

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

Appeal by

Baxter Group Ltd

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

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”

Appeal Ref. 6002168

Planning Rebuttal

April 2026

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Appendix A – Landscape Statement

1 Introduction and Scope of Rebuttal

1.1 Introduction

1.1.1 The Council's Planning Proof of Evidence introduces, for the first time, new assertions, new technical arguments and new evidential positions not raised previously in the Reasons for Refusal, the Statement of Case, the Case Management Conference or the signed Statement of Common Ground 13.02.26 (SoCG). This has widened the scope of dispute contrary to the principles of procedural fairness.

1.1.2 The most significant new matters include:

- A new narrative on alternative aggregate supply, including recycled sand and secondary materials;
- Assertions regarding marine dredged aggregates and crushed rock fines;
- An alleged "confirmation" from Heidelberg, unsupported by evidence;
- Ecological/Habitats Regulations Assessment (HRA) issues which has been introduced for the first time at submission of Proof stage; and
- A planning balance that disregards agreed SoCG positions.

1.1.3 This Rebuttal responds to these new assertions and addresses areas where the Council's case contradicts the SoCG or omits crucial factual context.

1.2 Scope

1.2.1 This Rebuttal addresses issues newly introduced or materially misstated in:

- Departure From the Agreed SoCG;
- Section 6 — Planning Policy;
- Section 7 — Alternative Sources of Supply;
- Section 8 — Inert Waste Landfill;
- Section 9 — Development Plan Compliance; and
- Section 10 — Planning Balance.

1.2.2 The absence of comment on any point should not be taken as agreement.

1.2.3 In addition to the above, this rebuttal also considers the landscape and visual

implications of minor amendments to the extent and height of the bunds, the Appellant is putting forward following the submission of our evidence on noise and dust.

- 1.2.4 Appendix A of this Rebuttal Proof contains a Landscape Statement prepared by ReLandscape Ltd, who produced the original Landscape and Visual Impact Assessment **(CD1.12 & CD1.13)** and the Landscape Addendum submitted as part of the Regulation 25 Response in March 2026. Appendix A is to be read in conjunction with the aforementioned reports.

2 Council's Departure From the Agreed Statement of Common Ground

2.1 Introduction

2.1.1 The Council's Planning Proof departs materially and repeatedly from several matters expressly agreed between the parties in the Statement of Common Ground (SoCG, 13 February 2026). These departures undermine the clarity of the issues before the Inquiry, re open matters that were expressly agreed as not in dispute and introduce new lines of evidence without procedural foundation.

2.1.2 The SoCG exists to narrow the issues, avoid unnecessary work, and ensure a fair and orderly inquiry. Where the Council deviates from it, the Inspector should treat the relevant assertions with caution and reduced weight.

2.2 The Council ignores the agreed position that need is not in dispute (SoCG paragraphs 6.2–6.12)

2.2.1 The Council's Proof attempts to question or minimise the scale of need for new sand and gravel reserves, largely through its new narrative on "*alternative supply*".

2.2.2 This wholly contradicts the SoCG, where both parties agreed:

- That Lancashire's supply is severely constrained;
- That production capacity has significantly reduced;
- That most reserves are locked in the inactive Runshaw Quarry;
- That only one undetermined application for new reserves remains;
- That a 4.1 million tonne deficit exists over the forecast period; and
- That the proposal meets a "*pressing and demonstrable need*".

2.2.3 By failing to acknowledge these agreed facts, the Council's Proof mischaracterises the supply position and deviates from agreed common ground.

2.3 The Council introduces "alternative supply" arguments inconsistent with the SoCG

2.3.1 The SoCG confirms that Lancashire faces a critical landbank and supply shortage, aggravated by closure of multiple quarries and over reliance on a single inactive site.

2.3.2 Despite this, the Council’s Proof (especially Section 7) introduces — for the first time — new claims that:

- recycled materials can substitute for concreting sand;
- marine dredged aggregates provide an alternative;
- crushed rock fines can replace sand; and
- recycled aggregate facilities can fill the supply gap.

2.3.3 These assertions appear nowhere in the Reasons for Refusal or the Council’s Statement of Case. They are not identified as matters in dispute in the SoCG.

2.3.4 They contradict the SoCG’s agreed position that:

- The County cannot maintain a steady and adequate supply;
- Almost all remaining reserves are in a non-operational site; and
- The appeal proposal responds to a severe and accepted need.

2.3.5 The Council’s Proof attempts to re-open matters already agreed.

2.4 The Council contradicts the agreed position on inert waste need and restoration (SoCG paragraphs 6.13–6.17)

2.4.1 The SoCG expressly states:

- That the need for inert waste void space is accepted;
- That waste importation is “acceptable” in policy terms; and
- That restoration and after use are acceptable subject to conditions.

2.4.2 The Council’s Proof, however, suggests:

- That inert waste capacity is not significantly required;
- That alternatives exist elsewhere; and
- That limited weight should be given to inert waste benefits.

2.4.3 These statements directly conflict with the signed SoCG and the Committee Report passages quoted in it.

2.5 The Council raises new ecology/HRA issues despite agreeing that ecology is not in dispute (SoCG paragraph 6.17)

2.5.1 The SoCG confirms that Ecology is **not in dispute**.

2.5.2 Yet the Council's Proof newly asserts that:

- Natural England's objections remain unresolved;
- HRA screening has not been completed; and
- Insufficient ecological evidence has been provided.

2.5.3 This is a departure from the SoCG and was raised only at Proof stage. As stated in my letter to Inspector Normington (23rd March 2026), this issue was not identified as a basis to dismiss the appeal:

1. In the reasons for refusal;
2. In the Council's Statement of Case;
3. As a topic for discussion at the Case Management Conference, despite the Inspector's clear identification of the main issues;
4. During the preparation of the Council's evidence; or
5. In the Statement of Common Ground, in which the Council agreed that ecology was not a matter in dispute between the parties.

2.5.4 At no earlier stage in the pre-inquiry process did the Council indicate that it intended to rely upon Natural England's position as a determinative issue or as a basis for alleging a legal deficiency under the Habitats Regulations. The Appellant therefore had no reason to prepare dedicated ecological evidence beyond what had already been agreed between the parties, having assumed that this issue had now been resolved to the Council's satisfaction.

2.5.5 In these circumstances, the introduction of this matter at such a late stage is procedurally inappropriate and risks causing unfairness, as it seeks to expand the scope of the appeal well beyond the matters identified in the Council's own decision and its subsequent appeal documentation.

2.6 Conclusion on SoCG departures

2.6.1 The Council's Proof departs in multiple respects from agreed common ground.

2.6.2 These late deviations have procedural and substantive implications:

- They expand the scope of the inquiry beyond what was agreed;
- They re-open matters the Appellant reasonably believed were settled;
- They rely on new and untested evidence not previously disclosed; and
- They undermine the efficient, fair, and transparent handling of the appeal.

2.6.3 The Inspector is invited to give little or no weight to those parts of the Council's evidence that contradict or ignore the agreed SoCG.

3 Planning Policy Considerations

3.1 Out of date Status of the Development Plan

3.1.1 The Council acknowledges that the key minerals policies (CS3, CS4, M1) are based on evidence pre-dating 2013, with a plan period ending 2021.

3.1.2 My main PoE sets out in detail why the tilted balance is engaged. The Council's own LAA (2023) confirms that the minerals evidence base underlying the plan is:

- Outdated;
- Unreflective of current supply conditions; and
- Incapable of supporting current need.

3.2 Failure to Recognise the Severity of the Supply Position

3.2.1 The Council fails to confront the implications of its own data:

- A landbank collapsing to 0.5–0.7 years if Runshaw (inactive) is removed;
- Runshaw Quarry itself is incapable of supplying concreting sand; and
- No operational concreting sand sites anywhere in Lancashire.

3.2.2 The Council's policy analysis does not grapple with the fact that the NPPF requires a steady and adequate supply of aggregates, and that Lancashire is manifestly failing to meet that requirement.

3.3 Incorrect Weighting of Policy Harm vs Need

3.3.1 The Council gives determinative weight to DM2 and CDMP policies while giving only token weight to the objectively pressing need for mineral extraction. This is contrary to:

- NPPF paragraphs 222–226 (great weight to mineral extraction); and
- Recent appeal practice emphasising landbank shortages as a material consideration of significant weight.

3.4 The Tilted Balance: A Correct and Lawful Application

3.4.1 The Development Plan's mineral policies are significantly out-of-date, as both parties

effectively accept. This engages NPPF paragraph 11(d).

3.4.2 In applying the tilted balance correctly:

- Out-of-date policies require that permission should be granted unless adverse impacts significantly and demonstrably outweigh the benefits.
- The benefits must be assessed with the NPPF's requirement that great weight be given to mineral extraction.

3.4.3 The Council's Proof, however, applies a reverse or distorted tilted balance:

- It gives disproportionate weight to alleged harms that are mitigable and largely temporary;
- It attempts to reduce the weighting to the substantial, agreed need for minerals and inert waste capacity and the NPPF requirement to give great weight to mineral extraction;
- It treats out-of-date policies as if they were up-to-date, elevating them beyond their proper status.

3.4.4 By contrast, the Appellant's assessment — and the correct application of national policy — recognises:

- The severe landbank deficit (agreed in the SoCG);
- The absence of any local supply of concreting sand;
- The need to reduce reliance on long-distance imports;
- The locational benefits of the appeal site for both mineral supply and inert waste management;
- The restoration and biodiversity benefits;
- The economic benefits, including direct employment and support for local construction and concrete industries;
- The highway safety improvements that will outlast the operational phase; and
- When weighed lawfully, these benefits clearly attract substantial or great weight.

3.5 Why the Appellant's Position Prevails Under the Proper Tilted Balance Test

3.5.1 When the correct statutory test is applied, the Council's case does not demonstrate harms that:

- Are significant;
- Are demonstrable;
- Survive mitigation; or
- Outweigh the benefits, let alone significantly and demonstrably outweigh them.

3.5.2 The Council's high-level assertions on highways, noise, and dust rely on unrealistic or worst-case assumptions, whereas the Appellant's experts provide robust, condition-secure mitigation fully compliant with national policy and good practice.

3.5.3 The Council's newly introduced claims regarding alternative supply and inert waste capacity:

- Are unsupported;
- Contradict the SoCG;
- Fail to reflect real-world market practice;
- Do not meet the evidential standard expected in an inquiry; and
- Are therefore incapable of carrying material weight.

3.5.4 By any balanced and lawful application of NPPF 11(d), the residual adverse impacts are:

- Modest;
- Controllable; and
- Outweighed decisively by the benefits.

4 Alternative Sources of Supply

4.1 No Concreting Sand Supply Exists in Lancashire

- 4.1.1 This aspect of the Council's case is particularly unsupported and requires clarification.
- 4.1.2 The Council asserts that numerous recycled and secondary sources can supply the same products as the appeal site. This is factually incorrect.
- 4.1.3 Direct consultation with operators of Lancashire concrete plants — including Tarmac, Holcim, Breedon and Moore Readymix (Appendix 3 of my Proof) confirms:
- Lancashire has no concreting sand source; and
 - All concreting sand is imported from Cumbria, Cheshire or Merseyside.
- 4.1.4 This mirrors the Appellant's own experience as a purchaser: "There is no concreting sand in Lancashire, as confirmed by local concrete companies."
- 4.1.5 The Council provides no evidence demonstrating that any recycled Lancashire source meets the requisite BS EN 12620 (British and European standard specifying the properties of natural, manufactured, or recycled aggregates and fillers intended for concrete production) grading and performance requirements for structural concrete. The Appellant from their own experience as a developer are quite clear that operators *explicitly reject* recycled sand for concrete production.

4.2 Recycled Materials Cannot Replace Virgin Concreting Sand

- 4.2.1 The Council's assumption that recycled sand can substitute for the appeal site's output is incorrect in both theory and practice.
- 4.2.2 Recycled material quality is inconsistent and subject to contamination and grading deficiencies.
- 4.2.3 Concrete producers require:
- Certainty of grading;
 - Predictable moisture content;
 - Compliance with BS standards; and
 - Declared performance characteristics.

4.2.4 Recycled materials cannot satisfy these without costly testing and even after this is not widely accepted by the majority of the development industry.

4.3 Misuse of Hard-Rock Aggregate Supply to Suggest Sand Availability

4.3.1 The Council references Back Lane Quarry and Leapers Wood Quarry as providing abundant stone reserves.

4.3.2 This is a logically disconnected assertion: crushed limestone and gritstone aggregates cannot replace concreting sand.

4.3.3 The Appellant already purchases stone from these quarries; this does not assist with the critical supply deficit in concreting sand, which the appeal site directly addresses.

4.4 The NPPF's Position on Alternative Sources of Supply

4.4.1 The NPPF recognises that recycled and secondary aggregates can contribute to overall supply, but only “as far as practicable” and only where they are technically suitable, while emphasising that mineral planning authorities must continue to ensure a steady and adequate supply of primary aggregates and must give “great weight” to the benefits of mineral extraction (NPPF Chapter 17, including paragraphs 222–226).

4.4.2 The NPPF does not suggest that recycled materials can replace high-specification primary aggregates such as concreting sand, nor does it indicate that recycled or marine sources relieve the authority of its duty to maintain the minimum 7-year landbank for sand and gravel. Instead, the Framework establishes that minerals are essential, can only be worked where they occur, and that planning for aggregates must be evidence-based—requiring assessment of all supply options through the Local Aggregate Assessment process.

4.4.3 In essence, the NPPF supports the use of recycled aggregates where suitable but does not support relying on them as substitutes for primary concreting sand, nor as a basis for resisting new extraction where the landbank and LAA evidence demonstrate a clear shortfall.

4.5 Council Paragraph 7.6 – Unsupported Claim of Heidelberg “Confirmation”

4.5.1 At paragraph 7.6 of its Proof, the Council states that “*Heidelberg have confirmed*” that they source sand and gravel materials to supply ready-mixed concrete plants in Lancashire from the Liverpool wharf. This is presented as if it were a verified,

documented operator statement. However, the Council provides:

- No written confirmation;
- No correspondence;
- No operator statement;
- No date;
- No source material; and
- No evidence of any kind.

4.5.2 Given the reliance apparently placed on this alleged confirmation, the absence of any supporting evidence is notable. No such evidence was produced at application stage, no such confirmation appears in consultation responses, and the Council supplied no such material in its Statement of Case, SoCG discussions, or earlier disclosure.

4.5.3 In contrast, the Appellant has provided direct, written confirmation from multiple concrete operators active in Lancashire — including Holcim, Moore Readymix, Breedon and Tarmac — stating that Lancashire has no source of concreting sand, that all concreting sand must be imported. These confirmations were provided transparently and in writing.

4.5.4 Even if Heidelberg (or any other operator) were sourcing product via Liverpool, this does not support the Council's case. Rather, it demonstrates the opposite: Lancashire is dependent on importing concreting sand, because it does not possess its own supply. The fact that operators must rely on wharf-landed or long-distance imports is further evidence of the severe supply deficit the appeal scheme would help address.

4.5.5 The Council's unsubstantiated reference to Heidelberg therefore carries very limited, if any, evidential weight, and certainly cannot be relied upon as a credible basis to assert the existence of "alternative supply options" or to diminish the clear and pressing need for a new source of high-grade concreting sand within Lancashire.

4.5.6 In the absence of verifiable evidence from the Council, and in the presence of direct written evidence from multiple concrete producers supporting the Appellant's position, the Inspector should afford no weight to the Council's unsupported claim in paragraph 7.6.

5 Inert Waste Landfill Position

5.1.1 The Council does not dispute that the appeal site requires inert material for proper restoration.

5.1.2 While the Council claims plentiful void capacity elsewhere, this overlooks:

- The geographical imbalance of existing sites (almost all south of Preston);
- The sustainability benefits of a northern Lancashire void; and
- The Appellant's evidence that 30% of material will originate from its own operations and the remainder from known local contractors.

5.1.3 The Council presents no evidence that transporting inert waste long distances is preferable or sustainable compared with the appeal proposal.

6 Compliance with Development Plan Policies

6.1 Highway Safety

6.1.1 The Council asserts that impacts cannot be mitigated. This is contradicted by:

- The Appellant's detailed highway improvement proposals;
- Evidence from Mr Budd; and
- The Council's own acceptance of several mitigation components.

6.1.2 The Council's view ignores:

- Widening proposals;
- Signage improvements;
- Speed management;
- The operator's commitment to managed HGV movements; and
- Legacy safety improvements that outlast the quarry operations.

6.1.3 The Council provides no empirical evidence that two HGVs passing would pose unacceptable risk. Accident data does not support its conclusion.

6.2 Noise and Dust

6.2.1 The Council's amenity conclusions are based on worst-case assumptions, not realistic operating scenarios.

6.2.2 The Appellant's experts (Dr Storey and Ms Hawkins) demonstrate compliance with applicable limits and effective mitigation.

6.2.3 The Council's comparison to Ware Park is misplaced because the context, distances, topography and mitigation opportunities differ materially.

7 Overall Planning Balance

7.1.1 The Council downplays the substantial benefits of the proposal:

7.1.2 Resolution of a critical mineral supply deficit;

- Provision of 100,000 tpa of sand and gravel for 5 years;
- Addressing the lack of concreting sand in Lancashire;
- Reduction of HGV miles and CO₂ emissions;
- Provision of a strategically located inert waste void;
- Economic and employment benefits;
- Biodiversity and restoration benefits;
- Legacy highway improvements.

7.1.3 The Council claims the adverse effects “significantly and demonstrably outweigh” the benefits.

7.1.4 That conclusion is unsustainable and contrary to:

- The NPPF's requirement to attach great weight to mineral extraction;
- The severity of the current landbank collapse;
- The acknowledged absence of local concreting sand supply;
- The out of date status of the adopted minerals policies;
- The material sustainability advantages of the appeal site.

7.1.5 On any fair and lawful application of the tilted balance, the appeal should be allowed.

8 Landscape Considerations

- 8.1.1 Appendix A of this Rebuttal Proof contains a Landscape Statement prepared by ReLandscape Ltd, who produced the original Landscape and Visual Impact Assessment (CD1.12 & CD1.13) and the Landscape Addendum submitted as part of the Regulation 25 Response in March 2026. Appendix A is to be read in conjunction with the aforementioned reports.
- 8.1.2 The purpose of the Landscape Statement is to confirm whether the proposed amendments, consisting of a 30m eastern extension to Phase 1 bund and the increase in height by 1m to the Phase 2 bund, give rise to any new or materially different landscape or visual effects beyond those previously assessed.
- 8.1.3 It is found that the proposed amendments do not alter the magnitude of change, the sensitivity of receptors, or the significance of effects identified within the LVIA. The amendments are localised and do not give rise to any new or materially different landscape or visual effects.
- 8.1.4 The findings of the LVIA and the LVIA Addendum remain robust and valid. An update to the LVIA is therefore not required.

9 Conclusions

9.1.1 This Rebuttal Proof has demonstrated that the Council's case, as set out in its Planning Proof, is materially weakened by four fundamental flaws:

1. It introduces new evidence, new assertions, and new technical positions at Proof stage which were never raised earlier and are nowhere reflected in the signed SoCG;
2. It departs from multiple agreed facts in the SoCG, especially concerning need, inert waste capacity, ecology, and restoration;
3. It advances unsupported or unevidenced claims, including the alleged confirmation from Heidelberg regarding Liverpool wharf imports, without any documentation, consultation response, or operator statement; and
4. It misapplies the tilted balance, giving excessive weight to alleged harms and insufficient weight to the considerable benefits which national policy requires to be given "great weight".

9.1.2 The SoCG makes absolutely clear that the parties agree:

- There is a pressing and demonstrable need for new sand and gravel supply in Lancashire;
- Runshaw Quarry, which holds nearly all remaining reserves, is inactive and subject to imminent cessation under its permission;
- The landbank is collapsing and will fall well below the 7-year NPPF requirement in 2026;
- Only one undetermined application for new reserves exists in the entire County;
- The Appellant's scheme provides an important and needed component of Lancashire's supply; and
- The appeal proposal is acceptable with regard to landscape, ecology, BNG, water environment, agriculture, archaeology, restoration, and aftercare.

9.1.3 The Council's Proof disregards these agreed facts.

9.1.4 The Council's newly-introduced reliance on recycled sands and alternative aggregate sources is not supported by evidence and is directly contradicted by:

-
- Written statements from multiple Lancashire concrete operators (Tarmac, Holcim, Breedon and Moore Readymix);
 - The Appellant's own procurement experience; and
 - Market reality: Lancashire has no indigenous concreting sand and concrete producers do not accept recycled sand for structural concrete.
- 9.1.5 The Council's unsupported assertion regarding Heidelberg allegedly confirming supply from Liverpool wharf carries no evidential weight, as no correspondence or documentation is provided. Even if true, this would actually strengthen the Appellant's case by highlighting Lancashire's reliance on long-distance imports.
- 9.1.6 The Council's introduction of HRA/ecology concerns at Proof stage also contradicts the SoCG, where both parties expressly agreed that ecology was not in dispute. This procedural departure has created unnecessary prejudice and uncertainty in the inquiry process.
- 9.1.7 The Landscape Statement at Appendix A finds that the amendments to the bunding of Phases 1 & 2 (extension to bund by 30m eastwards & increase in height by 1m respectively), does not change the robust and valid findings of the LVIA or LVIA Addendum.
- 9.1.8 Taking into account:
- the SoCG's agreed facts;
 - the Appellant's robust technical evidence;
 - the Council's unsupported late assertions;
 - the material departures from the SoCG; and
 - the correct application of the tilted balance.
- 9.1.9 The planning benefits of the proposal — including providing urgently needed concreting sand, reducing HGV miles, supplying local development, providing essential inert waste void space, and delivering substantial ecological and restoration gains — decisively outweigh any residual adverse effects.
- 9.1.10 On this basis, the appeal proposal clearly satisfies NPPF paragraph 11(d), and the Inspector is respectfully invited to allow the appeal.

Appendix A – Landscape Statement

Landscape Statement – Minor Bund Amendments

Proposed Sand and Gravel Extraction, Land off Bourbles Lane, Preesall

1. Introduction

This Landscape Statement has been prepared to consider the landscape and visual implications of minor amendments to the design of bunds associated with the proposed development.

This statement should be read in conjunction with the submitted Landscape and Visual Impact Assessment (LVIA) (July 2023) and the LVIA Addendum (February 2026), which includes an assessment of seasonal variation and winter (worst-case) visibility.

The purpose of this statement is to confirm whether the proposed amendments give rise to any new or materially different landscape or visual effects beyond those previously assessed.

2. Description of Amendments

The amendments comprise:

- A localised extension of the Phase 1 bund adjacent to Bourbles Lane by approximately 30m to the east, with no change in height; and
- A localised increase in height (approximately 1m) to the Phase 2 bund located within the enclosure formerly use for the raising of fowl opposite Bourbles Farm.

The amendments are limited in extent and scale and do not alter the overall design principles, phasing, or function of the bunding strategy.

3. Relationship to the LVIA and Addendum

The LVIA identifies soil bunds as an inherent and necessary component of the proposed development, forming part of the operational and mitigation strategy. Their presence, extent and height have been fully considered within the assessment of effects.

The LVIA is based on a robust and realistic worst-case scenario, which takes account of:

- The maximum extent and height of bunding;
- The phased nature of the development; and

- The potential visibility of bunds across the study area.

The LVIA Addendum confirms that the assessment appropriately accounts for seasonal variation, including reduced vegetation cover during winter months, and therefore reflects a worst-case representation of visibility.

The Addendum concludes that:

- There may be localised increases in visibility under winter conditions;
- Bunds would remain low-level, localised features, typically seen within the context of an open agricultural landscape; and
- There would be no material change to the magnitude or significance of effects previously identified.

4. Assessment of Amendments

The proposed amendments do not introduce any new elements or alter the fundamental characteristics of the development assessed within the LVIA.

Phase 1 Bund Extension

The extension of the Phase 1 bund represents a minor horizontal adjustment to a feature already assessed.

In landscape and visual terms:

- The bund would be perceived within the same baseline context and receptor relationships as previously assessed;
- The extension does not materially alter the scale, form, or continuity of the bund within views; and
- The extent of development remains within the parameters of the worst-case scenario considered in the LVIA.

Phase 2 Bund Height Increase

The localised increase in height (approximately 1m):

- Is confined to a limited and contained part of the site;
- Would be experienced in the context of existing agricultural land uses, field boundaries and enclosure features; and
- Does not materially alter the apparent scale or prominence of the bund within views.

5. Implications for Assessment of Effects

In accordance with GLVIA3, the significance of landscape and visual effects is derived from the interaction between receptor sensitivity and the magnitude of change.

The proposed amendments do not alter:

- The baseline conditions against which the assessment was undertaken;
- The sensitivity of landscape or visual receptors;
- The geographical extent, duration or reversibility of effects; or
- The scale or nature of change arising from the development.

Accordingly, the magnitude of change remains as assessed in the LVIA.

The LVIA Addendum confirms that even under winter (worst-case) conditions, the development would:

- Occupy a limited proportion of views; and
- Be perceived as a localised feature within an existing agricultural landscape context.

The amendments do not materially alter this position.

It follows that the significance of landscape and visual effects remains unchanged from that reported in the LVIA.

6. Conclusion

The proposed amendments to the bunds are minor and localised and do not give rise to any new or materially different landscape or visual effects.

They do not alter:

- The magnitude of change;
- The sensitivity of receptors; or
- The significance of effects identified in the LVIA.

The findings of the LVIA and LVIA Addendum therefore remain robust and valid.

No update to the Landscape and Visual Impact Assessment is required.