveries or removal of waste shall be carried out on Sundays or nationally recognised Bank Holidays.

Reason: To safeguard the amenities of neighbouring properties in accordance with Policy 17 of the Central Lancashire Core Strategy and NPPF.

Noise

Prior to the commencement of any works on site a Noise Impact Assessment shall be submitted for approval to the local planning authority. The approved plan shall then be implemented and retained thereafter. Any changes to the plan shall first be agreed in writing with the local planning authority.

Reason: In the interests of the amenity of the nearby residents in accordance with Policy 17 of the Central Lancashire Core Strategy and NPPF.

Note to applicant: The following details are required within the revised report:

- Evidence and details of new current background monitoring data.
- Monitoring should be undertaken over representative time period. We would expect to see some long term monitoring for representative properties, particularly those close to the boundary, but all short term monitoring should be representative of the proposed operating hours i.e. a minimum of 1 hour.
- The qualifications and experience of the acoustician undertaking the assessment
- The equipment used to undertake the assessment
- A copy of the latest calibration certificates for the equipment used
- A copy of all background data monitoring collected
- Detailed calculations to support all of the calculated noise levels in tables, as within sections 5.8, 6.1 and 7.2 of the draft noise impact assessment
- Any additional mitigation measures to protect the residential properties surrounding the site, and the effectiveness of these. It should be noted that Lower House Farm is a tenanted property and should be treated in a similar manner to all other residential properties in the area.

Vibration

As per the application, no blasting is permitted as part of the proposed development.

Reason: To safeguard the amenities of neighbouring properties in accordance with Policy 17 of the Central Lancashire Core Strategy and NPPF.

Waste

Prior to the commencement of the development full details of the waste storage facilities within the site shall be submitted to and approved in writing by the local planning authority. Once approved the waste storage facilities shall be provided prior to first use of the development and shall be retained and maintained thereafter.

Reason: To provide effective and sufficient storage facilities for refuse and to safeguard amenities and living conditions of any nearby residents particularly with regards to odour, noise and insects in accordance with Policy 17 of the Central Lancashire Core Strategy and the NPPF.

Lighting

No external flooding lighting or security lights shall be installed at the permitted development without first obtaining written permission from the local planning authority.

Reason: In the interests of the amenity and to safe guard the living conditions of the nearby residents in accordance with Policy 17 in the Central Lancashire Core Strategy and the NPPF.

Site Compound

Prior to commencement of any works on site the location of the site compound and storage yard shall be agreed in writing with the local planning authority.

Reason: In the interests of the amenity of the nearby residents in accordance with Policy 17 of the Central Lancashire Core Strategy and the NPPF.

Note to applicant: The noise from the compound has the potential to adversely affect the amenity of the local area for near- by land uses and hence the compound should be located in such a position to minimise this impact.

Dust Management Plan

Prior to the commencement of any works on site a Dust Management Plan shall be submitted, for written approval, to the local planning authority. The Dust Management Plan shall identify all areas of the site and site operations where dust may be generated and further identify control measures to ensure dust and soil does not travel beyond the site boundary. Once agreed the identified control measures shall be implemented and maintained throughout the duration of the site preparation and construction phase of the development.

Reason: In the interests of the amenity and to safe guard the living conditions of the nearby residents in accordance with Policy 17 of the Central Lancashire Core Strategy and the NPPF.

Wheel Wash

Prior to commencement of the development details of a wheel wash shall be submitted to and approved by the local planning authority. Once approved the wheel wash shall be installed prior to first use of the site. Thereafter the wheel wash shall be retained and maintained in accordance with the agreed details.

Reason: In the interests of highway safety and other highway users in accordance with Policy 2 in the Central Lancashire Core Strategy and in the interests of the amenity of the nearby residents in accordance with Policy 17 of the Central Lancashire Core Strategy and the NPPF.

Note to applicant: The details to be provided to discharge this condition shall as a minimum include:

- Location,
- Type of wheel wash
- Water source
- Prevention and treatment of water run off
- Management of the use of the wheel wash
- If road sweepers are to be used – the company providing the road sweeper, response times, criteria to be followed for calling the road sweeper.

Air Quality

Prior to the commencement of any works on site an Air Quality Assessment (AQA) shall be carried out and submitted for approval to the local planning authority. The AQA shall include, where necessary mitigation measures in order to make the proposal acceptable. If sufficient mitigation measures cannot be agreed the development shall not proceed.

Reason: In the interests of the amenity of the nearby residents in accordance with Policy 17 of the Central Lancashire Core Strategy and the NPPF.

Advice: The assessment shall be undertaken in line with the South Ribble Borough Council Low Emissions and Air Quality planning guidance document.

Invasive species

Prior to the commencement of any works on site a detailed methodology for the removal of invasive species shall be submitted to the planning authority for approval. The agreed measures shall be implemented and thereafter retained and maintained for the duration of the approved use.

Reason: To prevent the spread of invasive plants.

Burning

There shall be no burning of waste material or vegetation on site.

Reason: In the interests of the amenity and to safe guard the living conditions of the nearby residents in accordance with Policy 17 in the Central Lancashire Core Strategy and the NPPF.

NOTE TO PLANNERS: Please note that this issue is not covered by other legislation and in line with NPPF and Planning Policy Guidance Note: Use of planning conditions is a suitable and effective conditions meeting the 6 tests,

1. necessary;
2. relevant to planning and;
3. to the development to be permitted;
4. enforceable;
5. precise and;
6. reasonable in all other respects