

Town and Country Planning Act 1990 – Section 78 Town and County Planning (Development Management Procedure) (England) Order 2015 Town and County Planning (Inquiries Procedure) (England) Rules 2002

Appeal by Baxter Group Ltd

Land off Bourbles Lane, Preesall

Against the refusal of planning permission by Lancashire County Council for application no. LCC/2023/0030 – 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

STATEMENT OF COMMON GROUND between:
Baxter Group Ltd & Lancashire County Council

Planning Inspectorate Reference: 6002168

February 2026

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1. Introduction

1.1 This is a Statement of Common Ground (SoCG) made between the following parties:

- Baxter Group Ltd (“the Appellant”); and
- Lancashire County Council (“the Council”).

1.2 This SoCG has been jointly prepared by the Appellant and Council, and sets out the factual background to the Appeal and those matters on which the parties agree. It also sets out the residual matters upon which the parties are not agreed.

2. The Appeal Proposals

- 2.1 The Appellant seeks planning permission for 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 (Planning Application No. LCC/2023/0030).
- 2.2 The summarised proposed development below is taken from the Committee Report (**CD6.02**), and detailed within the Planning Statement (**CD1.02**) and Environmental Statement (**CD1.08**).
- 2.3 The Appellant seeks planning permission for the extraction and processing of just under 500,000 tonnes of saleable sand and gravel over a period of circa 5 years with 2 years of restoration on completion of mineral extraction. The level of output from the site is expected to average some 100,000 tonnes per annum extracted within four separate phases.
- 2.4 The Appeal proposal includes proposals for the construction of a new access road into the quarry site off the B5270. The proposals also include landscaping and screening bunds, mineral processing plant and other associated quarry infrastructure. The proposed restoration scheme for the site requires the importation of some 220,000m³ of inert backfill to return the majority of the site to original levels for agricultural and restoration objectives.
- 2.5 The area of the planning application comprises some 20.86 hectares, with a proposed mineral extraction area of about 11.9ha. The application area comprising mainly large arable and grazing fields with a large duck breeding pen present within the site.
- 2.6 The Appellant will operate the site to supply its own local construction business and also supply some local concrete businesses and building merchants.
- 2.7 An integral part of the proposed restoration scheme following mineral extraction will therefore afford the opportunity to provide a “small-scale” leisure lodge facility of 10 to 12 high quality lodges for use in conjunction with fishing holiday breaks. It is proposed that the leisure lodges development will add high quality tourism benefits to the local economy, albeit on a small scale, that diversify the agricultural operations whilst also removing the need to re-instate the duck breeding pens that have been present on the site for many years.
- 2.8 The individual phases of the development are as follows:
- Site enabling works/Phase A (six months duration) - This would include the creation of a new access point off the B5270 Lancaster Road together with an access road leading into the proposed quarry. The access road would be partially hard surfaced and would include wheel cleaning facilities. Soils and the underlying sand and gravel

would then be extracted from Phase A to a relatively shallow depth of two metres with the sand and gravel being stockpiled for later processing. The soils would be used to form screening bunds along the southern boundary and western side of Phase A. Imported inert backfill material and a concrete slab would then be used to raise this area of the site for the siting of quarry processing plant, offices, weighbridge and other site infrastructure. Phase A would also include the excavation of sand and gravel from the boundary areas of Phase 1 prior to construction of the screening bunds and the excavation of silty clay material beneath the sand and gravel in the plant area to form a clean water lagoon to provide water for the processing plant to use to wash excavated sand and gravel. The silty clay material would be used for backfilling beneath the soil bund areas in Phase 1 prior to the creation of the soil screening bunds.

- Phase 1 (approximately 18 months) – Excavation of sand and gravel to around 4.5 – 6 metres in depth. Mineral would be excavated to the depth of the water table in a 12 metre wide strip in two areas parallel to Bourbles Lane and adjacent to a property called Red Lea. Mineral would be transported to an area adjacent to the processing plant and stockpiled to a maximum height of 10 metres. The clay from the clean water lagoon would then be used to backfill the excavated strip to original ground levels following which the previously striped soils would be used to form screening bunds over the worked areas. This is Phase A. The minerals within Phase 1 would then be worked following the creation of the soil screening bunds . Some of the mineral in Phase 1 would be worked below the water table but the mineral would be worked in wet conditions with no pumping undertaken. Following completion of extraction, the void would be infilled using the remainder of the basal clay material and the stored soils respread over the phase.
- Phase 2 (approximately six months) - Soils would be stripped from the Phase 2 area and stored on the eastern and north western sides of the phase. The mineral would be worked in a single campaign of about 4–6 weeks. Only very limited dewatering of the excavation would be required due to the shallow depth of the deposit in this phase. Any extracted water would be pumped into the silt lagoon and either soak away or recirculate into the clean water lagoon. Restoration of this phase would be to agriculture and a lake feature. Some imported fill materials may be required in this phase to create the proposed restoration contours.
- Phase 3 (approximately 18 months) – this phase is crossed by gas and water mains and the excavation and backfilling works would be designed and phased to provide protection to these pipelines. Soils would be stripped and stored in screening bunds and the mineral transported to the processing plant stockpile. Restoration would be achieved using imported inert fill.

- Phase 4 (12 months) – Soils would be stripped and stored in a bund on the northern boundary adjacent to Bourbles Lane. Mineral extraction would then proceed in a southerly direction towards the plant area with backfilling taking place behind.
- Phase 5 (site restoration – approximately two years) – this includes removal of the plant, offices, weighbridge, completion of backfilling and respreading of soils across backfilled areas of the site.
- Importation of backfill materials would take place continually across the project and either deposited directly into worked areas or temporarily stored in a stockpile adjacent to the processing plant in the event ground conditions prevent access to backfill areas. Each mineral extraction phase would be restored to agriculture and a variety of wildlife habitats including lakes/pond and other ecological features. The restoration proposal would deliver a biodiversity net gain well above the statutory 10% gain compared to the value of the existing site. Following completion of restoration, the processing plant area would be used to provide a small accommodation lodge facility (up to 12 lodges) for use in conjunction with the existing fishing facility.

Appeal Documents

2.9 The planning application was submitted to the Council in July 2023.

2.10 The following documents were submitted to the Council in support of the planning application (**CD1**):

- Planning Statement (PS) (**CD1.02**);
- PS Appendices (**CD1.03 – CD1.07**):
 - Appendix 1 – Site Photos;
 - Appendix 2 – Geological Information;
 - Appendix 3 – Phasing Plans;
 - Appendix 4 – Typical Built Structures; and
 - Appendix 5 – North-west SuDS Pro-forma.
- Environmental Statement (ES) (**CD1.08**);
- ES Appendices (**CD1.10 - CD1.25**):
 - Appendix 1 – Scoping Report;
 - Amended Appendix 2 - Transport Statement v3_Sep 2023;

- Appendix 3 - Landscape and Visuals Part 1 and 2;
 - Appendix 3 - Landscape and Visuals Part 3;
 - Appendix 4A - Ecological Appraisal;
 - Appendix 4B - Ecological Impact Assessment;
 - Appendix 4C - Biodiversity Net Gain report;
 - Appendix 5 - Arboricultural Constraints Appraisal;
 - Appendix 6 - Soils and Agricultural Quality of Land report;
 - Appendix 7 - Hydrogeological and Hydrological Assessment;
 - Appendix 8 - Flood Risk Assessment;
 - Appendix 9 - Noise Assessment;
 - Appendix 10 - Air Quality Assessment;
 - Appendix 11 - Historic Environment Desk Based Assessment;
 - Appendix 12 - Groundsure Enviro and Geo Insight report; and
 - Appendix 13 - Historical OS Maps.
- Non-Technical Summary (**CD1.26**);
 - Application Plans (**CD1.27 – CD1.36**):
 - Plan PA23-1 Site Location Map;
 - Plan APP23-1 V2 Application Area;
 - Plan PA23-2 V2 Site Plan;
 - Plan PA23-3 V2 Borehole Locations & Geology;
 - Plan PA23-4 V2 Proposed Quarry Phasing;
 - Plan PA23-5 V2 Proposed Site Layout;
 - Plan PA23-6 V2 Proposed Plant Area;
 - Plan PA23-7 v3 Site Access;
 - Plan PA23-8 V2 Schematic Cross Sections;
 - Plan PA23-9 V2 Conceptual Restoration; and

- Plan BH-04615-106_RevA_Boundary Fence Detail v3.

- Application Cover Letter (**CD1.38**);

2.11 A Regulation 25 Request was made in December 2024 (**CD3.01**) and additional information and clarification was provided as follows (**CD3.02 – CD3.10**):

- Reg 25 Submission of Supplementary Information;
- Section 2 –Reg 25 Revised Plans;
- Section 3 – Revised Phasing Plans;
- Section 4 – Updated Noise Assessment;
- Section 5 – Updated Air Quality Assessment;
- Section 6 – Updated Ecological Impact Assessment;
- Section 7 – Updated Breeding Birds Surveys;
- Section 8 – Updated Overwintering Bird Surveys;
- Section 9 – Updated BNG; and
- Updated Transport Statement.

2.12 Following the submission of the first Regulation 25, and subsequent consultation responses, further correspondence and submissions were made (**CD5**):

- Response to Highway Authority Consultation Response of 14 Feb 2025 - May 2025; and
- Final Response to Lancashire County Council Highways Letter dated 14 February 2025 – 8th May 2025.

3. Description of Appeal Site and Environs

- 3.1 The following site description is a summary of the site description as set out in the committee report (CD6.02) and the Planning Statement (CD1.02).

Site Description

- 3.2 The Proposed Bourbles Quarry (The Site) is centred at grid reference SD377 476 and the site lies within the administrative boundary of Preesall Parish and within the Wyre Council area, located within the County of Lancashire. The Site covers a number of agricultural holdings and lies directly adjacent to land previously worked for sand and gravel (the existing fishing lakes). The site is located approximately around 1.5km to the east of the village of Preesall and 2.5km south west of Knott End-on-Sea.
- 3.3 The application area extends to approximately 20.68 hectares (about 51.1 acres) of mainly arable and general agricultural land, with small lakes and a large fenced “duck breeding pen”. The site is bounded by arable fields and with isolated farm and residential properties. There are small-scale commercial businesses operating near the site boundaries, including a kennels, equestrian fields and a small caravan park.
- 3.4 The site mainly comprises flat-lying agricultural land that is divided into a series of large arable and grass fields located either side of Bourbles Lane, with a series of small fishing lakes lying central to the proposed development. In the area of land between the fishing lakes and the Phase 1 extraction area extensive minerals and inert tipping operations have taken place over the period 2019 to 2022 where substantial HGV traffic has entered to site from the east and the material have been bladed out using a large, tracked bulldozer. This activity does not appear to have been permitted or licensed.
- 3.5 Phase A is located 270 metres north of Lancaster Road and is comprised of a large arable field. Phase 1 is at the western end of the site and comprises an area of rough grazing immediately to the south of Bourbles Lane. Phase 2 is an arable field immediately north of Bourbles Lane close to the existing fishing lakes. Phase 3 is comprised of a series of grazing fields to the east of Bourbles Lane and Phase 4 is a field to the west and south of Bourbles Lane that is surrounded by fencing and has been used for rearing of ducks.
- 3.6 The main road in the area is the A588 that connects Fylde to Lancaster. This is accessed from the site via a minor road (Bourbles Lane). However, it is proposed that a new access will be developed as part of this planning application where a link will be constructed from the main Bourbles Quarry area to the B5370 (Lancaster Road) that forms the south-western limits of the application area. This road links directly with the A588 about 300m to the east of the proposed new site access.
- 3.7 There are a number of individual properties close to various parts of the site. To the east of

the access road on Lancaster Road are a group of properties including Hillfield House approximately 140 metres from the access road and 270 metres from Phase A. At the eastern end of Gaulters Lane there are two properties (Borodale and Ourome) located around 210 metres from the centre of Phase A. At Phase 1, there is a property called Woodlands on the north side of Bourbles Lane located 15 metres from the Phase 1 boundary and a large kennels complex and associated property at Red Lea located 25 metres from the Phase 1 boundary. For Phases 2 and 4 there is a complex of properties and barn conversions off Bourbles Lane including Bourbles Farmhouse which would be approximately 50 metres from the boundary of both phases. For Phase 3, there are properties located off Bourbles Lane (Mytax and New England Cottage), 71 metres from the Phase 3 boundary together with a further grouping of properties near to the junction of Bourbles Lane and the A588 (140 metres from Phase 3 boundary). In terms of Preesall itself, the closest residential areas are located in the Little Tongues Lane and Nicksons Lane areas around 180 metres south west and west of Phase 1.

- 3.8 In relation to planning and land use designations, none of the site is subject to any statutory landscape or ecological designations. However, both Phases 2 and 3 of the site are part of a wider Biological Heritage Site. The Biological Heritage Site is known as Pilling Moss/Head Dyke and covers a large area of farm land being designated for its value for over wintering birds associated with Morecambe Bay to the north. The majority of the site is also within a flood risk area (zones 2 and 3).
- 3.9 Two pipelines (water and gas) run through the centre of the site directly north of phase A and through the centre of Phase 3.
- 3.10 Bourbles Lane is a public bridleway. A public footpath also runs through the centre of the site linking Bourbles Lane with Gaulters Lane.

4. Reason for Refusal

4.1 With regard to the Appeal Proposal, the decision notice issued by Lancashire County Council on 15th October 2025 (**CD6.01**) states the following reasons for refusal:

“(i) The development would have unacceptable impacts on highway safety which cannot be adequately mitigated and the development therefore conflicts with Paragraph 116 of the National Planning Policy Framework, Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan and Policy CDMP6 of the Wyre Local Plan.

(ii) The development by reason of proximity to residential properties would have unacceptable noise and dust impacts that could not be satisfactorily mitigated contrary to Paragraph 198 of the National Planning Policy Framework, Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan and Policy CDMP1 of the Wyre Local Plan”.

5. Development Plan

5.1 Section 38(6) Planning and Compulsory Purchase Act 2004 states that determination must be made in accordance with the Development Plan unless material considerations indicate otherwise.

Local Policy

5.2 The Planning and Compulsory Purchase Act 2004 defines the Development Plan as the Development Plan documents (taken as a whole) which have been adopted or approved in relation to that area.

5.3 The relevant statutory Development Plan for the appeal comprises:

- The Joint Lancashire Minerals and Waste Development Framework Core Strategy Development Plan Document, adopted 2009 (**CD7.01**);
- The Joint Lancashire Minerals and Waste Local Plan - Site Allocations and Development Management Policies – Part 1, adopted 2013 (**CD7.02**);
- The Joint Lancashire Minerals and Waste Local Plan - Site Allocations and Development Management Policies – Part 2, adopted 2013 (**CD7.03**); and
- The Wyre Local Plan 2011-2031, adopted 2019 (**CD7.04**).

5.4 It is agreed that the Joint Lancashire Minerals and Waste Core Strategy and Local Plan had adoption dates of February 2009 and September 2013 respectively with the plan period for both documents running until the end of 2020.

5.5 There is disagreement on the weight to be attached to the policies of the Lancashire Minerals and Waste Core Strategy and the Lancashire Minerals and Waste Local Plan. The weight to be attached to these policies will be set out in evidence by the parties and will be subject to discussion at the inquiry.

Material Considerations

5.5 Joint Lancashire Local Aggregates Assessment October 2023 (with 2022 data) (**CD7.05**).

5.6 North West Aggregate Working Party Annual Monitoring Report for 2025 (using 2024 data).

5.7 National Planning Policy Framework (NPPF) (December 2024)

- The National Planning Policy Framework (NPPF) sets out the Government's planning policies for England and how these are expected to be applied, and is a material consideration in the determination of this Appeal.

5.8 National Planning Policy for Waste (NPPW) (2014).

5.9 National Planning Practice Guidance (PPG).

- PPG which are of particular relevance to this Planning Appeal include:
 - Minerals – Published October 2014.

5.10 The Town and Country Planning (Environmental Impact Assessment) Regulations 2017.

5.11 On the 30th July 2024, Deputy Prime Minister and Secretary of State for Housing, Communities and Local Government Angela Rayner, made a Written Ministerial Statement entitled “Building the homes we need”. The statement is organised into seven sections – Restoring and Raising Housing Targets, Building in the Right Places, Moving to Strategic Planning, Delivering More Affordable Housing, Building Infrastructure to Grow the Economy, Supportive Local Planning & First Step of a Bigger Plan.

6. Matters on which parties agree

6.1 The following matters are agreed between the parties:

Need for Mineral Extraction

- 6.2 As referenced within the Appellants Statement of Case, due to the policies in the Local Development Plan dealing with sand and gravel provision being out of date, the most reliable information with regard to sand and gravel reserves, landbank and future need are contained within the Local Aggregate Assessment (LAA) 2023 **(CD7.06)** which utilises 2022 data. It is also noted that at the time of the Appeal, this document is based on data which is three years old. There is also information within the NAWWP annual monitoring report 2025 which is based upon 2024 data.
- 6.3 Section 4 of the LAA **(CD7.05)** provides an overview and assessment of the Council's position with regard to sand and gravel reserve, landbank and future forecast demand. The graph included at Table 4.1 of the LAA illustrates a significant fall in sales of sand and gravel indigenous to Lancashire from 2018 to 2022 (latest year of data). This is identified to be due to closure of Lower Brockholes (2015), St Annes Foreshore (2019), Clayton Hall (2019), Sandons Farm (2021) and Sharples (2022). It is agreed, as set out in 4.1 of the LAA and paragraph 66 of the Committee Report **(CD6.02)**, that production capacity is significantly reduced with the remaining operational sites not capable of producing at the level required to meet the sub-regional aggregate apportionment for sand and gravel of 440,000 tonnes per annum.
- 6.4 It is agreed, as stated in 4.2 of the LAA and paragraph 65 of the Committee Report, the landbank of sand and gravel reserves would be close to the 7 year guidance level in 2026 if no further reserves were permitted.
- 6.5 It is agreed that Lancashire currently rely on a small number of quarries, with the LAA **(CD7.05)** identifying four quarries in 2022, two of which were inactive. Runshaw Quarry is identified to hold a majority of the permitted reserve (4.1mt of the ~4.4mt reserve in 2022), however at the time of the LAA this site was inactive.
- 6.6 It is also agreed as set out at paragraph 67 of the Committee Report that, even if Runshaw Quarry was to commence production, it would be limited on annual output and not capable of fully meeting the annual apportionment. Furthermore, the permitted extraction timescale for Runshaw Quarry ceases in 2026 and it has not been made clear as to whether this will be extended.
- 6.7 With regard to applications for additional sand and gravel reserves, paragraph 68 of the Committee Report **(CD6.02)** states *"In terms of other planning applications for sand and*

gravel extraction, there are current applications at Lower Hall Farm, Salmesbury nr Preston and Gale Moss near Chorley. However, both applications were submitted a considerable time ago and are undetermined due to unresolved planning issues.” It is noted that Lower Hall Farm (LCC/2021/0012) is undetermined, however, Gale Moss (LCC/2021/0007) has been withdrawn. There is therefore only one currently undetermined application for additional sand and gravel reserve in Lancashire totalling ~3 million tonnes of reserve to be worked at 150,000tpa over 20 years.

- 6.8 Appendix 2 and 3 of the LAA **(CD7.05)** indicate that economic activity is expected to increase during the forecast period (2021-2036). The graph at Appendix 2 demonstrates correlation between past housing completions and total aggregate sales. It predicts, based on plan area housing forecast, a higher than previous housing requirement annually, and in turn a higher annual requirement for sand and gravel reserve.
- 6.9 The LAA **(CD7.05)** at Section 4.4 includes a table forecasting the demand for sand and gravel across a 15-year period (2021-2036). In each scenario, other than the 3-year land supply, there is a demonstrable shortfall in sand and gravel reserves across the 15-year period. However, it is noted that parties agree the 3-year average figure should not be used to calculate the LAA rate as it is due to low sales figures from closing of a number of quarries. The forecast housing need results in a higher annual apportionment required to be demonstrated (570,000tpa) than the sub-regional annual apportionment of 440,000tpa. Based on this housing forecast, there is anticipated to be a shortfall in supply across the forecast period (2021-2036) of some 4.1 million tonnes. To this the parties agree.
- 6.10 Looking beyond the forecast future housing demand in the 2023 LAA **(CD7.05)**, the NPPF was updated in December 2024, alongside which an updated standard methodology **(CD10.01)** for calculating housing need was published. Under the previous methodology Wyre had an annual housing completion requirement of 280 dwellings per annum (dpa). Under the new adopted approach, this has been increased to 582 dpa. In addition, the bullet points below identify the updated housing requirement for the other authorities throughout Lancashire:
- Wyre – 280 dpa to 582 dpa;
 - Fylde – 275 to 410 dpa;
 - Preston – 269 to 590 dpa;
 - Ribble Valley – 113 to 310 dpa;
 - Lancaster – 415 to 619 dpa;
 - South Ribble – 169 to 489 dpa;
 - West Lancashire – 166 to 562 dpa;

- Chorley – 506 to 564 dpa;
- Hyndburn – 50 to 301 dpa;
- Rossendale – 179 to 321 dpa;
- Burnley – 51 to 340 dpa; and
- Pendle – 124 to 333 dpa.

6.11 It is agreed that combined, the local authorities within Lancashire have an increased annual housing delivery target of 2,824 dwellings per annum (dpa).

6.12 It is agreed that paragraph 70 of the Committee Report **(CD6.02)** provides for a summary of the position of the Council with regard to need at the time of determination:

“In summary, whilst the overall landbank of sand and gravel in Lancashire might still meet the seven year requirement in the National Planning Policy Framework, nearly all the reserves are held in one site which is non-operational and where the permission, unless extended, will expire in mid 2026. The remaining operational sites have very limited reserves and outputs and therefore the ability to ensure a steady and adequate supply of sand and gravel aggregates as required by national policy is severely constrained. The resources at this site are of good quality and can be processed to produce a range of aggregate materials. It is therefore considered that the proposal would meet a pressing and demonstrable need for new sand and gravel reserves in Lancashire to which significant weight should be attached...”

Need for Inert Waste Management Capacity

6.13 It is agreed that the proposed development provides for capacity to manage 220,000 cubic metres of inert waste (construction, demolition and excavation waste) within Lancashire. As stated at paragraph 72 of the Committee Report **(CD6.02)** *“There is a need to import material to allow the effective restoration of the site, and to permit the restoration of high quality agricultural land. The waste importation aspects of the development are considered to be acceptable in terms of the broad policies for waste management.”*

Restoration & Aftercare

6.14 It is agreed, as set out at paragraph 156 of the Committee Report **(CD6.02)** that *“Subject to the details of site restoration and aftercare being the subject of planning conditions, it is considered that the site restoration proposals for the mineral working areas are acceptable.”*

6.15 With regard to the acceptability of the proposed 12 holiday lodges and fishing facility, it is concluded at paragraph 159 of the Committee Report *“The number of units is relatively small, and they would be located on part of the site that is relatively distant from the nearest properties with potential to increase screening through further landscaping as part of site*

restoration. Subject to scale and designs of buildings and landscaping being approved at a later date it is considered that the overall impact of the development would be appropriate in terms of local landscape.” It is noted that objection was raised by Wyre Borough Council due to no Business Plan being provided, however it was considered by the Planning Officer that *“the number of accommodation units is relatively small and could be justified within a business plan in relation to the existing and proposed fishing facilities.”*

6.16 As such, the parties agree that save for conditions, this is not a matter in dispute between the Appellant and the MPA.

Technical and Environmental Considerations

6.17 It is agreed that save for conditions, there is no dispute between the Appellant and the MPA on the following matters:

- The current landbank position and supply issues in relation to land won sand and gravel Inert waste backfilling;
- Landscape;
- Agricultural Land;
- Archaeology;
- Water Environment/Flooding;
- Ecology; and
- Restoration and Afteruse.

7. Matters on which parties disagree and are to be defended by Council

7.1 With reference to the reason for refusal, the parties disagree on the following matters:

- Unacceptable impacts on highway safety which cannot be adequately mitigated; and
- Unacceptable noise and dust impacts that could not be satisfactorily mitigated.

7.2 In terms of the above matters, the following issues/matters are set out for discussion with the MPA in terms of highways, noise and Dust/Air quality:

7.3 Highways - It is expected that a Statement of Common Ground will be agreed with the Highway Authority covering the following topics:

- Description of Highway Network in vicinity of site and routes to be used by development traffic;
- Existing traffic flows and HGV composition;
- Existing recorded road traffic accidents and brief summary;
- Traffic Generation of proposed development and likely distribution pattern of development traffic;
- Permitted and prohibited turning movements at site access and route to strategic highway network indicating areas where development HGV traffic would not pass through; There is disagreement on how such routing would be enforced including the applicant's proposals relating to traffic management.

Noise - It is expected that a further Statement of Common Ground will be agreed with the County Council covering the following topics:

- The Guidance and Policy used in the assessment;
- The acquisition of baseline noise data and representative background noise levels;
- Site noise limits and the appropriate guidance for mineral sites for both routine and temporary operations;
- The calculation method used (BS5228);
- The use of barrier attenuation;
- The calculated site noise levels at the nearest dwellings;
- The calculated site noise levels compliance with Planning Practice Guidance Minerals (PPGM) site noise limits;

- Whether distance from properties or depth of working can be conditioned;
- Whether site noise levels can be confirmed and enforced by routine site noise monitoring that can be conditioned and written into a Site Noise Monitoring Scheme; and
- Whether the site can be worked whilst keeping noise to within environmentally acceptable levels in compliance with Paragraph 198 of the NPPF and Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan and Policy CDMP1 of the Wyre Local Plan.

Dust/Air Quality - It is expected that a further Statement of Common Ground will be agreed with the County Council covering the following topics:

- Principal relevant guidance relevant to the assessment of dust and air quality in relation to the Proposed Development is:
 - Planning Practice Guidance: Minerals: Paragraphs 023-032, last updated 17th October 2014;
 - Planning Practice Guidance: Air Quality: last updated 1st November 2019;
 - Institute of Air Quality Management (IAQM), Guidance on the Assessment of Mineral Dust Impacts for Planning v1.1, May 2016;
 - IAQM Guidance on the Assessment of Dust from Demolition and Construction, 2016 (version 1.1); and
 - IAQM Land-Use Planning and Development Control: Planning for Air Quality, 2017, v1.2.
- In the event the appeal is allowed the waste import, handling and placement operations would be subject to regulation by the Environmental Agency under an Environment Permit in accordance with the Environmental Permitting Regulations 2016;
- The Site and nearby local road network are not located within an Air Quality Management Area (AQMA);
- Existing local air quality is compliant with the relevant National UK Air Quality Objectives and Standards for NO₂, PM₁₀ and PM_{2.5};
- There are no UK statutory standards that define the point when deposited dust causes annoyance or disamenity. Instead, a number of “custom and practice” thresholds are typically referred to in conjunction with other criteria such as the frequency of occurrence;
- The LCC Public Health Team have stressed the importance of implementation of a Dust Management Plan (DMP). Submission to, and agreement of such a Plan to the MPA, and subsequent adherence to, can be made the subject of a planning condition to any granted permission; There is dispute as to extent to which such a dust management plan will be effective given the proximity of residential properties; and

- There is a typographical error in the LCC Report to the Development Control Committee Officers (CD6.02), in that its final sentence of paragraph 133 should have read 'it is considered that the risk of exposure to RCS dust can **not** be a reason for objection to the proposal'. This was confirmed in an e-mail from Jonathan Haine, Head of Development Management and Planning Policy Environment and Regulatory Service, Lancashire County Council to Liam Toland, Kedd Ltd on 3rd December 2025.

8. Planning Conditions

8.1 To be agreed with the MPA.

Signed on behalf of Minerals Planning Authority		Signed on behalf of Appellant	
Organisation	Lancashire County Council	Organisation	Kedd Limited
Signature	Jonathan Haine	Signature	
Name	Jonathan Haine	Name	Liam Toland
Qualification	BA(Hons), BTP ,MRTPI	Qualification	BA (Hons), MSc, MRTPI
Date	13 th February 2026	Date	02/02/2026