

# Regulatory Committee

## Dorset County Council



Date of Meeting	15 September 2016
Officer	Matthew Piles, Service Director - Economy
<b>Subject of Report</b>	To consider planning application No. WD/D/15/001057 under Schedule 1 Paragraph 1 of the Town and Country Planning Act 1990, in West Dorset District Council for Extension of the quarry to the north to provide additional silt lagoon capacity and for the erection of an aggregate bagging plant, at Woodsford Farm, Woodsford, Dorchester, Dorset for Hills Quarry Products Ltd.
Executive Summary	The report considers a planning application for the extension of the quarry to the north to provide additional silt lagoon capacity and for the erection of an aggregate bagging plant.
Impact Assessment:	Equalities Impact Assessment: This report concerns the determination of an application for planning permission and not any changes to any new or existing policy with equality implications.
	Use of Evidence: The recommendation has been made after consideration of the application and supporting documents, the relevant development plans, government policy, legislation and guidance, representations and all other material planning considerations as detailed in the main body of the report.
	Budget: Generally the determination of applications will not give rise to any budget implications for the Committee.
	Risk Assessment: As the subject matter of this report is the determination of a planning application the County Council's

	approved Risk Assessment methodology has not been applied.
	Other Implications: None
Recommendation	That planning permission be granted subject to the conditions set out in paragraph 9 of this report.
Reason for Recommendation	The reasons for granting planning permission are set out in full in paragraph 6.68 – 6.75
Appendices	1. Location Plan 2. Restoration Plan 3. Site Plan
Background Papers	PA File WD/D/15/001057  NB: Copies of representations may be inspected in the Environment and Economy Services Directorate and will be available for inspection in the Committee Room prior to the meeting.
Report Originator and Contact	<b>If you have any queries on this report please contact Name: Mr Rob Jefferies</b>  Tel: (01305) 224279 Email: r.w.jefferies@dorsetcc.gov.uk

## 1. Background:

- 1.1 This application was received by the Mineral Planning Authority (MPA) on 22<sup>nd</sup> April 2015 and seeks to extend the quarry to the north to provide additional silt lagoon capacity and to erect an aggregate bagging plant within the existing plant site.
- 1.2 A separate planning application (WD/D/15/001058) was also submitted to the MPA on 22<sup>nd</sup> April 2015 and is the subject of a separate report to this Regulatory Committee. Planning application WD/D/15/001058 seeks the variation of conditions 4 (Adherence to Approved Plans and Details), 11 (Noise Scheme and Limits), 15 (Prevention of Import of Material) and 21 (Restoration and Aftercare) of planning permission 1/E/2005/0742. Planning Permission 1/E/2005/0742 is the original planning permission for the site and permits the extraction of 3 million tonnes of sand and gravel over a twenty year period. Works commenced on site in 2009.

- 1.3 Planning applications WD/D/15/001057 (the subject of this report) and WD/D/15/001058 are separate stand alone applications, but particular elements of WD/D/15/001058 will facilitate the extension of the quarry as detailed in this report.
- 1.4 This application proposes additional silt lagoon storage. The system of lagoons is designed to allow silt to settle out of water used in the washing plant before it is pumped back to the plant in a closed loop system for re-use. The applicant has stated that from early on in the operation of the quarry, an issue was identified with the settlement characteristics of the reserve which result in an extended settlement time before water is able to be pumped back to the washing plant for re-use. A related issue is that of lagoon capacity. The existing lagoon has approximately 30,000m<sup>3</sup> of silt capacity remaining but, based on original reserve calculations, there is a further 218,000m<sup>3</sup> silt capacity still required to process the remaining material.
- 1.5 Additional lagoons were originally proposed to be sited immediately to the east of the existing lagoon. However, this area has been used for the stockpiling of material since the quarry first became operational as the size of the proposed stockpile area was not sufficient. The stockpiling of material in this location is contrary to conditions imposed on the original permission for the site. The applicant is seeking to regularise this issue through Planning Application WD/D/15/001058 to allow the area immediately to east of the existing lagoon to continue to be used for the stockpiling of mineral. Notwithstanding the above, the application states that having regard to safe stand off distance from the existing lagoon, the area originally identified for additional lagoons is not of sufficient size to accommodate the silt from the remaining deposit.
- 1.6 The proposed bagging plant is intended to replace that which has historically operated out of Warmwell Quarry, located immediately to the south of Woodsford Quarry. The bagging plant facility at Warmwell Quarry ceased operation in July 2016 following the closure of the quarry. An email from the applicant's agent was received by the MPA on 20<sup>th</sup> June 2016 stating -

*"Hills were hoping that the two planning applications for Woodsford Quarry would have been determined at committee this June. Part of the push to have the applications determined in June was the need to progress the development of the bagging plant. At present there is a bagging plant in Warmwell Quarry operated by Day Aggregates. Day are due to vacate this site in late June / early July and relocate to Woodsford. The inability to do so will result in job losses. It is therefore necessary, to avoid these job losses, to operate the temporary bagging plant in Woodsford until the two planning applications at Woodsford are determined at planning committee."*

*"The attached plan shows the proposed temporary bagging plant, which is located within the footprint of the bagging plant subject to the current planning applications. The temporary bagging plant will consist of concrete paving in the areas of the aggregate storage bays and the footprint of the production building, subject to the planning applications. These two areas will be used for the storage of aggregates and bagged aggregates, as required. The 1 tonne and a 25 tonne capacity bagging plants will be used to bag the aggregate. Works to the temporary bagging plant are due to commence on Wednesday 22<sup>nd</sup> June 2016."*

*As proposed in the planning applications, aggregate will be delivered from the quarry, or to site, by HGV and stored within the area shown on the attached plan. A loader will be used to load the aggregate into the bagging plants. The bagged aggregate will be stored on the paved areas and moved and loaded onto HGVs using a forklift.*

*The Mineral Planning Authority will be notified once the temporary bagging plant is operational. Within 2 weeks of this date, noise will be measured during the operation of the plant and the quarry to assess compliance with the proposed noise limits in Section 11 of the attached noise assessment. It is proposed that the noise measurements will be taken at monitoring points 5, 4A and 6 in Appendix C of the attached noise assessment. The results of the noise assessment will be submitted to the Mineral Planning Authority within 1 week of measurement.*

*Should planning permission not be granted for the bagging plant, it will either be removed or a new/revised planning application will be submitted.”*

- 1.7 The MPA have responded acknowledging the commitment of the applicant to either remove the temporary plant or submit a revised application should this application be refused. It was also highlighted that the works would be carried out entirely at their own risk.

- 1.8 A subsequent email was received by the applicant’s agent on 21<sup>st</sup> July stating

*“a temporary bagging plant has been in operation, as a stop gap, until the planning applications could be decided at the July planning committee. As these applications were going forward with a recommendation for approval and in light of the lack, in my view, any planning reason to refuse these applications, the construction of the building to house the bagging plant was contractually due to commence in August. A failure to meet this contract would have a significant cost implication which could result in the bagging plant becoming financially unviable resulting in job losses.*

*Should planning permission not be granted for the bagging plant, it will either be removed or a new/revised planning application/request under the GPDO will be submitted immediately.”*

## **2. Site Description:**

- 2.1 Woodsford Quarry is located some 6km east of Dorchester, on the south side of the valley of the River Frome, the river itself being 600m north of the site. The village of Woodsford lies 350m north of the site and the larger settlement of Crossways is 600m to the south. The quarry complex extends over 150 ha which is being worked in phased manner within a broad strip approximately 500 metres wide in a west to east direction parallel to the river. The total extraction area is approximately 3km long. Vehicular access to the site is off Highgate Lane (the Crossways to West Stafford Road), immediately to the west of the level crossing. The plant and processing area are situated at the western end of the site. Ground levels across the site are relatively flat with the area comprising agricultural land, in large fields with few ‘internal’ hedges and a limited number of trees. On its southern edge the site is bounded by agricultural land and the Weymouth to Waterloo railway line, whilst to the

north the boundary is formed by the C33 West Stafford to Moreton road. The Woodsford to Crossways road runs north-south through the site and effectively splits it into two equal parts.

- 2.2 The proposed lagoon extension comprises a relatively flat agricultural field located immediately to the north-east of the existing plant site. The proposed extension area extends to 12.4 ha.
- 2.3 The proposed bagging area comprises a rectangular site measuring 100 x 60 metres. It is situated within the existing plant site, to the north of the office and weighbridge.
- 2.4 The nearest dwellings to the proposed extraction area are Castle Cottages, located approximately 145 metres to the north east of the application site and Watermead Cottage, located approximately 300m to west. The nearest dwellings to the proposed bagging plant are Watermead Cottage, located approximately 300m to the north west and Castle Cottages, approximately 560 metres to the north east.
- 2.5 A public footpath crosses the eastern corner of the proposed lagoon extraction area.
- 2.6 The site is outside the Dorset AONB and there are no ecological designations within the site. The River Frome and its banks are designated as an SSSI.
- 2.7 Woodsford Castle, a grade 1 listed building, is situated approximately 380 metres to the north east of the application site.

### **3. The Proposal**

- 3.1 The application comprises two distinct elements – the extension of the quarry to provide additional silt lagoons and the erection of an aggregate bagging plant.
- 3.2 The proposed quarry extension would entail the extraction of approximately 370,000 tonnes of sand and gravel over a 1 year period to form the additional silt lagoons. It is anticipated that the proposed lagoons would then provide approximately 100,000m<sup>3</sup> of silt capacity.
- 3.3 Sand and gravel would be extracted using the same plant as is currently used within the existing quarry. The mineral would be extracted by excavator with a front loader depositing material into a mobile screener at the end of a field conveyor. The field conveyor would link to the existing field conveyor which takes materials back to the plant site for processing. An additional temporary stockpile, for a two year period, is proposed to be located immediately to the south, between the proposed extraction area and the existing field conveyor. The applicants state that this stockpile is required for a temporary period as there is insufficient storage capacity within the remainder of the existing site (including the extended stockpile area proposed under Planning Application WD/D/15/001058).
- 3.4 Extraction of sand and gravel deposits would take place to a maximum of 3 metres depth. Soil and overburden would be used to form a 5 metre high bund around northern, eastern and western boundaries of the application site. This bund would have 1:5-6 outer slope and 1:4 inner slope. A 5 metre

minimum buffer zone would then be retained between the toe of the bund and the perimeter of the adjacent hedgerows. The proposed bund would be sown with a seed mix to be agreed with the Mineral Planning Authority and the vegetation managed throughout the life of the quarry.

- 3.5 Following cessation of quarrying operations the lagoons would be allowed to dry, field drains added, bunding material spread across the site and the land restored and returned to agricultural use.
- 3.6 Extraction within the existing quarry phase would cease and then resume following the completion of extraction from within the proposed lagoon extension area.
- 3.7 The proposed bagging plant comprises of filled pallet and bulk bag storage areas, aggregate storage bays, production building, site office/mess, storage area and parking area.
- 3.8 The proposed production building measures 16 x 26 metres and is 6 metres in height. The site office consists of two portable cabin style units which together measure 4 x 12.5 metres and 6 metres in height.
- 3.9 Approximately 70% of the aggregates to be bagged would be sourced from Woodsford Quarry. The remaining 30% would be imported to the site for bagging. The bagged aggregate would then be taken in bulk, to construction materials suppliers, for resale.
- 3.10 The application states that the development would not lead to a change in outputs from the quarry and so would not significantly increase HGVs using the local road network. HGVs importing aggregates to the site for bagging would 'back haul' aggregate from Woodsford on their return journey. Up to 5 HGVs per day would be associated with the export of bagged aggregates from the site. All HGVs would use the purpose built vehicular access onto the public highway.
- 3.11 Working hours for the proposed operations would follow the same working hours of the existing quarry. These principally restrict operation to 0700 – 1900 Monday to Friday and 0700 – 1300 on Saturdays. Exceptions include operations to maintain the safe working of the quarry, essential maintenance and plant testing and water pumping. The loading of vehicles is additionally permitted within the plant site only, between the hours of 0600-0700 Monday to Saturday.

#### **4. Consultations and Representations**

The application was advertised in the local press and by site notices and by 99 neighbour notification letters. Three letters of representation have been received. In addition, a petition signed by 8 local residents has been received stating that the signatories support Knightsford Parish Council's efforts to ensure that Woodsford Quarry minimises the noise of its operations and improves the landscaping around the site.

- 4.1 One representation seeks confirmation that the Tenantrees to Woodsford Road, that is situated to the north of the site and is part of the National Cycling Network, will not be used by quarry traffic.

- 4.2 The owners of Woodsford Castle (The Landmark Trust) have objected to the proposal stating that the development site will be visible from the castle, especially during winter months when trees are bare. The objection highlights that no heritage assessment was initially submitted with the application and that they had only been notified of the development by a neighbour rather than through the correct channels of neighbour consultation. It states that the proposals will undoubtedly cause material harm to the setting of this Grade 1 listed building and that the requirement to assess alternative sites has been overlooked.
- 4.3 A further objection has been received to the proposed extension but not to the proposed bagging plant. The objection questions why the applicants did not foresee the need for additional silt lagoons before they submitted their original application. It is stated that the applicant has made a series of mistakes in their calculations to justify the volume of lagoon space required resulting in a dramatic under-estimate of the silt lagoon capacity they require. The representation includes an assessment of the calculations submitted by the applicant and where these calculations are considered to be incorrect. The objection also states that there is little information within the application as to why further lagoons cannot be placed within the existing application site. The representation considers that the development will degrade the landscape and have a detrimental visual impact on the locality with the proposed mitigation bunds making the situation worse. It is stated for these reasons the proposal does not accord with development plan policy.
- 4.4 **West Dorset District Council** – No objection
- 4.5 **West Dorset District Council (Environmental Health)** – No objection
- 4.6 **Knightsford Parish Council** – Knightsford Parish Council have objected to the proposal on a number of grounds. Independent reports have been commissioned by the Parish Council in respect of noise and archeaology. The objections of the Parish Council are summerised as follows:-

Noise – The Parish Council propose a limit of 43dB at Watermead Cottage. The proposed 48db limit at Watermead Cottage exceeds the background noise level by more than 10dB contrary to the guidance in the National Planning Policy Framework. The NPPF states that operators should identify proposals to minimise, mitigate and remove noise emissions at source which the applicants have not done – an example being the fitting of acoustic screening around the barrel washer. A cumulative noise assessment for the extraction of mineral from the lagoon, the bagging plant and existing operations has not been undertaken. The independent report commissioned by the Parish Council criticises the methodology used within the applicants noise reports and considers that the predicted noise levels are inaccurate with the result that noise levels are being under estimated. Whilst it is acknowledged that the use of smart alarms is a step in right direction it is requested that the applicant takes the extra step of using the latest radar activated reverse alarms.

Silt Lagoon Location – The application proposes locating the proposed lagoons in an unpermitted field north of the processing plant where they will be closer to noise and visual sensitive residences, replaces top grade agricultural land, have an amenity impact on cycle routes and impact upon the historical setting of Woodsford Castle. The Parish Council consider that there

is a better location south of the processing plant where none of these impacts apply. The presence of a legal agreement between the applicant and the landowner should not be a reason for discounting the siting of the lagoons to the south of the processing plant.

Silt Lagoon Sizing – The sizing calculations are not clear and should be clarified.

Restoration – Object to the applicants request that details of restoration of land to the north of the existing conveyor be submitted after the planning application has been granted. The applicants have a history of avoiding restoration despite there being planning conditions in place. The proposed location of the grey sand stockpile will further delay restoration and this stockpile should be located elsewhere.

Historic Environment – An independent report has been commissioned by the Parish Council. The report criticises the quality, methodology and the conclusions reached within the heritage assessment submitted in support of the application. The report concludes that:

- (a) there are sufficient grounds to suspect likely material harm to the setting of a Grade 1 listed building.
- (b) the full cultural heritage effects (and magnitude of such effects) of the proposals have not yet been properly assessed.
- (c) there are weighty legal impediments to the County reaching a planning decision before all cultural heritage shortcomings of the applications have been rectified and a well-informed planning balance identified.

4.7 **Highway Liaison Engineer** – No objection.

4.8 **Environment Agency** – No objection subject to conditions and informatives.

4.9 **Natural England** - No objection subject to a condition for providing a detailed biodiversity mitigation and enhancement plan, or equivalent, to support submitted restoration plan. The biodiversity mitigation plan should be approved by the Dorset County Council's Natural Environment Team and be implemented in full.

4.10 **Historic England**

The proposed extension to the Woodsford Farm Quarry will have some detrimental impact on the setting of Woodsford Castle (Grade I). The information within the 'Heritage Impact Assessment' suggests that due to existing screening around the site the visual impact of this change will be limited, however there will no doubt be some harm to the character of the landscape through other sensory experiences, such as noise and dust levels. As required by paragraph 134 of the NPPF, this harm must be appropriately weighed against the public benefits of the scheme. Also necessary to ensure that the justification for the extension in this location has been appropriately considered. At present no alternative locations for the scheme have been submitted or reviewed. Where such alternative locations may exist to provide an equal level of public benefit the justification for harm to the setting of the Grade I heritage asset will be reduced.



#### 4.11 **Senior Landscape Officer**

##### “Overall landscape and visual impact issues

Factors which help to mitigate against potential landscape and visual impacts include the following:

1. Phased restoration; this is already taking place and is therefore helping to minimise the time when there is on going gravel extraction activities in this area. It helps to achieve in a timely manner the agreed restoration scheme back to agriculture and nature conservation uses.
2. Opportunities for further advanced native tree and shrub planting e.g. copse planting and hedgerow restoration around site boundaries near footpaths routes, will continue to be sought and addressed in the LEMP (Landscape & Ecological Management Plan). This plan will ensure that a comprehensive approach is taken to the restoration and ongoing management of landscape and ecological features.
3. Limiting stockpile heights to 5m and ensuring they are located as far west within the site as possible helps reduce their landscape and visual impact. They are then seen associated with the main operational activity areas of the site, away from the open agricultural landscapes and are seen against other vertical elements in the landscape setting on the area such as Herons Copse.

##### Woodsford Lane

The landscape and visual impacts from this lane will be moderate to slight as it mitigated by the proposed bunds. Although these bunds will have some adverse impact in their own right, the design and positioning of them will reduce this impact to an acceptable level and help integrate the development. The outer slopes of the bund will have a relatively shallow 1:6 profile and the highest point of the bund (5m) will be 30-40m from the lane. Views from open field access gaps in the lane side hedgerow and winter views will be more obvious. However this is not expected to be a significant impact on this national cycle network route as views will mostly be sequential as people move along the route with any views being sought after, glimpsed and peripheral rather than direct. The bunds will help to remove from sight the operational activities and may help mitigate against any noise impacts although I have not assessed this later potential aspect of the works. Opportunities to enhance the ecological and floristic interest of these bunds so there is some biodiversity enhancement albeit temporary, will be considered and addressed.

The temporary nature of the scheme, 13 years, also helps to mitigate the long term permanent impacts on this rural lane.

##### Woodsford Castle

This is a significant Grade 1 Listed building and it is therefore important that its setting and context are considered. Based on an assessment of the application documents and an initial assessment from public viewpoints adjacent to the property, the lane itself, I feel that the development would have a slight to moderate impact on the setting and context of the castle. From these viewpoints at ground level in the summer months, it is not possible to see the site. However in the winter it may be possible, albeit at a distance, that the site and development may be visible through the tracery of winter branches and stems when not in leaf. The existing trees and roadside hedgerows along the south side of the lane in particular create an effective landscape feature and help to screen views from these locations adjacent to the castle.

Private views from within the property have not been assessed. There are some important, large evergreen mature trees in the castle grounds which contribute to its character and setting and due to their position, are likely to

help mitigate any glimpsed views in the direction of the site. Based on my outline assessment I feel that it would be difficult to agree that the proposed works would have a significant adverse and long term impact on the sites landscape setting and on its visual amenity. This is based on the fact the development would be temporary and it is some distance away from the immediate setting of the castle and its grounds.”

4.12 **Natural Environment Manager** -

No objection to the proposals subject to the following recommendations, captured in a Landscape and Ecology Management Plan, (LEMP) to complement the Restoration Plan for the site. The LEMP should include:

- Management of the quarry bunds to maximise their biodiversity for the length of the permission.
- Mitigation for loss of a mature oak tree through additional planting which will also contribute to biodiversity gain through enhancement.
- An agreed plan for number and location of bat and bird boxes.
- A clear programme of management for hedgerows and margins.
- Mitigation method statements for protected species; bats and badgers.

4.13 **Senior Archaeologist** – No objection subject to condition.

4.14 **Flood Risk Management Engineer** – No objection

**5. Planning Policy Framework**

5.1 Applications for planning permissions must be determined in accordance with the development plan unless material considerations indicate otherwise. The development plan includes the Bournemouth, Dorset and Poole Minerals Strategy (2014) and the saved policies of the Dorset Minerals and Waste Local Plan (1999). The term ‘*material considerations*’ is wide ranging, but includes national and emerging planning policy documents. Material to the current application is the *National Planning Policy Framework* (the NPPF) issued in March 2012 which sets out the Government’s planning policies for England and how these are expected to be applied and the associated online Planning Practice Guidance.

5.2 Bournemouth, Dorset and Poole Minerals Strategy (2014):-

- SS1 – Presumption in Favour of Sustainable Development.
- SS2 – Identification of Sites in the Mineral Sites Plan.
- AS1 - Provision of Sand and Gravel
- RS1 – Restoration, Aftercare and Afteruse of Minerals
- DM1- Key Criteria for Sustainable Mineral Development
- DM2 – Managing Impacts on Amenity
- DM3 – Managing Impact on Surface Water and Ground Water Resources
- DM4 – Protection and Enhancement of Landscape Character and the Countryside
- DM 5 – Biodiversity and Geological Interest
- DM7 – The Historic Environment
- DM8 Transport and Minerals Development

5.3 Dorset Minerals & Waste Local Plan, 1999 (DM&WLP):-

- Policy 6 - Relating to applications outside the Preferred Areas
- Policy 16 – Applications for the Winning and Working of Gravel Outside Preferred Areas.

#### 5.4 Other Material Considerations

The National Planning Policy Framework (NPPF) relevant to this application comprises paragraph 14 and sections:-

- 1 (Building a strong, competitive economy)
- 4 (Promoting sustainable transport)
- 10 (Meeting the challenge of climate change, flooding and coastal change)
- 11 (Conserving and enhancing the natural environment)
- 12 (Conserving and enhancing the historic environment)
- 13 (Facilitating the sustainable use of minerals).

### 6. Planning Assessment:

#### 6.1 The principal issues relating to this application are as follows:-

- Whether the development is acceptable in principle.
- The landscape impact of the proposed development.
- The impact of the proposal on heritage assets.
- The noise impacts of the proposed development.
- The Agricultural Land Classification of the application site
- The impact on the highway network
- The ecological impacts of the proposal
- The impact on ground and surface waters
- The impact of dust emissions generated by site operations.

#### 6.2 Principle of Development

The proposed lagoons would be located immediately to the north of the existing quarry outside of the Preferred Area for sand and gravel extraction as defined within the DM&WLP. Outside of Preferred Areas, Policy 16 of the DM&WLP states that planning permission will only be granted where the development meets all the requirements of Policy 6 and the development would provide significant planning and environmental gains compared with similar development within a preferred area. Policy SS2 of the BD&PMS states that permission will be granted for unallocated (windfall) sites where it can be demonstrated that there is a need that cannot be met within allocated sites and would not prejudice the delivery of allocated sites.

#### 6.3 Representations have been received that question the need, size and location of the proposed lagoons and which question whether the proposal is simply a means to extract further reserves of sand and gravel.

#### 6.4 Following commencement of mineral in extraction in 2008, the quarry still has approximately 3,700,000 tonnes of remaining reserve. Given the scale of this remaining reserve and the supporting information detailing the need for the lagoon for the processing of remaining mineral, I consider that it is reasonable to conclude that obtaining an additional 370,000 tonnes of sand and gravel is not the primary reason for the proposed extension.

- 6.5 Calculations have been submitted by the applicant indicating the amount of lagoon capacity that is required to process the remaining permitted reserves. The accuracy of these calculations has been queried and further information and corrections have been submitted by the applicant. In assessing the information submitted in support of the application it is considered that lagoons of the proposed size are needed to allow the continued processing of the remaining reserve.
- 6.6 Having regard to the location of the proposed lagoon the applicant has outlined a number of reasons why constructing the lagoons in an alternative location would not be appropriate. The original planning permission for the quarry highlighted an area to the east of the existing lagoons as an area for future silt lagoons. Since the commencement of quarry operations this area has been used for the stockpiling of mineral contrary to a planning condition of the original permission which sought to restrict stockpiling mineral to within the plant site. It has been apparent from an early stage of the quarry development that the plant site alone did not provide sufficient area for the storage of mineral required to properly work the quarry and supply the market effectively. The planning merits of permitting the stockpiling of material to remain within this southern stockpile area are considered under planning application 1/D/15/001058. The report concludes that the visual and landscape impacts of the southern stockpile area are acceptable subject to restrictions on their height. On this basis it is considered that the proposed southern stockpile area does not readily lend itself to the construction of further lagoons at this time in the development of the quarry.
- 6.7 The construction of lagoons within the existing active phases or restored areas to the east have also been discounted by the applicant. It is stated that it is not practical to relocate the existing conveyor and haul roads in order to allow sufficient area for the proposed lagoons. In addition it is noted lagoons in this location would have to be lined with clay. This material would either have to be imported or come from the quarry itself, which in turn could result in restoration at a lower level than would be suitable for its intended agricultural afteruse.
- 6.8 Further phases of mineral extraction to the south of the existing lagoons are approved as part of the existing planning permission for the site. Representations have been received questioning why this area cannot be used for additional lagoon capacity. The applicants have stated that a legal agreement exists between the operator and the landowner that excludes development for a number of years.
- 6.9 Having regard to the above, I am satisfied that the applicant has considered potential alternative locations and has justified their preferred arrangements.
- 6.10 In conclusion, whilst outside of a preferred area for sand and gravel extraction, it is accepted that the extraction of the mineral deposit is primarily required to enable the construction of lagoons and is not driven by the requirement to obtain mineral. The scale of extraction is considered appropriate to the required need for silt storage capacity and having regard to the constraints of developing the lagoons in other areas of the site, the proposed location would not seem inappropriate subject to other material planning considerations. The acceptability of the proposals having regard to the various criteria of policy 6 is detailed in the following paragraphs. The

proposal is therefore seen to accord with policy 16 of the DM&WLP and Policy SS2 of the BD&PMS.

6.11 Landscape

Policy DM4 of the BD&PMS states that minerals development will only be permitted if the proposal includes provisions to protect and/or enhance the quality, character and amenity value of the countryside and landscape. Development which affects the landscape will only be permitted if it can be demonstrated that any adverse impacts can be:

- i) avoided; or
- ii) where an adverse impact cannot be avoided, the impact will be adequately mitigated; or
- iii) where adverse impacts cannot be avoided or adequately mitigated, compensatory environmental enhancements will be made to offset the residual landscape and visual impacts.

6.12 Paragraph 109 of the NPPF states that the planning system should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes.

6.13 The proposed bagging plant is situated within the existing plant site. This part of existing quarry complex benefits from a significant degree of existing high level mature vegetation and screening bunds. This will ensure that the visual and landscape impacts of this aspect of the development are mitigated to an acceptable level.

6.14 The landscape and visual impacts associated with the development of additional silt lagoons will be a combination of the temporary excavation/engineering works, the lagoons themselves and the proposed bunds.

6.15 The initial construction/engineering phase within the lagoon extension area will be relatively short in duration and will principally involve the stripping of topsoil and subsoil to form the continuous bund that will extend around the northern, eastern and western boundaries of the site. Once this bund is completed operations within the lagoon extension area, including the extraction of sand and gravel over a 1 year period, will be well screened from views within the surrounding area. The exception being those views from the public footpath that crosses the south eastern corner of the site. The visual impact from this section of footpath will be significant but the impacts will occur over a short section of path and will not adversely impact upon the route as a whole. Following the initial bund construction and extraction phase, operational works within the lagoon area will be limited to routine inspections and maintenance. It is considered that owing to their short duration and the presence of the screening bund, the landscape and visual impacts of the initial construction and extraction phases of the operation will not be unduly visually intrusive or detrimental to the landscape character of the area.

6.16 Topsoil and subsoil from within the proposed lagoon extension area will be stripped and used in the formation of a 5 metre high bund that will be constructed around the site. To minimise the visual and landscape impact of this feature it is proposed that its outer slopes will be reduced to 1:5 - 1:6. In addition, a 5 metre stand-off is proposed between the hedgerow and woodland that encloses the site and the toe of the bund itself. The principal public views of

the bund will be from Woodsford Lane that runs along the northern boundary of the site and from the public footpath to the east. When viewed from the road, the crest of the proposed bund will be approximately 30 metres from the road. A mature hedgerow also exists between the road and the application site. The bund will be sown to grassland and maintained to maximise its biodiversity value throughout the life of the site. Upon cessation of quarrying works the bund will be used to restore the lagoon extension area to agricultural afteruse.

- 6.17 Views from users of the highway to the north would be oblique and transitory in nature as users pass along the road. The presence of the mature hedgerow that runs along the northern boundary of the site would also largely obscure views of the bund with the exception of a view through an existing gateway. The footpath that runs in the adjacent field to the east of the proposed lagoon area presents more open views of the bund. Again a mature hedgerow exists between the footpath and the bund which reduces the impact from this location. This section of footpath is relatively short before it continues south through the existing quarry complex.
- 6.18 It is considered that public views of the proposed development from within the wider landscape are limited with a mature belt of trees to the north and west and mature hedgerows and groups of trees to east and south.
- 6.19 Having regard to the outer gradient of the bund, its overall height and the presence of screening vegetation, it is considered that the proposed bund will not result in a feature that is unduly intrusive or discordant having regard to its visual impact and landscape setting.
- 6.20 The proposal is therefore seen to be in accordance with Policy 4 of the BD&PMS and paragraph 109 of the NPPF.
- 6.21 Noise Impacts  
Noise associated with the construction and operation of the proposed bagging plant, the construction of the bunds and the extraction of mineral to form the lagoons have the potential to adversely impact upon the amenity of nearby noise sensitive premises during the construction phase of this development.
- 6.22 Policy DM2 of the BDPMS states that in relation to mineral facilities applications will only be permitted where any significant adverse effects, whether individually or cumulatively, can be satisfactorily alleviated with appropriate and acceptable mitigating measures.
- 6.23 Paragraph 28 of the NPPF Technical Guidance makes it clear that minerals planning authorities should ensure that unavoidable noise emissions are controlled, mitigated or removed at source. It further recognises that MPAs should also establish appropriate noise limits for extraction in proximity to noise sensitive properties.
- 6.24 Paragraph 30 of the NPPF Technical Guidance states that subject to a maximum of 55dB(A)LAeq, 1h (free field), mineral planning authorities should aim to establish a noise limit at the noise-sensitive property that does not exceed the background level by more than 10dB(A). It is recognised, however, that in many circumstances it will be difficult to not exceed the background level by more than 10dB(A) without imposing unreasonable burdens on the mineral operator. In such cases, the limit set should be as

near that level as practicable during normal working hours (0700-1900) and should not exceed 55dB(A) LAeq, 1h (free field).

- 6.25 Paragraph 31 of the NPPF Technical Guidance states that all mineral operations will have some particularly noisy short-term activities such as soil stripping and the construction and removal of baffle mounds that cannot meet the limits set for normal operations. It is noted that these activities can bring longer-term environmental benefits. Accordingly increased temporary daytime noise limits of up to 70dB(A) LAeq 1h (free field) for periods of up to 8 weeks in a year at specified noise sensitive properties should be considered to facilitate essential site preparation and restoration works where it is clear this will bring longer-term environmental benefits to the site or its environs. Where work is likely to take longer than 8 weeks, a lower limit over a longer period should be considered. In some wholly exceptional cases, where there is no viable alternative, a higher limit for a very limited period may be appropriate in order to attain the environmental benefits. Within this framework, the 70 dB(A) LAeq 1h (free field) limit referred to above should be regarded as the normal maximum.
- 6.26 The application is supported by a noise impact assessment which identifies the seven noise monitoring locations currently used to monitor noise levels from the quarry. The proposed calculated noise level for each of the monitoring locations is shown below. These noise levels represent a combination of the works proposed under this application and those occurring through variations to the existing conditions as proposed under planning application WD/D/15/001058 -
- Higher Woodsford: 45 dB LAeq, 1 hour
  - Woodsford Lane Houses: 46 dB LAeq, 1 hour
  - Cuckoo Mead, Lower Dairy: 45 dB LAeq, 1 hour
  - School Lane, Woodsford: 45 dB LAeq, 1 hour
  - West Woodsford, adjacent Castle Dairy: 45 dB LAeq, 1 hour
  - Watermead Cottage: 48 dB LAeq, 1 hour
  - Higher Barn: 48 dB LAeq, 1 hour
- 6.27 Previous noise monitoring at these locations has presented background noise levels ranging between 31 – 42 dB. Therefore there are locations where the calculated noise level exceeds the 10dB limit that the Mineral Planning Authority should aim to establish. However the predicted noise level at all monitoring locations is below the 55dB maximum noise limit as defined in the NPPF Technical Guidance. Officers are satisfied that the site operator has undertaken measures to mitigate the noise levels on the site as far as is reasonable and practicable. These include changing screens within the screener at face from metal to rubber, siting the screener at lower ground levels, the placing of a bund around the screener, changes to reversing alarms and replacing the conveyor drive unit. In combination with restrictions imposed by way of planning condition which seeks to minimise noise emissions from the site, it is considered that appropriate and proportionate measures have been taken to reduce noise levels from the site.
- 6.28 Notwithstanding the fact that the proposed noise limits are in accordance within the NPPF guidance they do represent an increase in the permitted noise limit at one monitoring location. At Watermead Cottage the existing noise limit is 40dB compared to the 48dB that is now proposed. The noise limits at all other monitoring locations are not proposed to be amended.

Officers consider that the existing 40dB is lower than would normally be expected adjacent to a mineral site and it has been demonstrated that the site operator, even when taking into account proposed mitigation measures, cannot accord with this limit. Whilst it is accepted that an increase of 8dB may be perceived negatively it is noted that the raising of the noise limit is in part regularising the existing situation where site operations cannot comply with the current noise limit imposed at this location. Following the commencement of quarrying operations in 2008 no complaints have received from the occupier of Water Mead Cottage. Furthermore, the revised noise limit of 48dB is still well within NPPF guidelines and is less than the noise limits as current imposed by the existing permission at other monitoring locations.

- 6.29 Whilst there are additional factors such as topography and presence of barriers that can impact on the noise level recorded at any monitoring location, it is noted that the proposed quarry extension is not closer to residential properties than areas of the existing permitted quarry.
- 6.30 Elements of the noise impact assessment submitted in support of the application have been challenged by noise consultants commissioned on behalf of Knightsford Parish Council. The criticism focuses on the methodology, interpretation of data and the suggested noise limits. The reports commissioned by the Parish Council suggests that a lower limit of 43 dB for Watermead Cottage is more appropriate but acknowledges that without further mitigation being undertaken to minimise further the noise emanating from the site such a limit cannot be met. Having considered the information submitted by the noise consultants on behalf of the applicant and the Parish Council, officers are content that the information as submitted demonstrates that the development can accord with the proposed noise limits and that the proposed limit is acceptable.
- 6.31 It is considered that an up to date and workable set of planning conditions that limit noise levels on site should be imposed. Setting a limit to a level that the operator cannot achieve would be inappropriate, as would imposing unreasonable burdens on the mineral operator when the noise assessments submitted in support of the application demonstrate that the site can operate within the limits as set out within the NPPF Technical Guidance.
- 6.32 No objection to the proposal has been raised from the District Environmental Health Officer.
- 6.33 In conclusion, the proposal seeks to the raise the noise limit at one noise monitoring location to 48dB, a limit that is less than is currently imposed at other monitoring locations around the site. It is considered that the proposed noise limits together with the measures in place to monitor noise levels from the site will ensure the impact upon the amenity of residential properties within the area will be within acceptable levels as defined within the NPPF Technical Guidance. The proposal is therefore seen to be in accordance with Policy 6ii (f) of the DMWLP, Policy DM2 of the BD&PMS and the noise standards for mineral workings as detailed within NPPF Technical Guidance.
- 6.34 Impact upon Heritage Assets  
The proposed quarry extension is situated within close proximity to the Grade 1 listed building of Woodsford Castle. Given such proximity, the potential exists for a development of this scale and nature to impact upon the setting of this historic cultural asset.



- 6.35 By law special regard must be had the desirability of preserving the listed building's setting. Further, paragraph 132 of the NPPF states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. Policy DM7 of the BD&PMS states that proposals for mineral development will only be permitted where it can be demonstrated through authoritative assessment and evaluation that heritage assets and their setting will be conserved in a manner appropriate to their significance. Adverse impacts should be avoided or mitigated to an acceptable level. Where the presence of historic assets of national significance is proven, either through designation or a process of assessment, their preservation in situ will be required. Any other historic assets should be preserved in situ if possible, or otherwise by record. Policy 6 (e) of the DM&WLP states that applications for development will only be permitted where there is no significant adverse effect on Listed Buildings, Historic Parks and Gardens (including the setting of any of these).
- 6.36 Notwithstanding the proximity of the proposed lagoon extension area to Woodsford Castle, there remains a substantial degree of physical separation, approximately 350 metres, between the application boundary and the castle grounds. The existing quarry complex comes within approximately 250 metres of the castle grounds. This degree of separation together with the presence of a belt of screening vegetation immediately to the west of the castle and that located further along Woodsford Lane will ensure that any views of the proposed lagoon extension area will be extremely limited from Woodsford Castle.
- 6.37 It is considered that the impact of the proposal on the setting of Woodsford Castle should be viewed in the context and in combination with the existing quarry operations. The heritage assessment submitted in support of the application states that the key attributes to the setting of Woodsford Castle relate to the physical experience of the property from within its immediate environs, its garden, the fields to the immediate east and west and the lane through the village. It concludes that that the setting of Woodsford Castle does contribute a good deal to the overall significance of the heritage asset.
- 6.38 Whilst the principal bund that would enclose the proposed extension area may be visible from the upper windows of the castle, it is considered that the bunds will not be unduly prominent within the wider landscape. In addition it is noted that the bunds will be removed and the site returned to agriculture upon the cessation of quarrying activities. It is considered that proposed works would not have a significant adverse impact on the setting of Woodsford Castle and its visual amenity. This is based on the fact the development would be temporary, it is some distance away from the immediate setting of the castle and its grounds and there is limited visual interconnectivity between the castle and the quarry, particularly at ground level.
- 6.39 Any visitors to Woodsford Castle approaching from the west would do so along Woodsford Lane which abuts the northern boundary of the application site. As detailed in paragraph 6.17 above views of the proposed development when travelling along Woodsford Lane would be limited and would not appear overly prominent or intrusive. It is concluded that views of the proposed quarry would not detract from the approach to Woodsford Castle that could result in a significant impact of its setting.

- 6.40 Having regard to the possibility of noise disturbance from quarry operations detracting from the visitor experience of Woodsford Castle and its setting, it is noted that working scheme of the quarry has been designed around achieving acceptable noise limits at the nearest noise sensitive premises. The properties of Castle Cottages are approximately 250 metres closer to the proposed extension area than the grounds of Woodsford Castle. The noise limit in place at the monitoring location located at Castle Cottages is not proposed to be amended. Given the degree of separation between Woodsford Castle and the proposed quarry, the temporary nature of the extraction operations and the conclusions reached in the noise assessment, it is considered that there will be no adverse impact upon visitors to the site or the setting of the listed building itself as result of noise disturbance from mineral operations.
- 6.41 The proposed quarry extension also has the potential to adversely impact upon archaeological remains that may be present within the application area.
- 6.42 The application was accompanied by an archaeological assessment of the proposed extension area. On the basis of this information the County Council's Senior Archaeologist recommended that trial trenching should take place prior to the determination of the application in order for an informed planning decision to be made. The trial trenching has now taken place and a subsequent report of its findings submitted to the Mineral Planning Authority. On the basis of the information submitted the County Council's Senior Archaeologist has recommended that a planning condition be imposed to ensure appropriate archaeological recording takes place during the extraction of mineral. An appropriate condition is recommended as detailed in paragraph 9 of this report.
- 6.43 In conclusion whilst special regard has been given to the potential harm of heritage assets, it is considered that, owing to the degree of physical separation between the quarry and Woodsford Castle, the current and proposed levels of screening afforded to the extension area and the temporary nature of operations, harm to the setting of Woodford Castle would be slight. Given the nature and scale of the impacts upon the setting of the listed building and balancing this against the benefits of the development the recommendation to grant planning permission is in accordance with paragraph 132 of the NPPF, Policy DM7 of the BD&PMS and Policy 6 (e) of the DM&WLP. Having regard to the condition recommended to ensure appropriate archaeological recording takes place. The proposals are seen to be in accordance policy DM7 of the BD&PMS.
- 6.44 Agricultural Land Classification  
The proposal to extract sand and gravel in order to form additional silt lagoons for the site will be undertaken on grade 1 agricultural land. Policy DM1 of the BD&PMS states that minerals development must demonstrate the protection of soil resources throughout the life of the development and, where significant development of agricultural land is demonstrated to be necessary and there is a choice of location, preference should be given to the development of the poorer quality land over higher quality.
- 6.45 Whilst the proposal does involve the loss of grade 1 agricultural land it is noted that the loss is temporary, albeit for a relatively extended period of time until 2029 or until the lagoons are no longer needed, whichever is sooner.

Upon the cessation of quarrying activities the extended lagoon area proposed under this applications will be restored back to agricultural use. As set out in paragraphs 6.6-6.8 alternative locations for the proposed lagoons have been considered by the applicant. The siting of additional lagoons within the main extraction areas of the quarry would also result in a delay in the restoration of that land to agriculture. The siting of lagoons within the proposed extended stockpile area would result in these stockpiles having to be relocated. The proposed extended stockpile area would seem the most appropriate having regard to the landscape impacts associated with the stockpiles themselves.

- 6.46 Representations have been received stating that the proposed lagoons should be sited on land to the south of the extended stockpile area. Historical land classification assessments indicate that the agricultural grade within this area is slightly lower (grade 1 & 2) when compared to the proposed lagoon extension area (grade 1). Mineral extraction from this area is already approved as part of the existing planning permission for the site. The applicant has stated that a legal agreement exists between the operator and the landowner that excludes development on land to south of the stockpile area for a number of years.
- 6.47 Set against the existing quarry complex, permitted within predominately grade 1 and 2 agricultural land, the loss of the grade 1 associated with the proposed lagoon extension area is relatively small. On considering the area of grade 1 agricultural land to be lost balanced against the benefits of the continued operation of the quarry it is considered that the loss of the agricultural land for a temporary period is acceptable. The proposal is therefore seen to be in accordance with Policy 6ii (b) of the DM&WLP and Policy DM1 of the BD&PMS.
- 6.48 Highways Impact  
Policy DM8 of the BD&PMS states that minerals development will only be permitted where it can be demonstrated that:
- i) a safe access to the proposed site will be provided;
  - ii) there will be no adverse impact on the strategic, primary and/or local road network;
  - iii) developers will provide the funding for any highway and transport network improvements necessary to mitigate or compensate and adverse impacts;
  - iv) the proposal, where possible, has direct access or suitable links with the Dorset strategic highway network or primary route network.
- 6.49 The current levels of aggregate production will be maintained through the extraction of mineral associated with the proposed lagoon extension area. Therefore there will be no increase in HGV movements associated with this element of the proposal.
- 6.50 The application states that up to 5 HGV's a day will import material to the bagging plant. It is proposed that these HGV's will then 'back haul' the bagged aggregate for distribution to customers. It is considered that the location of the bagging plant operation within Woodsford Quarry will lead to a slight increase in vehicle movements to and from the site.
- 6.51 Having regard to the impacts of the proposal on highway safety, it is noted that a new dedicated access was created when the quarry first became

operational. This access, located in the south west corner of the site, leads directly on to Highgate Lane (The Crossways to West Stafford Road). This access was specifically constructed to comply with the necessary visibility requirements. No change is proposed to existing access arrangements. On this basis it is considered that the proposal will not adversely impact upon highway safety.

- 6.52 The additional vehicle movements generated as a result of the proposed development are considered to be minimal and as such it is considered the capacity of the existing highway network will not be adversely affected. Furthermore, it is noted that the proposed bagging plant operation has been relocated from Warmwell Quarry, located immediately to the south of Woodsford Quarry. Therefore the vehicles associated with the proposed bagging plant are already on the local highway network.
- 6.53 Having regard to the existing adequate highway access and the limited number of additional HGV movement associated with the proposed development it is considered that the proposal accords with Policy 6 ii (g) of the DM&WLP and Policy DM8 of the BD&PMS.
- 6.54 Ecology  
Policy DM5 of the BD&PMS states that proposals for minerals development which do not adversely affect the integrity of European or Ramsar sites or other internationally designated sites will only be permitted where adverse impacts on biodiversity will be (i) avoided; or (ii) Where an adverse impact can not be avoided, the impact will be adequately mitigated; or (iii) where adverse impacts cannot be avoided or adequately mitigated, compensation will result in the maintenance or enhancement of biodiversity.
- 6.55 The proposed bagging plant is located wholly within a previously developed part of the site. Having regard to the location of the bagging plant and the nature of the operation itself it is considered that there will be no adverse ecological impacts associated with this element of the proposal.
- 6.56 The proposed mineral extraction associated with the construction of the silt storage lagoon will take place within an existing field which is used for the farming of arable crops. The ecological value of the existing field is limited to that associated with the adjacent mature hedgerows and woodland. The application proposes a standoff of 5 metres from the toe of the perimeter bund to the adjacent hedge and woodland. It is considered that such a standoff will ensure the ecological interests of these features are not adversely affected.
- 6.57 The proposed perimeter bund will be sown with a wildflower seed mixture and will be managed to maximise their ecological benefit.
- 6.58 Paragraph 9 of this report includes a condition requiring the submission of a Landscape and Ecology Management Plan for the site. It is considered that the measures secured through this condition adequately promote and manage ecological interest.
- 6.59 Having regard to the limited ecological impact of the proposal and those measures secured through the Landscape and Ecology Management Plan it is considered that the proposal is in accordance with Policy 6 ii (a) of the DM&WLP and Policy DM5 of the BD&PMS

- 6.60 Impact on Ground and Surface Waters  
The application involves the removal of gravel deposits to a maximum depth of 3 metres. Therefore there is the potential for the development to impact upon the quality, volume and movement of ground and surface waters.
- 6.61 Policy DM3 of the BD&PMS states that that proposals for minerals development which would have an impact on water resources, including aquifers, will only be permitted where it can be demonstrated that the local water environment would be protected and where appropriate enhanced. Provision should be made to ensure the protection and maintenance of the quality, direction, rate and volume of flow of ground water and all other surface water.
- 6.62 A Hydrology and Flood Risk Assessment was submitted with the application and concluded that there were no overriding hydrogeological, hydrological or flood risk based reasons why the proposed development should not proceed. Subject to the clarification on a number of points the submitted assessment has been considered by the Environment Agency who have raised no objection to the proposal. Dorset County Council's Flood Risk Engineer has also raised no objection to the proposals.
- 6.63 Having regard to the conclusions reached within the submitted Hydrology and Flood Risk Assessment it is considered that the proposal will not adversely impact upon the quality, volume and movement of ground and surface waters. The proposal is in accordance with Policy 6 ii (d) of the DM&WLP and Policy DM3 of the BD&PMS.
- 6.64 Dust  
Policy DM2 of the BD&PMS states that proposals for minerals development in Bournemouth, Dorset and Poole will only be permitted where the proposals demonstrate that, for the life-cycle of the proposed development, any potential adverse impacts associated with dust levels are avoided and/or adequately mitigated to acceptable levels.
- 6.65 The excavation of mineral within the proposed extension area involves working the same deposits and in the same manner as is currently undertaken within the existing quarry. To date there have been no reported issues with dust emissions from the existing site.
- 6.66 A dust management scheme is currently in place for the existing quarry operations and is secured through a condition of the existing planning permission. This dust management scheme will be extended to cover the proposed quarry extension and bagging plant operations.
- 6.67 Having regard to the presence of the dust management scheme secured through planning condition and taking into account the limited dust levels anticipated to arise from the proposed development it is considered that the proposal accords with Policy DM2 of the BD&PMS.
- 6.68 Conclusions  
Whilst outside of a preferred area for sand and gravel extraction it is noted that the extraction of the sand and gravel is primarily required to enable the construction of lagoons and is not driven by the requirement to obtain mineral. The scale of extraction is considered appropriate to the required need for silt

storage capacity and would not prejudice future sites. There are constraints developing the lagoons in other areas of the site. The proposed location would not seem inappropriate subject to other material planning considerations. The proposal is therefore seen to accord with policy 16 of the DM&WLP and policy SS2 of the BD&PMS.

- 6.69 The proposed bagging plant is situated within the existing plant site. This part of existing quarry complex benefits from a significant degree of existing high level mature vegetation and screening bunds. This combined with the relatively low height of the bagging plant will ensure that the visual and landscape impact of this aspect of the development is mitigated to an acceptable level. Having regard to the visual impact and landscape setting of the bund, its outer gradient, overall height and the presence of screening vegetation, it is considered that the proposed bund will not result in a feature that is unduly intrusive or discordant. The proposal is therefore seen to be in accordance with Policy 4 of the BD&PMS and paragraph 109 of the NPPF.
- 6.70 The proposal seeks to raise the noise limit at one noise monitoring location to 48dB, a limit that is less than is currently imposed at other monitoring locations around the site. It is considered that the proposed noise limits together with the measures in place to monitor noise levels from the site will ensure the impact upon the amenity of residential properties within the area will be within acceptable levels as defined within the NPPF Technical Guidance. The proposal is therefore seen to be in accordance with Policy 6 ii (f) of the DM&WLP, policy DM2 of the BD&PMS and the noise standards for mineral workings as detailed within NPPF Technical Guidance.
- 6.71 Whilst special regard has been had to the potential harm of heritage asset, it is considered that, owing to the degree of physical separation between the quarry and Woodford Castle, the current and proposed levels of screening afforded to the extension area and the temporary nature of operations, such harm to the setting of Woodford Castle would be slight. Given the nature and scale of the impacts upon the setting of the listed building and balancing this against the benefits of the development the recommendation to grant planning permission is in accordance with paragraph 132 of the NPPF, Policy DM7 of the BD&PMS and Policy 6 (e) of the DM&WLP. Having regard to the condition be attached to a grant of consent to ensure appropriate archaeological recording takes place the proposals are seen to be in accordance policy DM7 of the BD&PMS.
- 6.72 Having regard to the existing adequate highway access and the limited number of additional HGV movement associated with the proposed development it is considered that the proposal accords with Policy 6 ii (g) of the DM&WLP and Policy DM8 of the BD&PMS.
- 6.73 Having regard to the limited ecological impact of the proposal and those measures secured through the Landscape and Ecology Management Plan it is considered that the proposal is in accordance with Policy 6 ii (a) of the DM&WLP and Policy DM5 of the BD&PMS.
- 6.74 Having regard to the conclusions reached within the submitted Hydrology and Flood Risk Assessment it is considered that the proposal will not adversely impact upon the quality, volume and movement of ground and surface waters. The proposal is in accordance with Policy 6 ii (d) of the DM&WLP and Policy DM3 of the BD&PMS.

- 6.75 Having regard to the presence of the dust management scheme secured through planning condition and taking into account the limited dust levels anticipated to arise from the proposed development it is considered that the proposal accords with Policy DM2 of the BD&PMS.

## **7. Human Rights Implications**

- 7.1 The provisions of the Human Rights Act and principles contained in the Convention of Human Rights have been taken into account in reaching the recommendation contained in this report. The articles/protocols of particular relevance are:

Article 8- Right to respect for private and family life

The First Protocol, Article 1- Protection of Property.

- 7.2 Having considered the impact of the development, as set out in the assessment above as well as the rights of the applicant and the general interest, the opinion is that any effect on human rights does not outweigh the granting of the permission in accordance with adopted and prescribed planning principles.

## **8. Statement of Positive Involvement**

- 8.1 In accordance with paragraphs 186 and 187 of the NPPF the council, as local planning authority, takes a positive and proactive approach to development proposals focused on solutions. The council worked with the applicant and agent in a positive and proactive manner by;
- Providing a pre-application advice service
  - Updating the applicant/agent of any issues as they arose in the processing of the application
  - Suggesting solutions to potential planning issues
  - Providing the applicant with the opportunity to address issues so that a positive recommendation to grant permission could be given

9. **Recommendation:** That Planning Permission be GRANTED subject to the following conditions -

### 1. Time Limit - Commencement

The development hereby permitted shall be begun not later than the expiration of 3 years beginning from the date of this permission.

Reason: In accordance with Section 91 of the Town and Country Planning Act 1990 (as amended).

### 2. Strict Accordance

Unless otherwise approved in writing by the Mineral Planning Authority or unless otherwise required or authorised by the conditions of this permission, no development shall be carried out other than in strict accordance with the supporting information and Drawing No's WQSLP-5000-002 dated May 2015, WOOD001.RevA dated February 2015, WOOD002.Rev B dated October

2015, 14803-2500-001 Rev B dated Sept 2015, WQ-02500-NF001MT dated 22 Nov 2013, 2619/01 Rev A dated May 2014, 91077/c0/w/1. Rev B dated Jan 2015 and email dated 22 March 2016 16:20. Operations on the application site shall be carried out in accordance with the approved plans and details and no part of the operations specified therein shall be amended or omitted without the prior written approval of the Mineral Planning Authority.

Reason: To ensure the Mineral Planning Authority secures appropriate control over site operations having regard to Policies DM1, DM2, DM4, DM5, DM7 and DM8 of the Bournemouth, Dorset and Poole Minerals Strategy.

### 3. Bagging Plant Duration of the Development

No later than 1<sup>st</sup> October 2029 (or such later date that has first been agreed with the Minerals Planning Authority) the bagging plant development subject of this permission shall cease and the site shall also have been restored in accordance with the approved scheme as required under condition 6 of this permission. Following restoration the site shall then be subject to the approved aftercare provisions as required under condition 7 of this permission.

Reason: This permission is granted to meet the specific requirements of the applicant for continued sand and gravel extraction given the anticipated remaining reserves having regard to Policies DM1, DM2, DM4, DM5, DM7 and DM8 of the Bournemouth, Dorset and Poole Minerals Strategy.

### 4. Lagoon Extension Area Duration of Development

No later than 1<sup>st</sup> October 2029 (or such later date the has first been agreed with the Minerals Planning Authority) or when the site is no longer required in connection with quarrying operations, whichever is sooner, the use of the lagoon extension area shall cease and the site shall also have been restored in accordance with the restoration scheme as required under condition 6 of this permission. Following restoration the site shall then be subject to the approved aftercare provisions as required under condition 7 of this permission.

Reason: This permission is granted to meet the specific requirements of the applicant for continued sand and gravel extraction given the anticipated remaining reserves having regard to Policies DM1, DM2, DM4, DM5, DM7 and DM8 of the Bournemouth, Dorset and Poole Minerals Strategy.

### 5. Notification of implementation of permission

The developer shall notify the Mineral Planning Authority in writing within one month of the dates of the following:

- (a) Entering a new phase of extraction
- (b) Completion of restoration of each phase
- (c) Completion of temporary restoration for a given area
- (d) Completion of final restoration across the entire site

Reason: To ensure the Mineral Planning Authority secures appropriate control over site operations having regard to Policies DM1, DM2, DM4, DM5, DM7 and DM8 of the Bournemouth, Dorset and Poole Minerals Strategy.



## 6. Restoration, Landscape and Ecology Management Plan

Prior to the commencement of mineral extraction operations within the lagoon extension area a detailed scheme for the restoration, landscaping and ecological management of the site shall be submitted to and approved in writing by the Mineral Planning Authority and shall include details of:

- (a) the position, species, and sizes of all existing trees, shrubs and hedges to be retained and the proposals for their protection throughout the site extraction and restoration operations;
- (b) details of planting and/or seeding of bunds and temporarily restored areas;
- (c) the position, species, and sizes of those tree/shrubs to be removed/felled;
- (d) a plan and schedule specifying the species, initial sizes, number and location of all trees and shrubs to be planted and the measures to be taken for their protection from weeds and vermin
- (e) a programme for the implementation of the scheme; and
- (f) measures for the management of the hedges and trees around the boundary of the site.
- (g) measures to taken to review the restoration/removal of bunds if no longer required for amenity or quarry operation purposes.
- (h) an agreed plan for number and location of bat and bird boxes.
- (i) mitigation method statements for protected species; bats and badgers.
- (j) the arrangements for subsequent maintenance and review of the scheme.

Upon approval the scheme shall be implemented as approved unless subsequently otherwise agreed in writing with the Mineral Planning Authority. The works required by the approved scheme of restoration and landscaping shall be carried out in the season coinciding with or immediately following the completion of each phase and shall be maintained thereafter in accordance with the approved scheme.

Reason: To safeguard the environmental and amenity interest of the locality in accordance with policies DM1, DM2, DM4, DM5, DM7 and DM8 of the Bournemouth, Dorset and Poole Minerals Strategy.

## 7. Aftercare

Prior to the commencement of mineral extraction operations within the lagoon extension area a five year scheme and strategy for aftercare management of both agricultural and nature conservation areas of the site in accordance with the Technical Guidance to The National Planning Policy Framework shall be submitted for the written approval of the MPA. The aftercare period shall commence following the completion of restoration of the entire site as notified under condition 5. The aftercare scheme shall specify the steps to be taken, the period during which they are undertaken and who will be responsible for those steps. The scheme shall provide for an annual meeting and review of aftercare with the MPA. The scheme shall be implemented as approved.

Reason: To safeguard the environmental and amenity interest of the locality in accordance with policies DM1, DM2, DM4, DM5, DM7 and DM8 of the Bournemouth, Dorset and Poole Minerals Strategy.

## 8. Aftercare Annual Review

Before February every year during the 5 year aftercare period, the mineral operator shall provide the Mineral Planning Authority with a detailed annual programme for the approval of the Mineral Planning Authority including:

(a) Proposals for managing the land in accordance with the rules of good husbandry including planting, cultivating, seeding, fertilising, draining, watering or otherwise treating the land for the forthcoming 12 months;

(b) A record of aftercare operations carried out on the land during the previous 12 months.

Aftercare of the lagoon extension area shall be carried out in accordance with the approved annual programme.

Reason: To safeguard the environmental and amenity interest of the locality in accordance with policies DM1, DM2, DM4, DM5, DM7 and DM8 of the Bournemouth, Dorset and Poole Minerals Strategy.

#### 9. Bund for screener at face

A noise attenuation bund 4 metres high, as measured from excavated ground level, shall be erected immediately adjacent to the screener located at the quarry face whenever the screener is operational.

Reason: To safeguard the environmental and amenity interest of the locality in accordance with policies DM1, DM2, DM4, DM5, DM7 and DM8 of the Bournemouth, Dorset and Poole Minerals Strategy.

#### 10. Prevention of Import of Material

Other than material imported to supply the aggregate bagging plant and concrete batching plant no material of any kind shall be imported onto the site.

Reason: To ensure that the traffic movements and any associated environmental and highway impacts connected with the site are maintained at acceptable levels in accordance with policy DM1 and DM8 of the Bournemouth, Dorset and Poole Minerals Strategy.

#### 11. Stockpiles.

No mineral shall be stockpiled on the site.

Reason: To safeguard the environmental and amenity interest of the locality in accordance with policies DM1, DM2 and DM4 of the Bournemouth, Dorset and Poole Minerals Strategy.

#### 12. Archaeology

No works shall take place within the lagoon extension area until the applicant has undertaken a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant to, and approved by the Planning Authority. This scheme shall cover archaeological fieldwork together with post-excavation work and publication of the results.

Reason: To ensure the appropriate recording of archaeological interest on the site in accordance with policy DM7 of the Bournemouth, Dorset and Poole Minerals Strategy.

#### 13. Noise – Routine Operations

Unless otherwise agreed in writing by the MPA and with the exception of essential temporary operations of bund formation/removal and soil

stripping/placement, noise levels arising from mineral extraction operations shall not exceed the site noise limit specified below at each dwelling.

- 45 dB(LAeq) 1 hour freefield when measured at Higher Woodsford monitoring location.
- 52 dB(LAeq) 1 hour freefield when measured at Woodsford Lane Houses monitoring location.
- 45 dB(LAeq) 1 hour freefield when measured at Cuckoo Mead, Lower Dairy monitoring location.
- 46 dB(LAeq) 1 hour freefield when measured at School Lane, Woodsford monitoring location.
- 46 dB(LAeq) 1 hour freefield when measured at West Woodsford, adj Castle Dairy monitoring location.
- 48 dB(LAeq) 1 hour freefield when measured at Watermead Cottage monitoring location.
- 48 dB(LAeq) 1 hour freefield when measured at Higher Barn monitoring location.

Reason: To reduce any noise pollution from the site to an appropriate level in the interest of the environment and amenity of the locality in accordance with policies DM1, DM2 and DM7 of the Bournemouth, Dorset and Poole Minerals Strategy.

#### 14. Noise – Essential Temporary Operations

For Temporary operations such as site preparation, soil and overburden stripping, bund formation and final restoration, noise levels at any of the dwellings listed in condition 13 above shall not exceed 70 dB (LAeq) 1 hour free field. Temporary operations which exceed the routine noise limits shall not exceed a total of eight weeks in any calendar year for any dwelling.

Reason: To reduce any noise pollution from the site to an appropriate level in the interest of the environment and amenity of the locality in accordance with policies DM1, DM2 and DM7 of the Bournemouth, Dorset and Poole Minerals Strategy.

#### 15. Noise monitoring

Unless otherwise agreed in writing by the Mineral Planning Authority noise monitoring procedures for the site shall be undertaken in accordance with the details contained within the document entitled 'Environmental Scheme' dated May 2015.

Reason: To reduce any noise pollution from the site to an appropriate level in the interest of the environment and amenity of the locality in accordance with policies DM1, DM2 and DM7 of the Bournemouth, Dorset and Poole Minerals Strategy.

#### 16. Water Monitoring

Unless otherwise agreed in writing by the Mineral Planning Authority procedures for the management and monitoring of ground and surface water schemes shall be undertaken in accordance with Appendix 5 of the document

entitled 'Details Pursuant to Permission I/E/2005/0742' dated September 2008.

Reason: To safeguard the impacts of the development upon the local water environment having regard to policy DM3 of the Bournemouth, Dorset and Poole Minerals Strategy.

#### 17. Site Lighting

Artificial lighting of the site shall be undertaken in accordance with the details contained within the document entitled 'Details Pursuant to Permission I/E/2005/0742' dated September 2008.

Reason: To safeguard the environmental and amenity interest of the locality in accordance with policies DM1, DM2 and DM4 of the Bournemouth, Dorset and Poole Minerals Strategy.

#### 18. Drainage

Drainage works, mitigation and monitoring measures shall be undertaken in accordance with the details contained within Hydrology and Hydrological Assessment dated March 2015 and Appendix 8 of the document entitled 'Details Pursuant to Permission I/E/2005/0742' dated September 2008.

Reason: To safeguard the impacts of the development upon the local water environment having regard to policy DM3 of the Bournemouth, Dorset and Poole Minerals Strategy.

#### 19. Measures to prevent disturbance to breeding birds

Unless with the prior written agreement of the Mineral Planning Authority to a variation, no tree felling or clearance of scrub or other vegetation shall be carried out during the bird breeding season i.e. 1 April to 31 July inclusive.

Reason: To minimise the impact of the development on breeding birds in accordance with policy DM5 of the Bournemouth, Dorset and Poole Minerals Strategy.

#### 20. Annual report

A report shall be prepared annually by the operator detailing the operations undertaken, those proposed in the coming year, the overall materials balance, restoration progress, together with a review of previously restored areas and a review of monitoring results. The report shall be made available to the Mineral Planning Authority within one month of the year end. The operator shall hold an annual meeting, or more frequently if considered necessary by the Mineral Planning Authority, of interested parties to discuss the report and to agree any changes which are considered necessary in the light of the report.

Reason: To ensure the Mineral Planning Authority secures appropriate control over site operations having regard to Policies DM1, DM2, DM4, DM5, DM7 and DM8 of the Bournemouth, Dorset and Poole Minerals Strategy.

#### 21. Reversing Movements

All mobile plant shall be operated in a manner so as to reduce as far as it practicable the need for reversing movements.

Reason: To reduce any noise pollution from the site to an appropriate level in the interest of the environment and amenity of the locality in accordance with policies DM1, DM2 and DM7 of the Bournemouth, Dorset and Poole Minerals Strategy.

#### 22. Traffic Flow

At the request of the MPA an up to date traffic flow diagram and report shall be submitted to the MPA within 1 month of the request being made. The traffic flow diagram should detail all principal routes used by vehicles across the site and should show those locations where reversing is necessary. The report should detail any further measures to be put in place to minimise reversing movements. The routes and measures detailed within the traffic flow diagram and report shall be followed on site wherever practicable.

Reason: To reduce any noise pollution from the site to an appropriate level in the interest of the environment and amenity of the locality in accordance with policies DM1, DM2 and DM7 of the Bournemouth, Dorset and Poole Minerals Strategy.

#### 23. Reversing alarms

Prior to the commencement of operations within the lagoon extension area the operator shall submit details of the make and model of reversing alarm that is to be used on the sites mobile plant for approval by the Mineral Planning Authority. Only the approved reversing alarm shall then be used on mobile plant within the site. Changes to the make and model of reversing alarm shall only be undertaken with the agreement of the Mineral Planning Authority.

Reason: To reduce any noise pollution from the site to an appropriate level in the interest of the environment and amenity of the locality in accordance with policies DM1, DM2 and DM7 of the Bournemouth, Dorset and Poole Minerals Strategy.

#### 24. Hours of operation

Except to maintain safe mineral working in emergencies (within the terms of a clear and precise general definition of emergencies which shall first have been submitted to and agreed in writing by the Mineral Planning Authority prior to development beginning, including notification to the Mineral Planning Authority of any event as soon as practicable): no operations other than water pumping and essential maintenance and testing of plant shall be carried out at the site other than between 0700 and 1900 hours, Mondays to Fridays, and 0700 hours to 1300 hours on Saturdays. No operation other than essential maintenance and pumping shall take place on Sundays or Bank or Public Holidays unless with the prior written agreement of the Mineral Planning Authority.

Reason: To safeguard the environmental and amenity interest of the locality in accordance with policies DM1, DM2 and DM4 of the Bournemouth, Dorset and Poole Minerals Strategy.

#### 25. Soil stripping

All soils and soil making materials shall only be stripped, handled, stored and replaced in accordance with the details contained within the document entitled 'Woodsford Quarry - Details Pursuant to Permission I/E/2005/0742' dated September 2008.

Reason: To ensure the suitable protection of soil resources having regard to policies DM1, DM4 and DM5 of the Bournemouth, Dorset and Poole Minerals Strategy.

#### 26. Restriction of Permitted Development Rights

Notwithstanding the provisions of Class A and Class B of Part 17 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order amending, replacing or re-enacting that Order) no fixed plant or machinery, buildings, structures or erections, or private ways shall be erected, extended, installed, rearranged, replaced, repaired or altered at the site or on any ancillary mining land without the prior written approval of the minerals planning authority.

Reason: To safeguard the environmental and amenity interest of the locality in accordance with policies DM1, DM2, DM4, DM5, DM7 and DM8 of the Bournemouth, Dorset and Poole Minerals Strategy.

#### 27. Dust

Measures for the monitoring and suppression of dust shall be undertaken in accordance with the details contained within Appendix 4 of the supporting statement entitled 'Dust Scheme' dated 20<sup>th</sup> April 2015.

Reason: To safeguard the environmental and amenity interest of the locality in accordance with policies DM1 and DM2 of the Bournemouth, Dorset and Poole Minerals Strategy.

### **INFORMATIVES**

Environmental Permits for this site may need to be varied or new permits obtained. The applicant should contact our Environmental Permitting team to discuss this. Their contact details can be found on the Gov.uk website: <https://www.gov.uk/environmental-permit-how-to-apply/overview>

During the extraction stage it must be ensured the water treatment system is working effectively and does not lead to any polluting discharges. It should also be ensured that any other activities on the site do not cause pollution. An environmental management plan for the site detailing the methods that will be used to minimise pollution risk from silt and oils should be put in place.

We note from page 7 of the Common Supporting Statement dated 20 April 2015 with this planning application that 'The site will continue to adopt its methodology for the safe handling and storage of fuels and oils to prevent the risk of spillage/leakage.'

### **Flood Risk**

The site lies entirely within Flood Zone 1. The applicant has submitted a Flood Risk Assessment to confirm this. Hence, for this site in Flood Zone 1 the planning authority is advised to consult the Lead Local Flood Authority (LLFA), which is Dorset County Council in this case, on matters related to surface water drainage, in accordance with The Town and Country Planning (Development Management Procedure)(England) Order 2015 and our new flood risk standing advice: <https://www.gov.uk/flood-risk-assessment-local-planning-authorities> .