

**Rebuttal to Proof of Evidence by Dr Robert Storey for the Appellant, from David Gray, on behalf of Lancashire County Council, in respect of noise.**

1. At planning, the original noise assessment [CD1.21] did not adequately assess the significance of noise impacts at existing sensitive receptors and thus recommendations for mitigation were not appropriate. This was the position of AtkinsRéalis upon originally providing technical advice to the Council [CD2.22] on the original planning application, prior to the Council's Regulation 25 request for further information. AtkinsRéalis services were not engaged further prior to planning decision.
2. Subsequent to the refusal, AtkinsRéalis were engaged by the Council to undertake a technical review of application document CD3.05 and maintained the opinion that the assessment remained unsuitable, understating potential noise impacts of the proposed development and not fully considering noise mitigation options.

**After submission of PoEs**

3. The Proof of Evidence submitted by Dr Robery Storey (for the Appellant) includes further mitigation options for consideration by the Council and Planning Inspector. Furthermore, the Proof of Evidence of Simon Rees (for the Appellant), presents new phasing drawings and cross sections dated March 2026.
4. This new information supersedes that upon which my Proof of Evidence was based.
5. At the request of the Council, and given the time available, I have undertaken a high level review of this new information.
6. My professional opinion is that the technical inadequacies pertaining to document CD3.05 have been broadly addressed in Dr Storey's recommendations for noise

mitigation, and that with these mitigation measures in place, noise levels during normal operations would be no higher than background +10dB at all nearby receptors.

7. However, I disagree with Dr Storey's conclusions in paragraph 7.14 of his Proof of Evidence regarding noise from temporary works; namely those immediately to the south of 'Woodlands' in Phase 1. Whilst Dr Storey correctly acknowledges and accepts that the higher temporary noise limit should not apply to the mineral extraction under the proposed bund to the south of 'Woodlands', no evidence has been presented to confirm that the 'normal' 50 dBA limit could be achieved with closed boarded fencing, as proposed. Additionally, no specification in terms of barrier height or location of the barrier has been provided. My own calculations suggest that even with screening, the 50 dBA limit would likely be exceeded by up to approximately 8dB.
8. Notably, paragraph 7.6 of Dr Storey's Proof of Evidence suggests that a setback distance of 90m is required to not exceed the 50 dBA limit, whilst the proposed extraction under the bund is approximately 15m from 'Woodlands'. It is not clear whether this setback distance includes the reduction from screening. However, my own calculations suggest that even with screening, a setback distance of up to approximately 90m, as suggested by Dr Storey, would be required, depending on the barrier height. This distance would therefore exclude excavation under the bund in Phase 1 which is at approximately 15m from 'Woodlands', therefore contradicting Dr Storey's own findings and recommendations.
9. For clarity, there is no policy basis for accepting exceedance during extraction under the bund as this constitutes normal works.
10. My remaining concern is therefore principally confined to the proposed extraction works immediately south of 'Woodlands' during Phase 1, prior to permanent mitigation being in

place. Subject to resolution of this issue, I agree that the revised mitigation strategy broadly addresses the Council's previous concerns.

### **Conclusions**

- Dr Storey's proposed mitigation measures are an improvement to the previous submission, particular for normal works.
- I disagreed with the findings of Dr Storey's Proof of Evidence in relation to excavation under the bund location to the south of 'Woodlands' in Phase 1, with my evidence suggesting the 50 dBA limit would likely be exceeded, even with screening in place.
- No quantified evidence is provided to demonstrate that the proposed closed-boarded fencing would achieve sufficient attenuation to enable compliance with the normal site noise limit at Woodlands. In the absence of barrier height, relative source-receiver geometry, or calculated insertion loss, compliance cannot be demonstrated.