

Proposed Sand and Gravel Quarry, Land off Bourbles Lane

Planning Permission reference: LCC/2023/0030

Statement of Common Ground: Noise

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 on Noise matters has been prepared to assist the appeal against the refusal of the planning application LCC/2023/0030 for a minerals extraction and reinstatement scheme at Mytax Farm, Poulton-le-Fylde.
- 1.3. Reason for Refusal 2 is given as:
- Reason 2:** 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.*
- 1.4. The Statement of Case provided by LCC (CD11.01) states: *In terms of noise, the County Council will demonstrate that the development would have an unacceptable impact on the amenity of those residents living immediately adjacent to the boundaries of the application site due to noise impacts on local residents arising from the stripping of soils, excavation of minerals and backfill operations. These impacts will be demonstrated having regard to the phasing of the quarrying, processing and infill operations, ability to provide effective mitigation measures and the likely noise impacts that would be generated above the existing background levels.*
- 1.5. This Topic Specific Statement of Common Ground (TSoCG) has been prepared jointly by Robert Storey, WBM Ltd for the Appellant (Baxter Group) and David Gray, AtkinsRéalis for Lancashire County Council (LCC).
- 1.6. It sets out the agreed matters in relation to noise.

2 Relevant Guidance

2.1. Principal relevant guidance relevant to the assessment of noise in relation to the Proposed Development is:

- National Planning Policy Framework (NPPF) , last updated 7th February 2025 (CD12.1);
- Noise Policy Statement for England (NPSE) , published 15th March 2010 (CD12.2);
- Planning Practice Guidance: Noise (PPG Noise): last updated 22nd July 2019 (CD12.3);
- Planning Practice Guidance: Minerals (PPG Minerals): Paragraphs 019-022, last updated 17th October 2014 (CD12.4);
- Joint Lancashire Minerals and Waste Development Framework Core Strategy DPD (CD7.01);
- Joint Lancashire Minerals and Waste Local Plan. Site Allocation and Development Management Policies - Part One (CD7.02); and
- British Standard 5228-1:2009+A1:2014 Code of practice for noise and vibration control on construction and open sites – Part 1: Noise, published February 2014 (CD12.5).

3 Areas of Agreement

3.1. The Appellant and the LPA are agreed that:

- Residential dwellings near the Site and nearby local road network are not located within any Noise Important Areas (NIAs);
- The potential noise impacts from traffic on the public highway associated with the Proposed Development are not considered to be significant;
- Submission to, and agreement of a Noise Management Plan (NMP) with the Minerals Planning Authority, and subsequent adherence to, can be made the subject of a planning condition to any granted permission;
- Ground-borne vibration resulting from mineral extraction is not expected to cause significant adverse effects on building integrity at nearby properties.
- Despite minor discrepancies in the timings of the baseline noise monitoring (some measurements being shorter than 15-minutes duration), the background noise levels are considered to be representative of the area;
- As there will be no operations at night, health concerns over lack of sleep are not relevant in this instance.

4 Areas Yet to be Agreed

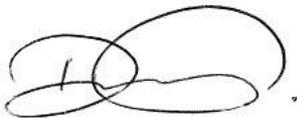
The Appellant and the Council disagree on the following matters:

- While agreeing that the adopted methodology for assessment of noise impacts is suitable (as presented within the updated Noise Assessment, Vibrock 2024), the Council do not agree with the Appellant findings regarding the predicted noise levels at some locations- principally among these, 'Woodlands' during normal operations and particularly during the short-term works and. The Council position is that the magnitude of noise impacts are underestimated by the Appellant.

- The Council position is that the Appellant has not considered additional factors that affect the sensitivity of nearby properties to noise, such as the orientation of the external amenity space at Woodlands siding on to the site.
- The Council position is that the mitigation proposed by the Appellant would not be sufficient to minimise noise disturbance levels and enable a good standard of amenity to be achieved in accordance the requirements of the NPPF, NPSE, PPG Noise, and PPG Minerals.
- Following on from the above point, the proposed noise limits at some locations are set higher than the background level+10 dB. The Council's position is that this serves to artificially increase the noise limit by not considering all reasonable mitigation measures to achieve sound levels below background+10 dB.
- Additionally, at these locations the limit has arbitrarily been set to the upper value stated in PPG Minerals of 55 dB $L_{Aeq,1h}$, despite predicted noise levels being lower than this level (notwithstanding the point above regarding mitigation not being considered to achieve below background+10dB). The Council's position is that this serves to artificially increase the noise limit.
- Mineral extraction works are proposed prior the construction of noise bunds (under the bund locations) and should not be subject to a short-term limit (notwithstanding the disagreement on predicted noise levels during short-term works) as it falls outside the scope of works stated in PPG Minerals for which the short-term limit applies.
- Notwithstanding the point above, the council do not agree with 70 dB $L_{Aeq,1h}$ as a short-term limit, with PPG Minerals stating that short-term limits 'up to 70 dB $L_{Aeq,1h}$ ' should be 'considered'.

5 This Statement of Common Ground: Noise is agreed between:

Signed:



Name: David Gray

On behalf of: Lancashire County Council

Date: 06 March 2026

Signed:

A handwritten signature in black ink, consisting of several overlapping, fluid strokes that form a cursive, somewhat abstract shape.

Name: Dr Robert Storey

On behalf of: Baxter Construction Ltd

Date: 06 March 2026