

**APPEAL BY BAXTER CONSTRUCTION LTD AGAINST
A REFUSAL OF PLANNING PERMISSION
BY LANCASHIRE COUNTY COUNCIL
FOR MINERAL EXTRACTION AND RESTORATION
ON LAND AT MYTAX FARM OFF BOURBLES LANE IN PREESALL, LANCASHIRE**

PINS APPEAL REF: 6002168

Summary of Proof of Evidence of Robert Storey with regard to Noise

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1 Introduction and Scope of the Evidence

- 1.1 My name is Robert Storey. I am a Senior Consultant at Walker Beak Mason Limited (WBM), which specialises in acoustic consultancy. I hold the degrees of Bachelor of Engineering and Doctor of Philosophy of the University of Leeds. I am a Member of the Institute of Acoustics. I have been practising in Acoustics since 1999 and I joined WBM in October 2007.
- 1.2 WBM was instructed by Kedd Limited (on behalf of Baxter Construction Limited) in November 2025 for the consideration of noise for the proposed quarry at the Mytax Farm, Bourbles Lane, which included reviewing the noise assessment prepared by Vibrock as part of the environmental statement submitted with the planning application (and the updated noise assessment prepared by Vibrock in response to the Regulation 25 letter issued by Lancashire County Council) as well as considering additional mitigation measures.
- 1.3 My evidence deals with potential noise arising from quarrying, processing and restoration activities within the proposed quarry site at Mytax Farm, Bourbles Lane. It addresses the noise related reasons for the refusal of the planning application for the proposed quarry as detailed in the Statement of Common Ground on noise that was agreed with WS Atkins on behalf of Lancashire County Council (LCC) as well as comments and documents received from the Rule 6 party (Preesall & Knott End against Quarry Application) with regard to noise.
- 1.4 In summary, I have responded to the various comments on noise including the consideration of additional mitigation measures and shown that this does not affect the conclusions of the original noise assessment.

2 The Appellants' Cases

2.1 Planning permission for the proposed quarry was refused by Lancashire County Council on 20 October 2025. The reasons for refusal listed in the refusal state the following in relation to noise:

"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."

2.2 In the Statement of Common Ground (SoCG), WS Atkins (on behalf of Lancashire County Council) listed the points on which both sides are in agreement. The SoCG then went on to list the following points on which agreement had yet to be reached:

"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 LAeq,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 LAeq,1h as a short term limit, with PPG Minerals stating that short-term limits 'up to 70 dB LAeq,1h' should be 'considered'.*

2.3 This is despite the fact that the County Council's own independent acoustic consultant, Atkins, had stated in a Technical Note dated 10 January 2025 Ref. 5218724 (CD4.02) in response to the updated noise assessment prepared by Vibrock Limited following the Regulation 25 letter that:

"The previous review identified five items where further information from the applicant would be beneficial. Additional baseline monitoring has been undertaken and further assessment information has been provided. These resolve the majority of the items raised in the initial review. The assessment shows that short-term noise levels are within the 70dB(A) criteria. Noise levels from normal operations are within the 55dB(A) criteria, but are more than 10dB(A) above baseline noise levels in some circumstances. Noise mitigation is included to deal with the majority of impacts.

If noise is a particular concern for this development, there may be benefits in the applicant providing details about the noise attenuation of the proposed bunds, the potential for cumulative effects, and any other proposed noise management controls.

The applicant has not assessed road traffic noise from the development on receptors near the B5270 Lancaster Road, but the available data indicates this is unlikely to be a concern."

2.4 In the Statement of Common Ground, Atkins and LCC mainly raised concerns about the site noise limits proposed in the Vibrock assessment that were more than 10 dB(A) above background noise levels, but no more than the 55 dB LAeq, 1 hour site noise limits that are the upper limit advised for routine operations on mineral sites in Planning Practice Guidance (Minerals). Concern was also raised about the mineral extraction under the footprint of the proposed bunding and site noise limits for temporary operations.

2.5 The Rule 6 Party, (Preesall & Knott End against Quarry Application) have submitted a Statement of Case that does not mention noise.

- 2.6 With regard to noise, the Rule 6 Party provided a review of the original ES Appendix 9 - Noise Assessment (CD1.21) commissioned from Three Spire Acoustics titled "Review of Environmental Impact Noise Assessment Proposed Mineral Extraction and Restoration Land off Bourbles Lane Preesall Lancashire Planning Application Case Nos LCC/2023/0030" dated 18 October 2023 prepared by Three Spires Acoustics. The Rule 6 Party
- 2.7 The Rule 6 Party also provided a general informative document produced by British Horseriding Society (BHS) titled "Advice on Noise on routes used with horses" dated June 2025, but this does not make any specific points relating to the proposed quarry at Mytax Farm, Bourbles Lane.

3 Previous Noise Assessment

- 3.1 The previous noise assessment for this site was completed by Vibrock and was dated 20 March 2023 with an updated noise assessment was prepared in response to a Regulation 25 letter requesting further information and was dated 19 August 2024. As previously stated, the WS Atkins response to the updated noise assessment indicated that the outstanding points had been addressed.
- 3.2 The previous assessment determined baseline noise levels at the nearest noise receptors to the proposed quarry. The results of the baseline noise surveys were used to set limits for site noise from normal operations based on guidance set out in Planning Practice Guidance for Minerals (PPGM). Vibrock suggested that where site noise levels of more than 10 dB(A) above background noise levels could not be achieved with the scheme of mitigation proposed at the time, that site noise limits of 55 dB $L_{Aeq, 1 \text{ hour}}$ were appropriate for those locations. Site noise calculations were undertaken to each receptor for a reasonable worst case scenario. The calculated site noise levels were all at or below the suggested site noise limits for normal, day to day operations. The calculated levels from temporary operations also complied with limits for such activities set out in PPGM. The noise assessment was undertaken for the nearest noise sensitive properties to the proposed quarry.

4 Response to WS Atkins/Lancashire County Council

- 4.1 In response to the comments raised in the SoCG, I have undertaken calculations for the same residential receptors with a view to amending the scheme and the mitigation proposed to allow the site operations (when considered as a worst case scenario) to comply with site noise limits that are no more than 10 dB(A) above background noise levels. The calculations also considered temporary barriers to address the mineral extraction under the footprint of the bunds as a routine operation as well as to reduce the site noise due to temporary operations such as soil stripping and bund construction/removal.
- 4.2 The calculations were undertaken using the same noise data sets as used by Vibrock for the quarry in 2023 and 2025. All of the calculated site noise levels comply with the site noise limits for normal and temporary operations with the additional mitigation in place, demonstrating that the proposed quarry at Mytax Farm, Bourbles Lane would not cause any significant impact at the nearest residential properties.
- 4.3 With regard to cumulative impact from mineral sites, there are no other mineral sites or operations in the vicinity of the proposed quarry at Mytax Farm, Bourbles Lane so no cumulative assessment of such operations is necessary.
- 4.4 The guidance documents relating to noise generally require noise not to have unacceptable adverse impacts and to avoid significant adverse impact. The fact that sound may occasionally be heard does not result in significant adverse impact; occasional identifiable noise could occur for both “No Observed Adverse Effect Level” (NOAEL) and “Lowest Observed Adverse Effect Level” (LOAEL) scenarios, neither of which result in significant adverse impact.

5 Response to the Rule 6 Party and Other Consultees

- 5.1 The Rule 6 party (Stop the Quarry Campaign) have not raised concerns about noise, but have provided a review of the original noise assessment submitted as part of the ES submitted in 2023.
- 5.2 The points raised in the Three Spires Acoustics review were addressed in the updated noise assessment prepared by Vibrock in 2025.
- 5.3 I have responded to comments from Atkins/LCC regarding various issues in my proof, and shown that this does not affect the conclusion of the original noise assessment. This reasoning should also be sufficient to respond to the Rule 6 Party concerns regarding noise.
- 5.4 Some of the other consultees at the time of the original application (Hambleton Parish Council, Pilling Parish Council and Stalmine Parish Council) raised the issue of road traffic noise.
- 5.5 Although in the SoCG, it was agreed with Atkins/LCC that road traffic noise from the proposed Mytax Farm Quarry would not be significant, I have undertaken calculations that demonstrate the increase in road traffic noise levels on the A588 are 'negligible' as defined in the "Design Manual for Roads and Bridges Volume 11, Environmental Assessment Section 3, Environmental Assessment Techniques, Part 7 LA111 – Noise and Vibration".
- 5.6 I have also considered vibration from the HGV movements on and off site and it is concluded that vibration from HGV movements on the public roads and access/haul roads on site, ground borne vibration from site HGVs on highways is sometimes cited as a potential environmental impact but in practice it is only perceptible within a few metres of a very bad pothole and imperceptible on roads complying with the design standards
- 5.7 Preesall Parish Council raised concerns over the amount of baseline noise data used and this was addressed in the updated Vibrock noise assessment in 2025 with additional baseline noise data provided.
- 5.8 My evidence (and the agreement on baseline noise levels in the SoCG) puts forward my opinion that the data acquired provides a good representation of the background noise levels at the nearest noise sensitive receptors to the proposed Site over a range of days, times and conditions.

- 5.9 Preesall Parish Council also raised concerns over low frequency noise, but low frequency noise would not generally be a significant issue with regard to mineral extraction and infilling restoration on a site such as this, with the main noise sources being diesel engine noise that is not dissimilar to that from vehicles on the road or farming operations

Summary and Conclusions

- 5.10 This proof of evidence has addressed the reasons for the refusal relating to noise of the planning application for a proposed quarry on land at Mytax Farm, Bourbles Lane, Preesall, Lancashire
- 5.11 In response to comments from Atkins/LCC in the SoCG on noise, the results of calculations including additional mitigation (both temporary barriers and longer term bunding), have been included. The same data set as used by Vibrock for the previous quarry noise assessments in 2023 and 2025 has been used for these calculations. All of the calculated site noise levels comply with the suggested site noise limits for normal and temporary quarry work. Operations at the proposed quarry at Mytax Farm, Bourbles Lane therefore would not cause any significant impact at the nearest residential properties.
- 5.12 In summary, I have responded to the various comments on noise including the consideration of additional mitigation and shown that this does not affect the conclusions of the original noise assessment.

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