

Date: 27 May 2025
Our ref: 496806
Your ref: LCC/2023/0030



Mr Jonathan Haine
Lancashire County Council

Customer Services
Hornbeam House
Crewe Business Park
Electra Way
Crewe
Cheshire
CW1 6GJ

T 0300 060 3900

BY EMAIL ONLY

Dear Mr Haine

Planning consultation: The extraction and processing of sand and gravel including the construction of new site access roads, landscaping and screening bunds, minerals washing plant and other associated infrastructure with restoration to leisure end-uses, agricultural land and biodiversity enhancement, using imported inert landfill.

Location: Land off Bourbles Lane, Preesall.

Thank you for your consultation on the above which was received by Natural England on 11 December 2024. Natural England sincerely apologise for the delay in returning our response on this consultation.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

SUMMARY OF NATURAL ENGLAND'S ADVICE

FURTHER INFORMATION REQUIRED TO DETERMINE IMPACTS ON DESIGNATED SITES AND DEEP PEAT

As submitted, the application could have potential significant effects on the integrity of deep peat and the following designated sites:

- Morecambe Bay and Duddon Estuary Special Protected Area (SPA)
- Morecambe Bay Special Area of Conservation (SAC)
- Morecambe Bay Ramsar
- Lune Estuary Site of Special Scientific Interest (SSSI)
- Wyre Estuary SSSI

Natural England requires further information in order to determine the significance of these impacts and the scope for mitigation.

The following information is required:

- The production and provision of a Habitat Regulation Assessment.
- A peat survey in accordance with our further comments below.

Without this information, Natural England may need to object to the proposal.

Please re-consult Natural England once this information has been obtained.

Natural England's further advice on designated sites and advice on other issues is set out below.

Internationally and Nationally Designated Sites

The application site is within 1.5km of Morecambe Bay and Duddon Estuaries SPA, Morecambe Bay SAC,

Morecambe Bay Ramsar and Lune Estuary SSSI. It is also within 2.3km of Wyre Estuary SSSI.

In considering the European site interest, Natural England advises that you, as a competent authority under the provisions of the Habitats Regulations, should have regard for any potential impacts that a plan or project may have¹. The [Conservation objectives](#) for each European site explain how the site should be restored and/or maintained and may be helpful in assessing what, if any, potential impacts a plan or project may have.

Natural England has also published Conservation Advice packages which may provide useful information to aid your assessment. Our Conservation Advice Packages can be found [here](#).

Habitats Regulations Assessment (HRA)

As stated in our previous advice (Ref: 447617, dated 16 October 2024), despite the proximity of the application to European Sites, the consultation documents provided do not include information to demonstrate that the requirements of regulation 63 of the Conservation of Habitats and Species Regulations 2017 (as amended) have been considered by your authority, namely your authority has not included the requested Habitats Regulations Assessment.

It is Natural England's advice that the proposal is not directly connected with or necessary for the management of the European site. Your authority should therefore determine whether the proposal is likely to have a significant effect on any European site, proceeding to the Appropriate Assessment stage where significant effects cannot be ruled out. Natural England must be consulted on any appropriate assessment your authority may decide to make.

To ensure a rigorous assessment Natural England advise the HRA should assess each potential impact pathway from the proposal for each nearby designated site supported by sufficient evidence to justify its conclusions.

Natural England advises that there is currently not enough information provided in the application to determine whether the likelihood of significant effects can be ruled out. The below listed documents may be used by your authority to inform such an assessment, although we provide our further detailed comments on these below:

- Update Breeding Bird Surveys (Ref: 5115, dated 27 September 2024)
- Updated Overwintering Bird Surveys (Ref: 5115, dated 22 May 2024)
- Updated Ecological Impact Assessment (Ref: 5115, dated 18 July 2023)
- North West SuDS Pro-forma (Version 5, dated May 2022)
- Updated Air Quality Assessment (Ref: R24.11292/5/AG, dated 01 August 2024)
- Response to regulation 25 questions (Ref: BFP/BFG/105, December 2024)

Natural England notes the comments made by Baxter Consultants Ltd in their response to Regulation 25 questions document (Ref: BFP/BFG/105, December 2024) which focus on noise related impacts to residential receptors, and the supporting updated noise assessment document provided (Ref: R24.12202/1/AP, dated 19 August 2024).

We reiterate that any Habitat Regulations Assessment (HRA) provided in support of this application should assess any and all ecological impact pathways likely to cause significant effects on the above-referenced protected sites and associated Functionally Linked Land. As such, any noise assessment should sufficiently assess the potential extent and magnitude of noise disturbance impacts, both during construction and operation, to ecological receptors in addition to just residential receptors.

The noise report should clearly assess impacts at each stage and set out the construction methodology, highlighting any significant noisy works. We expect this report to include the existing baseline noise levels and the predicted noise levels (measured in LAeq and LMax). A noise contour map should also be provided. This should inform any required mitigation measures to negate or reduce noise impacts.

For clarity the 3dB noise threshold level is set out to identify noise levels arising from a plan or proposal which are likely to be significant and as such require due consideration. Any noise exceeding 3dB from the baseline should therefore be included and considered further within the assessment.

Natural England Peat Concerns

Natural England advise that there is currently insufficient evidence provided to support the conclusion stated

¹ [Habitats regulations assessments: protecting a European site - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/habitats-regulations-assessments-protecting-a-european-site)

in the response to regulation 25 and supporting documentation, we therefore advise that either further information is provided to demonstrate the extent of deep peat in this area or that the proposals are amended to avoid any work within this particular area. A peat survey should be undertaken by a soils scientist and should determine the presence of peat, its depth and the presence of any spoil/waste materials that would impact the restoration ability. Natural England advise that peat surveys are carried out in line with the [IUCN peatland programme field protocol](#). Natural England would expect this survey to include a soil analysis and hydrological study to inform its conclusion and ensure sufficient robustness of the survey outcome.

Lune Estuary SSSI and Wyre Estuary SSSI

Our concerns regarding the potential impacts upon Sefton Coast SSSI coincide with our concerns regarding the potential impacts upon the above international designated sites.

Please note that if your authority is minded to grant planning permission contrary to the advice in this letter, you are required under Section 281 (6) of the Wildlife and Countryside Act 1981 (as amended) to notify Natural England of the permission, the terms on which it is proposed to grant it and how, if at all, your authority has taken account of Natural England's advice. You must also allow a further period of 21 days before the operation can commence.

Natural England will not respond to any further consultations unless we are provided with the above information highlighted as necessary to determine the impacts on the relevant designated sites.

If you have any queries relating to the advice in this letter please email consultations@naturalengland.org.uk quoting the reference number at the top of this letter.

Should the applicant wish to discuss the further information required and scope for mitigation with Natural England, we would be happy to provide advice through our [Discretionary Advice Service](#).

Please consult us again once the information requested above, has been provided.

Yours sincerely

Ben Scotter
Marine and Coastal Adviser
Cheshire, Greater Manchester, Merseyside & Lancashire