



**Smith Grant**  
Environmental Consultancy

**Town & Country Planning Act 1990  
Section 78 Appeals**

**Proposed Sand and Gravel Quarry,  
Mytax Farm, 4 Bourbles Lane, Preesall**

**Summary Evidence of:**

**Katrina Early Hawkins  
Smith Grant LLP**

**DUST and AIR QUALITY**

**On behalf of: Baxter Group Ltd.**

**Planning Inspectorate Reference: APP/6002168**

**Local Authority Reference: LCC/2023/0030**

**March 2026**

## 1. SCOPE AND STRUCTURE OF THE EVIDENCE

1.1. My name is Katrina Hawkins. I am currently Chairman of Smith Grant LLP (SGP), an environmental consultancy, having been a Partner of SGP since 2005. I have been in practice as an environmental consultant for over 30 years specialising in air, land and water pollution. I hold a First Class (Hons) degree in Chemistry and a MSc degree in Environmental Pollution Control, am a Chartered Environmentalist, and a Member of the Institute of Air Quality Management, Institute of Environmental Sciences and Institute of Sustainability and Environmental Professionals (formerly the Institute of Environmental Management and Auditing).

1.1.1. My evidence has been prepared on behalf of Baxter Group Ltd., the Appellant. It primarily deals with 'dust' (particulate matter) and potential impacts on local amenity and local air quality. It addresses the 'dust' related reason for refusal raised by the Lancashire County Council (LCC) in its Statement of Case (SoC). Although the LCC Statement of Case did not provide detail on the reason for refusal on grounds of dust, the reasons were subsequently outlined in the Statement of Common Ground on Dust issued by their consultants, Atkins. The points of disagreement raised by the Council in the SoCG-Dust all refer to 'amenity'. However, in light of the lack of detail in the LCC SoC and comments raised by the Rule 6 Party and other parties I have however considered potential impacts of 'dust' on both amenity and local air quality.

1.2. My evidence also deals with other air quality matters in response to comments raised by the Rule 6 Party SoC and in the third-party representations.

1.3. In preparing this evidence, I have reviewed the relevant documentation and guidance as set out in the Core Documents and appendices to my Proof. In particular, I have reviewed the original and updated Air Quality Assessments prepared by other parties and submitted within the Environmental Statement (ES) with the original planning application. I have also undertaken a visit to the site and surrounding area in January 2026 and have reviewed any changes since the original application that may affect the original assessment(s).

1.4. On review of the original submissions, the Officers' report raised concerns around amenity impacts from dust, and ultimately recommended rejection of the proposals, concluding that *'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.'* The LCC Decision Notice restated this as the reason for refusal.

- 1.5. In relation to the above reason for refusal, the LCC SoC makes the following comment:  
*'In terms of dust and air quality impacts, the County Council will demonstrate that there would be likely unacceptable impacts at particular stages of the quarrying and backfill operations due to the close proximity of residential properties to the site boundary and active areas of the site, the requirement to move excavated minerals and backfill materials on unsurfaced haul roads and the difficulties of providing adequate and effective mitigation measures particularly in instances where operations take place in such close proximity to sensitive development.'*
- 1.6. My evidence addresses all concerns that have been raised relating to dust and air quality matter and addresses the comments set out by LCC in their original SoC.
- 1.7. My evidence also addresses the comments set out by the Rule 6 Party in their original SoC documents in relation to other air quality matters.

## **2. DUST ASSESSMENT: DISAMENITY**

- 2.1. I have reviewed and presented in my evidence summary information regarding the proposed activities associated with the quarry that may give rise to fugitive dust and potential impacts on local amenity and local air quality.
- 2.2. Vibrock Ltd. prepared the Air Quality Assessment to accompany the original planning application, and then following a Section 25 request, produced an Updated Air Quality Assessment. I have reviewed these assessments in detail and undertaken my own 'sensitivity' assessments as detailed in my Proof, my assessment including further refinement assessing different stages of the Proposed Development, in particular the short-lived operations of soil stripping and bund formation.
- 2.3. The Vibrock assessment(s) incorporated a detailed assessment of the potential sources of fugitive dust taking into account the nature and scale of the proposals. The assessment(s) followed the recommended qualitative approach in considering the potential for any such dust to impact existing nearby properties and land uses through assessment of the distance and orientation to receptors, prevailing weather conditions, topography, and screening.
- 2.4. The assessment also outlined both the proposed in-design mitigation measures along with additional management and control measures that would be implemented specifically in relation to fugitive dust. A draft Dust Management Plan (DMP) is also now provided (included as an Appendix to my Proof) for agreement with the MPA if

planning permission is granted. It is proposed that the submission and agreement of the DMP would be secured through a planning condition. This DMP takes into account the findings of the dust assessment and sets out in detail the proposed management and operational mitigation measures.

*Potential Amenity Impacts on Receptors*

- 2.5. The Vibrock Updated AQA concluded that potential impacts associated with the proposals, with mitigation, would be *negligible* at the nearest properties to the Site. I have concluded that a possible *slight adverse* effect remains during the initial soil stripping, and subsequent final bund removal and soil placement activities. However, it must be noted these are effects which are associated very much short-lived activities with soil stripping / bund creation being of 4-6 weeks duration per phase. Works would not be undertaken during weather conditions which could exacerbate impacts, e.g. during periods of unusually high winds or prolonged dry conditions. Furthermore, additional temporary fencing is now proposed during Phase 1 which would serve to reduce the likelihood of adverse dust effects during these works.
- 2.6. The maximum residual adverse effect predicted during the subsequent extraction, processing and restoration activities (other than bund removal) is *slight*. This is only predicted at Mytax / New England Cottage due to the proximity of the as-raised stockpile. This stockpile would be worked throughout the year and hence may on occasion dry out. The height of the stockpile would however reduce markedly between campaigns with adverse dust risks reducing as the height lowers. In addition, the as-dug stockpile would be replenished during the extraction campaigns with freshly dug material which would have a high moisture content. Damping down the stockpiles as necessary during periods of prolonged dry and windy weather, as set out in the draft DMP, would reduce the likelihood of adverse effects. Residual adverse effects at all other receptors are *negligible* through the implementation of site-specific dust mitigation measures.
- 2.7. The draft DMP includes for visual dust monitoring and modification or cessation of any activities if conditions develop to risk escape of visible dust off-site. The draft DMP additionally includes for dust deposition monitoring throughout the duration of the Proposed Development.
- 2.8. The DMP would be a dynamic document that would be subject to regular review and update in response to any changes in circumstances to ensure it remains robust. In addition, a liaison committee is proposed, and it is expected that active mitigation measures would be informed by an iterative process of feedback in terms of off-site effects. This is an entirely conventional approach.

- 2.9. The above accords with guidance in relation to mineral activities that dust emissions can be controlled by effective site management.
- 2.10. This is equally consistent with advice provided by Atkins, consultants acting for LCC during the determination, and LCC Public Health that a DMP should be submitted and agreed with the MPA prior to the commencement of the Proposed Development.
- 2.11. In addition, the importation and placement of material for restoration would be subject to control under an Environmental Permit with the Environment Agency as the regulatory authority. The permit would also cover potential dust emissions in relation to this specific aspect of the proposed activities and require operation in accordance with Best Available Techniques (BAT).
- 2.12. I do not consider that the Proposed Development would result in significant adverse effects on nearby receptors due to loss of amenity.

### **3. DUST ASSESSMENT: AIR QUALITY**

- 3.1. The Vibrock Assessment all considered the potential impacts of 'fine particulate matter' (in the form of PM<sub>10</sub> and PM<sub>2.5</sub>) which would form a proportion of 'dust' and which may impact local air quality.
- 3.2. Predicted background levels of PM<sub>10</sub> and PM<sub>2.5</sub> are both well below relevant current legal objectives. Possible contributions of PM<sub>10</sub> and PM<sub>2.5</sub> from the proposed activities have been considered. However, these highly conservative as they are based on information for all types of quarries, including hard rock. Assuming these contributions exceedances of PM<sub>10</sub> and PM<sub>2.5</sub> objectives are not predicted. Consideration has also been made of future non-legal and legal targets that have been established for PM<sub>2.5</sub>. Exceedances of these are also not predicted.
- 3.3. In addition, the in-design dust mitigation measures, along with the operational and management measures as set out in the draft DMP would also serve to minimise potential PM<sub>10</sub> and PM<sub>2.5</sub> emissions.

### **4. OTHER AIR QUALITY MATTERS**

- 4.1. I have also considered other potential aerial emissions associated with the Proposed Development such as on-road vehicle exhaust emissions and Respirable Crystalline Silica (RCS).

- 4.2. I do not consider these are likely to result in significant adverse impacts on local air quality.

## 5. MITIGATION

- 5.1. As discussed in Section 2, the Proposed Development would be operated in accordance with a DMP that would be subject to agreement with LCC. This would require the appropriate management and control of fugitive dust through a range of procedures which would be subject to regular review and updating as necessary in response to any changes in circumstances requiring additional mitigation measures.
- 5.2. In addition, the importation and placement of materials for restoration would be operated under an Environmental Permit.

## 6. POLICY

- 6.1. In the decision notice, LCC states the development would have *unacceptable noise and dust impacts that could not be satisfactorily mitigated....*, in relation to Reason for Refusal 2. LCC then refers to Paragraph 198 of the National Planning Policy Framework (NPPF), Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan, and Policy CDMP1 of the Wyre Local Plan in relation to Reason for Refusal 2.
- 6.2. Paragraph 198 of the NPPF states that planning decisions should *'ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development.'*
- 6.3. Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan states applicants must be able to demonstrate that harm *'can be eliminated or reduced to acceptable levels'* and must take into account *'the proposal's setting, baseline environmental conditions and neighbouring land uses, together with the extent to which its impacts can be controlled in accordance with current best practice and recognised standards.'*
- 6.4. Policy CDMP1 of the Wyre Local Plan similarly refers to the need for a development to be *'compatible with adjacent existing uses or uses proposed in this plan'* and states that development should not lead to *'significant adverse effects'* on health or amenity.

- 6.4.1. These policies do not require that all adverse effects be prevented. They seek instead to avoid impacts and effects that are found to be unacceptable, a balance needs to be drawn in all cases. Neither is there any specific policy to the effect that even an unacceptable impact or adverse effect will automatically, or always, lead to the refusal of planning permission.
- 6.5. I have therefore in my evidence considered the risk of the Appeal proposals having a *significant adverse* or an *unacceptable* level of impact on amenity or air pollution. In determining what constitutes an *unacceptable* level or *significant adverse* impact, I have referred to the NPPF and other relevant guidance. An adverse impact on its own does not necessarily result in an unacceptable impact or a significant adverse effect.

## 7. CONCLUSIONS

- 7.1. The overall assessment of dust and final conclusions on significance of effect ultimately relies on professional judgement and justification. Following review of the full range of available evidence information, I conclude that appropriate mitigation can be implemented such that the Appeal proposals would not result in unacceptable levels of dust or significant adverse impacts on amenity of nearby sensitive land uses.
- 7.2. I conclude that, with the incorporation of appropriate mitigation, the proposed development complies with the relevant national and local planning policies in relation to dust and air quality matters.
- 7.3. As such concerns relating to dust and air quality impacts would not provide a justifiable reason to refuse the Appeal.