



APPEAL REF: 6002168

Mytax Farm, 4 Bourbles Lane, Preesall, Poulton-Le-Fylde, FY6 0PE

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 fill.

CASE MANAGEMENT CONFERENCE (CMC) SUMMARY NOTE

1. The Parties were represented at the conference held on 3 February 2026 by the following persons:

Appellant:

- Paul Tucker KC – Spokesperson
- Callum Baxter
- Liam Toland
- Katrina Hawkins
- John Lowe
- Robert Storey
- Simon Rees

Council:

- Constanze Bell - Spokesperson
- Saleha Khalid
- Johnathan Haine
- Rob Hope
- Richard Sharples

Rule 6 Party (Preesall and Knott End against Quarry Application):

- Councillor Collette Rushforth – Spokesperson
- Leanne Murray
- Matthew Salter

The Inquiry

2. The Inquiry is scheduled to open at 10.00 hours on **Tuesday 14 April 2026**, resuming at 09.30 hours on subsequent sitting days unless otherwise agreed during the event. At this stage, it will proceed as a face-to-face event and will be held at Wyre Borough Council, Civic Centre, Breck Road, Poulton-le-Fylde FY6 7PU.
3. The Council advised that there were limitations on the availability of the Inquiry venue due to its required use by other Council meetings. In this regard, the Inquiry would need to adjourn each sitting day by 5.00pm, except on Thursday 16 April 2026 when the Inquiry would need to adjourn by 4.00pm
4. On the basis of the current evidence, it is envisaged that the Inquiry would need to sit between 7 – 8 days, although the parties agreed to

find elements of common ground where possible to potentially shorten the number of sitting days.

Advocates during the Inquiry

5. Confirmed as follows:
 - Appellant: Paul Tucker KC, likely to be assisted by John Barrett
 - Lancashire County Council: Constanze Bell
 - Rule 6 Party: the Rule 6 Party confirmed that it would not be employing a professional advocate in the Inquiry, nor would any witnesses be called. However, it will be necessary for the Rule 6 Party to agree the name of a person who can present their opening and closing submissions and undertake any cross-examination of the Appellant's witnesses. Whilst several representatives of the Rule 6 Party will be formally allocated seating together during the Inquiry, it will not be permissible for numerous persons to ask questions during the cross-examination. In this regard the Rule 6 Party are requested to agree the name of one person who can act as a lead during the Inquiry.

Main Issues

6. Based on the material currently submitted, the main issues in this appeal are likely to be:
 - The need for the proposed development with particular regard to the landbank position for sand and gravel and the need for inert waste disposal in the County.
 - The effect of the proposed development on highway safety and the free flow of traffic.
 - The effect of the proposed development on the living conditions of the occupants of nearby residential properties with particular regard to air quality, dust and noise.
7. In addition, consideration will also need to be given to any benefits of the proposed development to be weighed in the overall planning balance.
8. Numerous other issues are raised by interested parties, many of which were not the subject of the Council's reasons for the refusal of planning permission. Whether any of these matters are dealt with as main issues in the eventual decision letter will depend on whether, in light of the evidence submitted to and heard at the Inquiry in due course, they are determinative in relation to the outcome of the appeal.
9. It is noted that some representations are made in respect of technical matters (e.g. flood risk, ecology) that do not form part of the main issues for consideration in the Inquiry as set out above. The Inspector does not consider that any technical evidence to address these matters would need to be formally presented in the Inquiry by a relevant witness through evidence in chief. It is noted that many of these other technical issues are considered in the Environmental Statement and in other supporting documents provided with the planning application. It is

therefore a matter for the Appellant to consider whether any other technical proofs of evidence would need to be provided in the Inquiry. However, at this stage, the Inspector considers that if any such proofs were to be provided, then these would be considered 'as read' without the need for formal the presentation of evidence in chief and cross examination.

How the issues will be dealt with

10. It was agreed that the main issues identified above would be more appropriately dealt with through the formal presentation of evidence in chief by relevant witnesses for each of the parties, which would be subject to cross-examination.
11. The parties suggested that expert witnesses would likely provide evidence in relation to the following matters:

Appellant (possibly 5 witnesses):

Scheme overview (Simon Rees)
Planning and mineral/waste need (Liam Toland)
Highways (John Lowe)
Air quality/dust (Katrina Hawkins)
Noise (Robert Storey)

Council (possibly 4 witnesses)

Planning and mineral/waste need ((Richard Sharples)
Highways (Ryan Derbyshire)
Air quality/dust (tbc)
Noise (tbc)

Rule 6 Party

No witnesses to be called.

Statements of Common Ground (SoCG)

12. Whilst the Inspector is in receipt of a draft of the Main SoCG, the parties indicated that an agreed version was nearing completion. A signed version of the Main SoCG should be submitted to PINS in an agreed form by **20 February 2026**. A copy should also be provided to the Rule 6 Party.
13. The Appellant advised that technical SoCGs were also being prepared in respect of highways, noise and air quality/dust so that any discussions in the Inquiry can be focussed on areas where there is disagreement. It is recognised that completion of these may be delayed until the Council has formally appointed consultants to present noise and air quality/dust evidence. However, it is expected that these SoCGs should be submitted to PINS in an agreed form by **3 March 2026**.

Planning Obligation

14. At this stage, no planning obligation was anticipated to be necessary, although the CMC was informed that there were ongoing discussions between the main parties regarding the need for an extended aftercare period. Should a planning obligation be necessary to deal with this matter, a draft should be submitted to PINS by **31 March 2026** and

should be accompanied by a CIL Compliance Statement prepared by the Council.

15. Any planning obligation should be completed before the close of the Inquiry but as this will be subject to discussion in the Inquiry itself this may not be possible. Therefore, if necessary, a short period of time will be facilitated after the close of the oral sessions of the Inquiry to enable the completed obligation to be submitted to PINS.

Conditions

16. A draft list of planning conditions has yet to be submitted. An agreed/disagreed final schedule of suggested planning conditions and the reasons for them must also be submitted at the same time as the proofs (**17 March 2026**). The Council should take the lead on preparing the list of conditions, in discussion with the Appellant and the Rule 6 Party.
17. The Inspector requested that the main parties give consideration to an agreed Plans List. Whilst this will likely form part of the content of a planning condition, the Inspector also requested that the agreed Plans List be submitted as a separate document at the same time as the proofs.
18. Careful attention will need to be paid to the wording of the suggested conditions and they will need to be properly justified having regard to the tests for conditions and in particular the test for necessity.
19. The main parties are reminded, as set out in the National Planning Policy Framework (NPPF), that planning conditions should be kept to a minimum and that conditions which are required to be discharged before development commences should be avoided unless there is clear justification. Any pre-commencement conditions will need the written agreement of the Appellant.
20. Any difference in view on any of the suggested conditions, including suggested wording, should be highlighted in the schedule with a brief explanation given.

Core Documents/Inquiry Documents

21. The parties will need to discuss and agree a list of Core Documents in advance of preparing proofs of evidence so they can be properly referenced in the proofs. That list is to be co-ordinated by the Appellant in consultation with the Council and must be submitted with the proofs. A template for that list is attached.
22. The Core Documents should comprise **only** those documents to which you will be referring and do not need to include a copy of the NPPF. Any Appeal Decisions and/or legal authorities on which any of you intend to rely will need to be prefaced with a note explaining the relevance of the document to the issues arising in the Inquiry case, together with the propositions on which you are seeking to rely, with the relevant paragraphs identified.
23. All documents forming part of this appeal must be available to all taking part in the Inquiry electronically, including the agreed Core Documents. The Council has agreed to host the Core Documents. This will also be used for the hosting of proofs of evidence and any documents submitted during the Inquiry. The Council will need to

provide details of the web address to access the Core and Inquiry Documents for inclusion in the Inquiry Notification Letters and Site Notices and should also be provided to PINS

24. It is expected that all necessary documents will be submitted in advance of the Inquiry. Any necessary additional documents can only be handed up to the Inquiry with the Inspector's permission. If accepted, in addition to any hard copies, these should be forwarded to the PINS case officer for forwarding to the Inspector. The Council will provide administrative support to ensure that such documents are speedily placed on the Inquiry webpages from where they will be available to all parties.

Environmental Statement (ES)

25. The submitted ES has been considered by the PINS Environmental Services Team whose role is to undertake an adequacy check of the ES against the requirements of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended). That review is now complete. A Regulation 25 request is to be made by PINS for further information and would be subject to further correspondence from the Environmental Services Team with regard to content and procedural requirements.
26. The supply of the required information may cause a delay in the issuing of the Inspector's decision letter but this is unlikely to cause any delay to the Inquiry opening date.

Inquiry Running Order

27. As set out above, the Inquiry is expected to finish each day no later than around 17.00 hours and, with the exception of the first day, will resume on subsequent days at 09.30 hours.
28. Following the Inspector's opening comments on the first day of the Inquiry, he will invite opening statements from the parties - the Appellant first, followed by the Council and the Rule 6 Party. This will help everyone to understand the main arguments of respective cases and set the scene. Those opening statements should each be no longer than 30 minutes in length. The Inspector will require written copies of these in advance of the opening submissions.
29. The Inspector will then hear from interested parties after opening submissions, probably in the late morning/early afternoon. There will be scope for some flexibility if someone has difficulty that may prevent them from attending and speaking on the opening day. Therefore, an additional designated slot for interested parties to speak may also be allocated, if necessary, later in the programme. The Inspector emphasises the need, if possible, for those persons who wish to speak to notify their intention to do so to PINS in advance of the opening day. In addition, in the opening announcements, the Inspector will ask for the names of interested parties who wish to speak and who have not pre-notified PINS of their intention to do so.
30. It would be helpful for the Rule 6 Party to assist in seeking an opportunity for contributions from the community to be focussed and, where possible, topic specific. Whilst repetition of the same argument is not helpful to the efficient running of the Inquiry, at this stage it is

not envisaged that there will be any restriction on the number of persons who may wish to contribute.

31. It is recognised that the final Inquiry Programme will be influenced by the extent of common ground that can be agreed before the opening day. The Inspector will provide the parties with a draft Inquiry Programme by **20 March 2026**. The draft programme can then be considered by the parties and populated with the names of witnesses, the order that they would be called, the subject to be covered in their evidence, and a time estimate for evidence-in-chief. Time likely to be required for any cross-examination should also be indicated if possible. Responses to the draft programme should be provided to PINS by **27 March 2026**. The final programme will be provided by the Inspector by **2 April 2026**. The final programme should also be published on the Inquiry Webpages.
32. The Inspector's current view is that following interested party submissions in the afternoon of Day 1 there would be an overview of the scheme provided by the Appellant. Day 2 (Wednesday) would deal with noise issues, day 3 (Thursday) would deal with air quality and dust.
33. Day 4 (Friday) would comprise a RTS dealing with planning conditions/planning obligation followed by an accompanied site visit.
34. Highways matters would be considered during Day 5 (Tuesday 21 April 2026) with planning and mineral/waste need evidence considered on Day 6. Closing submissions would commence in the morning of Day 7.
35. The Council will commence closing submissions, followed by the Rule 6 Party and then the Appellant. Closing submissions should set out your respective cases as they stand at the end of the Inquiry and will need to include all relevant references and cross-references where evidence is relied on, for the avoidance of doubt. Preferably, they should be no longer than around 45 minutes in length. A copy will need to be provided electronically to PINS prior to each party's respective presentations.
36. At this stage, a further day (Day 8) should be reserved as a contingency sitting day.

Site visit

37. As indicated above, the Inspector will likely undertake an accompanied site visit in the afternoon of Friday **17 April 2026**. All parties are to work together in preparing an itinerary for the Inspector in this regard which should be submitted to PINS by **10 April 2026**. The Itinerary should also indicate indicative timings for the site visit. The Appellant is required to take responsibility for the production of the itinerary.
38. Should the accompanied site visit involve visiting viewpoints that are some distance away from the appeal site, the parties were requested to give consideration to the provision of a suitable form of transport so that all parties can travel together without the need for a convoy of private vehicles. Such transport would **only** be necessary if there were a number of representatives of the Rule 6 Party, who may wish to attend the site visit.

Efficient use of Inquiry time and administration

39. The Council agreed to provide a dedicated administrative support officer to provide assistance during the Inquiry to assist in the following:
- Assisting in co-ordinating the compilation of core documents.
 - Ensuring Inquiry Documents are promptly put on the website.
 - Co-ordinating the submission of evidence during the Inquiry.

Proofs of evidence and other statements

40. Proofs of evidence should be submitted no later than 4 weeks before the start of the Inquiry and thus by **17 March 2026**. One hard copy of each proof of evidence and a set (A3 size) of the submitted Plans to be considered in the Inquiry should be submitted to PINS no later than **20 March 2026**.
41. Rebuttal proofs can save Inquiry time but should be provided only where there is a clear justification for them. Rebuttals must be confined to addressing specified evidence submitted by other parties. They must not be used to introduce new matters that could have been covered in main proofs of evidence. If rebuttal proofs are to be submitted, then these should be provided by **31 March 2026**.

Costs

42. Although no party indicated that they had been instructed to seek an award of costs, any such application should be made in writing and, if possible, before the opening of the Inquiry. It is recognised that this is not always (rarely) possible but the last formal part of the Inquiry will be a discussion on costs and therefore parties should make each other and the Inspector aware of the nature of any such applications in advance of this to give opportunity for any response.
43. Notwithstanding this, the position of the parties regarding costs may change during the course of the Inquiry. Therefore, whilst an early draft of the cost's application should be submitted, this matter will be further discussed after closing submissions at which point a formal submission should be made. Appropriate time will be provided after the closure of the oral aspects of the Inquiry for formal responses from the relevant parties.

Notifications

44. PINS will provide the wording for the site notice, setting out what is required in the notification letter, including the necessity for parties to register in advance with PINS if they wish to 'attend' or participate in the Inquiry.
45. Inquiry notifications should normally be issued a minimum of 2 weeks in advance of opening. However, **as much notice as possible should be given to allow interested parties time to consider whether they wish to participate**. The Council must send a copy of the notification letter to the Case Officer, together with a list of all those notified, **at the same time that it is sent out to the parties**, but in any event no later than **31 March 2026**.

Timetable

20 February	Submission of Main SoCG
3 March	Submission of Technical SoCGs
17 March	Deadline for submission of: <ul style="list-style-type: none">• all proofs• suggested planning conditions (Council to lead)• core documents list (Appellant to lead)
20 March	Hard copy set of Proofs and Plans (A3) to be submitted to PINS
20 March	Draft Inquiry Programme to be provided by the Inspector
w/e 27 March	Deadline for parties to provide responses to draft Inquiry Programme
31 March	Deadline for the submission of any necessary Rebuttal Proofs
31 March	Submission of any draft Planning Obligation and CIL Compliance Statement
31 March	Deadline for submission of: <ul style="list-style-type: none">• a copy of the Council's Inquiry Notification Letter and list of those notified
2 April	Final Inquiry Programme to be provided by Inspector
10 April	Agreed Site Visit Itinerary to be provided to PINS
Tuesday 14 April	Inquiry opens 10.00 am

Stephen Normington

INSPECTOR

Appendix

TEMPLATE FOR CORE DOCUMENTS LIST (adapt headings to suit)

CD1 Application Documents and Plans

1.1
1.2 etc

CD2 Additional/Amended Reports and/or Plans submitted after validation

2.1
2.2

CD3 Committee Report and Decision Notice

3.1 Officer's Report and minute of committee meeting
3.2 Decision Notice

CD4 The Development Plan

4.1
4.2

CD5 Emerging Development Plan

5.1
5.2

CD6 Relevant Appeal Decisions*

6.1
6.2

CD7 Relevant Judgements*

7.1
7.2

CD8 Other

8.1
8.2

* Each must be prefaced with a note explaining the relevance of the Decision to the issues arising in the current Inquiry case, together with the propositions relied on, with the relevant paragraphs flagged up.