

# Regulatory Committee

**Dorset County Council**



Date of Meeting	27 October 2016
Officer	Matthew Piles, Service Director - Economy
<b>Subject of Report</b>	To consider planning application No. WD/D/15/001058 under Schedule 1 Paragraph 1 of the Town and Country Planning Act 1990, in West Dorset District Council for the variation of conditions 4, 11, 15 and 21 of planning permission 1/E/2005/0742 for revised phasing and restoration to facilitate the extension of the quarry, including changes to internal layout and amending the permitted noise monitoring scheme at Woodsford Farm, Woodsford, Dorchester, Dorset for Hills Quarry Products Ltd.
Executive Summary	The report considers an application to vary conditions 4, 11, 15 and 21 of planning permission 1/E/2005/0742.
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 [6.41- 6.45]
Appendices	<ol style="list-style-type: none"> <li>1. Location Plan</li> <li>2. Restoration Plan</li> <li>3. Phasing Plan</li> </ol>
Background Papers	<p>PA File WD/D/15/001058</p> <p>NB: Copies of representations may be inspected in the Environment and Economy Directorate and will be available for inspection in the Committee Room prior to the meeting.</p>
Report Originator and Contact	<p><b>If you have any queries on this report please contact Name: Mr Rob Jefferies</b></p> <p>Tel: (01305) 224279  Email: <a href="mailto:r.w.jefferies@dorsetcc.gov.uk">r.w.jefferies@dorsetcc.gov.uk</a></p>

## 1. Background:

- 1.1 This application was received by the Mineral Planning Authority (MPA) on 22<sup>nd</sup> April 2015 and seeks to vary conditions 4 (approved plans), 11 (noise scheme and limits), 15 (prevention of import of material) and 21 (restoration and aftercare) of planning permission 1/E/2005/0742.
- 1.2 The application is required as elements of the current operations such as noise limits at one monitoring location, the location of stockpiled material, phasing arrangements for the extraction of mineral and the restoration scheme do not accord with the development as approved under the original permission for the site.
- 1.3 A separate planning application (WD/D/15/001057) 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/15/001057 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.
- 1.4 Planning applications WD/D/15/001058 (the subject of this report) and WD/D/15/001057 are separate stand-alone applications but particular elements of development associated with planning application WD/D/15/001057 require amendments to the conditions of the site's existing planning permission.

## **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 nearest dwellings to the existing plant site and current phases of extraction are Watermead Cottage, located approximately 240 metres to the north west of the plant site and properties at the southern end of School lane, located approximately 260 metres to the north of the quarry. Castle Cottages are located approximately 270 metres to the north of the quarry.
- 2.3 Two public footpaths run broadly north-south cross the site. These are subject to temporary diversion orders to allow their continued use as mineral extraction progresses.
- 2.4 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.
- 2.5 Woodsford Castle, a Grade 1 listed building, is situated approximately 270 metres to the north of the existing quarry.

## **3. The Proposal**

- 3.1 The application seeks to vary conditions 4 (approved plans), 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.
- 3.2 Condition 4 of planning permission 1/E/2005/0742 states:

*“Unless otherwise approved in writing by the Mineral Planning Authority, no development shall be carried out other than in strict accordance with the plans and details hereby approved or the schemes approved under the requirements of these conditions. Operations on the application site shall be carried out in accordance with the approved plans, working scheme 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.”*

- 3.3 The variation of condition 4 is required to regularise the location of the field conveyor which has been constructed slightly further to the south of the approved location.
- 3.4 The application also seeks to permit the stockpiling of mineral on land to the south east of the plant site where material has been stored since the commencement of quarrying operations. A temporary stockpile, for a 2 year period, is also proposed to the east of the plant site. This is to accommodate sand arising from the extraction of the proposed lagoon extension area as proposed under application WD/D/15/001057.
- 3.5 The application also seeks to permit the provision of a number of additional screening/noise attenuation bunds some of which are already in place.
- 3.6 The approved plans also need to be amended to regularise changes to the original phasing arrangements for extraction. Originally it was proposed to work all quarry phases to the south of the conveyor prior to working mineral to the north of the conveyor in 3 separate phases. However land to the north of the conveyor has been worked in strips as a continuation of those phases to the south. This change to the working scheme is required to allow the excavation of a swale system along the northern boundary of the site in order to assist in the management of ground and surface water. This application also seeks to regularise the creation of the swale system.
- 3.7 Condition 11 of planning permission 1/E/2005/0742 states:

*“No development subject of this permission shall be commenced until a detailed scheme which specifies the provisions to be made for the control of noise emanating from the site has been submitted to and approved by the Mineral Planning Authority. The scheme shall include:*

*(a) the identification of representative locations around the site (including the nearest noise-sensitive premises or locations that enable noise levels at those premises to be calculated) at which the operating company will monitor noise levels;*

*(b) definition of any temporary operations (such as soil stripping, bund formation and restoration or essential maintenance measures) and the specific noise criterion levels (i.e. the thresholds/levels of noise that will not be exceeded) at representative monitoring locations during the defined temporary operations;*

*(c) specific noise criterion levels at each of the representative monitoring locations at all other times;*

*(d) specific measures to minimise the emission of any discrete continuous noise (i.e. whine, hiss, screech, hum etc) or distinct impulses (i.e. bangs, clicks, clatters or thumps) that are repeated as part of normal operations and readily distinguishable at the noise monitoring locations;*

*(e) a detailed scheme specifying the provision to be made for the control of noise emanating from the site between the hours of 0600 - 0700;*

*(f) details of the actions to be taken in the event of approved criterion levels being exceeded.*

*The scheme shall be implemented and complied with for the duration of operations at the site, unless otherwise agreed in writing with the Mineral Planning Authority. The scheme shall include for a maximum noise level, attributable to this development, of 40dBA at Watermead Cottage.”*

- 3.8 It is proposed that the existing noise limit of 40db when measured at the Watermead Cottage monitoring location is raised to 48db.
- 3.9 Condition 15 of planning permission 1/E/2005/0742 states:  
*“No waste or other material shall be imported onto the site. No material shall be processed at the site other than mineral extracted from land, the subject of this planning permission.”*
- 3.10 The application proposes the variation of condition 15 to enable the importation of aggregates to supply the bagging plant proposed under planning application WD/D/15/001057. Imported materials, such as concrete additives/substitutes and specialist aggregates, are also required to supply the existing concrete batching plant.
- 3.11 Condition 21 of planning permission 1/E/2005/0742 states:  
*“The site shall be progressively restored and managed in accordance with details for successive phases which shall first have been submitted to and approved in writing by the Mineral Planning Authority. The detailed schemes, which shall be submitted as part of a rolling programme within an overall restoration strategy, shall include details of:*  
*(a) the nature and extent of the intended after uses of the site/phase involved;*  
*(b) the sequence and phasing of restoration, and showing clearly the relationship to the working scheme;*  
*(c) a detailed specification for the restoration of those parts of the site which are to be restored to heathland and woodland, including details of the materials to be used for the final surface of the site and their sources; species and size of trees and hedges, together with their future maintenance;*  
*(d) provision for the removal of screening mounds, where these are not proposed as permanent features, and for reinstatement of the land affected;*  
*(e) the provision for reinstatement at the end of their operational life of areas proposed to be used for the access road, hard standings, offices, plant, weighbridge and related uses;*  
*(f) the provision to be made for monitoring of settlement and remedial measures to be adopted where excessive settlement occurs;*  
*(g) provision for monitoring the success of the restoration works and to identify, agree and implement changes and remedial measures in the light of experience and improvements in techniques; and*  
*(h) a timetable for implementation.”*
- 3.12 Changes to the extraction phases as detailed in paragraph 3.6 above has resulted in a delay to the final restoration of quarry phases to the north of the conveyor. This area cannot be finally restored to an agricultural use until the conveyor is removed as the quarrying operations near conclusion. The application proposes that this strip of land to the north of the conveyor will be temporarily restored to a species rich grassland prior to its eventual reversion to agricultural use.
- 3.13 Further changes to the existing restoration and aftercare scheme are required as a system of swales now runs along the northern boundary of the site. It is proposed that these features remain in place until the cessation of quarrying activities and will form part of the final restoration proposal.

#### 4. Consultations and Representations

- 4.1 The application was advertised in the local press and by site notices and by 99 neighbour notification letters. Two 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.
- 4.2 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.
- 4.3 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.
- 4.4 **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 Parish Councils comments are also supported by a representation from a Planning and Environmental Consultant acting on behalf of Knightsford Parish Council which sets out particular concerns in respect of the potential impacts upon Woodsford Castle. 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 applicant's 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.

Restoration – Object to the applicant's 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 – The Parish Council considers that the views of the District Conservation Officer should be sought in respect of the impacts on the Grade 1 listed Woodsford Castle. An independent report has also 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.

In addition a representation has been received from a Planning and Environmental Consultant acting on behalf of the Parish Council. The representation considers that the officers of the County Council Officers have failed to apply the correct legal and policy tests with regards the protection of heritage assets.

- 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 Natural Environment Team (DCC NET) and be implemented in full.
- 4.10 **Historic England** - The proposed extension to the Woodsford 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 it is 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

4.15 West Dorset District Council Design and Conservation Officer – Awaiting Response

**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
- DM1- Key Criteria for Sustainable Minerals 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 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:-
- The landscape character and visual impacts of the proposed development.
  - The noise impacts of the proposed development.
  - The impact of the proposal on heritage assets.
  - The impact on the highway network.
  - The ecological impacts of the proposal.
  - The impact on ground and surface waters.
- 6.2 Landscape Character and Visual Impact  
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.
- 6.3 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.
- 6.4 The application proposes the siting of stockpiles on an area of land to east of the existing lagoon system. The location of stockpiles outside the existing plant site has the potential to adversely impact upon the landscape and visual amenity of the locality.
- 6.5 The original planning permission for the quarry highlighted land 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 the stockpiling of mineral to within the plant site. It has been apparent from an early stage of the quarry development that the plant site alone does not provide sufficient capacity for the storage of mineral required to properly work the quarry and supply the market effectively.
- 6.6 It is noted that stockpiles are located approximately 350 metres from, and fairly centrally between, the two roads that run broadly parallel to the north and south of the site. It is considered that views of the quarry from users of

the highway to the north and south would be oblique and transitory in nature as users pass along the road.

- 6.7 Whilst located outside the main plant site, the proposed stockpile area still benefits from presence of blocks of mature woodland and hedgerows to the north, south and west of the site. Whilst the stockpiles are still visible at certain locations this vegetation assists in screening the development from the wider landscape and breaks up views of the site. The existing bunds that enclose the proposed stockpile area to the south and east would be extended to 5 metres in height. A further section of bund would also be added immediately to the north-east to assist in screening the development from longer distance views from Woodsford village. The applicant has also accepted the imposition of a condition that would limit the height of stockpiles to 5 metres. It is considered that the presence of mature vegetation around the site as well as the measures proposed to extend the existing bunds and limit stockpile height would ensure that the stockpiles will not adversely impact upon the landscape character or visual amenity of the locality to an unacceptable level.
- 6.8 The applicant has stated that a further separate temporary sand stockpile is required on land to east of the existing plant site. The proposed stockpile would be located between the existing conveyor to the south and the swale to the north. This stockpile would be in place for maximum of 2 years and take sand arising from the extraction of the additional silt lagoons proposed under planning application WD/D/15/001057 that cannot be accommodated within the plant site or extended stockpile area.
- 6.9 It is unfortunate that the sand arising from the extraction of the additional silt lagoon cannot be accommodated within the existing plant site or extended stockpile area. However, it is noted that the stockpile would be limited to a height not above the 5 metre high bund located immediately to the north. The presence of this bund and the mature vegetation will assist in screening the stockpile from the wider landscape to an acceptable level. In addition it is noted that the proposed stockpile will be in place for a temporary 2 year period.
- 6.10 Having regard to the impact of the stockpiles from the public footpath that runs immediately to the east of the site, an extended 5 metre high bund will be located between much of the footpath route and the stockpiles themselves. It is considered that whilst parts of the site and associated stockpiles will be visible from sections of the footpath the development will be seen within the wider context of the existing quarry development and over a relatively short section of path that will not adversely impact upon the route as a whole.
- 6.11 It is accepted that there are situations where the bunds intended to screen a site or reduce noise emissions can in themselves result in an intrusive or discordant feature within the landscape. In this instance, it is considered that owing to their scale, extent and setting the site bunds are not unduly intrusive on the wider landscape character of the area. In addition, any minor harm to landscape character or visual amenity that occurs as a result of the bunds is outweighed by the benefits they bring through the screening of the quarrying operations.

- 6.12 As set out in paragraph 3.6 above, the proposal seeks to amend the currently approved phasing arrangements for mineral extraction across the site. It is considered that the landscape character and visual impact of the amended phasing arrangements would not itself be detrimental. Notwithstanding this point the revised phasing arrangements have resulted in a strip of land to the north of the conveyor that cannot be fully restored to agriculture until much later in the life of the quarry. At present this area is bare ground. Whilst it is considered that the landscape and visual impact of this strip of bare ground is minimal within the wider context of the quarry, the applicant has agreed that this area will be progressively restored to low nutrient/species rich grassland prior to its final restoration to agriculture.
- 6.13 Having regard to the limited height of the proposed stockpiles, the height of screening bunds and their associated visual impacts, the presence of mature woodland and vegetation within the locality and the temporary restoration measures proposed it is considered that the proposal will not be detrimental to the landscape character or visual amenity of the locality. The proposal is therefore seen to be in accordance with Policy 4 of the BD&PMS and paragraph 109 of the NPPF.
- 6.14 Noise Impacts  
Noise associated with the existing site operations as well as the construction and operation of the proposed bagging plant, the construction of the bunds and the extraction of mineral to form the lagoons proposed under planning application WD/D/15/001057 have the potential to adversely impact upon the amenity of nearby noise sensitive premises.
- 6.15 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.
- 6.16 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.
- 6.17 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).
- 6.18 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, but 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.

- 6.19 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 planning application WD/D/15/001057.
- 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
- 6.20 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 exceed 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.
- 6.21 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 the 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 2009 no complaints have been 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 currently imposed by the existing permission at other monitoring locations.

- 6.22 Having regard to the cumulative noise impact of the proposed development combined with the existing quarry operations, the applicants noise consultant has provided cumulative noise levels at each of the monitoring locations. These are shown to accord with the proposed noise limits as set out in paragraph 6.19 above.
- 6.23 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.
- 6.24 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.
- 6.25 No objection to the proposal has been raised from the District Environmental Health Officer.
- 6.26 In conclusion, 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 6ii (f) of the DMWLP, Policy DM2 of the BD&PMS and the noise standards for mineral workings as detailed within NPPF Technical Guidance.
- 6.27 Impact upon Heritage Assets  
The existing quarry complex is situated approximately 260m from the Grade 1 listed building of Woodsford Castle. Given such proximity, the potential exists for changes to development of this scale and nature to impact upon the setting of this historic cultural asset.
- 6.28 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).

- 6.29 Notwithstanding the proximity of the quarry there remains a substantial degree of physical separation, approximately 260 metres, between the application boundary and Woodsford Castle. The distance between the nearest proposed stockpile and Woodsford Castle is approximately 650 metres. This degree of separation together with the presence of a belt of screening vegetation immediately to the west of the castle will ensure that any views of the proposed stockpiles and associated bunds will be limited from Woodsford Castle and will not be unduly prominent within the wider landscape. In addition it is noted that the proposed stockpiles and associated bunds will be removed and the site returned to agriculture upon the cessation of quarrying activities. Thus I agree with Heritage England that there would be a slight to moderate impact on the setting of Woodsford Castle.
- 6.30 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 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 existing 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.
- 6.31 The public benefits of the development are as set in paragraph 6.49 of report for planning application WD/D/15/001057. I consider that the variations sought are necessary to allow the quarry to operate efficiently and effectively.
- 6.32 In conclusion whilst special regard has been given to the potential harm of heritage asset, 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 site 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 significant public 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.
- 6.33 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 any adverse impacts;
  - iv) the proposal, where possible, has direct access or suitable links with the Dorset strategic highway network or primary route network.
- 6.34 The application seeks to vary condition 15 of the original planning permission for the site that currently excludes the importation of material to the site. The importation of material will in turn facilitate the operation of the bagging plant proposed under planning application WD/D/15/001057.
- 6.35 The application states that up to 5 HGV's a day will import material to the proposed bagging plant. It is proposed that these HGV's will then 'back haul' the bagged aggregate for distribution to customers. The application also states that concrete additives/substitutes and specialist aggregates, are also required for the existing concrete batching plant.
- 6.36 It is considered that the development proposed under this application would lead to a slight increase in vehicle movements to and from the site.
- 6.37 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.
- 6.38 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.
- 6.39 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.
- 6.40 Ecological Impacts  
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 cannot 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.
- 6.41 The additional stockpiles and bunds will be located wholly within previously developed sections of the site. The potential impacts upon the ecological interests of the locality are therefore limited in this instance. Notwithstanding the limited ecological interests of the locality, it is considered that given the



changes proposed to the approved working scheme, the provision of additional bunds and the provision of temporary restoration areas, measures should be secured to enhance and review the ecological benefits of the site where possible. 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 will promote and manage ecological interests of the site to an appropriate level.

6.42 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

6.43 Conclusions

Having regard to the limited height of the proposed stockpiles, the height of screening bunds and their associated visual impacts, the presence of mature woodland and vegetation within the locality and the temporary restoration measures proposed it is considered that the proposal will not be detrimental to the landscape character or visual amenity of the locality. The proposal is therefore seen to be in accordance with Policy 4 of the BD&PMS and paragraph 109 of the NPPF.

6.44 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 6ii (f) of the DM&WLP, Policy DM2 of the BD&PMS and the noise standards for mineral workings as detailed within NPPF Technical Guidance.

6.45 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 site 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.

6.46 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.

6.47 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

## 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 these conditions, no development shall be carried out other than in strict accordance with the supporting information Drawing No's 91077/A dated 29 March 2005, WOOD001 Rev A dated February 2015, WOOD002 Rev B dated October 2015, 14803-2500-00 Rev B dated Sept 2015, 14803-2500-002 dated March 2014, WQ-02500-NF001MT dated 22 Nov 2013, 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 Waste 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. Duration of the development

No later than 1<sup>st</sup> October 2029 (or such later date the has first been agreed with the Minerals Planning Authority) the development subject of this permission 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.

### 4. 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; and
- (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.

### 5. Depth of Extraction

No extraction shall commence within the next quarry phase until a detailed scheme setting out how the depth of extraction in each phase will be determined and has been submitted to and approved in writing by the Mineral Planning Authority. Unless otherwise approved in writing by the Mineral Planning Authority the depth of extraction shall not exceed the base of the gravel deposit. The scheme for each phase shall include details of the maximum water table level predicted, the management of water within the phase, a detailed survey of the minerals and soils, the proposed treatment of the lower subsoil and any proposed changes to the soils handling and restoration strategy. Development shall be carried out in accordance with the approved schemes.

Reason: To safeguard the environmental and amenity interest of the locality in accordance with policies DM1, DM2, DM3, DM4, DM5, DM7 and DM8 of the Bournemouth, Dorset and Poole Minerals Strategy.

### 6. Restoration, Landscape and Ecology Management

Within 4 months of the date of this permission a detailed scheme for the restoration and landscaping 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;
- (f) the arrangements for subsequent maintenance; and
- (g) measures for the management of the hedges and trees around the boundary of the site.

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

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

Within 4 months of the date of this permission 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 4. 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 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. 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.

#### 10. 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.

#### 11. Prevention of Import of Material

Other than material imported to supply the aggregate bagging 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.

#### 12. Grey sand stockpile

The proposed grey sand storage area as shown on drawing no.14803-2500-001 Rev B shall not exceed the height of the 5 metre bund located immediately to the north. The stockpile shall be removed within 2 years of extraction commencing within the lagoon extension area (Phase D1).

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.

#### 13. Height and location of Stockpiles

No stockpiles of material on the plant site shall exceed 7m in height when measured from base of the plant area. No stockpiles in extended stockpile area, located to the south of the Plant Site and to the north of Phase BB, shall exceed 5 metres in height when measured from the base of the quarry floor. Unless otherwise approved in writing by the Mineral Planning Authority no material shall be stockpiled on the remainder of 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.

#### 14. Mobile crushing and processing

Crushing and temporary processing operations undertaken by mobile plant shall only take place within the plant site and the extended stockpile area. Crushing and processing shall only take place on the base of the quarry floor and shall be sited so as to reduce their noise and visual impacts as far as practicable.

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.

#### 15. 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.

#### 16. Drainage

Surface water drainage works shall be undertaken in accordance with the details contained within 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.

#### 17. 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; 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.

#### 18. Sheeting of Lorries

No lorries shall leave the site unsheeted.

Reason: To prevent highway danger in accordance with policy DM 8 of the Bournemouth, Dorset and Poole Minerals Strategy.

#### 19. Prevention of Mud on Highway

No commercial vehicle shall enter the public highway unless its wheels and chassis are sufficiently clean as to prevent material being deposited on the highway.

Reason: To prevent highway danger in accordance with policy DM 8 of the Bournemouth, Dorset and Poole Minerals Strategy.

#### 20. 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.

## 22. 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 21 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.

## 23. 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.

## 24. Noise – Minimising Discrete and Distinct Noise Emissions

Within two months of the date of this permission a scheme which specifies provisions for the control of discrete and distinct noise emissions from the site shall be submitted to and approved in writing by the Mineral Planning Authority (MPA). The scheme shall include specific measures, both existing and proposed, to minimise the emission of any discrete continuous noise (i.e. whine, hiss, screech, hum etc) or distinct impulses (i.e. bangs, clicks, clatters or thumps etc) that are repeated as part of normal operations and readily distinguishable at the noise monitoring locations. Once approved the measures approved within the scheme shall immediately be implemented at all times.

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.

#### 25. 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.

#### 26. 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.

#### 27. 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.

#### 28. Reversing alarms

Within 4 months of the date of this permission the operator shall submit details of the make and model of reversing alarm that is to be used on 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.

#### 29. 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, except that the loading of vehicles may additionally take place within the plant area between the hours of 0600 and 0700 Monday to Saturday. 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. No operations shall take place within phases CC1, CC2, M3, Y & X, as identified on the submitted Operational Plan numbers 91077/c0/w/1 Rev B dated Jan 2015 and plan number 91077/CO/E/1 dated 15 March 2005 until the hours of operation for activities within these phases have been submitted to and approved in writing by 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.

### 30. Archaeology

Archaeological work shall be implemented in accordance with the details contained within the document entitled 'Details Pursuant to Permission I/E/2005/0742' dated September 2008.

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.

### 31. 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.

### 32. 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 local 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.

### 33. 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 Permitting

Environmental Permits for this site may need to be varied or new permits obtained. The applicant should contact the Environment Agency's 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.

The Agency has noted from page 7 of the Common Supporting Statement dated 20 April 2015 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.'