

## BRIEFING UPDATE NOTE

### SANDWINNING AT ST ANNES FORESHORE

#### Introduction

Heatons are a minerals focused planning consultancy acting for both independent and blue-chip minerals operators in the UK with offices in Nottinghamshire, Shropshire and Lancashire. Heatons are supported on this project by Golder Associates who are an environmental consultancy.

#### Background

The St Annes Foreshore sandwinning site has been in operation since the 1970s and is an important supplier of sand into the region.

In order to restart the sandwinning operation on the foreshore, it will be necessary to obtain planning permission from Lancashire CC (LCC) and a Marine Extraction Licence from the Marine Management Organisation (MMO).

#### Progress during 2020

Following an initial meeting between Fylde BC (FBC) officers and LCC in January this year to explain the background to the scheme and seek feedback from LCC officers, an Environmental Impact Assessment (EIA) Scoping report has been drafted which sets out the proposed scope of works for the above submissions. This is due to be submitted to LCC and the MMO this month (October). Upon receipt of the report, LCC and the MMO will consult with various organisations to determine whether the proposed scope is acceptable or whether there are areas that require additional assessment. LCC and MMO will then produce Scoping Opinions to confirm their position and the precise scope of EIA that will be required to be undertaken and presented to them in the form of an Environmental Statement.

The planning and MMO licence applications will need to be supported with Environmental Impact Assessments. A schedule of proposed costs has been provided for undertaking this work.

A meeting was held with the Team Leader of LCC Minerals in September 2020 to update LCC on progress with EIA Scoping, outline the next steps and to discuss any queries they had. Feedback was generally positive from LCC whilst recognising that there will be planning policies that have to be addressed and the need for a particular focus on any potential ecological effects on the European Designated sites. LCC also confirmed that the site made an important contribution to sand provision (and housebuilding) within the north-west.

Given that the extraction site lies within an area of European ecological designations, it will be necessary to demonstrate that no significant effects would result from the operations on the European sites.

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Natural England (NE) will be the lead consultee for LCC and MMO in terms of assessing effects on biodiversity. Baseline ecological surveys of the site have been undertaken by Golder this summer to ensure that the information was recorded during the appropriate seasonal window.

A follow up meeting with NE was attended in September 2020 by consultants and FBC officers, to update NE on progress and to seek feedback on the site survey undertaken in the summer and to confirm their thoughts on the sufficiency of bird survey datasets proposed to be used in the assessment.

Whilst the consultants are confident that no significant gaps are present in the ecological data they have or could acquire, following feedback from the MMO and NE at recent meetings, it is considered that undertaking a survey of wintering birds over the next few months (Oct 2020 to Mar 2021) would ensure that the data being used to inform the assessments is as robust as possible, minimising the risk of NE or other organisations raising questions at a later stage.

A meeting with the MMO and LCC was also convened in September 2020 to establish responsibilities going forward. A concordat exists whereby the MMO may defer certain decisions to LCC but, in this case, applications will need to be submitted to both LCC and the MMO although there are likely to be several consultees in common and there will be regular liaison between the MMO and LCC.

#### Next Steps

The preparation of the planning application, licence application and Environmental Statement will take around 6 months. Following submission, it would be usual for the determination of the applications to then take a further 4-6 months minimum.

A schedule of costs has been provided to outline the costs of undertaking the various assessments and preparing the application documents. The schedule of costs and scope may require amending following receipt of EIA Scoping Opinions from LCC and MMO. However, from experience, Heatons and Golder consider that the proposed scope of work is reasonable.

In order to aim for a determination of the planning application and MMO licence by first quarter of 2022, it would be necessary to commence preparation work during January 2021 at the latest. Over-wintering bird survey data could be collected during the intervening period of October 2020 to March 2021, allowing the applications to be finalised for submission during summer 2021.

#### Outcome

In terms of outcome, meetings with LCC, MMO and NE to date have been positive. However, it should be recognised that this is not a straightforward proposal, in particular given the fact that the operations would take place within areas of European ecological designation. However, given that the site has operated successfully for several decades without any obvious ecological or other impact, together with the regional importance of the site for providing a long term secure supply of sand in the north-west, Heatons and Golder are of the current view that the grant of planning permission and the securing of a marine extraction licence is more likely to succeed than not. As preparation of the EIA progresses, regular updates will be provided to advise FBC Officers and Members further.

**Dated: 7 October 2020**