



Meeting: Regulatory Committee
Time: 10.00 am
Date: 22 March 2018
Venue: Committee Room 1 - County Hall, County Hall, Colliton Park, Dorchester,
DT1 1XJ

David Jones (Chairman)
Kevin Brookes
Jean Dunseith
Nick Ireland
Margaret Phipps

Jon Andrews
Ray Bryan
Beryl Ezzard
Jon Orrell
David Shortell

Shane Bartlett
Keith Day
Katharine Garcia
Mary Penfold

Notes:

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- We can provide this agenda and the reports as audio tape, CD, large print, Braille, or alternative languages on request.

- **Public Participation**

Guidance on public participation at County Council meetings is available on request or at <http://www.dorsetforyou.com/374629>.

Public Speaking

Members of the public can ask questions and make statements at the meeting. The closing date for us to receive questions is 10.00am on 19 March 2018, and statements by midday the day before the meeting.

Debbie Ward
Chief Executive

Contact: David Northover
County Hall, Dorchester, DT1 1XJ
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224175

Date of Publication:
Thursday, 8 March 2018

1. **Apologies for Absence**

To receive any apologies for absence.

2. **Code of Conduct**

Councillors are required to comply with the requirements of the Localism Act 2011 regarding disclosable pecuniary interests.

- Check if there is an item of business on this agenda in which the member or other relevant person has a disclosable pecuniary interest.
- Check that the interest has been notified to the Monitoring Officer (in writing) and entered in the Register (if not this must be done on the form available from the clerk within 28 days).
- Disclose the interest at the meeting (in accordance with the County Council's Code of Conduct) and in the absence of a dispensation to speak and/or vote, withdraw from any consideration of the item.

The Register of Interests is available on Dorsetforyou.com and the list of disclosable pecuniary interests is set out on the reverse of the form.

3. **Minutes**

3 - 10

To confirm and sign the minutes of the meeting held on 1 February 2018.

4. **Public Participation**

(a) Public Speaking

(b) Petitions

5. **Application Nos 6/2017/0685 and 6/2017/0687 - Land East of Binnegar Lane and South of Puddletown Road through to land rear of Binnegar Hall, Binnegar, East**

11 - 72

To consider a report by the Head of Planning.

6. **Application Nos WD/D/15/001057 and 1/E/2005/0742/AuC - Woodsford Farm, Woodsford, Dorchester**

73 - 168

To consider a report by the Service Director.

7. **Questions from County Councillors**

To answer any questions received in writing by the Chief Executive by not later than 10.00am on 19 March 2018.



Regulatory Committee

Minutes of the meeting held at County Hall, Colliton Park,
Dorchester, DT1 1XJ on Thursday, 1 February 2018

Present:

Councillors

Margaret Phipps (Vice-Chairman – in the chair)

Jon Andrews, Shane Bartlett, Jean Dunseith, Beryl Ezzard, Katharine Garcia, Nick Ireland, Jon Orrell, Mary Penfold and David Shortell.

Officers Attending: Maxine Bodell (Economy, Planning and Transport Services Manager), Mike Garrity (County Planning, Minerals and Waste Team Leader), Rob Jefferies (Principal Planning Officer), Phil Crowther (Senior Solicitor), Steve Savage (Transport Development Liaison Manager), Wayne Sayers (Safer and Sustainable Travel Manager) and David Northover (Senior Democratic Services Officer).

Public Speakers

Councillor Pat Hymers, Wimborne Minster Town Council - minute 12.

Paul Scothern, for applicant – minute 12.

(Notes: These minutes have been prepared by officers as a record of the meeting and of any decisions reached. They are to be considered and confirmed at the next meeting of the Committee to be held on **Thursday, 1 March 2018.**)

Apologies for Absence

8 Apologies for absence were received from Councillors Kevin Brookes, Ray Bryan Keith Day and David Jones.

In the absence of the Chairman David Jones, Councillor Margaret Phipps took the chairmanship for the meeting. A Vice-Chairman was appointed for the meeting.

Resolved

That Councillor Beryl Ezzard be appointed Vice-Chairman for the meeting.

Code of Conduct

9 There were no declarations by members of disclosable pecuniary interests under the Code of Conduct.

Minutes

10 The minutes of the meeting held on 4 January 2018 were confirmed and signed.

Public Participation

Public Speaking

11 There were no public questions received at the meeting in accordance with Standing Order 21(1).

There were no public questions received at the meeting in accordance with Standing Order 21(2).

Petitions

There were no petitions received at the meeting in accordance with the County Council's Petition Scheme.

Planning application - PL\2250\17 (3/17/2868/DCC) - New Wimborne First School, Burts Hill, Wimborne

- 12 The Committee considered a report by the Head of Planning on planning application 3/17/2868/DCC for the construction of a new Wimborne First School on Burt's Hill, Wimborne, to replace the existing first school in School Lane. An associated nursery school was also to be incorporated into the school build.

For context, the Committee were provided with a visual presentation and, having regard to the Update Sheet provided for members prior to the meeting, officers described the main proposals and planning issues in detail, covering the key elements of the school development. Plans and photographs provided an illustration of the location and design of the school, showing its form, mass and size and the materials to be used. The presentation also confirmed what the highways, traffic management, parking and access arrangements - including pedestrian access - being proposed would be, showed playing field provision, together with the school's relationship with other residential development and civic amenities in Wimborne and its setting within the proposed new Cranborne Road/Minster Gate neighbourhood development.

Through the use of cross sections and photographs, officers specifically highlighted the relationship between the proposed school and the properties in Walford Close. The existing and proposed boundary treatment was described as was the potential for overlooking of the properties in Walford Close from the school grounds. The concerns from some local residents as to the potential for increased surface water flooding from the re-profiled ground was stated by officers. Officers stated that the grant of any permission would be subject to conditions dealing the provision of an appropriate surface water drainage strategy that would first be agreed by the Council's Flood Risk Management Team.

Members were provided with view across the site from various directions. How the development would be screened and what would be used to do this, how the land was to be reprofiled and landscaped, including the impact on Walford Close, were all described. Officers referred to the detailed design, including the schools construction and the materials to be used. Officers also explained the context of the development in relation to the characteristics of the surrounding town and landscape, the local highway network, the topography of the area and the relationship between the development and the adjoining Cranborne Chase and West Wiltshire Downs Area of Outstanding Natural Beauty (AONB).

The school's design was based on the Government's Baseline Design, which was the principal means of meeting central government requirements for well designed and cost effective school construction and for attracting the necessary funding. The Committee were informed that the provision of the new school was in accordance with the provisions of the National Planning Policy Framework and Christchurch and East Dorset District Local Plan.

Officers explained the need for a new school, which was designed to have sufficient capacity to meet the projected needs of a new housing development in that part of Wimborne and to replace the current school, which was now deemed to not to be fit for purpose or able to fulfil that demand.

Officers explained that, having established the need for a new school, the proposed development was designed to provide the capability of delivering a full educational curriculum which satisfied modern standards and expectations.

Responses to the consultation exercise - amongst others - were that, whilst East Dorset District Council raised no objections to the principle of the school and its siting, it raised concern at highway safety and parking. Wimborne Minster Town Council

similarly welcomed a new school being built, but considered that more attention should be given to the consequences of parking needs and road safety and suggested what this provision should be.

Of particular note was how access to the school was to be addressed and what arrangements there were proposed for parking and the dropping off and collection of children. The design of the new school provided for three access points, which would limit the effects of congestion if only a single entrance was available and provided some choice, depending on direction of travel. Incentives, designed to make access to the school other than by car more attractive, were outlined, with highway improvement works and management – amongst other measures - providing for this. Sustainable means of accessing the school were to be encouraged, i.e. walking, cycling and the like, with footway widening schemes being proposed to enable safer routes to school to be accessed. Much consideration had been given to how children would travel to school, with a School Travel Plan playing an important part in this, giving every encouragement to as much opportunity as possible to access the school by a healthy, safe and sustainable means. Town centre parking would be some 600m from the site and so within walking distance, albeit further than the existing school. Officers confirmed where cycle routes were to run and what routes would be made accessible and it was confirmed that, as far as practicable, these would be connected, to allow for a seamless journey. Allenvie Road was seen to have sufficient capacity to contribute significantly towards this. Officers confirmed that public transport needs had been factored into the proposals to enable children to be picked up and set down as close to the school as possible.

This concern – over adequate parking arrangements and what would be the consequence of this – was raised in representations received from local residents. However officers were confident that this issue could be satisfactorily managed by conditions and by way of a School Travel Plan. This plan would be shared with the school, staff and parents to try to encourage more children and their parents to walk some part, maybe the final part, of their journey if they could.

Moreover, 'Safer Routes to School' and a Highways Improvement Plan, indicating alternative parking provision and walking routes to give pedestrians access to the new site, together with the wider highway improvements which were being undertaken by the housing developer would all contribute towards a sustainable journey to school.

On that basis, officers were recommending that permission be granted for the approval of the application.

The opportunity was then given for public speaking. The Committee first heard from Wimborne Minster Town Councillor, Pat Hymers, who, whilst pleased that there was to be a new first school for Wimborne, expressed concern at the perceived consequences of the proposed parking arrangements which she considered to be inadequate and would be detrimental to residents of neighbouring streets. A petition had been organised by residents of Allenvie Road about this. She asked for consideration to be given to a series of measures which she felt would go some way to addressing this, including traffic management measures and waiting restrictions for those streets surrounding the development, additional off-street parking provision and asked whether there was scope for a school crossing patrol to assist in road safety.

The Committee then heard from Paul Scothern, the applicant, who confirmed the need for the new school to be able to accommodate the projected increase in the number of school places arising from the new resident development and to meet existing need and the County Council's obligation to be able to meet its statutory responsibility in terms of having sufficient school places available in that part of Wimborne.

Mr Scothern explained that in recognition of the concerns raised about parking, arrangements had been made with the residential site developer, Bloor Homes, and the Council's Highways Team, in addressing that by way of highway improvements, under the S106 agreement for the development. In confirming that the County Council's policy did not permit parent parking on school sites - in striving to encourage more active and sustainable lifestyle choices - as a consequence the infrastructure of Minster Gate was designed to be able to accommodate casual parking needs and was sufficient to deal with the needs of parents' travel options.

The Committee was then provided with the opportunity to ask questions of the officer's presentation and about what they had heard, and took the opportunity to have their understanding of what the application entailed clarified, with officer's providing clarification in respect of the points raised. The Committee acknowledged - and accepted - the principle of the need for a new school and the benefits this would bring to Wimborne Minster.

During their questions to officers, the Committee gave consideration to the following:-

- how parking and dropping off provision would be addressed satisfactorily;
- how the School Travel Plan would be implemented so as to play its part in achieving this;
- what arrangements were in place for flooding mitigation and management;
- what capability there was for cycling provision;
- the routes designated for this and how they connected;
- what improvements were being implemented to address congestion at certain junctions across the town and;
- what measures there were to mitigate against potential nuisance from ball games.
- fencing and lighting considerations.

Officers clarified what was being proposed to address these issues and were confident that those measures would be satisfactory to manage all that was necessary. Officers acknowledged that whilst there might be some initial issues to be resolved over parking, there was enough scope in what was being proposed to deal with this satisfactorily and proportionality. On the issue of flooding in particular, officers confirmed that the detail of the finalised scheme was proposed to be delegated to officers to agree, this being the usual practice in such circumstances. Other, more formal, options were available but were considered by Committee to be unnecessary. The Senior Solicitor confirmed that this course of action was appropriate in the circumstances.

Whilst recognising the policy encouraging the use of sustainable transport, members remained concerned, to some extent, at the issue of inadequate parking provision as they saw it given that, in practice, parents would habitually take their children to school by car, especially in poor weather, and that there would be a consequence of this to neighbouring residents.

The County Councillor for Wimborne considered the application to be acceptable largely and was pleased to see that Wimborne was getting a new first school, although he wanted to ensure that parking needs would be addressed satisfactorily and any School Travel Plan monitored to ensure it was doing what it was designed to do. He also considered that a review of Central Government policy was necessary about school parking provision and how this was applied.

The Committee recognised the need for the replacement school and considered that what was being proposed would provide for a modern, vibrant school, capable of delivering a full educational curriculum which would benefit the pupils attending that school. Having had an opportunity to discuss the merits of the application, and having

understood what was being proposed, members considered that sufficient measures were either in place, or being planned, to address those issues which had been raised. It was acknowledged to be beneficial that there were three points of entry to the school and, for the School Travel Plan to be successful, there was a need for this to be closely monitored to see that it was addressing the issues at hand.

Given this, and having taken into account the officer's report, what they had heard at the meeting from the case officer, legal advisor and invited speakers, on that basis - and on being put to the vote – the Committee considered that the planning application should be approved and planning permission granted, subject to the conditions set out in the officer's report and having regard to the Update Sheet and subject to this being on the basis that authority be delegated to officers to agree any conditions necessary in light of any Environment Agency response received to flooding issues in securing a satisfactory drainage scheme in agreement with Flood Risk Management and the conditions set out in the report.

Resolved

That planning permission be granted subject to the conditions set out in paragraph 9.1 of the Head of Planning's report and subject to authority being delegated to officers to agree any conditions necessary in light of any Environment Agency response received to flooding issues in securing a satisfactory drainage scheme in agreement with Flood Risk Management and the conditions set out in the report.

Reason for Decision

The reasoning for the decision is as set out in the conclusion - in paragraphs 6.69 to 6.76 of the report.

Questions from County Councillors

13 No questions were asked by members under Standing Order 20(2).

Update Sheet

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Update Sheet

Planning application 2/2016/1127/DCC - New Wimborne First School building (15 classrooms) with hall, meeting rooms, specialist teaching rooms and associated landscape works, Burt's Hill, Wimborne

Update:

Additional Conditions - Highways

The following additional conditions and informative have been proposed by the County Council's Transport Development Liaison Engineer. It is proposed that these conditions are added to those detailed at paragraph 9 of the report.

Accesses, turning and parking construction

Before the development is occupied or utilised the accesses (pedestrian and vehicular), turning and parking shown on Drawing Number L300 dated December 2017 must have been constructed. Thereafter, these areas must be permanently maintained, kept free from obstruction and available for the purposes specified.

Reason: To ensure the proper and appropriate development of the site and to ensure that highway safety is not adversely impacted upon.

Vehicle access construction

Before the development is occupied or utilised the first 15.00 metres of the vehicle access, measured from the rear edge of the highway (excluding the vehicle crossing – see the Informative Note below), must be laid out and constructed to a specification

submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that a suitably surfaced and constructed access to the site is provided that prevents loose material being dragged and/or deposited onto the adjacent carriageway causing a safety hazard.

Cycle parking

Before the development is occupied or utilised the cycle parking facilities shown on Drawing Number L300 dated December 2017 must have been constructed. Thereafter, these must be maintained, kept free from obstruction and available for the purposes specified.

Reason: To ensure the proper construction of the parking facilities and to encourage the use of sustainable transport modes.

Set back gates

The development hereby permitted must not be occupied or utilised until a scheme showing precise details of the proposed school entrance gates must be submitted to the Planning Authority. Any such scheme requires approval to be obtained in writing from the Planning Authority. The approved gates must be set back a minimum distance of 10.00 metres from the edge of the carriageway and hung so that the gates can only open inwards.

Reason: To enable a vehicle to be parked clear of the public highway whilst the gates are opened or closed, preventing possible interruption to the free flow of traffic.

INFORMATIVE NOTE: Dorset Highways

The vehicle crossing serving this proposal (that is, the area of highway land between the nearside carriageway edge and the site's road boundary) must be constructed to the specification of the County Highway Authority in order to comply with Section 184 of the Highways Act 1980. The applicant should contact Dorset Highways by telephone at Dorset Direct (01305 221000), by email at dorsetdirect@dorsetcc.gov.uk, or in writing at Dorset Highways, Dorset County Council, County Hall, Dorchester, DT1 1XJ, before the commencement of any works on or adjacent to the public highway.

Representation

In addition to those representations set out under paragraph 4.13 of the report, a representation has been received from a resident at no. 8 Walford Close that raises specific points relating to amenity. The representation raises concerns over the re-profiling of the application site and how this has the potential to create views into their property as well as directing surface water run-off towards their boundary. The representation stated that it was essential that the use of the school playing field does not result in balls etc entering their property. It was also stated that a maintenance strip should be maintained adjacent to the property boundary.

Officer Comments on Representation

The cross sections submitted as part of the application show that reprofiling will be minimal in this part of the application site. Given the relative ground levels and presence of a 1.8 metre close boarded fence, it is considered that the re-profiled ground levels would not give rise to the adverse overlooking of properties in Walford Close.

The extent of re-profiling within this part of the site does not significantly alter the existing ground levels. In addition, it is noted that the recommendation to grant planning permission is subject to a condition detailing the submission of an appropriate drainage scheme to be agreed by the County Council's Flood Risk Management Team. With these measures in place it is considered that the proposed

scheme will not adversely impact upon neighbouring properties through surface water flooding.

A three metre high security/ball fence will be erected adjacent to the properties in Walford Close. It is noted that adjacent to no.8 Walford Close, the edge of the sports pitch is located approximately 20 metres from the proposed fence. Notwithstanding the provision of the security/ball fence it is considered appropriate to add a further condition in relation to the potential for the development to adversely impact upon the amenity of residents through disturbance from stray balls. It is proposed to add the following condition to the grant of any permission.

Disturbance from Stray Balls

Where the applicant and/or LPA is made aware of persistent disturbance from stray balls directly affecting the amenity of adjacent residential properties, the applicant shall, within 28 days of a reasoned request from the LPA, undertake monitoring in accordance with details that shall be submitted to and agreed in writing with the local planning authority and the results shall be reported to the local planning authority. If significant disturbance is identified as a result of the use of the sports pitch, measures shall be proposed to reduce and/or mitigate disturbance and thereafter implemented in accordance with the agreed details.

Reason: In the interests of the residential amenities of the area and in accordance with Policy HE 2 of the Adopted Core Strategy.

It is noted that the proposal does allow for a maintenance strip between the proposed security/ball fence and the boundary of the adjacent residential properties.

Revised Condition 3 (Reference to Revised Landscaping Plan)

A revised plan has been submitted by the applicant that accurately shows the number of proposed on-site parking spaces as set out in paragraph 6.13 of the report. It is proposed to amend condition 3 (Submitted Plans and Details) to reflect the submission of this plan. The revised Condition would read as follows:

Submitted Plans and Details

3. The development shall be carried out in strict accordance with the approved plans reference **L300**, L202 Rev P1, L210 Rev P8, L213 Rev P1, L214 Rev P3, L221 Rev P5, L222 Rev P5, L223 Rev P1, L230 Rev P3, L231 Rev P1, A100 Rev P5, A101 Rev P2, A105 Rev P3, A106 Rev P3, A107 Rev P3, MSA/BJH/01/02 (Sheets 1-4) and Wimborne First 3FE School

Planning Statement dated August 2017 unless otherwise agreed in writing by the County Planning Authority.

Reason: To enable the County Planning Authority to deal with any development not in accordance with the approved plans having regard to policies HE2, KS11 and KS12 of the Adopted Core Strategy.

Final consultation response from East Dorset District Council's Environmental Health Officer

A final consultation response has been received from East Dorset District Council's Environmental Health Officer. Following the submission of additional information concerning the potential for noise disturbance from the outdoor play areas and sports pitches, the Environmental Health Officer raises no objection.

Revised Recommendation

Following the confirmation of the Environmental Health Officer in relation to the potential for noise disturbance, it is proposed to revise the recommendation detailed under paragraph 9 to read as follows:

That planning permission be granted subject to securing a satisfactory drainage scheme in agreement with Flood Risk Management and the conditions set out.

Meeting Duration: 10.00 am - 11.40 am

Regulatory Committee

Dorset County Council



Date of Meeting	22 March 2018
Officer	Maxine Bodell – Head of Planning
Subject of Report	<p>To consider:</p> <p>(1) Application No. 6/2017/0685 for the “Relocation of quarry processing plant to Area B2 to include wash plant, dry screen, silt management lagoon, weigh bridge, office, wheel wash, car parking and associated development; and</p> <p>(2) Application No. 6/2017/0687 for the Variation of conditions 4 - Development in Accordance with Approved Plans; 40 - Restoration of B1 in Accordance with Approved Plans and 41 - Full Restoration Detail of planning application number 6/2017/0256 to allow an increase in restoration contours in Area B1 in order to accommodate silt arising from the processing of the B2 mineral reserve</p> <p>at land east of Binnegar Lane and south of Puddletown Road through to land rear of Binnegar Hall, Binnegar, East</p>
Executive Summary	<p>These applications propose changes to the Raymond Brown Sand and Gravel operations at Binnegar Quarry. No changes to the amount, duration, or extent of the extraction operations are proposed. The proposal is to relocate both the processing plant and silt lagoons from the north side of Puddletown Road to the south side. The two main changes that will be visible to the users of Puddletown Road are that off highway dumpers would no longer need to cross the road, and that HGV delivery vehicles would access the site to pick up their loads from the road access on the south side of the road rather than the north side as at present. The application also proposes revised restoration levels in area “B1”. This area would accommodate the silt lagoons, which would be “capped” and then restored to original ground levels. The application is supported by an Environmental Statement.</p>
Impact Assessment:	<p>Equalities Impact Assessment:</p> <p>The report concerns the determination of an application for planning permission and not any changes to any new or existing policy with equality implications.</p>

	<p>Use of Evidence:</p> <p>The recommendation has been made after consideration of the application and supporting documents (including an Environmental Statement), the development plan, government policy and guidance, representations and all other material planning considerations as detailed in the main body of the report.</p>
	<p>Budget:</p> <p>No budget implications.</p>
	<p>Risk Assessment:</p> <p>No risk assessment implications.</p>
	<p>Other Implications:</p> <p>All other matters are considered in the body of the report as part of the planning assessment.</p>
Recommendation	<p>That the Mineral Planning Authority resolves to grant planning permissions 6/2017/0685 and <u>6/2017/0687</u>, subject to the completion of a legal agreement, the heads of terms of which are set out in 8.2 below; and the conditions set out in the condition schedules found in 8.3 and 8.4 below.</p>
Reason for Recommendation	<p>The reasons for granting planning permission are summarised in paragraphs 6.32 of the report.</p>
Appendices	<ol style="list-style-type: none"> 1. Location Plan. 2. Site Location Plan. 3. Phasing Plan. 4. Final Restoration Scheme. 5. Common land exchange plan
Background Papers	<p>Planning Application file - No. 6/2015/0421 Planning Application file - No. 6/2017/0256</p>
Officer Contact	<p>Name: Andrew Helmore Tel: (01305) 228647 Email: a.m.helmore@dorsetcc.gov.uk</p>

1. Background

- 1.1 Binnegar Quarry is a long-established minerals site with planning permission for minerals extraction that straddles both sides of Puddletown Road. Previous operations which have included clay, sand and gravel extraction were focused on the north side of the road. These have now been exhausted and the land is being restored. More limited operations have taken place on the south side of the road. A strip of ground running parallel to the road was worked for its surface gravel in the 1970s, and consent for an area referred to as B1 (a parcel of land near the junction of Puddletown Road and Binnegar Lane) was granted permission in 2010. Sand has been excavated down to the 24m Above Ordnance Datum (AOD) level (approximately 15m deep). The landowner surrendered the right to dig the remaining section of the strip alongside Puddletown Road as part of the 2010 consent and this land has now been restored as heathland. The main activity on the north side of the road is now limited to a sand processing plant reflecting the previous concentration of excavations on this side of the road and the development of a waste recycling complex (the Binnegar Environmental Park) also approved as part of the 2010 consent. Only the materials recycling facility building was built and this is currently mothballed.
- 1.2 Planning Permission for the extraction of sand and gravel, restoration to nature conservation and woodland including the importation of inert waste was granted consent in May 2016. The application was accompanied by an Environmental Statement and extended to an area of nearly 21 hectares (ha) south of Puddletown road and east of Binnegar lane. This area is bisected by a linear Ancient Monument known as Battery Bank. Area B1 (referred to above) is located to the north of this feature and the sand and gravel reserve, referred to as B2, is located to the South of Battery Bank.
- 1.3 At present the sand extracted from the new extraction area (B2), south of the road, is transported by dumper truck across the road and processed through the plant situated on the north side of the road. Associated with this “washing” plant is a silt lagoon system also on the north side of the road (in the area known as the “yellow” area).
- 1.4 The wider site, north and south of the road, is owned by Suez (formerly Sita). The current extraction operations are being undertaken by Raymond Brown and they are also the applicant for the current proposals. Suez and Raymond Brown now have a new lease and working agreement whereby Suez will operate from, and be responsible for all the operations north of the road, and Raymond Brown will be responsible for the operations to the south of the road (albeit as a tenant of Suez).

2. Site Description

- 2.1 The existing permission comprises 20.75 ha of land lying south of Puddletown Road running towards the A352 and east of Binnegar Lane but also includes a drainage culvert under the A352, and an area of land (and two short sections of ditch) south of the A352 in the south-east corner of a field adjacent to the railway crossing and the East Lulworth road (B3070). The additional areas were included as part of measures to deal with surface water drainage from the proposed quarry.
- 2.2 The application site occupies ground on the plateau area between the River Piddle valley to the north and the River Frome that runs to the south. The land on the northern side of Puddletown Road begins to fall away beyond the road whilst to

the south there is a roughly level area before the slope commences. The Frome Valley accommodates the main east–west transport routes with the A352 and the Wareham-Dorchester railway line routed north of the river.

- 2.3 Puddletown Road runs for 7km, linking the Wool to Bere Regis road at the north-western end with the A352 Wareham to Wool road at the south-eastern end. Bere Regis is 8km to the north-west, Wareham lies 3km to the east, and Wool 4km to the west. Puddletown Road serves three mineral extraction sites, a smaller number of contract plant depots and waste related activities as well as several other activities. These include the glider club, the scout camp and the golf club. At the southern end of the road are several residential dwellings. A location plan is attached as Appendix 1 which sets the position of the site within the wider surrounding area.
- 2.4 The application site lies 2km north-west of the junction of Puddletown Road and the A352. The site abuts onto Puddletown Road for a distance of 340m. The larger portion of the site lies south of the Battery Bank which is an earth bank feature and a Scheduled Ancient Monument that runs approximately 150m south and roughly parallel to the road. This feature consists of a raised bank approximately 8m wide and 1m high which extends for several kilometres beyond the application site. South of the Battery Bank, the site consists of an area of open ground but the major part of the site is mature plantation woodland with a dense under storey. Most of the woodland is coniferous with some deciduous trees in the eastern and south-eastern parts. Extraction operations in B2, under the current consent, commenced in May 2016.
- 2.5 Excluding the boundary to Puddletown Road and that section of Area B1 which abuts Binnegar Lane, the other boundaries of the site adjoin or run through existing woodland and are not currently defined on the ground. To the east, and adjacent to the site, is an area of woodland which then opens out onto heathland. To the west the site abuts a belt of trees with the ground falling away towards Binnegar Lane. West of the lane is a recycling depot and the former Hines landfill site. To the south the belt of trees runs down the slope through to the boundary fence to the rear of the properties and Binnegar Hall that fronts the A352. The site location plan is attached as Appendix 2 and shows the relationship of the site to the immediate surrounding area.
- 2.6 The site itself does not carry any landscape designations or national or international nature conservation designations. However, to the south beyond the A352 is the Area of Outstanding Natural Beauty (AONB) which extends away to the coast. The ground south of the A352 and the railway line gradually rises towards the Purbeck Ridge, which offers substantial and panoramic views northward. The site lies near to the following designated nature conservation sites: to the east and 325m away is Worgret Heath Site of Special Scientific Interest (SSSI), Special Protection Area (SPA) and Special Area of Conservation (SAC); and to the north-west and 150m away is Stokeford Heath SSSI, SPA & SAC. In terms of heritage assets, the site includes a section of the Battery Bank Scheduled Ancient Monument. This feature, which consists of a low bank with a ditch on one side, runs intermittently for several kilometres from NW to SE. There are also two tumuli which lie 40m to the south-east of the application site. There are no adopted rights of way crossing the application site.
- 2.7 There are no residential properties immediately to the north, west or east of the site. To the south fronting the A352 are some dwellings separated from the

application site by distances ranging from 160m to 320m. The most concentrated development is at Binnegar Hall, now a complex of 14 flats and 9 houses within and around the original hall. The nearest residential buildings are 70m from the extraction site boundary (as per existing situation). This property would be located 200m from the proposed plant compound.

3. The Proposal

3.1 The applications comprise the following elements:

(a) Application 6/2017/0685

- The relocation of the quarry processing plant and associated infrastructure (including washing & screening plants and stockpiles & Loading areas) into an area within B2 where extraction has already taken place.
- New weighbridges, revised internal road, new offices and car parking layouts.
- New proposals for silt management including silt lagoons located in area B1, including the raising of the restored landform in B1.

(b) Application 6/2017/0687 to vary the existing conditions to allow for the following

- Changes to restoration contours in area B1
- Change to the restoration phasing of B2
- Change to allow more imported inert waste and less silt for the restoration of B2
- The corresponding change allowing more silt and less imported inert waste into B1
- Changes to allow for HGV's to collect product from south of the road.

3.2 The proposal seeks an increase in imported inert waste to restore B2 alongside a corresponding reduction in imported inert waste to B1, resulting in no net change overall to that which is presently consented. Whilst there will be changes to the restoration timetable of individual phases, the overall timescale of the development is not anticipated to change. The current life of the site is 15 years from the commencement date of May 2016 (which would give a completion date to the restoration works of 31 May 2031). This allows 10 years for extraction and a further 5 years for the importation of the restoration material. It is proposed to apply a condition requiring restoration in B2 to be completed by 30 September 2031, and 30 September 2028 for B1 (which now does not require waste imports). The September deadlines provide for the summer months for weather sensitive restoration works. A plan showing what is now proposed, and the relative locations of B1 and B2, is attached at Appendix 2.

3.3 The consented extraction is taking place over a ten-year period on an area consisting of 13.68 hectares. It was estimated that the extraction area contained 2.25 million tonnes (mt) of sand and 0.27 mt of gravel. It is being worked at the same rate as previous extraction operations in Area B1 (250,000 tonnes per year). The first phase of extraction, in the northwest corner of B2 is now complete and it is proposed to accommodate the new plant within this area. Extraction operations will continue in a clockwise direction through 5 phases as per the current consent. A copy of the phasing plan is attached at Appendix 3. As with all extraction operations in the Poole formation the exact proportions of mineral reserve and naturally occurring clay waste can vary across the deposit so quoted reserve figures may need to be revised as the site is worked. Extraction operations have now been ongoing for 22 months. Unfortunately, a higher proportion of in-situ clay, above those that were anticipated in the original proposal, have been encountered. It is already apparent that the original material balance may not be

achievable and higher volumes of clay will need to be accommodated in the restoration landform. It is therefore proposed to raise the restoration levels in B1 to accommodate this increase in volume.

- 3.4 The proposal to relocate the plant to the South of Puddletown Road would result in the plant site being adjacent to the extraction operations and would remove the need for the long haul to the current plant site and the need to cross Puddletown Road with off-highway dump trucks. This would, however, result in the need for the delivery HGV vehicles to pick up their loads from the south side of the road. The proposal therefore also includes the necessary HGV infrastructure such as improved access road, weighbridges and a wheel wash. To accommodate this the proposal also includes the relocation of the site offices and associated car parking.
- 3.5 The proposal also involves the establishment of new silt lagoons within B1. The volume calculations used to create the currently consented restoration landform assumed that the silt produced from the washing plant would be processed with a silt press and used to help create restoration contours in B2. However, since this consent was granted the applicant has stated that difficulties in drying the silt from a press could hinder attempts to achieve the necessary stability for the proposed land form. The proposal now is to provide silt ponds in B1 and create the restoration contours within B2 using imported inert waste. The silt laden water would be pumped from the plant site in B2 and discharged into a series of clay lined ponds situated in B1. The silt will naturally settle out within the ponds. The proposal is for three ponds which would be linked by a series of weirs. The last pond will contain substantially clean water which is then fed back to the washing plant in a closed circulatory system. These silt ponds are shown on the plan at Appendix 2.
- 3.6 The proposal seeks a change to the permitted restoration landform and surface treatment scheme for area B1. The currently approved restoration contours propose a deep bowl-shaped landform, the base of which would be just below the 25m AOD contour. The new proposal is to recreate a landform close to original levels with an undulating topography ranging from just above the 37m contour to below the 35m contour. The proposal is to cap the silt lagoons with a layer of gravelly overburden to stabilise the ground and create the new landform. This would be “topped off” with a thin layer of heathland soil. The proposal is to include six slightly lower areas that would contain wetter heathland areas with ephemeral ponds and dryer heathland areas created on the higher areas of the restored land (see appendix 4). The finished surface would then create a mosaic of habitat types that would be similar to, and complement, the adjacent restoration in the “blue area” (a linear area of about 5.5 ha immediately to the east of B1 sandwiched between Battery Bank and Puddletown Road).
- 3.7 The existing consent allows for the importation of 580,000m³ (840,000 tonnes) of inert waste. Under the existing scheme this waste would be deposited in both B1 and B2. Under the new proposal this material would all be deposited in B2, and covered with waste clay and gravelly overburden. This material naturally occurs within the deposit, and will provide the correct medium to aid the creation of the agreed restoration habitat and landform. This is unchanged from the currently agreed scheme. As explained above, the principal change to the restoration scheme occurs in B1. It is estimated that the current scheme would require approximately 200,000m³ of fill to create the bowl-shaped landform described in the previous paragraph. An additional 80,000m³ is required to bring the levels up to original ground level, as is now proposed. Due to the higher volumes of clay that the applicant is encountering (as explained in para 3.2) it is now the applicant’s belief

that the additional 80,000m³, required to make up the level of B1 to original ground level, can be found from the higher volumes of clay waste that continue to be encountered.

- 3.8 Once area B1 is restored, it will become open access common land, in accordance with the common land exchange decision by the Secretary of State in May 2016. The landform now proposed would be more appropriate for public access than the deep bowl-shaped landform currently consented. The geotechnical construction and design has to ensure the necessary degree of land stability to allow for the creation of the restored surface of B1 on top of silt lagoons. The capping with a thick layer of site derived coarse gravel (with the sand element removed) is considered to be suitable for this purpose.
- 3.9 The restoration proposals for B2 remain unchanged. In brief, they comprise woodland planting on the steeper north facing slopes, wet heath and ephemeral ponds located in the base of the bowl-shaped landform, and heathland created on the shallower south facing slopes. The restoration plan is attached at Appendix 4.

4. Consultations and Representations

- 4.1 The application was advertised in the local press, by site notices, and by twenty-five neighbour notifications.
- 4.2 Purbeck District Council
Raises no objection and has no comments to make.
- 4.3 East Stoke Parish Council
Raises no objections to the planning application. They would like to make the following comment. The present restoration aim is to leave the ground bowl shaped. The Parish Council believes it should be restored to the original contours. This can be achieved by filling it with inert waste from the businesses along Puddletown Rd. This would have environmental benefits by reducing the amount of HGV movements travelling to other waste sites out of the local area.
- 4.4 Wareham St Martin Parish Council
In relation to traffic impacts, the Parish Council has no objections to the application. As they are not the local Parish they do not want to comment on any other aspect of the proposal.
- 4.5 Historic England (HE)
Consider that the proposals for the areas B1 and B2 would cause harm to the Battery Bank (and to a lesser extent to the two scheduled barrows to the south), due to the nature of the activity and increased duration of operations beyond that in the current consents, and the consequent delay in the restoration of the quarried areas. The harm, whilst temporary, would in planning terms be sufficiently significant for it to be a material planning consideration to be taken forward into the planning balancing exercise. However, taking the various factors into account, it considers that the harm to the affected heritage assets brought by the proposed development would ultimately be outweighed by public heritage benefits brought by the final restoration of the B1 area as heathland at original ground levels, thereby improving the setting of the Battery bank scheduled monument.

HE state that their lack of objection to the application, despite this harm, is on the understanding that these adverse impacts would be for a defined temporary period of c.13 years, with land restoration completed in a timely way and to a suitable

programme agreed with the Mineral Planning Authority and relevant consultees. HE consider that the proposed development would be in accordance with NPPF policies relating to impacts of development on heritage assets, in NPPF paragraphs 129, 131, 132, 134, 137.

4.6 Senior Archaeologist

Supports the comment from Historic England and has nothing further to add.

4.7 Dorset AONB Team

No objection to the application.

4.8 Flood Risk Management

No objection to the proposed amendments and additional development, with regard to both our (primary) Surface Water Management remit or wider interest in flood risk considerations. The principal supporting documents supplied, namely Appendices 5 (Flood Risk Assessment ref: Hafron Water 2429/FRA Version F1 dated Sept 2107) and 6 (Hydrogeological Impact Assessment ref: Hafron Water 2429/HIA Version F1 dated Sept 2017) of the overriding environmental Statement (ref: David Jarvis Assoc. 2597 – T1 Rev P2, dated Nov 2017), are site specific and comprehensive in their consideration of the site, prevailing risks, potential implications and mitigation.

The documents provided offer sufficient clarification of the proposed surface water management associated with the new works (ref: 6/2017/0685) via the incorporation of a clay liner and the *closed loop system* of containment and rainwater harvesting for commercial use. On this basis and given the constraints / monitoring imposed upon the wider site, there would seem to be little need to request condition/s specific to this application.

The supplementary information received on February 2nd confirms that groundwater is being monitored, and clarification that relevant levels have not responded beyond anticipated seasonal / annual fluctuations (both positive and negative). The documents supplied therefore address the concerns made within the consultation response of 25/01/2018.

4.9 Highway Liaison Engineer

No objection, subject to the following recommendations:

The planning application will result in the conditions for planning application 6/2017/0256 being varied to suit the new proposal, which involves HGVs entering the site south of the road when previously they visited the plant north of the road. The response includes a number of recommendations for changes to the conditions to allow for this.

4.10 Landscape Officer

The difference in the planting scheme for areas B1 and B2 are marginal between the original and the new proposal, so from a landscape visual point of view this is acceptable. For the revised restoration scheme of Area B1, we support the view being promoted by the Natural Environment Team.

The proposal to locate the plant at the base of the quarry is preferable, from a landscape and visual impact perspective, to the current situation. The proposals for short and long term (25year) management are supported and the landscape team would like to be involved in the landscape management aspects of the annual reviews.

4.11 Environment Agency

Have no objection subject to the informative notes on the following subjects being included on any permission granted

- The Environment Permitting Regulations, as silt is regarded as a Mine waste
- Water Discharges
- Pollution Prevention During Construction

4.12 Natural England

No Response received

4.13 Natural Environment Team (NET)

There are potential environmental gains to the proposal (e.g. reduction in number of lorry journeys). The following points are raised in relation to mitigation.

- The Planning Inspectorate's decision on the "Common Land exchange" (May 2016) included some recommendations that were not fully adopted in the document "Proposals for Common land management". It is recommended that there is an opportunity now to rectify this as follows:
To ensure that the new common land contributes to '*enhancing and conserving wildlife*' in line with Planning Inspector's letter further management of parcel 2 & 3 (now incorporated into the common land - see appendix 5) should be undertaken. Incorporating these parcels into an amended Integrated Management Plan (IMP), with additional management, would both comply with the Inspector's recommendations and add additional mitigation to the current proposal. The adoption of an amended IMP should be conditioned to be submitted within an agreed timeframe (if it is not possible to be amended prior to any decision). Note: Ideally Parcel 1 should also be included (it is understood this may not be possible because it is not in the control of the applicant - Raymond Brown). However, in terms of managing biodiversity and access across the common land and area it would be a more practical and useful approach.
- Given the common land exchange, and in the context of the surrounding common land, it is recommended that the 25-year long-term management Plan and IMP cover the whole of the Raymond Brown lease area.
- At the time of the original application, the value of linking newly restored areas north of Battery Bank, and the IMP areas to Worgret SSSI (also part of the Dorset Heaths SAC, Dorset Heathlands SPA), part of which is within the Raymond Brown lease, was highlighted. It is recommended that these areas are now included with parcel 3 (of the common land exchange) in the IMP. In the longer-term these areas should be appropriately managed as one unit.
- The delay in the restoration of B1 and the re-siting the plant in B2 (taking up areas 1A and 1B (appendix 3)) causes a significant delay in restoration of an area of priority acid grassland/heathland mosaic in B2. The management proposals in the existing IMP and early restoration of 1A & 1B helped to offset the loss of this heathland/acid grassland mosaic. However, further delay now proposed in the restoration of 1A & 1B will require further mitigation measures to be included a revised IMP. These mitigation measures should provide for increased rhododendron management linking with Worgret Heath SSSI, and creating a rhododendron free buffer against the previously restored land north of battery bank (other appropriate mitigation measures that the applicant may propose could also be considered).
- The IMP, and the long-term management plan, should also include management of the two new Sites of Nature Conservation Interest (SNCI) within Raymond Brown's lease area.

- In summary, the IMP should be revised to include:
 - i) the common land with reference to SNCIs,
 - ii) Binnegar Quarry, Proposals for Common land management' with additional management outlined to secure biodiversity enhancements,
 - iii) further mitigation to compensate for the delay in restoration.
- NET would also welcome this opportunity to revisit the original restoration and aftercare plans. We would prefer far less woodland planting. Whilst we welcomed the inclusion of an annual monitoring to review the position regarding woodland planting, in light of experiences elsewhere we would welcome a greater emphasis on natural regeneration to allow a mosaic of early successional habitats.
- The 25-year long term plan is required to manage the site once aftercare is complete and to continue the management started in the IMP. The main management objectives should be agreed and include the key aims and objectives from the IMP. Some additional aims, to address long-term sustainable management of the area, access and interpretation, as well as the emerging Puddletown Road policy, should be included. The re-dedication of the land as common land after quarrying has finished will need to be allowed for. A condition will be needed to require the detailed management actions towards the end of the aftercare period.

6/2017/0687

- We have no objection to 0687 (variation of restoration of B1 void) and note the proposal to not submit a detailed restoration scheme until 3 months after final silt deposition ceases, to enable accurate information on final levels. This should be conditioned to ensure we receive a full detailed restoration scheme but we agree this is a pragmatic way of dealing the final landform detail.

Other Representations

- 4.14 One neighbour representation has been received. It questioned the process of being able to vary an already approved planning consent. It questioned whether the applicant would comply with the conditions, both existing and new ones that may be applied.
- 4.15 The landowner (SUEZ) wrote expressing concern about the stability of restoration landform that is proposed to be created by “capping” the silt lagoons. They have now withdrawn this representation on advice from their own geotechnical consultant. They are now confident that the restored land will be stable and public safety would not be compromised when the land is made available for public access when it becomes part of the “common Land” after restoration is complete. This is in line with the applicant’s consultant report contained in the ES.

5. Planning Policy Framework

- 5.1 Applications for planning permissions must be determined in accordance with the statutory Development Plan unless material considerations indicate otherwise. The term ‘*other material considerations*’ is wide ranging, but includes national and emerging planning policy documents.

The Development Plan

- 5.2 For minerals developments the relevant development plan includes the Bournemouth Dorset and Poole Minerals Strategy (adopted May 2014), the remaining saved policies of the Dorset Minerals & Waste Local Plan (originally adopted April 1999) and the policies contained in the Purbeck Local Plan (adopted

2012). For waste development the relevant development plan includes the saved policies of the Bournemouth, Dorset and Poole Waste Local Plan (adopted June 2006). The most relevant development plan policies from the statutory Development Plan are:

Bournemouth, Dorset and Poole Minerals Strategy (May 2014)

- Policy SSI - Presumption in favour of sustainable development.
- Policy SS2 – Identification of Sites in the Minerals Sites Plan.
- Policy CC1 – preparation of Climate Change assessments
- Policy AS1 – Provision of Sand and Gravel.
- Policy AS2 Landbank Provision.
- Policy RS1 - Restoration, Aftercare and Afteruse of Minerals Development.
- Policy RS3 – Local Liaison Groups.
- Policy DM1 - Key Criteria for Sustainable Minerals Development.
- Policy DM2 - Managing Impacts on Amenity.
- Policy DM3 - M Managing Impacts on Surface Water and Ground Water Resources.
- Policy DM4 - Protection and Enhancement of Landscape Character and the Countryside.
- Policy DM5 - Biodiversity and geological interest.
- Policy DM7 - The Historic Environment.
- Policy DM8 - Transport and Minerals Development.
- Policy DM10 - Planning Obligations.

Dorset Minerals and Waste Local Plan (1999) (DM&WLP)

- Policy 6 (Relating to applications outside the Preferred Areas).

Bournemouth Dorset and Poole Waste Local Plan (June 2006) (BD&PWLP)

- Policy 1 Guiding Principles.
- Policy 4 Landscape Character.
- Policy 9 Archaeology.
- Policy 13 Water Resources.
- Policy 21 Traffic Impact.
- Policy 42 Landfilling Inert Waste in areas not covered by Policies 40 and 41.

Purbeck Local Plan Part 1 Planning Purbecks Future (2012) (Purbeck Local Plan - PLP)

- Policy LD General Location of Development.
- Policy CO Countryside.
- Policy LHH Landscape Historic Environment & Heritage.
- Policy BIO Biodiversity & Geodiversity.
- Policy IAT Improving Accessibility and Transport.
- Policy GP Groundwater.
- Policy GI Green Infrastructure, Recreation and Sports Facilities.

Emerging Local Plans

- 5.3 On 1 December 2017 the Minerals and Waste Planning Authority published the Waste Plan and Mineral Sites Plan for pre-submission consultation. The NPPF notes that decision-takers may give weight to relevant policies in emerging plans (unless material circumstances indicate otherwise), having regard to, amongst other things, the stage such plans have reached. Whilst these plans have not yet been

submitted for examination, they have reached an advanced stage and provide the most up-to-date expression of policy intent. This report identifies relevant policies from the publication draft Plans and considers the proposals having regard to the stage the plans have reached.

Relevant Policies from the emerging development plan are:
Bournemouth, Dorset and Poole Minerals Sites Plan (pre-submission draft) – December 2017

- Policy MS-1 Production of sand and gravel.
- Policy MS-8 Puddletown Road Area Policy.

Bournemouth, Dorset and Poole Waste Plan (pre-submission draft – December 2017

- Proposed Policy 1 Sustainable waste management.
- Proposed Policy 5 Facilities to enable the recycling of waste.
- Proposed Policy 8 Inert waste recovery and disposal.
- Proposed Policy 12 Transport and access.
- Proposed Policy 13 Amenity and quality of life.
- Proposed Policy 14 Landscape & design quality.
- Proposed Policy 16 Natural Resources.
- Proposed Policy 18 Biodiversity and geological interest.
- Proposed Policy 19 Historic Environment.
- Proposed Policy 23 Restoration, aftercare & afteruse.

5.4 **National Planning Policy**

National Planning Policy Framework, (NPPF) (March 2012)

- Development that conflicts with a local plan should be refused unless material considerations indicate otherwise (paragraph 12).
- Presumption in favour of sustainable development, if development plan policies out of date granting permission unless clear adverse impact will occur (paragraph 14).
- Building a strong, competitive economy (paragraphs 18 & 19).
- Supporting a prosperous rural economy: (paragraph 28).
- Conserving and enhancing the natural environment (paragraph 109, 114, 115, 116, 117, 118, 120 123 and 125).
- Conserving and enhancing the historic environment (paragraph 128 and 131).
- Facilitating the sustainable use of minerals (paragraph 144).
- Maintaining at least a 7-year supply of sand and gravel (paragraph 145).
- Decision taking (paragraphs 186, 187, 196, 197, 203 and 206).

Other Planning Policies

- National Planning Policy for Waste (October 2014).

Planning Practice Guidance (PPG) (March 2014)

- Conserving and enhancing the historic environment.
- Land affected by contamination.
- Light Pollution.
- Minerals.
- Natural Environment.
- Noise.
- Open space, sports and recreation facilities, public rights of way and local

- green space.
- Planning Obligations.
- Waste.
- Water supply, wastewater and water quality.

6. Planning Assessment

- 6.1 Having regard to the provisions of the development plan, the information submitted in support of the application and the representations received, the main issues in the determination of the application relate to:
- the acceptability in principle of the proposed development;
 - whether there would be unacceptable adverse impacts, and whether these can be adequately mitigated or avoided to acceptable levels in accordance with policy requirements, in particular having regard to:
 - landscape character of the surrounding area including the AONB which lies to the south;
 - ecological impacts on the site, its surrounding area or the nearby Site of Special Scientific Interest;
 - amenity of the surrounding area;
 - archaeological assets that are present within and adjacent to the application site or to their setting;
 - highway implications;
 - the water regime in the surrounding area; and
 - climate change.

Principle of Development

- 6.2 Policy SS1 (Presumption in favour of Sustainable Development) and AS1 (Provision of Sand and Gravel) of the adopted Minerals Strategy are of particular relevance when considering the principle of development. Policy SS1 requires the Mineral Planning Authority to take a positive approach to development that reflects the national presumption in favour of sustainable development, where proposals accord with the local plan. Policy AS1 states that an adequate and steady supply of locally extracted sand and gravel will be provided by maintaining a land bank of at least 7 years of reserves. This will be achieved through existing permitted sites and allocated sites as well as unallocated sites provided certain criteria are met. As the planning applications concern an existing permitted site I consider that it is consistent with both policies SS1 and AS1.
- 6.3 Paragraph 142 of the NPPF notes that minerals are essential to support sustainable economic growth and quality of life and that it is important that there is a sufficient supply of material to provide the infrastructure, buildings, energy and goods that the country needs. It is further noted that minerals are a finite resource, they can only be worked where they are found, and that it is important to make best use of them to secure their long-term conservation.
- 6.4 Amongst other matters, paragraph 144 of the NPPF states that when determining planning applications, local planning authorities should give great weight to the benefits of the mineral extraction (including to the economy), but should ensure that there are no unacceptable adverse impacts on the natural and historic environment, human health or aviation safety, and take into account the cumulative effect of multiple impacts from individual sites and/or from a number of sites in a locality. Any unavoidable noise, dust and particle emissions should be controlled, mitigated or removed at source. Paragraph 145 states that Mineral Planning Authorities should

make provision for the maintenance of a landbank of at least 7 years for sand and gravel. All of these principles are reflected in the adopted Minerals Strategy.

- 6.5 The importation of inert waste is also an important element of the consented scheme. The current Waste policy framework is set out in the Bournemouth, Dorset and Poole Waste Local Plan. There is also support for the use of inert waste in the Minerals Strategy as an aid to restoration. The concept of removing valuable minerals and replacing it in the ground with inert waste represents an effective and efficient use of the limited mineral reserves. Policy 8 of the pre-submission draft Waste Plan provides support, in certain circumstances, for the use of inert waste to aid the restoration of mineral sites.
- 6.6 Overall, I consider that the development accords with national policies, the current development plan, the emerging Mineral Sites Plan and the emerging Waste Plan and is acceptable in principle.

Impact on Landscape Character

- 6.7 Minerals Strategy Policy DM4 (Protection and Enhancement of Landscape Character and the Countryside), saved Policy 4 of the 2006 Waste local Plan and Purbeck Local Plan Policy LHH (Landscape, Historic Environment & Heritage) seek to ensure development does not have an unacceptable impact upon landscape character. Paragraph 115 of the NPPF states that great weight should be given to conserving the landscape and scenic beauty of the AONB which should have “the highest status of protection”.
- 6.8 The Purbeck District Landscape Character Assessment places the application site within the Bovington/Affpuddle Heath Forest Character Area and identifies its key characteristic as the following:
- Patchwork of heath, scrub, plantation and farmland.
 - Large scale blocks of conifer plantation create hard edges but act as screening and landscape features in places.
 - Open expansive heathland with wide views.
 - Open views from elevated positions across the area.
 - Recreational use and conservation management a key feature across the area.
 - Localised industrial/urban and military use impacts in the area.
 - Straight and fast roads often lined with plantation wood/forest
 - Bounded by the Piddle and Frome valleys.
 - Acts as a buffer between the two valleys particularly at its eastern end.
- 6.9 To the east of the application site is an area of common land across which the public has a right of access. However, the dense woodland cover to the west, south and east means that there are no direct views into the site from the immediate surrounding area. From the north a section of the site abuts the Puddletown Road but these views are intermittent and are largely screened by the vegetation on the Battery Bank, the retained vegetation on the edge of the cleared strip adjacent the road and the reinforcement tree planting that has occurred on the roadside boundary. The southern boundary of the site is 200m north of the Dorset AONB. The proposal is not considered to impact on the AONB and the landscape officer has no objection to the proposal.
- 6.10 The application proposes a sand processing plant, product stockpiling and loading

facilities and associated infrastructure for HGVs together with silt settlement lagoons on the south side of Puddletown Road. There are benefits in keeping the processing operations and infrastructure close to the extraction operations. In landscape terms the proposed new plant would be located in the base of the new pit in “B2” and would not be visible from surrounding land. The restored landform of “B2” would not be changed from the existing permitted landform, so there would be minimal landscape impact in relation to “B2”. The silt lagoons are proposed to be located in “B1”. This will delay the restoration of B1. However, restoration of the landform back to original ground level is considered to be an improvement on the currently approved scheme. The long-term landscape benefits are considered to outweigh the dis-benefit of the delayed restoration. I am therefore satisfied that the proposal complies with the policies referred to above in para 6.6.

Impact on Ecological Interests

- 6.11 Minerals Strategy Policy DM5 (Biodiversity and geological interest) and Purbeck Local Plan Policy BIO (Biodiversity & Geodiversity) seek to protect designated habitats in accordance with their importance. DM5 also seeks enhancement to biodiversity where this is possible. The red lined application site does not contain any specific nature conservation designations, although there are some notified sites in the surrounding area. The open part of the main site does host some regionally important flora in the form of the Pennyroyal. However, the majority of the site has a low conservation value reflecting its dense undergrowth. What current value the site holds will be lost as the consented mineral operations progress. The translocation of the Pennyroyal has already taken place as required by the terms of the existing consent and will not be affected by the current proposals.
- 6.12 The main adverse ecological impacts, as a result of the development subject to these applications, are in relation to the delay in restoration of “B1” and to the restoration of Phases 1A and 1B within B2.
- 6.13 B1 - The revised landform and restoration contours are intended to create an undulating landform, close to original ground levels and replicating the adjacent restoration in the “Blue Area” (shown on Appendix 2). The “Blue Area” is considered to be a good example of heathland restoration creating a mosaic of dry, humid and wet heathland areas. The currently approved restoration contours would create a relatively steep sided bowl, the base of which would be approximately 10m below the rim, and this landform would create more limited opportunities for biodiversity than that which is now proposed. However, the proposed landform would take 4 or 5 years longer to create.
- 6.14 B2 – Phases 1A and 1B contained the ecologically most interesting habitat within the extraction area (a small area of priority acid grassland/heathland mosaic). The existing scheme proposes to re-create this as soon as possible. The new proposal would delay restoration in this area by about 6 or 7 years. The proposed landform and habitat creation within B2 and the overall timescale of the restoration of the whole site is identical in both schemes.
- 6.15 To compensate for and mitigate against the delays to some of the restoration phases, the following has been agreed with the applicant and secured either through revised conditions or by a new s106 agreement.
- The revised conditions secure the revision of the Integrated Management Plan (IMP) by adding further areas of non-operational land to the areas that are already being managed by the applicant within their lease area south of

- Puddletown Road.
 - A new s106 legal agreement would secure the long-term management of the site for a further 25 years after the completion of the restoration works. This long-term plan would also provide management to the whole of the area within Raymond Brown's Lease, south of Puddletown Road and takes forward the management requirements of both the IMP and aftercare requirements of the restored areas of the site. Due to the long period of management, it is considered that this would be more appropriately secured through a legal agreement than a planning condition, as it is at present.
 - The new s106 agreement would secure the timetable for the restoration of the old silt lagoons north of Puddletown Road in the "yellow Area". These existing lagoons would become redundant if the plant is moved to the south side of the road. Whilst there is a restoration scheme for these lagoons there is not an enforceable timescale within which these works would be completed. It is considered appropriate to secure the timely restoration of this area as soon as possible after the lagoons become redundant.
 - The revised conditions specify restoration dates for both B1 and B2.
- 6.16 It is considered that the proposed restoration, the IMP for the surrounding non-operational land, together with the 25-year management period for the landholding, would provide an overall net gain in the ecological value of the site and the immediate surrounding area and will address the issues raised by the Natural Environment Team. The additional measures adequately mitigate for the delay in restoring some of the phases that would result from the current change to the proposal. Accordingly, it is considered that the proposal accords with the relevant policies detailed above.

Impact on Amenity of the Surrounding Area

- 6.17 Minerals Strategy Policy DM2 (Managing Impacts on Amenity) seeks to protect the amenity of the surrounding area and specifically that of any nearby residential property. The proposals have the potential to impact on amenity principally through noise and dust associated with the establishment of the new plant. These issues are over and above the disturbance that may be generated as a result of the currently consented operations.
- 6.18 Planning Practice Guidance indicates the noise levels that should not be exceeded. These are +10dB(A)1hr above background but not exceeding 55dB(A) LAeq 1hr freefield between 0700 and 2200 hours. There is also a recognition that at mineral sites there may be short term activities including those associated with site preparation where this level may be exceeded. Noise-sensitive properties are to the south of the application site, the closest being situated within the grounds of Binnegar Hall at a distance of about 70m from the extraction operations and 200m from the plant compound. The proposed plant would be located within the base of the quarry. However, the plant noise would be of a different character as it would be more continuous than extraction operations. Extraction operations, by their nature, move around the site, and 70m is the nearest distance such operations would come to sensitive properties. The plant compound, and noise sources within the compound, would remain in the same location throughout the duration of the mineral processing operations.
- 6.19 The applicant's noise analysis demonstrates that the predicted noise levels from the proposed plant would be within guidance levels at the nearest sensitive properties. Given the distance and the fact that the plant would be sited 15m below the

intervening ground level, which in addition is covered in dense woodland, I am satisfied that this natural noise attenuation will ensure that the any noise (and dust) that may arise from the processing operations is unlikely to impact on the amenity of the surroundings.

- 6.20 In relation to dust, as the site is separated from the nearest residential properties by at least a 50m belt of trees residential amenity is unlikely to be affected. The proposal would surface the new access road between the public highway and the weighbridge and install a wheel wash. Therefore, dust is not considered to be a significant issue for this proposal.
- 6.21 I am satisfied that, subject to the conditions set out in this report. the proposal should not result in any unacceptable adverse impact on the amenities of residents and the proposals are not considered to conflict with the policies outlined above.

Impact on Archaeological Resources

- 6.22 Minerals Strategy Policy DM7 (The Historic Environment), saved Policy 9 (Archaeology) of the Waste Local Plan and Purbeck Local Plan Policy LHH (Landscape, Historic and Environment & Heritage) seek to protect any archaeological features from unacceptable harm. The NPPF and PPG both stress the importance of protecting archaeological features and offer guidance for the assessment of any finds. The site does contain one archaeological feature, the Battery Bank Scheduled Ancient Monument, which extends in linear form beyond the limits of the application site. The minerals on both sides of the feature have been worked in places. To the north, historic workings have come up to the very edge of the Battery Bank. When a variation to the historic permission to work area B1 was approved in 2013 the opportunity to improve on this was taken and a standoff of 15m was negotiated. The central part of the open area that forms the current application site was worked for its gravel with excavations coming within 15m of the Bank. Either side of this central area the ground levels reveal broader untouched areas. A variable standoff distance is proposed to take account of previously worked areas.
- 6.23 The proposal will not result in any direct impact on the Battery Bank but will affect its setting in terms of the presence of the operations either side of the bank. The proposal would delay restoration to the B1 void by around 4 or 5 years (restoration by 2028) and phases 1A and 1B of the B2 void by around 6 or 7 years (restoration by 2031) compared with what is currently permitted. The impact on the setting would be temporary but would continue for the life of the site.
- 6.24 Improvements to the setting of the bank were achieved by the granting of the original permission in 2016. This was achieved by ensuring that restoration ground levels, for a distance of 50m on the southern side Battery Bank, are to their original ground levels, a gain over the previous situation. On the northern side of the bank, the currently approved restoration landform of the B1 void provides only for a partial backfilling of the void which would result in a bowl-shaped landform. The new proposal would backfill this void completely, thus achieving restoration levels at original ground level, significantly improving the permanent setting of the Scheduled Monument.
- 6.25 Heritage England have commented that “the harm to the affected heritage assets brought by the proposed development would ultimately be outweighed by public

heritage benefits brought by the final restoration of the B1 area as heathland at original ground levels, thereby improving the setting of the Battery bank scheduled monument". This view is supported by the Council's Senior Archaeologist.

- 6.26 In conclusion, whilst there will be some impact on the setting of the Battery Bank during the operational phases of the development, less than substantial harm to the heritage assets would occur. When the restoration is undertaken with the proposed landform, there are considered to be positive improvements to the setting of the Battery Bank. Given the above circumstances, the proposal is considered to comply with the policy framework set out above.

Highway Considerations

- 6.27 Minerals Strategy Policy DM8 (Transport and Minerals Development), Waste Local Plan Policy 21 (Traffic Impact) and Purbeck Local Plan Policy IAT (Improving Accessibility and Transport) all seek to ensure that the traffic associated with a development can be safely absorbed into the local road network. The current application would not involve any change to the number of vehicles would be using the road network.
- 6.28 There are two main differences in terms of highway implications between the existing situation and what is proposed. Firstly, HGVs would be entering and leaving the site on the south side of the road, rather than the north. Secondly, there would no longer be a need for quarry "dumper trucks" to cross the road. The first change is considered to be neutral in terms of impact on highway safety. The second change is considered to have significant benefits in terms of highway safety for the following reasons:
- There would be no reason for dumpers to cross the road, thus removing the potential conflict between off highway vehicles and normal highway traffic.
 - The potential for mud and dust to be carried out onto the public highway would be significantly reduced; this has both safety benefits and environmental benefits.
- 6.29 The proposal is considered to be in accordance with the Policies set above and the only highway impacts are considered to be beneficial.

Hydrological Issues

- 6.28 Minerals Strategy Policy DM3 (Managing Impacts on Surface Water and Ground Water Resources), Waste Local Plan Policy 13 (Water Resources) and Purbeck Local Plan Policy GP (Groundwater Protection) seek to ensure that development does not impact adversely upon groundwater or give rise to potential contamination of groundwater supplies.
- 6.29 Ground water monitoring is required by condition on the existing planning consent and has been undertaken by the applicant. This has revealed that the underlying geology dips northward with ground water flowing towards the River Piddle. Surface water runoff flows south toward the River Frome. The borehole monitoring of groundwater levels and observations of surface water flows that have taken place since the grant of the original consent in 2016 have not raised any concerns.
- 6.30 This current application does not seek to undertake any changes that would affect the surface water or groundwater flows. The proposed silt lagoons and the water management system for the proposed washing plant forms a "closed system". The silt lagoons are fully lined with clay, the silt laden water is pumped into the lagoon system from the washing plant and clean water is pumped from the clean lagoon in

the system for use in the washing plant. All other drainage systems at the site are to remain as per the current consent.

- 6.31 The Flood Risk Management team has raised no objection to the proposal. Having regard to all relevant considerations I am therefore satisfied that the proposal is in accordance with the Policy framework set out in Paragraph 6.27 above.

Impact on Climate Change

- 6.32 The reduction in the distance that dumper tracks would have to haul the as dug sand would result in significant environmental benefits in addition to not having to cross Puddletown Road. At present the round-trip haul distance between the plant and extraction area is about 3.5 Km this would reduce to about 1.2 Km if the plant was moved to the south of the road into the extraction void. The applicant has undertaken a Climate Change Assessment in accordance with policy CC1 and calculates that the saving in diesel would equate to a reduction of 124 tonnes of CO₂ emissions per annum. This equates to the emissions produced by 30 average households each year. There would also be a reduction in SO_x and NO_x, which has not been quantified. However, given the proximity to the nearby internationally designated heathland this would constitute an ecological benefit important because these emissions nutrify any precipitation that falls onto the heath, to the detriment of the heath. In addition, to the installation of new and more efficient plant has been estimated to deliver a 10 - 15% saving in electricity over the existing plant. The proposal therefore complies with Policy CC1 (Climate Change) of the Minerals Strategy.

Conclusion

- 6.33 This proposal seeks to consolidate the Raymond Brown operations at Binnegar quarry to the south side of Puddletown Road, by establishing a new processing plant within the quarry void of "B2" and new silt lagoons within the void of "B1". As set out in sections 6.2 - 6.5 of the report the proposed development complies with both National policy and the Development Plan and is acceptable in principle.
- 6.34 When compared with the current permitted scheme there would not be any appreciable adverse landscape impacts, and while the restoration of "B1" would be delayed the resultant landform is considered to be an improvement in landscape terms.
- 6.35 In relation to ecology, the disbenefits associated with the delay in restoring "B1" and 1A&B (within "B2") are considered to be compensated for by securing additional management within the land around the site, over and above that already secured under the existing permission. This management would be undertaken, within the non-operational land, both whilst the site is in operation and also for 25 years after operations have ceased. The long-term management after the completion of the restoration operations would now be secured through a s106 agreement rather than a planning condition, which it is at present. These measures are considered to both provide mitigation for the delay in restoring some areas of the site but also ecological gain in line with both National and Development Plan policies.
- 6.36 In terms of residential amenity, there is not considered to be any significant difference for the nearest residential properties than the present extraction

operation currently permitted. In relation to wider public amenity there are significant benefits from the fact that off-highway dumpers would no longer need to cross Puddletown Road.

- 6.37 The impact on the Historic Environment and “Battery Bank”, whilst temporarily harmful to the setting of the ancient Monument, is regarded by Heritage England to offer long-term benefits which would outweigh such impacts. This would be achieved by an improvement to the setting by restoring area “B1” to original levels (as opposed to the deep bowl that is presently approved). Therefore, in relation to the Historic Environment, I am satisfied that the proposal complies with both National and Development Plan policies.
- 6.38 In relation to Highway impacts, no changes are proposed to lorry movements on the wider highway network. There will be highway safety benefits because off-highway dumpers would no longer need to cross the public highway. Due to the reduction in distance that the off-highway dump trucks would need to travel there would be a reduction in the emissions of Carbon Dioxide.
- 6.39 Overall, the development is considered to be compliance with both national and local plan policies. It is considered that the development would result in highway safety benefits; net long-term benefits, despite some short-term harm, to both the historic environment and ecology; and a reduction in climate change emissions. No other changes from the operations already consented are considered to be significant in terms of impacts.

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:
- (i) Article 8 - Right to respect for private and family life; and
 - (ii) 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 Recommendation

- 8.1 That the Mineral Planning Authority resolves to grant planning permissions 6/2017/0685 and 6/2017/0687, subject to: the completion of a new legal agreement and variation of an existing legal agreement, the heads of terms of which are set out in 8.2 below; and the conditions set out in the condition schedules found in 8.3 and 8.4 below.

8.2 HEADS OF TERMS FOR LEGAL AGREEMENTS

A previous Section 106 agreement from 2010, varied in 2013, already contains obligations relating to Area B1 and the Blue Area at Binnegar Quarry. It is necessary to prepare a new legal agreement and vary the existing one to take account of the current proposals. A separate legal agreement from 2016, which relates to drainage

aspects of land south of the road, will remain unchanged.

Obligations

1. Restoration of the silt lagoons (yellow area) north of Puddletown Road in accordance with an approved scheme by 31/12/2019
2. Long term management of the land for 25 years after the end of extraction in accordance with
 - a. Approved objectives following the Integrated Management Plan and taking into account public access, public interpretation boards and the Puddletown Road polices (currently adopted, emerging policies and those emerging policies once adopted) to be submitted within 3 months of the agreement
 - b. An approved detailed scheme promoting biodiversity and improving the condition & setting of heritage assets submitted by the earlier of 3 months after extraction ends or 31/12/2026
3. Amending the 2010 s106 agreement and creating a new s106 agreement so that there is one comprehensive agreement covering the land north of Puddletown Road and two agreements covering the land south of Puddletown Road, incorporating as necessary any obligations contained in the 2010 agreement (as amended).

8.3 SCHEDULE OF CONDITIONS for 6/2017/0685

Time Limit - Commencement

1. The development hereby permitted shall be begun no later than the expiry of 3 years from the date of this permission.

Reason

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

Definitions

2. For the purposes of all conditions of this Decision Notice:
 - The term 'Area B1' is defined as that outlined in red on the GWP Consultants drawing number 1 reference BINNRES1302 version C dated 10 September 2013 entitled Site Survey and which formed part of planning application reference number 6/2013/0234
 - The term 'Area B2' is defined as the land outlined in red but lying south of the Battery Bank on the Corylus Planning & Environmental Ltd drawing reference BINNBSO1504 Drawing number B17/RB/39 revision C "Site Location Plan" dated 20 April 2015.
 - The term "*Battery Bank*" refers to the Scheduled Ancient Monument (SAM) the extent of which is identified on Corylus Planning & Environmental Ltd drawing reference BINNBSO1504 Drawing number B17/RB/39 revision C "Site Location Plan" dated 20 April 2015.
 - The terms "*Land in the Applicants Control*" and "*Raymond Brown Lease Area*" are defined as the land edged blue shown on Drawing number B17/RB/4/12 "Proposed Plant Site Application Area" dated 11/09/2017
 - The term '*Site Access*' refers to the highway access shown on Drawing number B17/RB/4/13 "Proposed Silt Lagoons in Area B1" dated 13/09/2017
 - The term "*light vehicle*" shall refer to a 4x4 type vehicle but

excluding any plant or dumper trucks used for the excavation or movement of minerals

Reason

For the avoidance of doubt.

Time Limits for the Life of the Development

3. The silt deposition hereby permitted shall cease no later than the 30 September 2026.
The silt lagoons, in Area B1, shall be capped and restored to a condition suitable for public amenity and nature conservation by 30 September 2028.
The Landfilling operations, shall cease by 31 May 2031.
The site shall be completely restored to a condition suitable for public amenity and nature conservation by 30 September 2031.

Reason

To ensure that the impacts of the development on the surrounding area are limited having regard to Policy DM2 (Managing Impacts on Amenity) of the Bournemouth, Dorset and Poole Minerals Strategy.

Phased restoration plan

4. Within 6 months of the date of this consent a plan showing the revised restoration phases shall be submitted for approval in writing by the Mineral Planning Authority. Unless otherwise approved in writing restoration shall be completed and carried out accordance with the approved plan.

Reason

To ensure that the site is reclaimed in an orderly and timely manner to a condition capable of beneficial after use and in the interests of nature conservation, agriculture and amenity having regard to Policy RS1 (Restoration, Aftercare and Afteruse of Minerals Development) of the Bournemouth, Dorset & Poole Minerals Strategy.

Development in Accordance with Approved Plans

5. Unless otherwise required by the conditions of this permission, the development hereby permitted shall be carried out in accordance with the details set out in planning application 6/2017/0685 including:
- Drawing number B17/RB/04/09 "Proposed Plant Site Layout Cross Sections" dated 04/09/2017.
 - Drawing number B17/RB/4/10 "Revised Restoration Scheme" dated 11/09/2017
 - Drawing number B17/RB/4/11 "Proposed Plant Site Location Area" dated 11/09/2017.
 - Drawing number B17/RB/4/12 "Proposed Plant Site Application Area" dated 11/09/2017
 - Drawing number B17/RB/4/13 "Proposed Silt Lagoons in Area B1" dated 13/09/2017
 - Drawing number B17/RB/4/14 "Final Restoration Scheme" dated 13/ 09 2017.

Reason

For the avoidance of any doubt.

Soil Storage

6. All soils arising from the development shall be retained for use in the restoration of the site. The soils that have already been stripped, shall be stored separately from any soils remaining to be stripped from the site after the date of this permission.

Reason

To prevent loss of soil, minimise the risk of propagation of rhododendron across restored areas, and to keep separate the nutrient poor soils, that have already been stripped, from the nutrient rich soils, having regard to Policy RS1 (Restoration, Aftercare and Afteruse of Minerals Development) of the Bournemouth, Dorset and Poole Minerals Strategy.

Soil Storage

7. Soil storage bunds on the perimeter of the extraction area shall be constructed in advance of extraction for each phase, as shown on the phasing plans (as required by condition 4 of planning permission 6/2017/0687), to a height of not less than 2 metres but not exceeding 3 metres. In the event that excess material is available then it shall be stored in a location approved in advance of any such storage with the Mineral Planning Authority.

Reason

To prevent loss of soil having regard to Policy RS1 (Restoration, Aftercare and Afteruse of Minerals Development) of the Bournemouth, Dorset and Poole Minerals Strategy.

Protection of Battery Bank

8. Only access point C2 as identified on Figure 17 (entitled Detail of alternative access points near Battery Bank) on page 34 of the Cultural Heritage Assessment dated June 2015 prepared by Andrew Joseph Associates and forming part of Volume 2 of the Environmental Statement (submitted with application 6/2015/0421), shall be used to gain access from Area B1 to Area B2 in connection with the implementation of the planning permission hereby permitted.

Reason

To prevent damage to the Battery Bank which is a Scheduled Ancient Monument having regard to Policy DM7 (The Historic Environment) of the Bournemouth, Dorset and Poole Minerals Strategy.

Protection of Battery Bank

9. Before any vehicle, associated with this development, crosses the Battery Bank carrying sand or gravel, the ground at access crossing point C2 over the Battery Bank shall be protected from any damage that might arise from vehicles by the installation of a protective roadway. The roadway shall be formed in accordance with the details as set out in the email from Andrew Josephs Associates dated 8 May 2016 and which consisted of a three-page report entitled Binnegar Quarry Puddletown Road Wareham Dorset: Scheme for protection of Battery Bank and four drawings listed as figures in the report. It is noted in the report and on Figure 3 Binnegar Battery Bank Protection - Section dated 19 April 2016 that the proposal is to take advantage of the remaining measures put in place when the Battery Bank was being crossed

in the 1980s. In the event that these remaining measures do not extend across the entire area to be protected as shown on figure 2, then these missing layers shall be created to the specification as set out within Figure 3. The protective roadway shall be retained and maintained to the approved specification so long as any minerals are removed, any materials are imported into area B2, and/or any earth is moved as part of the restoration of the site. The protective roadway shall then be removed in accordance with the agreed scheme when the restoration groundworks are completed and any associated planting has been undertaken, unless otherwise agreed in writing in advance with the Mineral Planning Authority.

Reason

To prevent damage to the Battery Bank which is a Scheduled Ancient Monument having regard to Policy DM7 (The Historic Environment) of the Bournemouth, Dorset and Poole Minerals Strategy.

Defined Working Standoff from Battery Bank

10. No excavations shall take place closer to the Battery Bank than the standoff distances as set out on the GWP Consultants drawing reference BINNBSO1504 drawing number 9 version D dated 23 June 2015. The limit of the extraction shall be defined on the ground with the earth bund constructed in accordance with the details shown on the approved plans.

Reason

To protect the Battery Bank which is a Scheduled Ancient Monument from damage arising from minerals working and having regard to Policy DM7 (The Historic Environment) of the Bournemouth, Dorset and Poole Minerals Strategy.

Retention of Woodland

11. Excluding the trees and vegetation to be removed to clear the area for mineral excavation (as shown on drawing BINNBSO1504 dated 23/06/2015), all the trees lying within the blue line as shown on drawing B17/RB/39 revision H 'Site Location Plan' dated 20 April 2015 shall be retained, unless required to be removed by the terms of any other planning condition or legal agreement. The management of the retained woodland shall be undertaken in accordance with the Integrated Management Plan dated September 2017 and submitted attached to the e-mail dated 21/09/2017 from Lauren Finch to Andrew Helmore. This approved scheme shall be implemented in full and the management shall continue for the life of the development hereby approved.

Reason

To ensure that a sufficiently strong tree screen is retained around the mineral extraction area having regard to Policy DM4 (Protection and Enhancement of Landscape Character and the Countryside) of the Bournemouth, Dorset and Poole Minerals Strategy.

Retention of Planting on South side of Puddletown Road

12. The existing trees and hedgerow on the boundary of the site to the Puddletown Road shall be retained and maintained for the duration of the development as a screen to the site.

Reason

To retain the existing screen to the application site having regard to policy DM4 (Protection and Enhancement of Landscape Character and the Countryside) of the Bournemouth, Dorset and Poole Minerals Strategy.

Importation of Inert Material as an Aid to Restoration

13. Imported material to be used for restoration of the site shall be limited to inert construction and demolition materials and soils. In so far as it is reasonably possible, materials that are capable of producing high quality washed recycled aggregate shall not be landfilled on the site.

Reason

To ensure that other materials arising from construction operations are recycled having regard to Policy 42 (Landfilling Inert Waste in areas not covered by Policies 40 and 41) of the Bournemouth, Dorset and Poole Waste Local Plan.

Records of Imported Material

14. A record shall be maintained of all material brought into the site for landfilling. The record shall include the date of delivery, the nature and quantity of material imported, the source of the material and the registration number of the vehicle used to bring the material to the site. The record shall be made available for inspection by the Waste Planning Authority within 7 days of a written request. Records shall be retained for at least 3 years.

Reason

To ensure that other materials arising from construction operations are recycled having regard to Policy 42 (Landfilling Inert Waste in areas not covered by Policies 40 and 41) of the Bournemouth, Dorset and Poole Waste Local Plan.

Disposal of Mineral Waste

15. Excluding the inert imports as set out in condition 13 above, no material, other than quarry waste arising from within the site as defined in red on Drawing number B17/RB/39 revision C "Site Location Plan" dated 23 October 2015, or reject material from the sand processing plant (including silt), shall be deposited in areas B1 or B2.

Reason

To prevent pollution and maintain water quality having regard to Policy DM3 (Managing the Impact on Surface Water and Ground Water Resources) of the Bournemouth, Dorset and Poole Minerals Strategy.

Vehicle movements within the Binnegar Complex

16. Prior to the road HGV's entering and exiting the application site for the purposes of exporting processed mineral from the site the access, parking and turning as shown on Dwg.No. B17/RRB/4/13 dated 13/09/2017 must be constructed to a specification to be submitted and approved in writing by the Highway Authority. Once approved the access shall be constructed to this specification and maintained for the life of the operations hereby approved. As soon as the processing plant has been brought into use, no vehicles hauling sand from the extraction area shall be permitted to cross Puddletown Road.

Until such time as the washing and screening plant, shown on plan B17-Rb-4-08, has been brought into use dumpers shall only access the land on the north side of Puddletown road using the existing crossing point from area B1 (also shown on the same plan).

Reason

To ensure that a suitably surfaced and constructed access to the site is provided that prevents loose material being dragged and/or deposited onto the adjacent carriageway causing a safety hazard. In the interests of highway safety having regard to policy DM8 (Transport and Minerals Development) of the Bournemouth, Dorset & Poole Minerals Strategy.

Retention of Signage on Puddletown Road

17. The existing signage consisting of the warning signs on the Puddletown Road and those within Area B1 and on the land on the north side of the Puddletown Road as detailed in the “supplementary information” submitted as part of planning application 6/2013/0234 and received by the Mineral Planning Authority as an attachment to the email from the applicant dated 5 September 2013 shall be retained and maintained so long as the crossing is in operation.

Further: The road traffic signs installed on the Puddletown Road above and below the crossing point at the exit to Area B1 and at the entrance to the land on the north side of the road shall be retained and maintained in accordance with the submitted scheme for as long as extraction and restoration of Areas B1 or B2 take place.

Reason

In the interests of highway safety having regard to policy DM8 (Transport and Minerals Development) of the Bournemouth, Dorset & Poole Minerals Strategy.

Noise Control

18. All vehicles, plant and machinery operated within the site shall be maintained in accordance with the manufacturer's specification at all times, and shall be fitted with and use effective silencers.

Reason

To limit noise generated by the operations on the local community and area having regard to Policy DM2 (Managing Impacts on Amenity) of the Bournemouth, Dorset & Poole Minerals Strategy.

Noise of Reversing Alarms

19. Unless otherwise approved in writing by the Mineral Planning Authority, the reversing alarms used at the site shall be the White Sound type Manufactured by Brigade (BBS-102) or equivalent model.

Reason

To limit the impact of noise generated by the operations on the local community and area having regard to Policy DM2 (Managing Impacts on Amenity) of the Bournemouth, Dorset & Poole Minerals Strategy.

Wheel Cleaning

20. Prior to any HGV's entering and leaving the application site for the purposes of transporting mineral wheel cleaning facilities shall be provided in accordance with a scheme that shall have first been submitted in writing and approved by the MPA. The approved details shall be implemented in full and maintained thereafter for the duration of the development hereby approved.

Reason

In the interests of highway safety and to prevent the likely deposit of loose material on the adjoining highway, having regard to Policies DM2 (Managing Impacts on Amenity and DM8 (Transport and Minerals Development) of the Bournemouth, Dorset and Poole Minerals Strategy.

Securing Site When the Access is Not in Use

21. Excluding those times when open to allow approved vehicles to enter the site from Puddletown Road the gates across the access shall be closed.

Reason

In the interests of highway safety having regard to Policy 21 (Transport Impact) of the Bournemouth, Dorset and Poole Waste Local Plan.

Silt Management

22. Silt management shall be undertaken in accordance with the detail set out in sections 3.2 - 3.5 of the application supporting statement to application 6/2016/0687 and the details shown on the "Proposed Silt Lagoons in Area B1" Drawing B17/RB/4/13 dated 13/09/2017.

Restoration of B1 in Accordance with Approved Plans

23. The restoration of Area B1, to Nature Conservation Heathland suitable for public access, shall be undertaken in accordance with the details shown on the "Revised Restoration Scheme" drawing B17/RB/4/10 dated 11/09/2017.

Reason

To ensure that the development is carried out as approved having regard and to Policy RS1 (Restoration, Aftercare and Afteruse of Minerals Development).

Full Restoration Detail

24. Within 3 months of the cessation of mineral processing or by 31 December 2026, whichever is the sooner, a detailed scheme for the progressive restoration, aftercare, future use and management of Area B1 shall be submitted to the mineral planning authority for approval. The scheme shall set out the actions and a timetable to achieve the establishment of a heathland vegetation cover based on the ground contours as shown the "Revised Restoration Scheme" drawing B17/RB/4/10 dated 11/09/2017. The submitted details shall address the future of the tree belt to the south east of Area B1, retained during the life of the extraction. The approved scheme shall then be implemented in accordance with the agreed details and timetable.

Reason

To ensure that the site is restored to a suitable condition having regard to

Policy RM1 (Restoration, Aftercare and Afteruse of Minerals Development) of the Bournemouth, Dorset and Poole Minerals Strategy.

Dust Control within Area B1

25. The dust management measures outlined in the document entitled Raymond Brown Minerals & Recycling Ltd, Binnegar Quarry Puddletown Road, Wareham, Dust Management System produced by SRC and dated September 2013 submitted to the mineral planning authority as an attachment to the email from the applicant dated 11 September 2013 and which forms part of the approved planning permission reference number 6/2013/0234 shall be implemented throughout the life of the extraction and restoration work within Area B1.

Reason

To protect the amenities of local residents and having regard to the intentions of Policy DM2 (Managing Impacts on Amenity) of the Bournemouth, Dorset and Poole Minerals Strategy.

Retention of Control Point for Area B1

26. The two survey control points as shown on the Site Survey drawing number BINNRES1302 drawing number 1 version C dated 10 September 2013 and which formed part of the planning permission reference number 6/2013/0234 shall be retained and maintained throughout the duration of the development.

Reason

To ensure that there are adequate reference points within the site from which the depth of excavation can be measured and to ensure that work is undertaken in accordance with the approved plans having regard to Policies DM1 (Key Criteria for Sustainable Minerals Development) and RS1 (Restoration, Aftercare and Afteruse of Minerals Development) of the Bournemouth, Dorset and Poole Minerals Strategy.

Protection of Battery Bank from Works on the North Side of the Bank

27. Notwithstanding any information shown on the plans submitted as part of planning application reference number 6/2013/0234, no minerals related activity of any kind shall take place beyond the confines of the red lined application site that defines Area B1. This includes the positioning of any vehicle or plant or the use of the peripheral track that lies between the northern edge of the Battery Bank and Area B1, as a means of moving around the edge of Area B1. The existing orange marker fencing which excludes all access to the peripheral track from either end shall be retained throughout the life of this permission.

Reason

To protect the ancient monument from the risk of any damage having regard to Policy DM7 (The Historic Environment) of the Bournemouth, Dorset and Poole Minerals Strategy.

Retention of Windrow Material for Use in Site Restoration

28. Within 6 months of the date of this decision, a plan showing the new location of the material that previously formed the windrows identified on Site Survey

drawing number BINNRES 1302 version C dated 10 September 2013 submitted and approved as part of planning permission reference number 6/2013/0234, and which was moved to the storage area identified on the above plan in brown hatching, but has subsequently been used to form bunding around the new offices shall be submitted and approved in writing by the Mineral Planning Authority. This material shall be reserved for use in the future restoration of the Area B1.

Reason

To ensure that suitable quality material is retained to provide a good medium for the development of a heathland vegetation having regard to Policies RM1 (Restoration, Aftercare and Afteruse of Minerals Development) and DM5 (Biodiversity and geological interest) of the Bournemouth, Dorset and Poole Minerals Strategy.

Substitution of Material Reserved for Use in Restoration of Area B1

29. In the event that the material set aside for the restoration of Area B1 (referred to in condition 28 above) is still required to screen the offices at the time that Area B1 is restored, then an equivalent amount of material of the same quality shall be sourced from within Area B2 and used instead. In the event of this situation occurring the applicant shall notify the Mineral Planning Authority of the substitution by letter.

Reason

To ensure that suitable quality material is retained to provide a good medium for the development of a heathland vegetation having regard to Policies RM1 (Restoration, Aftercare and Afteruse of Minerals Development) and DM5 (Biodiversity and geological interest) of the Bournemouth, Dorset and Poole Minerals Strategy.

Retention of Bund Material for Use in Restoration of Area B1

30. All the material presently forming the earth bunds that surround the extraction area at Area B1 shall be retained for use in the restoration of the site.

Reason

To ensure that suitable quality material is retained to provide a good medium for the development of heathland vegetation having regard to Policies RM1 (Restoration, Aftercare and Afteruse of Minerals Development) and DM 5(Biodiversity and geological interest) of the Bournemouth, Dorset and Poole Minerals Strategy.

Retention and Maintenance of Roadside Vegetation to Binnegar Lane

31. The vegetation that bounds Area B1 to the Puddletown Road and to Binnegar Lane shall be managed and reinforced with additional planting in accordance with the details and to the timetable contained in the condition compliance submission pursuant to condition 13 (Retention and maintenance of roadside vegetation to Binnegar Lane) of planning permission reference number 6/2013/0234, from SITA dated 2 April 2014 and which includes a three page statement prepared by Ward Ecology and which was agreed by the mineral planning authority in its letter of 17 April 2014. Any trees planted as part of the approved scheme which within five years from the

date of planting die, are removed or become seriously damaged or diseased shall be replaced during the next planting season with other trees of a species and size reflecting those first planted.

Reason

To ensure the maintenance of screening to the site, to protect the appearance and character of the area having regard to Policy DM4 (Protection and Enhancement of Landscape Character and the Countryside) of the Bournemouth, Dorset and Poole Minerals Strategy.

Retention of Tree Belt

32. Throughout the period when mineral extraction is taking place in Area B1 or Area B2, a belt of trees 20 metres wide shall be retained beyond the south-eastern boundary of Area B1.

Reason

To maintain a barrier between the extraction area and the ground to the south-east that will discourage species from migrating into the excavation area having regard to Policies DM4 (Protection and Enhancement of Landscape Character and the Countryside) and DM5 of the Bournemouth, Dorset and Poole Minerals Strategy.

Hours of Operation

33. Unless otherwise approved in writing by the Mineral Planning Authority, no extraction or processing of minerals, or operations or use shall, (unless allowed by other conditions) take place outside of the following hours:
0700-1900 Monday to Friday inclusive; and
0700-1300 on Saturdays.
No operations shall take place on Sundays, Public or Bank holidays.

Reason

To protect the amenities of the surrounding area having regard to Policy 1 (Guiding Principles) of the Bournemouth, Dorset and Poole Waste Local Plan and Policy DM2 (Managing Impacts on Amenity) of the Bournemouth, Dorset and Poole Minerals Strategy.

Noise

34. Noise emitted as a result of any activity or operation within Area B1 or Area B2 shall not exceed 55dB(LA) (eq)1hr or 10dB(A)t above the background noise level, whichever is the lowest, when measured at or recalculated at a height of 1.2 metres above ground level and 3.6 metres from the facade of any residential property or listed building during any 1 hour period [LAeq, (1hr) = {L90 + 10} dB(A)].

Reason

To protect the amenities of local residents having regard to Policy DM2 (Managing Impacts on Amenity) of the Bournemouth, Dorset and Poole Minerals Strategy.

Cessation of Imports of Sand and Gravel

35. No mineral shall be imported into the site for re-sale, processing and/or

blending with any sands or gravels extracted from the Binnegar site, within the control of the applicant (land edged Blue as shown on plan B17/RB/4/12 dated 11/9/17).

Reason

In accordance with the terms of the application and to ensure that the proposed use does not have an unacceptable impact on the amenities of the surrounding area and that the traffic levels are reduced having regard to Policies DM1 (Key Criteria for Sustainable Minerals Development), DM2 (Managing Impacts on Amenity) and Policy DM8 (Transport and Minerals Development) of the Bournemouth, Dorset and Poole Minerals Strategy.

Fuel Storage

36. Any facilities for the storage of oils or chemicals shall be sited on an impervious base and surrounded by impervious bund walls in accordance with details approved in advance or any such storage by the Mineral Planning Authority. The volume of the bunded compound shall be at least equivalent to the capacity of the tank plus 10%. If there is multiple tankage, the compound shall be at least equivalent to the capacity of the largest tank, or the combined capacity of interconnected tanks, plus 10%; or 25% of the total volume which could be stored at any one time, whichever is the greater. All filling points, vents, gauges and sight glasses must be located within the bund. The drainage system of the bund shall be sealed with no discharge to any watercourse, land or underground strata. Associated pipework shall be accessible where possible, and protected from accidental damage. All filling points and tank overflow pipe outlets shall be detailed to discharge downwards into the bund.

Reason

To minimise the risk of any fuel and chemical spillages having regard to Policy DM3 (Managing the Impacts on Surface Water and Ground Water Resources) of the Bournemouth, Dorset and Poole Minerals Strategy.

Restriction of Permitted Development Rights

37. Unless otherwise approved in writing by the Mineral Planning Authority, and notwithstanding the provisions of Part 17 of Schedule 2 The Town and Country Planning (General Permitted Development (England) Order 2015 (or any amendment amending or replacing or re-enacting that Order), no additional fixed plant or machinery shall be installed at the site beyond that consented by this permission.

Reason

In the interests of the visual amenity of the locality, having regard to Policy DM2 (Managing Impacts on Amenity) of the Bournemouth, Dorset & Poole Minerals Strategy.

Floodlighting

38. No floodlighting or security lighting shall be installed on the application site unless details of its location, height, design, sensors, hours of proposed use and luminance have first been submitted to and approved in writing by the Mineral Planning Authority. Any lighting shall be maintained in accordance with the approved details.

Reason

To protect the amenity of the surrounding area having regard to Policy DM2 (Managing Impacts on Amenity) of the Bournemouth, Dorset & Poole Minerals Strategy.

Noise Limit on Temporary Works

39. Unless otherwise approved in writing with the Mineral Planning Authority, noise emitted as a result of temporary work to facilitate essential site preparation and restoration work including the construction of baffle mounds (where it is clear this will bring long term benefits to the site and its environs shall not exceed 70dB(A) LAeq 1h (freefield) for a period of no more than 8 weeks in a year when measured at or recalculated at a height of 1.2metres above ground level and 3.6 metres from the façade of any residential property or listed building during any 1 hour period.

Reason

To protect the amenities of local residents having regard to Policy DM2 (Managing Impacts on Amenity) of the Bournemouth Dorset and Poole Minerals Strategy.

Response to a Noise Complaint

40. In the event of a noise complaint being received, and the applicant having been notified of such a complaint, the applicant shall provide the Mineral Planning Authority with a strategy within 5 working days of being notified setting out how the mineral operator will adjust their actions on site to bring the activity back within the prescribed limits set out in conditions 34 and 39 together with a timetable for the implementation of any actions. The strategy shall be approved in writing by the Mineral Planning Authority and shall then implemented in full in accordance with the approved details.

Reason

To protect the amenities of local residents having regard to Policy DM2 (Managing Impacts on Amenity) of the Bournemouth Dorset and Poole Minerals Strategy.

Processing Plant

41. Unless otherwise agreed in writing, the processing plant shall be constructed and operated in accordance with the details set out in section 3.2 of the supporting statement that accompanied this application and plan B17/RB/4/12 dated 11/09/17.

Reason

To protect the amenity of the surrounding area having regard to Policy DM2 (Managing Impacts on Amenity) of the Bournemouth, Dorset & Poole Minerals Strategy.

Stockpiling of Mineral Product

42. Stockpiling of mineral product shall be limited to the plant area of B2 as shown on plan B17/RB/4/12 dated 11/09/17 and be in the base of the quarry at the elevation shown on that plan.

Reason

In the interests of the visual amenity of the locality, having regard to Policy

DM2 (Managing Impacts on Amenity) of the Bournemouth, Dorset & Poole Minerals Strategy.

Weighbridge, offices, wheel wash, and car parking complex in B1

43. Unless otherwise agreed in writing by the Mineral Planning Authority these facilities shall be located and constructed in accordance with section 3.3 of the supporting statement (and plan B17/RB/4/13 dated 13/09/17) and maintained throughout the life of the development.

Reason

To protect the amenity of the surrounding area having regard to Policy DM2 (Managing Impacts on Amenity) of the Bournemouth, Dorset & Poole Minerals Strategy.

INFORMATIVES

Statement of Positive Involvement

1. In accordance with paragraphs 186 and 187 of the National Planning Policy Framework, Dorset County Council, as local planning authority, takes a positive and proactive approach to development proposals focused on solutions. The Council worked with the applicant/agent in a positive and proactive manner by:
- (i) providing a pre-application advice service;
 - (ii) updating the applicant's agent of issues as they arose in the processing of the application;
 - (iii) providing an update at the conclusion of the consultation exercise, and
 - (iv) discussing the draft set of planning conditions with the applicant.

Further Information

2. Further details including application documents and Planning Officers report can be viewed using the Application No. above at the following url:
<http://countyplanning.dorsetforyou.com/ePlanningOPS/searchPageLo ad.do>

Informative – Historic England

3. The quarry access track runs across the Battery Bank Scheduled Monument and the applicant should ensure that they liaise with Historic England and obtain any necessary consent for work affecting the Scheduled Monument.

Environmental Permit

4. The treatment and use of the silt may constitute a Mining Waste activity and require a permit under the Environmental Permitting Regulations. More information can be found at:
<https://www.gov.uk/government/publications/environmental-permitting-guidance-themining-waste-directive>
or by contacting the local Environment Agency office.

Legal Agreement

5. This consent is subject to a legal agreement under Section 106 of the Town and Country Planning Act, 1990 (as amended).

8.4 SCHEDULE OF CONDITIONS for 6/2017/0687

Time Limit - Commencement

1. The development hereby permitted shall be begun no later than the expiry of 3 years from the date of this permission.

Reason

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

Definitions

2. For the purposes of all conditions of this Decision Notice:
 - (i) The term 'Area B1' is defined as that outlined in red on the GWP Consultants drawing number 1 reference BINNRES1302 version C dated 10 September 2013 entitled Site Survey and which formed part of planning application reference number 6/2013/0234
 - (ii) The term 'Area B2' is defined as the land outlined in red but lying south of the Battery Bank on the Corylus Planning & Environmental Ltd drawing reference BINNBSO1504 Drawing number B17/RB/39 revision C "Site Location Plan" dated 20 April 2015.
 - (iii) The term "*Battery Bank*" refers to the Scheduled Ancient Monument (SAM) the extent of which is identified on Corylus Planning & Environmental Ltd drawing reference BINNBSO1504 Drawing number B17/RB/39 revision C "Site Location Plan" dated 20 April 2015.
 - (iv) The terms "*Land in the Applicants Control*" and "*Raymond Brown Lease Area*" are defined as the land edged blue shown on Drawing number B17/RB/4/12 "Proposed Plant Site Application Area" dated 11/09/2017
 - (v) The term '*Site Access*' refers to the highway access shown on Drawing number B17/RB/4/13 "Proposed Silt Lagoons in Area B1" dated 13/09/2017
 - (vi) The term "*light vehicle*" shall refer to a 4x4 type vehicle but excluding any plant or dumper trucks used for the excavation or movement of minerals

Reason

For the avoidance of doubt.

Time Limits for the Life of the Development

3. The extraction of minerals hereby permitted shall be for a limited period and shall cease no later than 30 September 2026.
The silt lagoons in Area B1 shall be capped and restored to a condition suitable for public amenity and nature conservation by 30 September 2028.
The Landfilling operation, hereby permitted shall cease by 31 May 2031.
The site shall be completely restored to a condition suitable for public amenity and nature conservation 30 September 2031.

Reason

To ensure that the impacts of the development on the surrounding area are limited having regard to Policy DM2 (Managing Impacts on Amenity) of the Bournemouth, Dorset and Poole Minerals Strategy.

Phased restoration plan

4. Within 6 months of the date of this consent plans showing the revised

restoration phases shall be submitted for approval in writing by the Mineral Planning Authority. These plans shall replace the following plans listed in condition 4 below:

- a. Drawing reference BINNBSO1504 drawing number 10 version D "Initial Working in Phase 1A" dated 23 June 2015.
- b. Drawing reference BINNBSO1504 drawing number 11 version D "Start of progressive restoration during working in phase 1B" dated 23 June 2015.
- c. Drawing reference BINNBSO1504 drawing number 12 version D "Final excavation in Phase 1 with progressive restoration" dated 23 June 2015.
- d. Drawing reference BINNBSO1504 drawing number 13 revision D "Initial working during phase 2" dated 23 June 2015.
- e. Drawing reference BINNBSO1504 drawing number 14 version D "Final overburden strip and progressive restoration during phase 2 excavation" dated 23 June 2015.

Unless otherwise approved in writing the restoration works shown on the plans shall be implemented in full.

Reason

To ensure that the site is reclaimed in an orderly and timely manner to a condition capable of beneficial after use and in the interests of nature conservation, agriculture and amenity having regard to Policy RS1 (Restoration, Aftercare and Afteruse of Minerals Development) of the Bournemouth, Dorset & Poole Minerals Strategy.

Development in Accordance with Approved Plans

5. Unless otherwise required by the conditions of this permission, the development hereby permitted shall be carried out in accordance with the details set out in planning application 6/2015/0421 as varied by application 6/2017/0687 including:
 - a. Drawing number B17/RB/39 revision C "Site Location Plan" dated 23 October 2015.
 - b. Drawing reference BINNBSO1504 drawing number 9 version D "Proposed Excavation Geometry" dated 23 June 2015.
 - c. Drawing reference BINNBSO1504 drawing number 10 version D "Initial Working in Phase 1A" dated 23 June 2015.
 - d. Drawing reference BINNBSO1504 drawing number 11 version D "Start of progressive restoration during working in phase 1B" dated 23 June 2015.
 - e. Drawing reference BINNBSO1504 drawing number 12 version D "Final excavation in Phase 1 with progressive restoration" dated 23 June 2015.
 - f. Drawing reference BINNBSO1504 drawing number 13 revision D "Initial working during phase 2" dated 23 June 2015.
 - g. Drawing reference BINNBSO1504 drawing number 14 version D "Final overburden strip and progressive restoration during phase 2 excavation" dated 23 June 2015.
 - h. Drawing reference BINNBSO1504 drawing number 15 version F "Proposed final restored landform" dated 23 June 2015.
 - i. Drawing reference BINNBSO1504 drawing number 16 version D "Cross Sections" dated 23 June 2015.

- j. Drawing number B17/RB/04/09 “Proposed Plant Site Layout Cross Sections” dated 04/09/2017.
- k. Drawing number B17/RB/4/10 “Revised Restoration Scheme” dated 11/09/2017
- l. Drawing number B17/RB/4/11 “Proposed Plant Site Location Area” dated 11/09/2017.
- m. Drawing number B17/RB/4/12 “Proposed Plant Site Application Area” dated 11/09/2017
- n. Drawing number B17/RB/4/13 “Proposed Silt Lagoons in Area B1” dated 13/09/2017
- o. Drawing number B17/RB/4/14 “Final Restoration Scheme” dated 13/ 09 2017.

Reason

For the avoidance of any doubt.

General Mineral Working Conditions

Defined working area

- 6. The area to be excavated for the winning of sand and gravel shall be limited to that defined in yellow on the Site Location Plan drawing number B17/RB/39 revision C dated 23 October 2015.

Reason

To ensure that the development takes place in accordance with the approved details, to protect the root systems of the surrounding trees from damage and having regard to Policies DM4 (Protection and Enhancement of Landscape Character and the Countryside) of the Bournemouth, Dorset and Poole Minerals Strategy.

Establishment of Limit of Working Area on Eastern and Southern Sides of the site

- 7. Notwithstanding the details shown on the approved plans, the eastern boundary of extraction phase 1C and the southern, western and eastern boundaries of extraction phases 2A and 2B Drawing reference BINNBSO1504 drawing number 9 version D “Proposed Excavation Geometry” dated 23 June 2015, shall be approved on site with the Mineral Planning Authority before the final 20 meters of vegetation on those boundaries is cleared. The approved boundary shall then be surveyed and submitted on a plan to the Mineral Planning Authority. No further clearance or excavation for the winning of sand and gravel shall take place beyond the agreed boundary unless the further prior written approval for an adjustment to any of the boundaries has been agreed with the mineral planning authority. Under no circumstances shall the excavation exceed the limited that is defined in yellow on the Site Location Plan drawing number B17/RB/39 revision C dated 23 October 2015.

Reason

To ensure that a sufficiently strong tree screen is retained on the eastern and southern faces of the extraction area having regard to Policy DM4 (Protection and Enhancement of Landscape Character and the Countryside) of the Bournemouth, Dorset and Poole Minerals

Strategy.

Phased Working of Site

8. The site shall be progressively worked for the extraction on minerals in accordance with the 5 staged phasing plan as set out on GWP Consultants drawing reference BINNBSO1504 drawing number 9 version D Proposed Excavation Geometry dated 23 June 2015.

Reason

To ensure that the impact on the surrounding area is minimised having regard to Policy DM4 (Protection and Enhancement of Landscape Character and the Countryside) of the Bournemouth, Dorset and Poole Minerals Strategy.

Creation of control point to establish horizontal distance and depth

9. Three control points in the exclusion area of Battery Bank (shown on plan BINNGEN1703 and dated 08/03/2017 and marked STN in red) shall be maintained and retained for the duration of the development. The exact survey details of the points are provided in the e-mail dated 19/09/2017 (from Lauren Finch to Andrew Helmore).

Reason

To ensure that there are adequate fixed reference points within the site from which to take distance and depth measurements to ensure that the development shall be undertaken in accordance with the approved details.

Depth of Mineral Working

10. Unless otherwise approved in writing by the Mineral Planning Authority, the depth of extraction in Area B2 shall not exceed a depth below 14 metres Above Ordnance Datum.

Reason

To secure the orderly operation and restoration of the site, to ensure that the site retains sufficient material to enable a successful restoration scheme to be implemented having regard to Policy RS1 (Restoration, Aftercare and Afteruse of Minerals Development) of the Bournemouth, Dorset and Poole Minerals Strategy.

Soil Moving

11. All work of soil stripping, stockpiling and reinstatement shall be carried out only when the material is in a dry and friable condition.

Reason

To prevent loss of soil having regard to Policy RS1 (Restoration, Aftercare and Afteruse of Minerals Development) of the Bournemouth, Dorset and Poole Minerals Strategy.

Soil Storage

12. All soils arising from the development shall be retained for use in the restoration of the site. The soils that have already been stripped, shall be stored separately from any soils remaining to be stripped from the site after the date of this permission.

Reason

To prevent loss of soil, minimise the risk of propagation of rhododendron across restored areas, and to keep separate the nutrient poor soils, that have already been stripped, from the nutrient rich soils, having regard to Policy RS1 (Restoration, Aftercare and Afteruse of Minerals Development) of the Bournemouth, Dorset and Poole Minerals Strategy.

Soil Storage

13. Soil storage bunds on the perimeter of the extraction area shall be constructed in advance of extraction for each phase as shown on the phasing plans (as required by condition 4) to a height of not less than 2 metres but not exceeding 3 metres. In the event that excess material is available then it shall be stored in a location approved with the Mineral Planning Authority.

Reason

To prevent loss of soil having regard to Policy RS1 (Restoration, Aftercare and Afteruse of Minerals Development) of the Bournemouth, Dorset and Poole Minerals Strategy.

Perimeter Track

14. The perimeter track shown on the approved plans running around the perimeter edge of the extraction area shall not be surfaced but formed on bare ground. Access along this track shall be limited to light vehicles only.

Reason

To prevent loss of soil having regard to Policy RS1 (Restoration, Aftercare and Afteruse of Minerals Development) of the Bournemouth, Dorset and Poole Minerals Strategy.

Protection of Battery Bank

15. Only access point C2 as identified on Figure 17 entitled Detail of alternative access points near Battery Bank on page 34 of the Cultural Heritage Assessment dated June 2015 prepared by Andrew Joseph Associates and forming part of Volume 2 of the Environmental Statement (submitted with application 6/2015/0421), shall be used to gain access from Area B1 to Area B2 in connection with the implementation of the planning permission hereby permitted.

Reason

To prevent damage to the Battery Bank which is a Statutory Ancient Monument having regard to Policy DM7 (The Historic Environment) of the Bournemouth, Dorset and Poole Minerals Strategy.

Protection of Battery Bank

16. Before any vehicle, associated with this development, crosses the Battery Bank carrying sand or gravel, the ground at access crossing point C2 over the Battery Bank shall be protected from any damage that might arise from vehicles by the installation of a protective roadway. The roadway shall be formed in accordance with the details as set out in the email from Andrew Josephs Associates dated 8 May 2016 and which consisted of a three-page report entitled Binnegar Quarry Puddletown Road Wareham Dorset: Scheme for protection of Battery Bank and four drawings listed as figures in the report.

It is noted in the report and on Figure 3 Binnegar Battery Bank Protection - Section dated 19 April 2016 that the proposal is to take advantage of the remaining measures put in place when the Battery Bank was being crossed in the 1980s. In the event that these remaining measures do not extend across the entire area to be protected as shown on figure 2, then these missing layers shall be created to the specification as set out within Figure 3. The protective roadway shall be retained and maintained to the approved specification so long as any minerals are removed, any materials are imported into area B2, and any earth is moved as part of the restoration of the site. The protective roadway shall then be removed in accordance with the agreed scheme when the restoration groundworks are completed and any associated planting has been undertaken, unless otherwise agreed in writing with the Mineral Planning Authority.

Reason

To prevent damage to the Battery Bank which is a Scheduled Ancient Monument having regard to Policy DM7 (The Historic Environment) of the Bournemouth, Dorset and Poole Minerals Strategy.

Defined Working Standoff from Battery Bank

17. No excavations shall take place closer to the Battery Bank than the standoff distances as set out on the GWP Consultants drawing reference BINNBSO1504 drawing number 9 version D dated 23 June 2015. The limit of the extraction shall be defined on the ground with the earth bund constructed in accordance with the details shown on the approved plans.

Reason

To protect the Battery Bank which is a Scheduled Ancient Monument from damage arising from minerals working and having regard to Policy DM7 (The Historic Environment) of the Bournemouth, Dorset and Poole Minerals Strategy.

Environmental Conditions

Retention of Woodland

18. Excluding the trees and vegetation to be removed to clear the area for mineral excavation (as shown on drawing BINNBSO1504 dated 23/06/2015), all the trees and understorey vegetation lying within the blue line as show on drawing number Drawing number B17/RB/39 revision H 'Site Location Plan' dated 20 April 2015 shall be retained, unless required to be removed by the terms of any other planning condition or legal agreement. The management of the retained woodland shall be undertaken in accordance with the Integrated Management Plan dated September 2017 and submitted attached to the e-mail dated 21/09/2017 from Lauren Finch to Andrew Helmore. This approved scheme shall be implemented in full and the management shall continue for the life of the development hereby approved.

Reason

To ensure that a sufficiently strong tree screen is retained around the mineral extraction area having regard to Policy DM4 (Protection and Enhancement of Landscape Character and the Countryside) of the Bournemouth, Dorset and Poole Minerals Strategy.

Retention of Planting on South side of Puddletown Road

19. The existing trees and hedgerow on the boundary of the site to the Puddletown Road shall be retained and maintained for the duration of the development as a screen to the site.

Reason

To retain the existing screen to the application site having regard to Policy DM4 (Protection and Enhancement of Landscape Character and the Countryside) of the Bournemouth, Dorset and Poole Minerals Strategy.

Progressive Clearance of vegetation

20. Only those trees and associated vegetation that occupies the area of any phase of work shall be removed at any one time. The vegetation cover of any subsequent phase shall not be removed earlier than 9 months prior to any mineral extraction commences in that area.

Reason

To ensure that the removal of the vegetation takes place only when preceding mineral working having regard to Policy DM4 (Protection and Enhancement of Landscape Character and the Countryside) of the Bournemouth, Dorset and Poole Minerals Strategy.

Timing of Clearance of Vegetation

21. No removal of any vegetation shall take place between 1 March and 31 August inclusive in any year unless a survey by a competent ecologist has been undertaken prior to clearance to ensure no breeding birds are present. The absence of any breeding birds shall be confirmed by the said ecologist with the Mineral Planning Authority prior to any clearance work commencing. No vegetation clearance shall take place that would, in the opinion of the ecologist, disturb breeding birds.

Reason

To ensure that breeding birds are not disturbed by the removal of habitat having regard to Policy DM5 (Biodiversity and geological interest) of the Bournemouth, Dorset and Poole Minerals Strategy.

Archaeological Investigation Prior to Clear Felling

22. Excluding phase 1A, the vegetation cover shall be cleared in accordance with the details contained in the Rhododendron Clearance method statement, produced by Denny Sweet dated 07/09/2017 and sent to Andrew Helmore by e-mail dated 27/09/2017. The clearance process and the area that is subsequently cleared shall be subject to Archaeological investigation in accordance with the 'Project specification for Archaeological excavation report' prepared by TVAS South West and dated 25/9/17 and revised 6/10/17. The works detailed in this condition shall be carried out in fully accordance with the said method statement and report.

Reason

In recognition that the site has not been fully investigated due to the presence of dense ground vegetation and to safeguard any heritage asset having regard to Policy DM7 (The Historic Environment) of the Bournemouth, Dorset & Poole Minerals Strategy.

Integrated Management Plan (IMP)

23. Within 3 months of the date of this permission an Integrated Management Plan for non-operational areas within the Land in the Applicants Control shall be submitted in writing, for the approval of the Mineral Planning Authority. This new plan shall bring together the following documents, and the additional management areas, as specified below, into one coherent plan.
- The undated plan titled “Integrated Management Plan (IMP) Binnegar” prepared by Ward Associates, together with the Corylus drawing number B17/RB/46 dated 24 June 2015 entitled Integrated Management Plan Figure 1, received by the Mineral Planning Authority (MPA) on 29 October 2015
 - The Binnegar Quarry “Proposals for Common Land Management, Prepared by Ward Associates and submitted by e-mail dated 22 March 2016
 - The additional areas for management specified by the Natural Environment Team in their consultation response to this application.
 - The IMP shall allow for an annual review and annual monitoring reports shall be submitted to the MPA by 30 September each year.
 - Management actions required by the MPA, following the annual review, shall be implemented as appropriate in the following year/years.
- Management, in accordance with the existing IMP's, shall continue until the revised IMP has been approved by the MPA. Once approved the new IMP shall be implemented in full for the duration of the development hereby approved (including the aftercare period).

Reason

To ensure that the loss of habitat is mitigated throughout the life of the quarry having regard to Policy DM5 (Biodiversity and geological interest) of the Bournemouth, Dorset and Poole Minerals Strategy.

Waste Conditions

Importation of Inert Material as an Aid to Restoration

24. Imported material to be used as an aid to restoration shall be limited to inert construction and demolition materials and soils. Materials that are capable of producing high quality washed recycled aggregate shall not be landfilled on the site.

Reason

To ensure that other materials arising from construction operations are recycled having regard to Policy 42 (Landfilling Inert Waste in areas not covered by Policies 40 and 41) of the Bournemouth, Dorset and Poole Waste Local Plan.

Importation of Inert Material as an Aid to Restoration

25. The quantity of inert material imported as an aid to restoration shall be limited to a maximum of 840,000 tonnes and shall be phased in accordance with the details as set out in the application and accompanying Environmental Statement (6/2015/0421), unless the prior written agreement of the Waste Planning Authority is first obtained.

Reason

To ensure that other materials arising from construction operations are

recycled having regard to Policy 42 (Landfilling Inert Waste in areas not covered by Policies 40 and 41) of the Bournemouth, Dorset and Poole Waste Local Plan.

Records of Imported Material

26. A record shall be maintained of all material brought into the site for landfilling. The record shall include the date of delivery, the nature and quantity of material imported, the source of the material and the registration number of the vehicle used to bring the material to the site. The record shall be made available for inspection by the Waste Planning Authority within 7 days of a written request. Records shall be retained for at least 3 years.

Reason

To ensure that other materials arising from construction operations are recycled having regard to Policy 42 (Landfilling Inert Waste in areas not covered by Policies 40 and 41) of the Bournemouth, Dorset and Poole Waste Local Plan.

Disposal of Mineral Waste

27. Excluding the inert imports as set out in condition 26 above, no material, other than quarry waste arising from within the site as defined in red on Drawing number B17/RB/39 revision C "Site Location Plan" dated 23 October 2015, or reject material from the sand processing plant (including silt), shall be deposited in areas B1 or B2.

Reason

To prevent pollution and maintain water quality having regard to Policy DM3 (Managing the Impact on Surface Water and Ground Water Resources) of the Bournemouth, Dorset and Poole Minerals Strategy.

Highway and access conditions

Vehicle movements within the Binnegar Complex

28. Prior to the road HGV's entering and exiting the application site for the purposes of exporting processed mineral from the site the access, parking and turning as shown on Dwg.No. B17/RRB/4/13 dated 13/09/2017 must be constructed to a specification to be submitted and approved in writing by the Highway Authority. Once approved the access shall be constructed to this specification and maintained for the life of the operations hereby approved. As soon as the processing plant has been brought into use, no vehicles hauling sand from the extraction area shall be permitted to cross Puddletown Road. Until such time as the plant has been brought into use dumpers shall only access the land on the north side of the road using the existing crossing point from area B1.

Reason

To ensure that a suitably surfaced and constructed access to the site is provided that prevents loose material being dragged and/or deposited onto the adjacent carriageway causing a safety hazard. In the interests of highway safety having regard to policy DM8 (Transport and Minerals Development) of the Bournemouth, Dorset & Poole Minerals Strategy.

Retention of Signage on Puddletown Road

29. The existing signage consisting of the warning signs on the Puddletown Road and those within Area B1 and on the land on the north side of the Puddletown Road as detailed in the "supplementary information" submitted as part of planning application 6/2013/0234 and received by the Mineral Planning Authority as an attachment to the email from the applicant dated 5 September 2013 shall be retained and maintained so long as the crossing is in operation.

Further: The road traffic signs installed on the Puddletown Road above and below the crossing point at the exit to Area B1 and at the entrance to the land on the north side of the road shall be retained and maintained in accordance with the submitted scheme for as long as extraction and restoration of Areas B1 or B2 take place.

Reason

In the interests of highway safety having regard to policy DM8 (Transport and Minerals Development of the Bournemouth, Dorset & Poole Minerals Strategy).

Noise Control

30. All vehicles, plant and machinery operated within the site shall be maintained in accordance with the manufacturer's specification at all times, and shall be fitted with and use effective silencers.

Reason

To limit noise generated by the operations on the local community and area having regard to Policy DM2 (Managing Impacts on Amenity) of the Bournemouth, Dorset & Poole Minerals Strategy.

Noise of Reversing Alarms

31. Unless otherwise approved in writing by the Mineral Planning Authority, the reversing alarms used at the site shall be the White Sound type manufactured by Brigade (BBS-102) or equivalent model.

Reason

To limit the impact of noise generated by the operations on the local community and area having regard to Policy DM2 (Managing Impacts on Amenity) of the Bournemouth, Dorset & Poole Minerals Strategy.

Wheel Cleaning

32. Prior to HGV's entering and leaving the application site for the purposes of transporting mineral wheel cleaning facilities shall be provided in accordance with a scheme that shall have first been submitted in writing and approved by the MPA. The approved details shall be implemented in full and maintained thereafter for the duration of the development hereby approved.

Reason

In the interests of highway safety and to prevent the likely deposit of loose material on the adjoining highway, having regard to Policies DM2 (Managing Impacts on Amenity) and DM8 (Transport and Minerals Development) of the Bournemouth, Dorset and Poole Minerals Strategy.

Securing Site When the Access is Not in Use

33. Excluding those times when open to allow approved vehicles to enter the site from Puddletown Road the gates across the access shall be closed.

Reason

In the interests of highway safety having regard to Policy 21 (Transport Impact) of the Bournemouth, Dorset and Poole Waste Local Plan.

Water Management

Installation of Boreholes

34. Groundwater monitoring shall be carried out in accordance with the Hydrological Risk Assessment Report prepared by GWP and dated June 2016. The groundwater monitoring boreholes shown on plan BINNEPR1605 (dated 28/06/2016) shall be maintained throughout the life of the development (including the aftercare period) and where necessary replacement boreholes shall be drilled. A record of the monitoring results shall be kept for a minimum of 20 years and shall be made available to the Mineral Planning Authority within 14 days of a request being made. Where groundwater rise is attributable to the site, the applicant will undertake the measures set out in the section on Mitigation Measures paragraph 10.1.1 in the Hydrogeological and Hydrological Impact and Flood Risk Assessment prepared by GWP consultants dated June 2015 and which forms part of the Environmental Impact Statement (volume 1) dated July 2015 submitted as part of the application.

Reason

To ensure that ground water levels are monitored to ensure that the development has no adverse impact upon them having regard to Policy DM3 (Managing the impact on Surface Water and Ground Water Resources of the Bournemouth, Dorset and Poole Minerals Core Strategy).

Establishment of Attenuation Pond, Discharge Pipe and Drainage Channels

35. Before any works take place within phase 2B, the attenuation pond, its discharge pipe, and the northern arm of the drainage channel as shown on Drawing reference number BINNBSO1504 drawing number 15 version F dated 23 June 2015 entitled Proposed final restoration landform, shall be constructed and brought into use. The overflow channel and the southern arm of the drainage channel shall be constructed as part of the restoration works to the quarry. All these features shall be retained and maintained in good working order thereafter.

Reason

To ensure that surface water ground water that may be flowing from the application site can be discharged into the existing drainage network in a controlled manner having regard to Policy DM3 (Managing the impact on Surface Water and Ground Water Resources of the Bournemouth, Dorset and Poole Minerals Core Strategy).

Conditions Specific to the creation of Silt lagoons, Backfilling, and Restoration of Area B1

Silt Management

36. Silt management shall be undertaken in accordance with the detail set out in sections 3.2 - 3.5 of the application supporting statement and the details shown on the "Proposed Silt Lagoons in Area B1" Drawing B17/RB/4/13 dated 13/09/2017.

Restoration of B1 in Accordance with Approved Plans

37. The restoration of Area B1, to Nature Conservation Heathland suitable for public access, shall be undertaken in accordance with the details shown on the "Revised Restoration Scheme" drawing B17/RB/4/10 dated 11/09/2017.

Reason

To ensure that the development is carried out as approved having regard and to Policy RS1 (Restoration, Aftercare and Afteruse of Minerals Development).

Full Restoration Detail

38. Within 3 months of the cessation of mineral processing or by 31 December 2026, whichever is the sooner, a detailed scheme for the progressive restoration, aftercare, future use and management of Area B1 shall be submitted to the mineral planning authority for approval. The scheme shall set out the actions and a timetable to achieve the establishment of a heathland vegetation cover based on the ground contours as shown the "Revised Restoration Scheme" drawing B17/RB/4/10 dated 11/09/2017. The submitted details shall address the future of the tree belt to the south east of Area B1, retained during the life of the extraction. The approved scheme shall then be implemented in accordance with the agreed details and timetable.

Reason

To ensure that the site is restored to a suitable condition having regard to Policy RM1 (Restoration, Aftercare and Afteruse of Minerals Development) of the Bournemouth, Dorset and Poole Minerals Strategy.

Dust Control within Area B1

39. The dust management measures outlined in the document entitled Raymond Brown Minerals & Recycling Ltd, Binnegar Quarry Puddletown Road, Wareham, Dust Management System produced by SRC and dated September 2013 submitted to the mineral planning authority as an attachment to the email from the applicant dated 11 September 2013 and which forms part of the approved planning permission reference number 6/2013/0234 shall be implemented throughout the life of the silt management operations and restoration work within Area B1.

Reason

To protect the amenities of local residents and having regard to the intentions of Policy DM2 (Managing Impacts on Amenity) of the Bournemouth, Dorset and Poole Minerals Strategy.

Retention of Control Point for Area B1

40. The two survey control points as shown on the Site Survey drawing number

BINNRES1302 drawing number 1 version C dated 10 September 2013 and which formed part of the planning permission reference number 6/2013/0234 shall be retained and maintained throughout the duration of the development.

Reason

To ensure that there are adequate reference points within the site from which the depth of excavation can be measured and to ensure that work is undertaken in accordance with the approved plans having regard to Policies DM1 (Key Criteria for Sustainable Minerals Development) and RS1 (Restoration, Aftercare and Afteruse of Minerals Development) of the Bournemouth, Dorset and Poole Minerals Strategy.

Protection of Battery Bank from Works on the North Side of the Bank

41. Notwithstanding any information shown on the plans submitted as part of planning application reference number 6/2013/0234, no minerals related activity of any kind shall take place beyond the confines of the red lined application site that defines Area B1. This includes the positioning of any vehicle or plant or the use of the peripheral track that lies between the northern edge of the Battery Bank and Area B1, as a means of moving around the edge of Area B1. The existing orange marker fencing which excludes all access to the peripheral track from either end shall be retained throughout the life of this permission.

Reason

To protect the ancient monument from the risk of any damage having regard to Policy DM7 (The Historic Environment) of the Bournemouth, Dorset and Poole Minerals Strategy.

Retention of Windrow Material for Use in Site Restoration

42. Within 6 months of the date of this decision, a plan showing the new location of the material that previously formed the windrows identified on Site Survey drawing number BINNRES 1302 version C dated 10 September 2013 submitted and approved as part of planning permission reference number 6/2013/0234, and which was moved to the storage area identified on the above plan in brown hatching, but has subsequently been used to form bunding around the new offices shall be submitted and approved in writing by the Mineral Planning Authority. This material shall be reserved for use in the future restoration of the Area B1.

Reason

To ensure that suitable quality material is retained to provide a good medium for the development of a heathland vegetation having regard to Policies RM1 (Restoration, Aftercare and Afteruse of Minerals Development) and DM5 (Biodiversity and geological interest) of the Bournemouth, Dorset and Poole Minerals Strategy.

Substitution of Material Reserved for Use in Restoration of Area B1

43. In the event that the material set aside for the restoration of Area B1 (referred to in condition 42 above) is still required to screen the offices at the time that Area B1 is restored, then an equivalent amount of material of the same quality shall be sourced from within Area B2 and used instead. In the event of this situation occurring the applicant shall notify the

Mineral Planning Authority of the substitution by letter.

Reason

To ensure that suitable quality material is retained to provide a good medium for the development of a heathland vegetation having regard to Policies RM1 (Restoration, Aftercare and Afteruse of Minerals Development) and DM5 (Biodiversity and geological interest) of the Bournemouth, Dorset and Poole Minerals Strategy.

Retention of Bund Material for Use in Restoration of Area B1

44. All the material presently forming the earth bunds that surround the extraction area at Area B1 shall be retained for use in the restoration of the site.

Reason

To ensure that suitable quality material is retained to provide a good medium for the development of heathland vegetation having regard to Policies RM1 (Restoration, Aftercare and Afteruse of Minerals Development) and DM5 (Biodiversity and geological interest) of the Bournemouth, Dorset and Poole Minerals Strategy.

Retention and Maintenance of Roadside Vegetation to Binnegar Lane

45. The vegetation that bounds Area B1 to the Puddletown Road and to Binnegar Lane shall be managed and reinforced with additional planting in accordance with the details and to the timetable contained in the condition compliance submission pursuant to condition 13 (Retention and maintenance of roadside vegetation to Binnegar Lane) of planning permission reference number 6/2013/0234, from SITA dated 2 April 2014 and which includes a three page statement prepared by Ward Ecology and which was agreed by the mineral planning authority in its letter of 17 April 2014. Any trees planted as part of the approved scheme which within five years from the date of planting die, are removed or become seriously damaged or diseased shall be replaced during the next planting season with other trees of a species and size reflecting those first planted.

Reason

To ensure the maintenance of screening to the site, to protect the appearance and character of the area having regard to Policy DM4 (Protection and Enhancement of Landscape Character and the Countryside) of the Bournemouth, Dorset and Poole Minerals Strategy.

Retention of Tree Belt

46. Throughout the period when mineral extraction is taking place in Area B1 or Area B2, a belt of trees 20 metres wide shall be retained beyond the south-eastern boundary of Area B1.

Reason

To maintain a barrier between the extraction area and the ground to the south-east that will discourage species from migrating into the excavation area having regard to Policies DM4 (Protection and Enhancement of Landscape Character and the Countryside) and DM5 of the Bournemouth,

General Conditions

Hours of Operation

47. Unless otherwise approved in writing by the Mineral Planning Authority, no extraction or processing of minerals, or operations or use shall, (unless allowed by other conditions) take place outside of the following hours:
0700-1900 Monday to Friday inclusive; and
0700-1300 on Saturdays.
No operations shall take place on Sundays, Public or Bank holidays.

Reason

To protect the amenities of the surrounding area having regard to Policy 1 (Guiding Principles) of the Bournemouth, Dorset and Poole Waste Local Plan and Policy DM2 (Managing Impacts on Amenity) of the Bournemouth, Dorset and Poole Minerals Strategy.

Noise

48. Noise emitted as a result of any activity or operation within Area B1 or Area B2 shall not exceed 55dB(LA) (eq)1hr or 10dB(A)t above the background noise level, whichever is the lowest, when measured at or recalculated at a height of 1.2 metres above ground level and 3.6 metres from the facade of any residential property or listed building during any 1 hour period [LAeq, (1hr) = {L90 + 10} dB(A)].

Reason

To protect the amenities of local residents having regard to Policy DM2 (Managing Impacts on Amenity) of the Bournemouth, Dorset and Poole Minerals Strategy.

Cessation of Imports of Sand and Gravel

49. No mineral shall be imported into the site for processing and/or blending with any sands or gravels extracted from the site.

Reason

In accordance with the terms of the application and to ensure that the proposed use does not have an unacceptable impact on the amenities of the surrounding area and that the traffic levels are reduced having regard to Policies DM1 (Key Criteria for Sustainable Minerals Development), DM2 (Managing Impacts on Amenity) and Policy DM8 (Transport and Minerals Development) of the Bournemouth, Dorset and Poole Minerals Strategy.

Fuel Storage

50. Any facilities for the storage of oils or chemicals shall be sited on an impervious base and surrounded by impervious bund walls in accordance with details approved by the Mineral Planning Authority. The volume of the banded compound shall be at least equivalent to the capacity of the tank plus 10%. If there is multiple tankage, the compound shall be at least equivalent to the capacity of the largest tank, or the combined capacity of interconnected tanks, plus 10%; or 25% of the total volume which could be stored at any one time, whichever is the greater. All filling points, vents, gauges and sight glasses must be located within the bund. The drainage

system of the bund shall be sealed with no discharge to any watercourse, land or underground strata. Associated pipework shall be accessible where possible, and protected from accidental damage. All filling points and tank overflow pipe outlets shall be detailed to discharge downwards into the bund.

Reason

To minimise the risk of any fuel and chemical spillages having regard to Policy DM3 (Managing the Impacts on Surface Water and Ground Water Resources) of the Bournemouth, Dorset and Poole Minerals Strategy.

No Parking of Vehicles or Plant Within Area B2

51. No moving plant or vehicles shall be stored or repaired within the extraction area of Area B2.

Reason

To minimise the risk of any fuel and chemical spillages having regard to Policy DM3 (Managing the Impacts on Surface Water and Ground Water Resources) of the Bournemouth, Dorset and Poole Minerals Strategy.

Restriction of Permitted Development Rights

52. Unless otherwise approved in writing by the MPA; and notwithstanding the provisions of Part 17 of Schedule 2 The Town and Country Planning (General Permitted Development (England) Order 2015 (or any amendment amending or replacing or re-enacting that Order); no additional fixed plant or machinery shall be installed at the site, beyond that consented by permission 6/2017/0685.

Reason

In the interests of the visual amenity of the locality, having regard to Policy DM2 (Managing Impacts on Amenity) of the Bournemouth, Dorset & Poole Minerals Strategy.

Floodlighting

53. No floodlighting or security lighting shall be installed on the application site unless details of its location, height, design, sensors, hours of proposed use and luminance have previously been submitted to and approved in writing by the Mineral Planning Authority. Any lighting shall be maintained in accordance with the approved details.

Reason

To protect the amenity of the surrounding area having regard to Policy DM2 (Managing Impacts on Amenity) of the Bournemouth, Dorset & Poole Minerals Strategy.

Aftercare and Long Term Management

Initial Planting and Seeding

54. No later than 3 months prior to the commencement of any restoration works, details of the source of seed, the sowing technique to be applied and the timing of the actions to establish the heathland area shall be submitted to and

approved in writing with the mineral planning authority. When the restoration reached the proposed woodland area, no later than 3 months prior to the restoration of that area, details of the native species, numbers, heights on planting and measures to protect the new plants together with a programme for the timing of the planting shall be submitted to an approved in writing with the Mineral Planning Authority. The scheme shall also include provision for the cultivation of the ground to encourage natural regeneration as a percentage of the woodland area. The approved schemes shall then be fully implemented in accordance with the approved details.

Reason

To ensure that the site is reclaimed in an orderly and timely manner to a condition capable of beneficial after use and in the interests of nature conservation, agriculture and amenity having regard to Policy RS1 (Restoration, Aftercare and Afteruse of Minerals Development) of the Bournemouth, Dorset & Poole Minerals Strategy.

Aftercare

55. Within 3 months of the cessation of the permitted mineral operations, a five year aftercare scheme running from the completion of the restoration of the last phase, including such steps as may be necessary to bring the site to the required standard for use as a mixed heathland and woodland with wetland areas and some open water managed to promote its nature conservation value a shall be submitted to the Mineral Planning Authority for approval. The scheme shall include proposals for:

- (a) regular monitoring to assess the establishment of the heathland, woodland, the wetland areas and any water areas, in consultation with the Mineral Planning Authority, the progress of aftercare and the need for revisions to the scheme to be agreed;
- (b) the commencement of aftercare as soon as practicable after the completion of restoration;
- (c) any management such as heathland re-seeding, weeding, fencing, mowing and grazing;
- (d) any necessary drainage of the land (natural and/or artificial);
- (e) the re-seeding of any areas of the designated heathland which have failed to establish;
- (f) the management of the heathland the control of invasive species that are not considered to add to the bio diversity of the site;
- (g) an assessment of annual losses and replacements to be provided;
- (h) Continued weed control and management of shelters, stakes and ties;
- (i) The replacement of any dead or dying trees or shrubs in the woodland area with native plants of similar size and species;

- (j) Ongoing protection measures from deer or rabbits;
- (k) the management of the marginal planting in the wetland areas and water areas, control of algae blooms and aquatic plants;
- (l) a timetable for the proposed actions.

The approved scheme shall be fully implemented in accordance with the approved details and timetable.

Reason

To comply with the requirements of Schedule 5 of the Town and Country Planning Act 1990 and to ensure that the reclaimed land is correctly husbanded, to bring the land to the standard required for agricultural use and having regard to Policy RS1 (Restoration, Aftercare, and Afteruse of Minerals Development) of the Bournemouth, Dorset & Poole Minerals Strategy.

Early Cessation of Mineral Working

56. In the event of the cessation of the winning and working of minerals hereby permitted prior to the completion of the approved scheme of working which in the opinion of the Mineral Planning Authority constitutes a permanent cessation within the terms of paragraph 3 of Schedule 9 of the Town and Country Planning Act 1990, within 3 months of that cessation, a scheme for any necessary consequent amendments to the approved restoration and aftercare of the application site utilising the materials available on site shall be submitted to and approved in writing with the MPA. Unless otherwise approved in writing by the Mineral Planning Authority, the approved restoration and aftercare schemes shall be fully implemented in accordance within any approved details and timetables.

Reason

Having regard to Policy RS1 (Restoration, Aftercare and Afteruse of Minerals Development) of the Bournemouth, Dorset & Poole Minerals Strategy

Noise Limit on Temporary Works

57. Unless otherwise approved in writing with the Mineral Planning Authority, noise emitted as a result of temporary work to facilitate essential site preparation and restoration work including the construction of baffle mounds (where it is clear this will bring long term benefits to the site and its environs shall not exceed 70dB(A) LAeq 1h (freefield) for a period of no more than 8 weeks in a year when measured at or recalculated at a height of 1.2metres above ground level and 3.6 metres from the façade of any residential property or listed building during any 1 hour period.

Reason

To protect the amenities of local residents having regard to Policy DM2 (Managing Impacts on Amenity) of the Bournemouth Dorset and Poole Minerals Strategy.

Response to a Noise Complaint

58. In the event of a noise complaint being received, and the applicant having

been notified of such a complaint, the Mineral Planning Authority shall be presented with a strategy within 5 working days of how the mineral operator will adjust their actions on site to bring the activity back within the prescribed limits set out in conditions 48 and 57 together with a timetable for the implementation of any actions. The strategy shall be approved in writing by the Mineral Planning Authority and then implemented in accordance with the timetable set out.

Reason

To protect the amenities of local residents having regard to Policy DM2 (Managing Impacts on Amenity) of the Bournemouth Dorset and Poole Minerals Strategy.

INFORMATIVES

Statement of Positive Involvement

1. In accordance with paragraphs 186 and 187 of the National Planning Policy Framework, Dorset County Council, as local planning authority, takes a positive and proactive approach to development proposals focused on solutions. The Council worked with the applicant/agent in a positive and proactive manner by:
 - (i) providing a pre-application advice service;
 - (ii) updating the applicant's agent of issues as they arose in the processing of the application;
 - (iii) providing an update at the conclusion of the consultation exercise, and
 - (iv) discussing the draft set of planning conditions with the applicant.

Further Information

2. Further details including application documents and Planning Officers report can be viewed using the Application No. above at the following url:
<http://countyplanning.dorsetforyou.com/ePlanningOPS/searchPageLoad.do>

Informative – Historic England

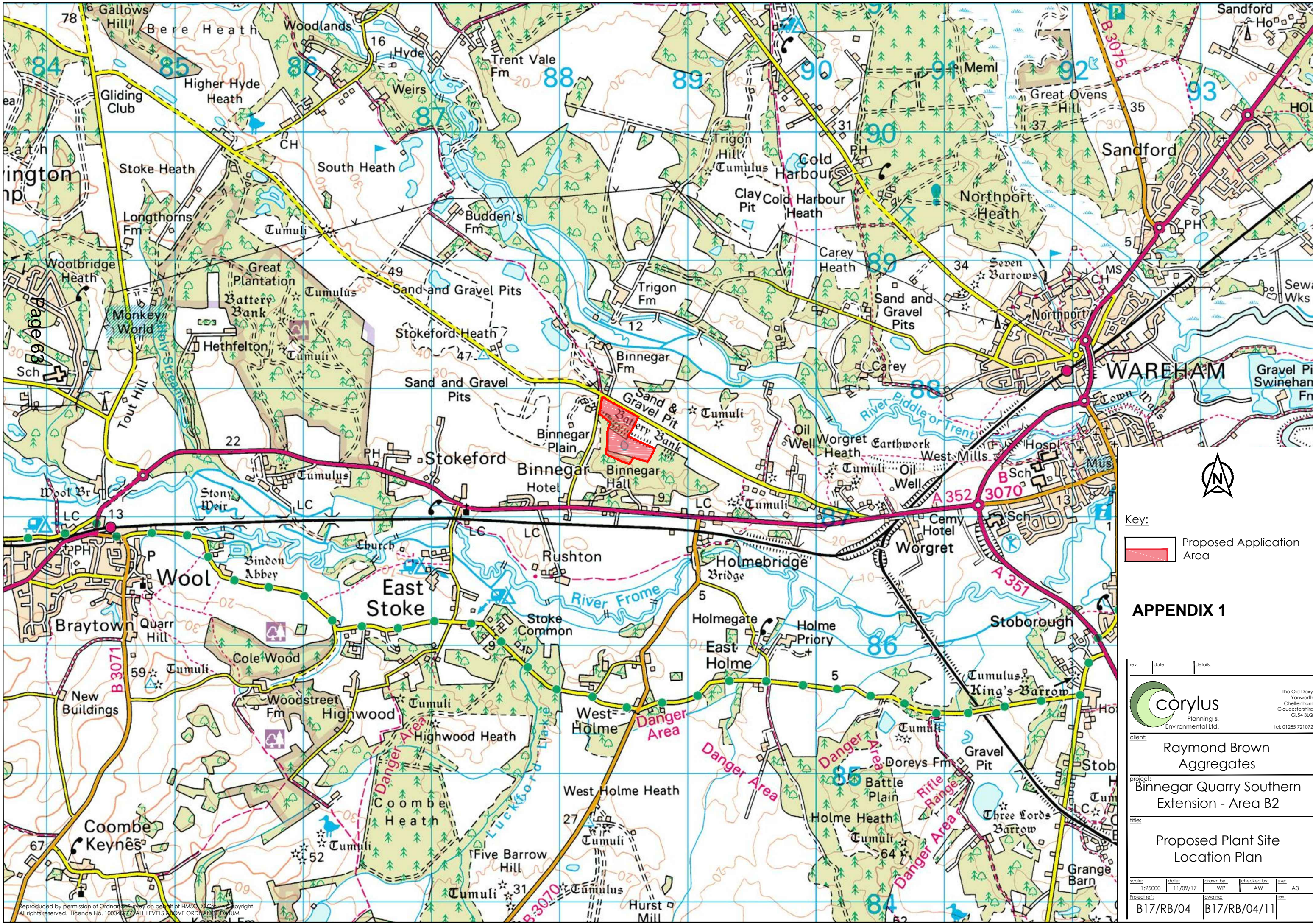
3. The quarry access track runs across the Battery Bank Scheduled Monument and the applicant should ensure that they liaise with Historic England and obtain any necessary consent for work affecting the Scheduled Monument.

Environmental Permit

4. The treatment and use of the silt may constitute a Mining Waste activity and require a permit under the Environmental Permitting Regulations. More information can be found at:
<https://www.gov.uk/government/publications/environmental-permitting-guidance-themining-waste-directive>
or by contacting the local Environment Agency office.

Legal Agreement

5. This consent is subject to a legal agreement under Section 106 of the Town and Country Planning Act, 1990 (as amended).



Key:
 Proposed Application Area

APPENDIX 1

rev:	date:	details:
		
<small>The Old Dairy Yanworth Cheltenham Gloucestershire GL54 3LQ tel: 01285 721072</small>		
client:		

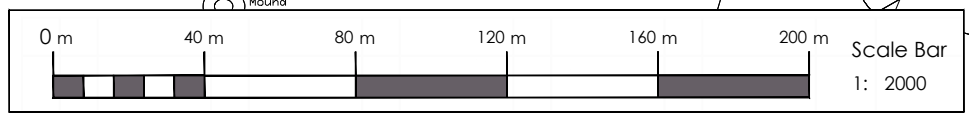
Raymond Brown
 Aggregates

project:
 Binnegar Quarry Southern
 Extension - Area B2

title: Proposed Plant Site Location Plan			
scale: 1:25000	date: 11/09/17	drawn by: WP	checked by: AW
project ref: B17/RB/04	dwg no: B17/RB/04/11	rev:	

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Key:

- Application Area
- Adjacent land under the applicant's control

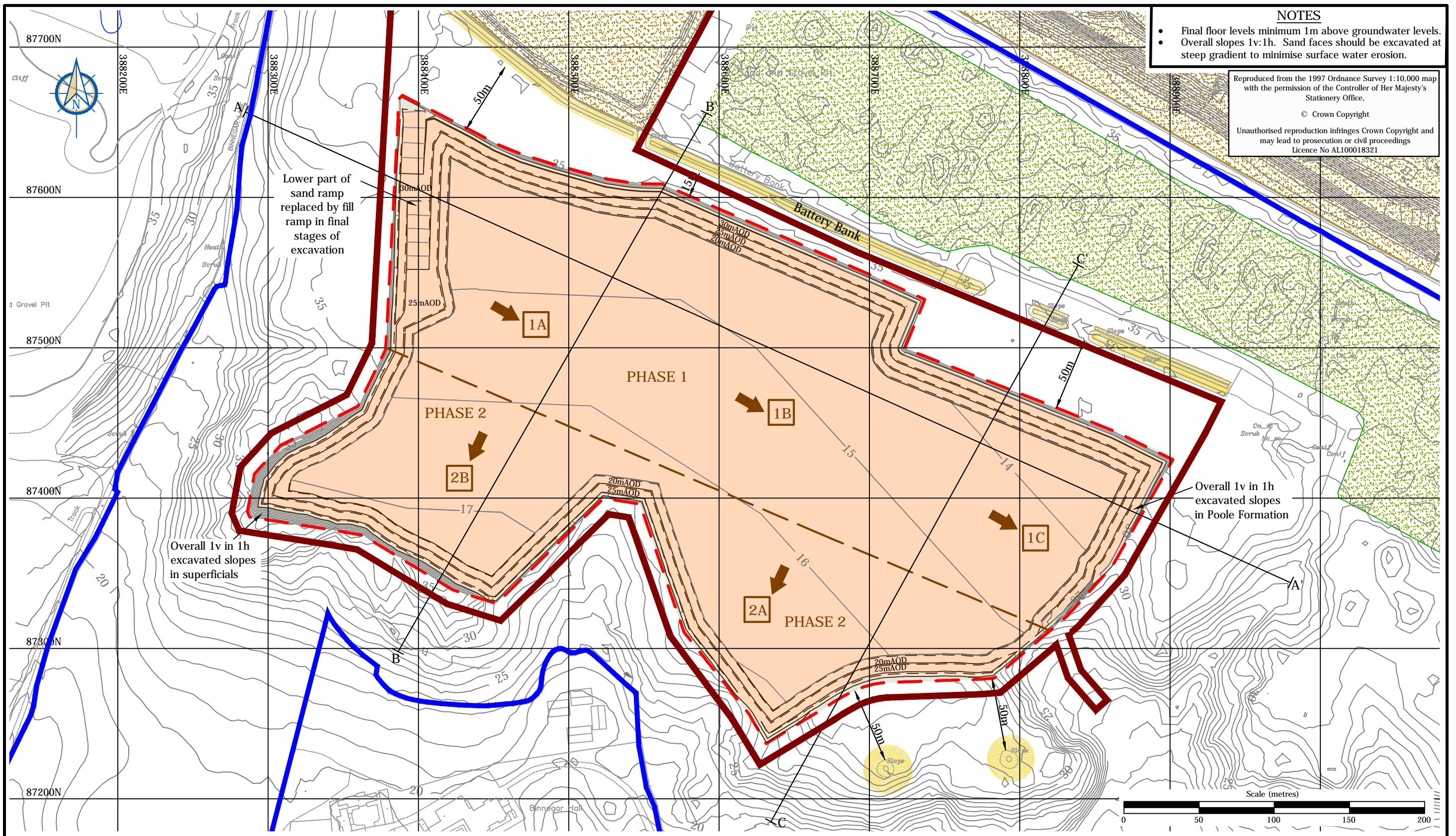
APPENDIX 2

Land in the control of the applicant (Raymond Brown's lease) and area subject to the Integrated and long term Management Plans

Page 65

<small>rev:</small>	<small>date:</small>	<small>details:</small>	
Corylus Planning & Environmental Ltd.			
<small>client:</small> Raymond Brown Aggregates			
<small>project:</small> Binnegar Quarry Southern Extension Area B2			
<small>title:</small> Proposed Plant Site Application Area			
<small>scale:</small> 1:2000	<small>date:</small> 11/09/17	<small>drawn by:</small> WP	<small>checked by:</small> AW
<small>Project ref:</small> B17/RB/4	<small>dwa no:</small> B17/RB/4/12	<small>rev:</small>	<small>size:</small> A3

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NOTES



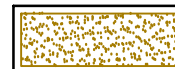


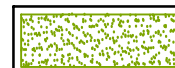


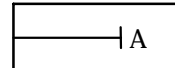
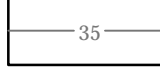

- Final floor levels minimum 1m above groundwater levels.
- Overall slopes 1v:1h. Sand faces should be excavated at steep gradient to minimise surface water erosion.

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LEGEND

- | | | |
|--|---|---|
|  Adjacent land within Applicants' control |  Excavation in superfcials |  Existing active areas of mineral extraction |
|  Application Boundary |  Excavation in Poole Formation |  Gravel removed and area restored to Heathland |
|  Proposed extraction boundary |  Direction of working |  Line of cross section |
|  Ground Contours mAO (1m intervals) |  Scheduled Monument | |

APPENDIX 3

Version	Revision and compilation notes	Date
A	Draft	01.04.2015
B	Issued with report v.02	30.04.2015
C	Revised	18.06.2015
D	Issued as final	23.06.2015

Client
Raymond Brown Minerals & Recycling Ltd

Project
Binnegar Quarry Extension (Area B2): Geology, Resources, Quarry Design

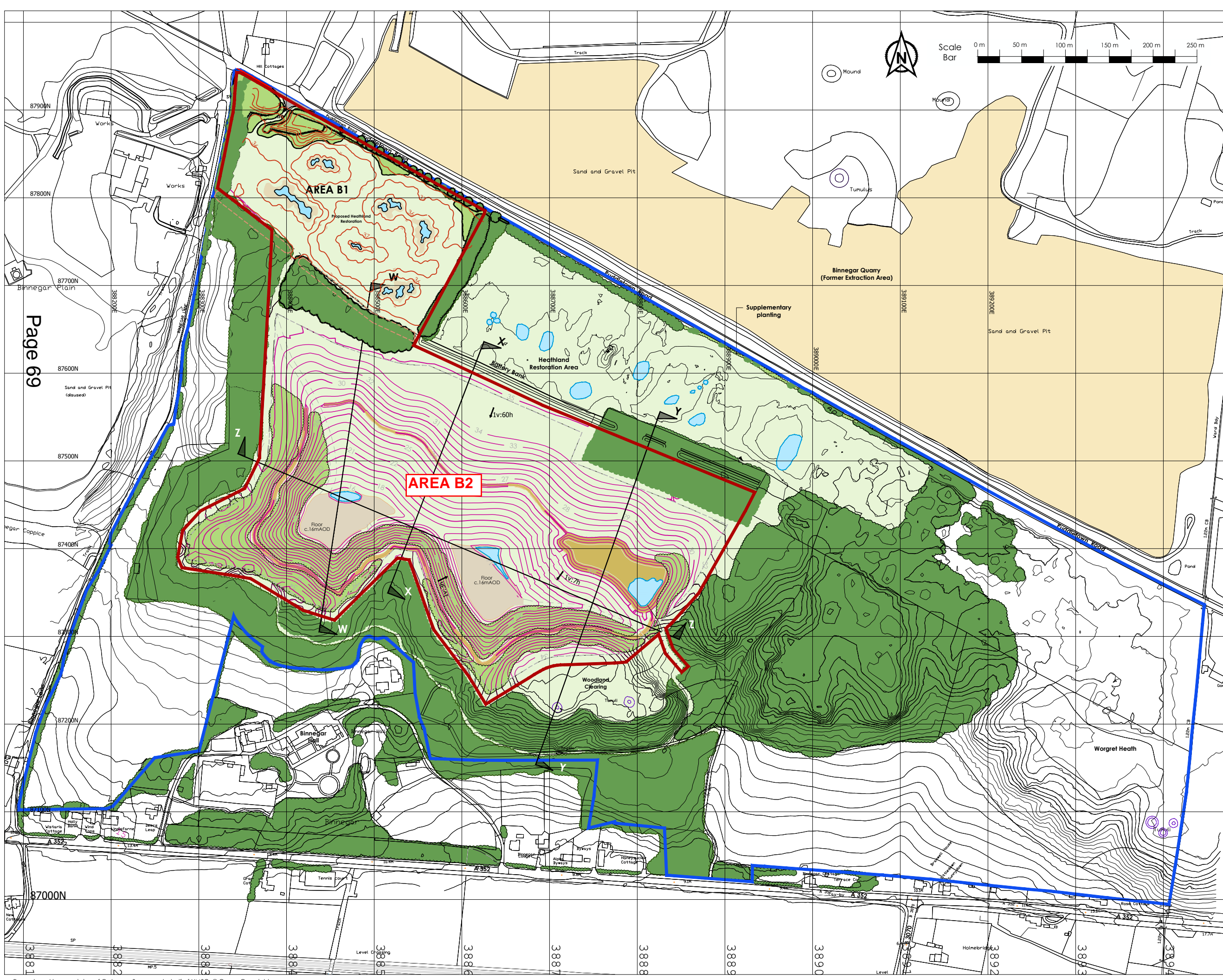
GWP consultants
 Upton House
 Market Street, Charlbury
 Oxfordshire OX7 3PJ
 United Kingdom
 Tel: +44 (0)1608 810374
 Fax: +44 (0)1608 810093
 E-mail: info@gwp.uk.com
 Web: www.gwp.uk.com

earth & water resources

Proposed excavation geometry

Date	Drawn	Checked	Scale
23.06.2015	IB/EMB	AEC	1:2500 at A3
Drawing Ref	Drawing No	Version	
BINNBSO1504	9	D	

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Key:

- Application Area
- Existing Woodland / Dense Scrub Vegetation
- Existing Quarry Areas
- Existing Contours
- Proposed Restoration contours
- Proposed woodland / Scrub
- Dry Heath / Acid grassland
- Wet/Humid Heath
- Attenuation Basin
- Ponds / Ephemeral Water Bodies
- Land under Applicant's Control

Notes:

Contours and Pools in Northern 'Heathland Restoration Area' are approximate, based on available data

All restored slopes to be hydreseeded to establish a grass sward initially to prevent surface erosion.

All proposed acid grassland / dry heath areas shall be subsequently managed by over seeding or strewing with heathland brashings to promote the regeneration of a heathland flora.

Proposed woodland / scrub areas shall be planted with trees and shrubs which shall comprise a mix selected from the following species:

- Betula pendula* (Birch)
- Carpinus betulus* (Hornbeam)
- Castanea sativa* (Sweet Chestnut)
- Corylus avellana* (Hazel)
- Crataegus monogyna* (Hawthorn)
- Ilex aquifolium* (Holly)
- Pinus sylvestris* (Scots Pine)
- Prunus avium* (Wild Cherry)
- Quercus robur* (Pedunculate Oak)
- Sorbus aucuparia* (Rowan)
- Tilia cordata* (Small Leaved Lime)

APPENDIX 4

rev: - date: - details: -

Corylus
Planning & Environmental Ltd.
The Old Dairy
Yarworth
Cheltenham
Gloucestershire
GL54 3LQ
tel: 01285 721072

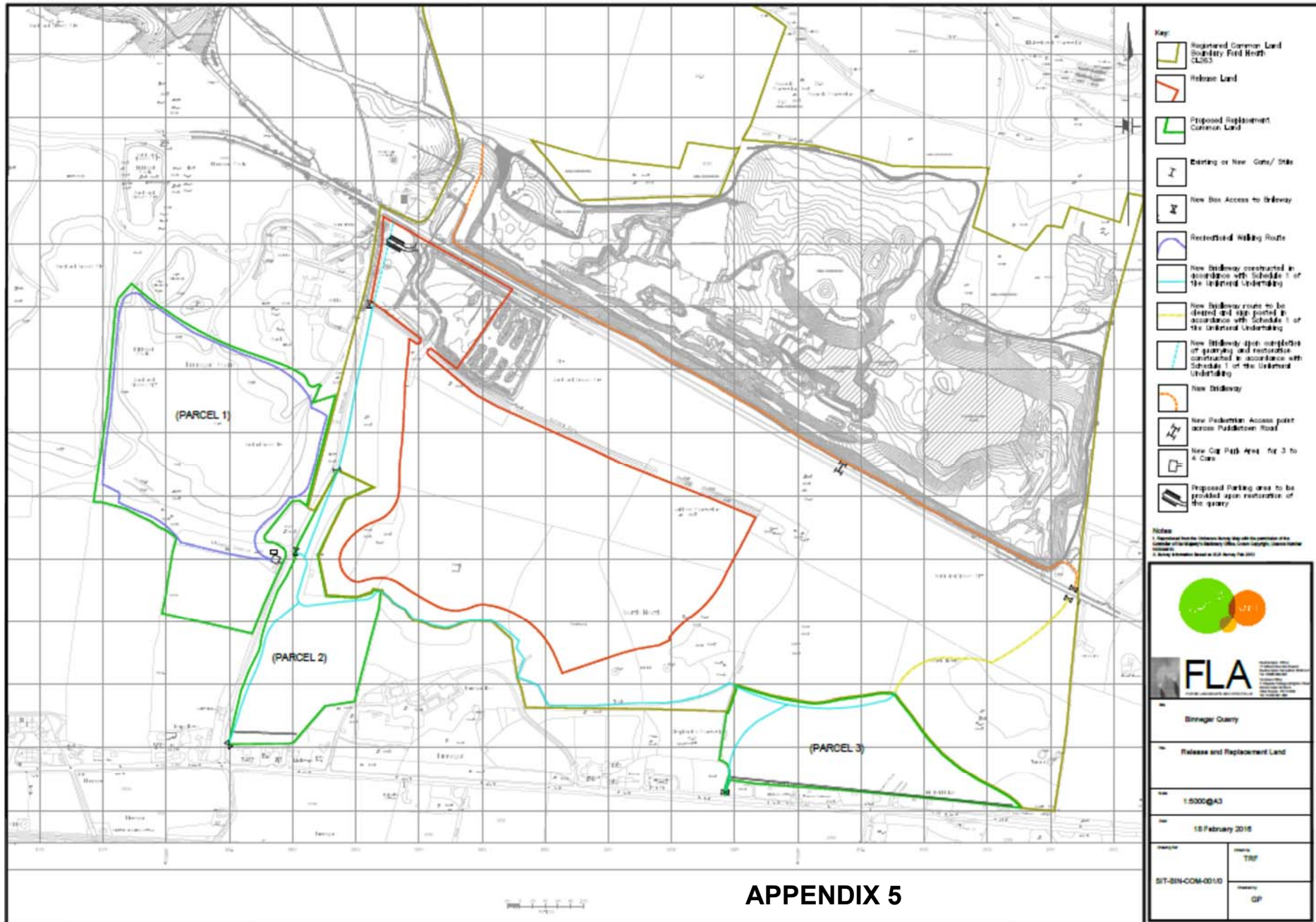
client: **Raymond Brown Aggregates**

project: **Binnegar Quarry Southern Extension Area B2**

title: **Revised Restoration Scheme**

scale: 1:4000	date: 13/09/17	drawn by: WP	checked by: AW	size: A3
Project ref: B17/RB/4	dwg no: B17/RB/4/14	rev: -		

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Regulatory Committee

Dorset County Council



Date of Meeting	22 March 2018 (postponed from 1 March 2018)
Officer	Service Director
Subject of Report	<p>To consider:</p> <ul style="list-style-type: none"> i) Application WD/D/15/001057(received April 2015) for planning permission for the extension of the quarry to the north to provide additional silt lagoon capacity and for the erection of an aggregate bagging plant; and ii) Application 1/E/2005/0742/AuC (received May 2017) for approval under conditions 4 (Adherence to approved plans and details) and 20 (Limitation on erection of structure, fixed plant etc.) of planning permission 1/E/2005/0742 comprising layout changes and extension to the processing area, minor changes to the restoration plan for the western part of the quarry and revised scheme of phasing; <p>at Woodsford Farm, Woodsford, Dorchester, Dorset.</p>
Executive Summary	<p>The report concerns an application for planning permission and an application for approval under planning conditions. Application WD/D/15/001057 was previously discussed at the Regulatory Committee meeting held on 27th October 2016 with a decision on the application being deferred. The application has since been amended and the subject of further consultation. Application 1/E/2005/0742/AuC was received in May 2017.</p> <p>A Committee site visit was undertaken on the 28th September 2017 since when further revised plans and additional supporting information have been submitted. Objections have been received relating to various aspects of the application proposals including: impact on the setting and heritage significance of Woodsford Castle (a Grade I Listed Building); the need for the proposed development; potential alternative means of meeting that need; and the impact of the proposals on local amenity. The most relevant considerations are discussed in the report.</p> <p>The applications must be considered having regard to the development plan and should be determined in accordance with the development plan unless material considerations indicate otherwise.</p> <p>It is considered that the application proposals are generally in accordance with the development plan.</p>

Impact Assessment	Equalities Impact Assessment: The 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 recommendations have been made after consideration of the applications and supporting information, the development plan, government policy and guidance, representations received and all other material planning considerations as detailed in the main body of the report including the environmental information that informed the granting of planning permission 1/E/2005/0742.
	Budget/Risk Assessment: No budget/risk assessment implications.
Recommendations	<ol style="list-style-type: none"> 1. That planning permission be granted for the development proposed in application WD/D/15/001057 subject to conditions as set out in paragraph 8.2 of the report. 2. That application 1/E/2005/0742/AuC be approved subject to the provisos set out in paragraph 8.3 of the report.
Reason for Recommendations	The reasons for recommending the grant of planning permission and approval are summarised in paragraphs 6.303-6.316 of the report.
Appendices	<ol style="list-style-type: none"> 1. Site Context Plan.
Background Papers	<p>Planning Application File WD/D/15/001057. Planning Application File 1/E/2005/0742/AuC. Planning Application File 1/E/2005/0742. Committee Report 27 October 2016 Site Visit Report 28 September 2018</p>
Report Originator and Contact	<p>Name: Mr Huw Williams Tel: (01305) 228264 Email: H.R.Williams@dorsetcc.gov.uk</p>

1. Background

- 1.1 Planning permission 1/E/2005/0742 was granted on the 14th December 2007 authorising, subject to conditions, development including the winning and working of mineral (sand and gravel) with progressive restoration to agriculture and woodland and the erection of mineral processing plant, concrete batching plant, workshop, office and weighbridge at Woodsford Farm, Woodsford. The planning application site extended across an area of approximately 164 hectares of land that is hereafter referred to as '*the authorised area*'.

- 1.2 Parts of the authorised area are being operated under planning permission 1/E/2005/0742 as Woodsford Quarry with other parts of the authorised area being predominantly in agricultural use, some worked areas having been restored and currently in aftercare.
- 1.3 Planning permission 1/E/2005/0742 allowed for the creation of a quarry with the surface of the site exceeding 25 hectares and which in consequence comprised '*EIA development*' under the Environmental Impact Assessment Regulations as then in force. It was granted having regard to relevant environmental information available at that time including an *Environmental Statement* dated March 2005 submitted with the planning application, an *Additional Statement* dated May 2006 and representations received from statutory consultees and others about the environmental effects of the then proposed development.
- 1.4 Although submitted as an application for full planning permission, the Environmental Statement that accompanied application 1/E/2005/0742 made clear that various aspects of the development described in the application were indicative. Planning permission was granted subject to 30 conditions and subsequent to the completion of a legal agreement securing planning obligations related to the authorised development. The planning obligations concerned a range of matters including the dedication of a new public footpath and a new bridleway and cycle track, off-site highway improvements and funding for a Traffic Regulation Order.
- 1.5 The authorised operations are required to cease and the authorised area is to be restored by the 1st October 2028.
- 1.6 In various respects, operations undertaken within the authorised area have diverged from the arrangements and details approved by and under planning permission 1/E/2005/0742. To date, Planning Officers aware of breaches of planning control within the authorised area have not deemed it expedient to take formal enforcement action, preference instead being for the instigation of remedial measures by the quarry operator and/or for the submission of applications as a potential means of regularising operations on and use of the land. This has led to the applications that are the subject of this report.
- 1.7 Two applications are before Dorset County Council for determination. The applications are made by the quarry operator, Hills Quarry Products Ltd (*'the applicant'*).
- 1.8 The first, application WD/D/15/001057 was received in April 2015 and seeks planning permission for an extension to Woodsford Quarry to provide additional silt lagoon capacity and for the erection and operation of a bagging plant within the authorised area.
- 1.9 In May 2017, application 1/E/2005/0742/AuC, was submitted seeking approval under conditions 4 and 20 of planning permission 1/E/2005/0742 for changes to the authorised development. Additional and revised application documents were also received and consulted upon in support of application WD/D/15/001057 in May and October 2017.
- 1.10 The proposals were discussed during the Regulatory Committee meeting held on 27th October 2016, with decisions on the applications being deferred for further clarification about the effects of the proposals on Woodsford Castle, a

Grade I Listed Building located approximately 250 metres north of the authorised area. At the time of that Committee, the applicant had submitted an application to vary the conditions of the 2007 permission. That application was withdrawn in May 2007 and in essence replaced by application 1/E/2005/0842/AuC.

1.11 The approval sought under application 1/E/2005/0742/AuC provides for layout changes, the extension of the currently approved processing area, minor changes to the restoration plan for the western part of the quarry and a revised scheme of phasing.

1.12 Consultation was undertaken on the submissions made in May 2017 and a Committee Site Visit was held on the 28th September 2017.

1.13 Condition 4 of planning permission 1/E/2005/0742 provides that:

“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 schemes and details and no part of the operations specified therein shall be amended or omitted without prior written approval of the Mineral Planning Authority.”

1.14 The reason for imposing condition 4 of planning permission 1/E/2005/0742 was:

“To maintain control over the site and the criteria of policies 39 and 6 of the adopted Minerals and Waste Local Plan and to ensure the permission is implemented in all respects in accordance with the approved details.”

1.15 Condition 20 of planning permission 1/E/2005/0742 provides that:

“Notwithstanding the provisions of part 4 and (where relevant) part 21 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995, or any order revoking and re-enacting that Order, with or without modification:

- (a) no fixed plant or machinery, building, structures or erections shall be erected, extended, installed, or replaced within the site without the prior approval in writing of the Mineral Planning Authority;*
- (b) no additional lights or fences shall be installed or erected at the quarry and landfill unless details of them have first been submitted to and approved in writing by the Mineral Planning Authority.”*

1.16 The reason for imposing condition 20 of planning permission 1/E/2005/0742 was:

“There is an exceptional need here, given the scale and location of the operation to secure control over additional plant, structures and machinery, in the interests of the amenity of the area and bearing in mind the discretion otherwise allowed by the GPDO.”

- 1.17 The combined effect of conditions 4 and 20 of planning permission 1/E/2005/0742 is that certain permitted development rights that may otherwise be available to the quarry operator and other matters that may otherwise be regarded as incidental and/or ancillary to the authorised development require approval in writing by the Mineral Planning Authority.
- 1.18 Members will appreciate that proposals to modify or amend planned mineral operations are not unusual nor, in and of themselves, objectionable in principle. It is an entirely legitimate role of the planning system to consider and determine such proposals.
- 1.19 Whilst the subject applications are capable of being determined independently, elements of the applications are closely related, such that a combined report has been prepared.
- 1.20 Subsequent to the submission of application WD/D/15/001057, the bagging plant has been constructed and brought into operation. Application WD/D/15/001057 has thereby become part retrospective. The location of the bagging plant has implications for the approved mineral stockpiling arrangement. Approval is sought through application 1/E/2005/0742/AuC for amended stockpiling arrangements including, but not limited to, the use of land within the authorised area for the temporary stockpiling of mineral that would be obtained from the proposed lagoon extension area. Other elements of the applications including the phasing arrangements and provision of fixed plant and equipment are also inter-related.
- 1.21 In combination, the proposals contained in the applications WD/D/15/001057 and 1/E/2005/0742/AuC are collectively referred to in this report as '*the application proposals*'.

2. Site Description

- 2.1 The location and extent of the authorised area is shown edged blue on the *Site Context Plan* produced at Appendix 1 of this report, with the location of '*the proposed lagoon extension area*' and '*the bagging plant*' shown edged red, the blue and red edging being indicative of that shown on the application Site Location Plan. A range of properties and features in the vicinity of the authorised area and referred to this report are also identified on the Site Context Plan.
- 2.2 The applicant controls mineral rights in both the proposed lagoon extension area and the authorised area, but does not control the freehold interest of any land within either the authorised area or the proposed lagoon extension area. The quarry is operated under arrangements that are understood to be set out in agreements and contracts with the landowner.
- 2.3 The authorised area runs laterally across a broad area of raised river terrace on the southern slopes of the Frome Valley, generally between 450 and 800 metres south of the River Frome and with an average width of approximately 500 metres, the western end of the authorised area being somewhat wider.
- 2.4 The western limit of the authorised area is defined by an area of deciduous woodland known as Heron Grove, from which it extends approximately 3 km eastwards to a public footpath (S60/3) that links between Moreton Station and the C33 (the West Stafford to Moreton road) near West Gate. The river

terrace is relatively flat and is generally elevated between about 5 and 10 metres above the floodplain that comprises the valley floor.

- 2.5 The River Frome is the most westerly example of a major chalk stream in Great Britain and both the river and its banks are designated as a Site of Scientific Interest (SSSI) on account of their biological interest. At its nearest point, the proposed lagoon extension area is approximately 400 metres from the SSSI.
- 2.6 The proposed lagoon extension area comprises a single large field to the west of Heron Grove, immediately northwest of the authorised plant and operations area which is sometimes referred to as '*the processing area*'. The authorised plant and operations area contains authorised mineral processing facilities, the authorised concrete batching plant, the bagging plant (currently unauthorised) and the authorised site office and service facilities. To the south of authorised plant and operations area are authorised silt lagoons and the authorised '*as-dug stockpile area*'. Whereas most of the authorised area is to be worked and then progressively restored on a phased basis, these '*operational areas*' are expected to remain in active use for the duration of the authorised mineral extraction, but with the removal of plant and buildings and site restoration still required by October 2028.
- 2.7 When planning permission 1/E/2005/0742 was granted in 2007, the authorised area comprised mostly a line of 11 agricultural fields running eastwards from Heron Grove roughly parallel to the River Frome (additional authorised fields being to the north and south at its western end of the authorised area). The area was (and indeed remains) mostly high quality agricultural land and is being worked on a phased basis with progressive restoration to support the intended reinstatement of the majority of the area to high quality agricultural use.
- 2.8 Agricultural use of the authorised area is managed under a farm tenancy agreement between the landowner and a third party ('*the farm tenant*'). The farm tenant is actively involved with land management arrangements within worked areas of the authorised area, particularly in relation to water management, site restoration and aftercare.
- 2.9 Mineral extraction has progressed eastwards from the as-dug stockpile area and is to be undertaken in three broad areas referred to as the eastern, western and southwestern resource blocks.
- 2.10 Geologically, superficial River Terrace deposits overlie the solid strata of the Poole Formation which comprises interbedded horizons of silt, sand and clay. The authorised area is being worked primarily for the River Terrace aggregates (sand and gravel). The mineral resources contained within the Poole Formation are worked at several quarries in Dorset, but working of the deeper mineral resource has been limited within the authorised area to locations where such extraction is necessary for operational purposes (e.g. formation of ponds, silt lagoons, drainage, etc). The intention is that individual phases can be worked and then quickly restored to a lowered ground level to support high quality agricultural use without the importation of restoration materials, thereby limiting both the area subject to active disturbance at any one time and impact on agriculture.

- 2.11 Available survey information shows that ground conditions vary across both the authorised area and the proposed lagoon extension area with the thickness of the River Terrace deposits averaging approximately 2.5 metres across the authorised area, though reaching up to 4 metres in places, and averaging approximately 2.0 metres across the proposed lagoon extension area. The River Terrace deposits are overlain by topsoil and subsoils with varying characteristics and are mostly underlain by material classified as 'sand with clay', but which is classified as 'clay' in places.
- 2.12 Within the mineral horizon at the base of the River Terrace deposits are areas of lower sub soil that are generally being excavated and re-graded, providing some mineral, but also replacement lower subsoil (loamy sand). This material has been deemed suitable to underlie the excavated subsoils and topsoil that are being replaced to support the authorised agricultural after-use.
- 2.13 The hamlet of West Woodsford and the small village of Woodsford (also known as East Woodsford), are situated to the north of the authorised area, south of the river. The larger settlement of Crossways is located to the south beyond the hamlet of Higher Woodsford and the Weymouth-London Waterloo railway line. The village of West Stafford is situated approximately 2 km west of the quarry.
- 2.14 The Woodsford to Crossways road ('*Woodsford Road*') passes through Higher Woodsford and runs north-south through the authorised area defining (by separation) the western and eastern resource blocks.
- 2.15 As authorised, each resource block is to be worked in phases, generally from west to east, but with extraction in the southwestern resource block scheduled to be undertaken as the final period of extraction following completion of extraction in the eastern resource block.
- 2.16 The southern boundary of the southwestern resource block abuts the Weymouth to London Waterloo railway line and the Crossways to West Stafford road ('*Highgate Lane*').
- 2.17 The northern boundary of the eastern resource block abuts the C33, which continues westwards through Woodsford and West Woodsford passing the western resource block roughly halfway between the authorised area and the River Frome. This section of the C33 ('*Woodsford Lane*') comprises part of the National Cycle Network (NCN Route 2) and runs past and immediately adjacent to the proposed lagoon extension area.
- 2.18 Vehicular access to the quarry is off Highgate Lane by means of a purpose-constructed junction that is located approximately 170 metres west of the Woodsford Signals level crossing. A hard-surfaced access road leads northwards from the junction for approximately 500 metres to the authorised plant and operations area, which has been established approximately 2 metres lower than original ground level and which is enclosed by a combination of screen bunding and retained trees and hedgerows.
- 2.19 The nearest dwelling to the north of the western resource block is in Woodsford on School Lane (Brickfield House), approximately 240 metres from the authorised area. The nearest dwelling to the established plant and operations area is Watermead Cottage, which lies to the northwest beyond

Heron Grove approximately 240 metres from the authorised area and approximately 290 metres from the authorised plant and operations area.

- 2.20 Properties at West Woodsford (Castle Cottages) are located approximately 260 metres north of the authorised area and approximately 540 metres northeast of the authorised plant and operations area. Also at West Woodsford is Woodsford Castle, a Grade I Listed Building which is owned by The Landmark Trust and used as holiday accommodation.
- 2.21 The 'castle' itself (as distinct from its curtilage and curtilage structures which form part of the listed asset) is approximately 270 metres north of the authorised area, approximately 750 metres from the authorised plant and operations area and approximately 390 metres from the proposed lagoon extension area site boundary. Grade I listing identifies the building as being of exceptional heritage interest and national conservation importance.
- 2.22 Further Listed Buildings are found in Woodsford, including Woodsford House, Woodsford Manor, the Church of Saint John the Baptist and the Old School House, all Grade II listed, and also at Lower Lewell Farm, approximately 750 metres west of Heron Grove (Grade II* and Grade II). Listed Buildings are identified by red coloured stars on the Site Context Plan produced at Appendix 1.
- 2.23 Cuckoo Mead, an isolated dwelling located close to Woodsford Lower Dairy off Woodsford Lane, is located less than 100 metres north of the eastern resource block, with the nearest property at Moreton being approximately 250 metres from the authorised area.
- 2.24 To the south, properties at Higher Barn off Highgate Lane are located within 100 metres of the authorised area, south of the railway line. Properties at Higher Woodsford are more than 300 metres from the authorised area. Planning permission exists for further residential development on land immediately to the south of the railway, north of Frome Valley Road and west of Woodsford Road (West Dorset Ref: WD/D/15/001606).
- 2.25 Two public footpaths run broadly north-south across the western section of the authorised area – the S60/4 linking School Lane at Woodsford and Higher Woodsford and the S60/6 linking West Woodsford and the northern side of the railway close to Higher Barn.
- 2.26 An off-road cycle path connects between the quarry access road and Higher Woodsford on the north side the railway line. This path runs along the southern edge of the southwestern resource block, which remains in agricultural use. The path was constructed pursuant to planning obligations linked to planning permission 1/E/2005/0742 which also require dedication of the route as a public bridleway. The path has been offered for dedication, but that process has not yet been completed.
- 2.27 Also to the south is the former Warmwell Quarry which operated between the 1930s and 2016. Its output regularly totalled around 0.5 million tonnes. It is now being restored and developed into a 1,000 unit holiday complex.
- 2.28 Mineral extraction within the authorised area is undertaken using conventional methods with overlying topsoil and subsoil being stripped and, when

necessary, stored separately or otherwise being directly used to restore previously worked areas.

- 2.29 The underlying mineral is dug using a hydraulic excavator, loaded into a dump truck and then transferred to a field conveyor by means of a mobile screening unit, with larger cobbles (50mm+ comprising mostly flints) typically being rejected and set aside within the active extraction area for use in restoration. The field conveyor transports the selected material to the as-dug stockpile area that is located towards the western end of the quarry, south of the authorised plant and operations area, with the field conveyor periodically extended eastwards to limit the need for vehicular movement within the extraction area.
- 2.30 A second conveyor links the as-dug stockpile area to the processing plant located in the authorised plant and operations area. Processing of the extracted sand and gravel involves sorting, grading and washing to produce high quality aggregates, the main quarry outputs being graded washed sand, graded washed gravel and graded washed ballast. Some *oversized material* extracted from the authorised area and mostly comprising flint cobbles is stockpiled to the south of the authorised plant and operations area with this material subsequently crushed on a campaign basis using mobile plant that is brought onto the quarry. Written approval has not previously been granted for either this ancillary use or the associated stockpiling arrangement.
- 2.31 The applicant holds a year-round licence to abstract water for both mineral washing and concrete production. Wash water used in processing is recycled, but a settlement process is necessary before it can be re-used. This is achieved by means of the interlinked settlement ponds / silt lagoons that are located to the south of the authorised plant and operations area. Effluent from the washing plant is circulated through the lagoons, allowing for the settlement of fines, with any excess waters from the recirculation system being directed to a flocking plant located within the authorised plant and operations area, where they are treated to aid reduction of suspended solid content. Waters discharged from the flocking plant are directed via an open ditch equipped with gravel and silt traps to a holding pond located to the north of the authorised plant and operations area from which waters are discharged off-site under a Consent to Discharge issued by the Environment Agency, water quality being assessed against the requirements of the discharge consent.
- 2.32 All mineral extraction to date has been associated with either the initial site establishment works or subsequent working in the western resource block. When mineral working takes place in the eastern resource block, the field conveyor will be extended through a new culvert to be constructed under Woodsford Road.
- 2.33 Through a series of diversion orders, public footpath connections across the western resource block are to be maintained throughout and beyond the working life of the quarry.
- 2.34 Planning permission 1/E/2005/0742 allows for the formation of additional silt lagoons to the south of the as-dug stockpile area, east of the existing lagoons (*Silt Management Area No. 2*). Soils have been stripped from this area, but the underlying River Terrace deposits have been maintained reflecting the intended construction arrangement in which any ponds would be constructed

with banks at a height near to original ground level rather than at a reduced quarried level, this being consistent with the existing lagoon arrangement and important for flood risk and pollution control purposes.

- 2.35 Output from the quarry operation is not restricted by planning condition, but depth of mineral extraction and a range of other matters are subject to control by planning condition.
- 2.36 Site operation is restricted generally to 0700-1900 Monday to Friday and 0700-1300 on Saturdays, but with the loading of vehicles additionally permitted within the authorised plant and operations area between 0600-0700 Monday to Saturday.
- 2.37 Condition 16 of planning permission 1/E/2005/0742 provides that no stockpiles of material on the plant site shall exceed 7m in height when measured from the base of the plant area and that, unless otherwise approved in writing by the Mineral Planning Authority, no material shall be stockpiled on the remainder of the site. Mineral stockpiling has been approved outside the plant site (i.e. the authorised plant and operations area) in the as-dug stockpile area. Adjacent and other areas have been utilised for stockpiling, but on an unauthorised basis.

3. The Application Proposals

Application 1/E/2005/AuC

- 3.1 Application 1/E/2005/0742/AuC seeks planning authority approval under conditions 4 and 20 for layout changes, the extension of the approved processing area, minor changes to the restoration plan for the western part of the quarry and a revised scheme of phasing.

Layout Changes and Operating Arrangements

- 3.2 The proposed layout changes and operating arrangements allow for the:
- i. Retention of the field conveyor on its existing alignment which is approximately 50 metres to the south of its approved alignment through the western resource block.
 - ii. Use of the area identified for future silt and water management adjacent to the existing lagoons (i.e. Silt Management Area No. 2) and part of the as-dug stockpile area for the stockpiling of mineral and for the crushing of oversized material unless the area is required for silt lagoons, with an existing 5-metre high bund to the south of this area to be extended along its eastern edge. This bunding would be seeded and managed in accordance with arrangements that have been approved under condition 14 of Planning Permission 1/E/2005/0742 with the stockpiles within this area proposed to be no higher than the proposed perimeter bunding.
 - iii. Construction of an internal haul road providing a direct connection between the authorised plant and operations area to the north and the proposed crushing and stockpiling area to the south. A small section of hedgerow, bund and an Oak tree would need to be removed to make way for the haul road.

- iv. Provision and maintenance of a 4-metre high noise bund constructed of washed rejects to the east of the proposed crushing area to help attenuate noise from crushing operations, with all future crushing to take place behind this bund. Information submitted in support of the application notes that this bunding would have a 1 in 1 inner and outer slope and that landscaping is not proposed as the bund would not be seen from outside the quarry.
- v. Retention of a swale to the east of the authorised plant and operations area that has been formed in place of a balancing pond and an area previously identified for the stockpiling of restoration materials. Connections exist between the swale and the flocking plant located in the authorised plant and operations area, with its onward connection to the holding pond to the north of the authorised plant and operations area, the operational arrangement thereby allowing for the controlled discharge of waters from both active and worked areas of the quarry.
- vi. Provision of a 5-metre high bund to the north and west of the swale to help attenuate plant and processing noise. Information submitted in support of the application notes that this bunding would have a 1 in 1 inner and outer slope and that landscaping is not proposed as the bund would not be seen from outside the quarry.
- vii. Provision of an area for Grey Sand storage to the south of the swale. The stored sand would be located on the excavated quarry floor at a height not exceeding 7 metres from the base of the plant area (i.e. approximately 5 metres from pre-quarrying ground levels). Information submitted in support of the application notes that this area is sufficient in size to accommodate all the Grey Sand likely to be extracted from the proposed silt lagoon area to the north that is the subject of application WD/D/15/001057 and that if this planning application is not granted, Grey Sand storage in this area would not be required.

Revised Phasing

- 3.3 The approved phasing scheme allows for the working of that part of the western resource block to the south of the field conveyor (Phases A-I) from west to east prior to the area to the north (Phases J-L) east to west. However, to date, working has progressed westwards in stepped phases stretching from the northern edge of the authorised area to its southern boundary forming continuous strips across the quarry ahead of the field conveyor, a system that has allowed for the progressive excavation of a swale system along the northern edge of the quarry to assist in the management of ground and surface waters within the authorised area. Approval is sought for the continuation of this arrangement, with land to the north of the conveyor to be progressively restored from west to east to an interim condition whilst mineral extraction and progressive final restoration continues elsewhere.
- 3.4 Information submitted in support of the applications notes that the proposed interim restoration to the north of the field conveyor would involve the replacement of sub-soils and seeding with a low maintenance grass seed mix to create a species rich grassland that would contain retained elements of the swale system. Final restoration including the replacement of topsoil and the

return of the area to productive agricultural use would follow the cessation of the authorised quarrying operations. Under planning permission 1/E/2005/0742, cessation of authorised quarrying may occur as late as 2028.

- 3.5 Subject to the approval of application WD/D/15/001057, it is further proposed that mineral extraction in the active working phase (Phase F) would be temporarily mothballed whilst extraction proceeds in the proposed lagoon extension area (shown as Phase G1 on the proposed revised Western Area Phasing Plan), with working only recommencing in Phase F once the entire mineral reserve has been extracted from the proposed silt lagoon area.

Restoration

- 3.6 The approved restoration scheme includes areas of heathy grassland with occasional ponds and a strip of damp pasture along the northern edge of the western resource block, the intention being that surface water from the restored quarry would be conveyed through these areas westwards to the holding pond in the north-western corner of the authorised area or eastwards to a second holding pond to be created on the northern edge of the eastern resource block, thereby allowing for controlled discharge from the site. Further areas of naturally developing heathy grassland are shown around the approved silt lagoons.
- 3.7 Information submitted in support of the application notes that due to topography and the ground conditions encountered along the northern edge of the quarry, the applicant is concerned that surface waters may not drain effectively to the western pond. Further concern has been expressed that the heathy grassland areas may not develop naturally as intended due to a lack of similar habitat in proximity to the site. The proposal is that the heathy grassland be replaced with damp acidic pasture and that a modified drainage arrangement incorporating an amended swale system be provided and maintained through the northern section of the restored quarry in place of the approved arrangement.

Application WD/D/15/001057

- 3.8 Application WD/D/15/001057 seeks planning permission for an extension to the authorised quarry into a large field located to the northeast of the authorised plant and operations area, together with the erection (now retention) and operation of a bagging plant within the authorised plant and operations area.

Quarry Extension

- 3.9 The extension of the quarry is proposed to provide additional silt lagoon capacity. To create the silt lagoons, it is proposed to excavate the River Terrace deposits and underlying Lower Grey Sand from an area of approximately 7.3 hectares to a maximum depth of 5 metres over a 1-year period. Extraction is expected to provide approximately 243,200 tonnes of processable River Terrace aggregate (sand and gravel) and 130,000 tonnes of washed (i.e. processed) fine sand from the underlying Lower Grey sand. Silt capacity will be dependent upon detailed engineering design and performance, but is likely to be approximately 185,000m³.

- 3.10 Prior to mineral extraction, soils and any overburden would be stripped from the impacted area and be used to form new bunding around the eastern, northern and remaining western edge of the extension area. This bunding would connect to and extend an existing bund that is positioned in the southwestern corner of the field to the northeast of the authorised plant and operations area, so as to provide visual and acoustic screening to the areas beyond its outer slopes and to maintain the soil resource for use in site restoration. Lower bunding (approximately 2 metres high) would be created along the southern edge of the field.
- 3.11 It is proposed that the higher bunding would be constructed to a height of 5 metres above existing ground levels with an outer gradient of 1-in-5 to 1-in-6 and an inner slope of 1-in-3 to 1-in-4 and then be sown with a low maintenance grass seed mix. A 5-metre minimum buffer zone would be retained between the toe of the bund and the existing perimeter hedgerows, with the existing hedgerows and trees to be maintained save for the removal of a short section of hedgebank and the loss of a semi-mature, multi-stemmed oak in the southern corner of the field which would be moved to widen an existing access point. Information submitted in support of the applications notes that this tree is recognised as having minor bat roosting potential and that in consequence it is proposed that felling be undertaken at an appropriate time and under ecological supervision. An Ecological Assessment and Survey Report submitted in support of the application further includes recommendations for ecological mitigation including the hand sawing of branches and the provision of a bat box.
- 3.12 With the bund in place, as with the existing quarry operation, mineral extraction would be by excavator with dewatering employed as necessary to maintain dry working when required. A front loader would be used to deposit extracted sand and gravel into a mobile screener at the end of a field conveyor which would link to the existing conveyor system and hence to the as-dug stockpile area. To maintain public access along footpath S60/6, a walkover structure similar to that already in use at the quarry would be installed where the conveyor would cross the current path alignment.
- 3.13 The material to be excavated from beneath the River Terrace deposits would incorporate an element of clay (expected to be approximately 40%), with the proposal being that low permeability material won during the extraction period be placed around the flanks of the worked area and used to establish bunds to separate the lagoons, more permeable material (predicted to be approximately 199,200 tonnes) being stockpiled ready for processing.
- 3.14 Working hours for the proposed operations would follow the same working hours as the existing quarry. Information submitted in support of the application further notes that the applicant's plant (both owned and hired) would continue to be fitted with Brigade BBS/97 White Noise Smart Alarms, or similar, rather than beepers, and that a letter would continue to be sent out to all contractors requiring the use of white noise smart alarms.
- 3.15 On completion of the construction of the lagoons, it is proposed that the eastern arm of the proposed perimeter bunding be reduced to a height of 4 metres, thereby reducing impact on views from the west. The field conveyor would be removed, allowing the reinstatement of footpath S60/6 along its former, more direct north-south alignment across the restored section of the western resource block, reinstating the historic alignment and moving this

public route further away from the as-dug stockpile and the proposed southern stockpiling area. The lagoons themselves are expected to remain operational until the completion of the authorised extraction and processing operations. During this operational phase, activity within the lagoon extension area would be mostly restricted to routine inspections and maintenance that would be unlikely to give rise to significant noise impact.

- 3.16 Once filled, it is proposed that the lagoons would be allowed to dry, field drains installed and the area be restored within the soils stored in the enclosing bunds, with the land being brought back to a condition suitable for high quality agricultural use.
- 3.17 To sustain the intended agricultural after use, it is understood that the proposed lagoons would be filled to capacity (or near capacity) at existing (or near-existing) ground level so that the uppermost section would dry sufficiently to allow 'capping' to support the replacement of the indigenous soils.

Bagging Plant

- 3.18 Development of the bagging plant has progressed in advance of the determination of the application for planning permission and the plant is now fully operational.
- 3.19 The plant occupies an area of approximately 0.6 of a hectare within the authorised plant and operations area that was formerly used for stockpiling washed aggregates. Washed aggregates are currently being stockpiled in the proposed southern stockpiling area on an unauthorised basis.
- 3.20 The plant includes filled pallet and bulk bag storage areas, aggregate storage bays, a production building, site offices/mess, storage area and a parking area.
- 3.21 Bagged aggregate is exported in bulk to construction material suppliers for resale. Approximately 70% of the aggregate bagged at the facility is sourced from the authorised area, with the remaining 30% being imported to the site for bagging. The importation of this material is currently in breach of Condition 15 of planning permission 1/E/2005/0742.

4. Consultation and Representations

- 4.1 Application WD/D/15/001057 was advertised by means of press and site notice and consultation letters concerning both applications were sent to 100 properties located near to the authorised area. A summary of the consultation responses and other representations received is set out below. Any comments in brackets are made for the purpose of clarification and/or to put the summarised representation into context and do not therefore form part of the respondents submission.
- 4.2 **County Council Ward Member (current)**
No representations received.
- 4.3 **County Council Ward Member (former)**
The former Ward Member expressed concerns relating to lack of input from West Dorset District Council's Conservation Officer (now received), the

quality of the heritage assessment submitted in support of application WD/D/15/001057 (since revised and supplemented), lack of noise mitigation for processing plant (an updated noise report has since been submitted), the capacity of the silt lagoons and lack of timescale for partial restoration still on hold.

4.4 **West Dorset District Council – District Planning Authority**

A number of consultation responses have been received from District Council Officers acting on behalf of West Dorset District Council in its capacity as the district planning authority (noted here) and from other District Council Officers acting in their specialist capacity (summarised subsequently below). The most recent responses have been received from the District Council's Head of Planning writing on behalf of the district planning authority (noted here) and from the District Council's Senior Conservation Officer (summarised subsequently).

The District Council's Head of Planning responded in June 2017 stating that the district planning authority wished to make no comments on the proposal subject of application 1/E/2005/0742/AuC.

In relation to application WD/D/15/001057, by letter dated 15 June 2015 (but received via email 04 January 2018), the district planning authority recommend that due regard be given to the statutory duty to consider impacts of the development on the setting of the Listed Building (Woodsford Castle) as part of the balancing exercise in determination of application.

The response enclosed a *Design & Conservation Officer's Report* prepared by the District Council's Senior Conservation Officer on 15 September 2017 (i.e. prior to the most recent design changes and submission of information) noting concerns over impact on the setting of the Grade I listed Woodsford Castle and noted that if there are opportunities to amend the proposals to provide additional mitigation for the impacts, the District Council's Conservation Officer would be pleased to offer further assistance. (A summary of those concerns and more recent comments received from the Senior Conservation Officer is set out subsequently.)

The response also set out and referred to comments made by the District Council's Landscape Officer in 2015 noting and supporting comments made by DCC's Senior Landscape Officer relating particularly to the 5m bund proposed alongside Woodsford Lane. The District Planning Authority's representation notes that:

"The recently submitted proposals on Drwg. No. 003 Rev. A would appear to still show the bund at 5m in height on the application site. The cross-section indicates the bund would be clearly visible from both the adjoining highway and the public footpath to the south. The currently submitted plans do not appear to have addressed this concern over the landscape impact of the proposals and WDDC would urge the Local Planning Authority to give further consideration to this aspect."

In discussion with District Council Officers regarding this comment (which post-dates a response indicating that the District Council's Landscape Officer had no objections), it has been stated that:

“.. as Katherine Jones had originally raised the issue of a 5m bund in her initial response and this still forms part of the proposals on Drwg. No. 003 Rev. A, WDDC’s view is that due regard to the landscape impacts of the proposal should still be given.”

4.5 **Knightsford Parish Council**

Knightsford Parish Council and specialist consultants acting on behalf of the Parish Council have submitted multiple and extensive representations to the application proposals. In brief, whilst the Parish Council has indicated that it has no objection in principle to the bagging plant and welcomes the screening of the stockpiles located to the south of the authorised plant and operations area, the Council objects to the proposed quarry extension which it says should be refused.

A range of issues and concerns have been raised relating to the operation of the quarry, the changes proposed within the authorised area and the implications of the proposed quarry extension. It has been noted that quarrying activity impacts on quality of life in the village (Woodsford), particularly for those in direct sight and sound distance, and that the Parish Council wish to see impact minimised. Extensive criticism has been made about the quality and content of information submitted in support of the applications.

In brief summary, issues and concerns raised by and on behalf of the Parish Council relate to:

General Matters

- (1) Stated that in reaching any decision, the planning authority must take account of local and National Planning Policy.
- (2) Stated that there are weighty legal impediments to the County reaching a planning decision before all cultural heritage shortcomings of applications have been rectified and a well-informed planning balance identified.
- (3) Stated that there is a formal presumption against harm to a Listed Building and that if there is any level of harm to setting of Woodsford Castle, all the matters (such as the legal need to assess alternative sites) come into play.
- (4) Stated that the proposals would have an unacceptable adverse impact on historic environment including (but not limited to) harm to the setting and heritage significance of a Grade I designated heritage asset of exceptional heritage significance (Woodsford Castle) and on amenity.
- (5) Suggested public benefits of application proposals do not outweigh their various consequent harms, including (but not limited to) harm to the setting and heritage significance of the Grade I Listed Building.
- (6) Screening opinion issued by County Council contains errors and is flawed.
- (7) Lack of certainty over the details, deliverability and effectiveness of impact avoidance, reduction and mitigation measures.
- (8) Applicant’s track record of poor development management including persistent, repeated and ongoing breaches of planning control;

Inadequate Information

- (9) Failure to properly consider alternatives as a means of avoiding harm to setting and heritage significance of a Grade I Listed Building.

- (10) Failure to establish compliance with planning policy.
- (11) Lack of environmental impact assessment.
- (12) Applicant's consultants either ignore or underestimate the detrimental effects of both the current (permitted) quarry and the proposed extension upon the contribution to significance provided by the wider setting of the Grade I Listed Woodsford Castle and that, seeing no detriment whatsoever, they therefore do not consider how or whether the effects might be reduced by, for instance, making use of an alternative site. This approach is faulty, both in policy and in statutory terms.

Failure to Exercise Proper Planning Control

- (13) Failure to require necessary information and assessment.
- (14) Failure to enforce planning conditions.
- (15) Failure to assess harm to Grade I heritage asset (Woodsford Castle).
- (16) Failure to apply the correct legal and policy tests for heritage assets.
- (17) Failure to properly consider cumulative adverse impacts.
- (18) Failure to address policy requirements more generally.

Impact on Woodsford Castle and Other Heritage Assets

- (19) Stated that Parish Council's heritage consultant has identified serious deficiencies in the applicant's heritage assessment.
- (20) Stress the importance of professional heritage advice in well-informed decision taking.
- (21) Stress the importance of proper and accurate assessment to a full understanding of the contribution that the setting of Woodsford Castle makes to its heritage.
- (22) Setting will be impacted by visual prominence of development with obvious detriment to cultural heritage interests by way of interference, distraction, and discordance.
- (23) Applicant should be required to disclose effects of any permission at currently proposed Minerals Site AS19.
- (24) The temporally cumulative effects upon the heritage significance of assets in and around Woodsford should be assessed.
- (25) Concerned that new terms for restoration of the existing quarry are now being sought, since the Applicants have failed to comply with the original conditioned scheme in this respect. Lack of appropriate and timely restoration does impact upon the general historic setting of Woodsford and may impact upon the Castle itself.
- (26) It would be unacceptable in cultural heritage terms if the likely impact upon the setting of Listed Buildings were left indeterminate.
- (27) Commented that were the revenue stream for heritage tourism at the Castle to be threatened by the new quarrying proposals, it is plausible that, despite the best efforts of the Landmark Trust, the good maintenance of the fabric (0.45 ha) of the Castle might be put under strain, against the public interest.

Heritage Impact Assessment:

- (28) Assessment does not mention previous heritage submissions and does not answer them or even identify the specific rubrics involved.
- (29) Assessment refers to a request from MPA or HE that has not been published on the Council's website, placing objecting parties and their consultants at a disadvantage.

- (30) Assessment fails to supply photographic records of the winter views towards the proposed extension from southwestern parts of Castle curtilage or from public road past Castle and claims incorrectly that:
“it has been demonstrated that the proposed quarry extension cannot be seen from within the castle or its grounds”.
and that:
“This assessment has established that the proposed bunds around the Extension Area would not be visible from any part of Woodsford Castle, either from ground level within the gardens or [from within the building]”.
- (31) Photographs supplied in various cultural heritage submissions on behalf of applicant are often either too narrow or too wide in angle and, from the point of view of professional standards, are simply not fit for purpose.
- (32) Incorrectly stated that the 19th century planting that is affecting outward views from the curtilage, rather than correctly attributing most such effects to the south-roadsideside planting of very recent date.
- (33) Fails to give any weight whatsoever to inward views.
- (34) Fails to mention matter of alternative sites, or any other method of minimising harm, is material to a decision concerning a Listed Building.
- (35) The author concludes incorrectly as to the facts, begging the question as to what level of harm the Council must weigh in the Planning balance.

Peer Review of Heritage Impact Assessment:

- (36) Mentions heritage submissions, but does not answer them or even identify the specific rubrics involved.
- (37) Ignores fact that some of surrounding archaeological features (most importantly, the old roadway) contribute to setting of the Castle.
- (38) Ignores fact that statute and policy governing a Listed Building include the curtilage of that asset, and thus incorrectly states that proposed extension will not be visible from the Castle.
- (39) Recognises only *“glimpsed view of the top of the Castle chimney stacks”* from the *“wider setting”* giving *“a slight visual link”*, when the fact is that relevant views (and their historical import) are more consequential than this.
- (40) Cites Historic England guidance whilst ignoring the need to consider sequential (rotational and line-of-travel) visual impacts.
- (41) Confuses noise levels set to avoid domestic nuisance (existing records show levels of 45db LAeq at the Dairy) with noise impinging upon the setting of a Listed Building and its special (more sensitive) receptors, at site and on approach.
- (42) Allows more recent landscape changes to outweigh (almost negate) more ancient aspects of the setting of the Listed Building and relies upon *“substantial mature planting on the western boundary of the current Castle holding”* which does not, in fact, date from before 1889 and which does not separate the curtilage of the Castle from the wider landscape (it is recent south-roadsideside planting by the owner of the quarry land that has done that).
- (43) Misconstrues the concept of cumulative impact and takes the existing quarry workings (not mentioned as already visible from within the Castle building) as the simple baseline.

- (44) Dedicates much time to an ‘apology’ for the quarrying proposal, reiterating information and conclusions that do not fall within the proper ambit of a professional commentary on cultural heritage issues.
- (45) Fails to mention the matter of alternative sites or the statutory duties falling upon a Planning Authority in connection with a development affecting a Listed Building.
- (46) Stated that the “setting” report contains no appropriate visualisations or sequential analysis to normal professional standards and that report was obviously written in tardy response to earlier criticism. Stated that analysis is superficial and largely based upon bare assertion, that there are errors throughout and that it is difficult to place much confidence in the process.

Archaeology

- (47) Potential for Palaeolithic archaeology has been ignored right across Woodsford Quarry, due to misidentification of the fluvial terraces present in this whole area.
- (48) Potential for cumulative loss of heritage assets through rolling excavation across the parish should be considered.
- (49) Recommendation for a conditioned scheme of archaeological works does not cover all aspects of the archaeological Planning issue. Development involves the complete
- (50) removal (“*destruction*”) of “*significant archaeological features*”, a negative impact that would be only partially mitigated by recording work. National planning policy requires the MPA to take that harm into account in the overall balancing exercise (cf. NPPF paragraph 135).
- (51) Growing area of total archaeological loss in this and neighbouring parishes requires that the matter of cumulative impact be addressed.

Impact on Amenity

- (52) Noise assessment is considered to contain incorrect and misleading information.
- (53) Approved dust scheme is just a list of conditions in force. Dust could be a problem at the Castle and along its close footpath and road approaches.
- (54) Noise mitigation provided by any bunding would be significantly lower than claimed.
- (55) Noise monitoring has not been properly managed.
- (56) Noise level at Watermead Cottage should be 43dB (10db above background), not 48dB as proposed. Considered that 43dB could be achieved if operator implemented measures to manage noise at source as they should be required to do.
- (57) Reversing alarms identified as a continual nuisance and considered that available alternatives should be used.
- (58) Noise attenuation around proposed crushing area should be improved.
- (59) Crushing should be at ground level behind suitably sized screen or bund.
- (60) Processing on top of as-dug stockpile should stop.
- (61) Parts of fixed processing plant, most notably the scrubber barrel, identified as being particularly noisy and have no effective noise attenuation. Distinctive noise can be heard $\frac{3}{4}$ of a mile away. Enclosure and/or cladding would provide effective attenuation.
- (62) Noise bund should be provided and maintained adjacent to scalping screener at quarry face.

- (63) Rubber tracks should be used to prevent continual squeaking and clanking of caterpillar tracks.
- (64) Stripping and restoration operations should be limited to 8 weeks. Planned and actual duration of stripping operations should be included in the annual report.

Mineral Supply Matters & Need for Silt Lagoons

- (65) The need for the proposed quarry extension in the context of the reported adequacy of the total landbank for locally extracted sand and gravel and for River Terrace aggregates in particular.
- (66) Lack of significant planning and environmental gains necessary for sand and gravel working outside preferred areas.

Silt lagoon sizing

- (67) The method and calculations for determining the size of the lagoons has been questioned many times and still remains unclear. This is a serious omission given Historic England's instruction that the impact of the lagoons is minimised.

Alternatives

- (68) There is 'implied' legal obligation upon the Planning Authority itself, in carrying out its special duties under the Listed Building and Conservations Areas Act 1990, to consider '*alternatives*' (which could reasonably be taken to cover alternative development sites, alternative areas within or extended from a site, and alternative design elements) in the context of any development (capable of materially harming a Listed Building) which does not benefit from an explicit '*policy exemption*' from the need to consider '*alternatives*'. There is no such policy exemption in the present case.
- (69) Application proposes locating proposed lagoons in an unpermitted field north of the processing plant where they will: be closer to noise and visual sensitive residences; replace top grade agricultural land; have an amenity impact on cycle routes; and impact the historical setting of Woodsford Castle. Considered that there is clearly a better location south of the processing plant where none of these impacts apply.
- (70) 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.
- (71) Any legal agreement between the quarry operator and landowner preventing the use of the southern area should be disclosed. In the event that the agreement is withheld, the application should be refused.
- (72) Applicant has failed to provide any viability evidence to demonstrate that a silt press would not be viable or to explain why digging lagoons in Area B presents a risk to the viability of the quarry.
- (73) Silt press could be located in existing processing area.
- (74) Proposed extension area is Grade 1 agricultural land, whereas lower grade mix of Grade 1 and 2 land is available in Areas A, B & C. Areas with lower grade agricultural land, can and should be used in preference to proposed area.
- (75) Applicant has failed to provide any data to support their claim that a silt lagoon in Area B raises serious health and safety concerns.
- (76) Lagoons in Area B can be located well away from public footpaths with no significant risk to safety.

- (77) In considering visual impact of Area B, the applicant does not recognise that there will be bunds anyway due to mineral working.
- (78) Suggestion that use of previously quarried area would compromise its return to agricultural land because the deep lagoons will fill with silt surely applies equally to the un-permitted extension area.

Traffic, Cycling and Footpaths

- (79) No account has been taken of additional traffic movements associated with bagging plant.
- (80) Applicant has referred to presence of a footpath along the Southern Boundary of Area B. It does not exist on the Dorset definitive map of Public Rights of Way.
- (81) Account should be taken of the National Cycle Way Route 2 which runs along northern boundary of proposed lagoon area. NPPF 123 which calls for the protection of areas prized for their recreational and amenity value is relevant.

Stockpiling & Bunds

- (82) Welcome screening. Stockpiles should not exceed height of adjacent bunds.
- (83) Temporary use of and storage area should be restricted by condition.
- (84) Bunds around site that are clearly visible from homes and footpaths should be softened by varying their outline, having gentle slopes on outside and introducing some planting.

Restoration

- (85) Object to request that details of restoration of land to north of conveyor be submitted after planning permission has been granted. Applicant has history of avoiding restoration despite conditions being in place.
- (86) Applicant has submitted a revised restoration map for the western area but has failed to provide any further details on how and when the proposed interim restoration of the area closest to Woodsford castle will be carried out.
- (87) Concerned that restoration of worked areas has been unnecessarily delayed.
- (88) No timescale is proposed for the temporary restoration of the area to the north of the conveyor.
- (89) Proposed Grey Sand stockpile will further delay restoration and should be located elsewhere.
- (90) Footpaths should be restored to their original route as soon as restoration takes place.
- (91) Operator or landowner should be asked to fund missing footpath bridges over River Frome.

4.6 **DCC Transport Development (Highway Liaison Engineer)**

No objection.

4.7 **DCC Rights of Way / Ranger**

No response received.

4.8 **WDDC Technical Services (Public Health and Flood Risk / Engineering)**

No objections.

4.9 **Environment Agency**

No objection subject to conditions relating to groundwater protection and biodiversity plus informatives.

4.10 **DCC Sustainable Urban Drainage Systems Officer**

No objection subject to condition relating to surface water management.

4.11 **Natural England**

No objection subject to condition requiring the submission, approval and implementation of a biodiversity mitigation and enhancement plan, or equivalent, to support submitted restoration plan. Revision to restoration plan to provide a more sinuous course to proposed wet drainage ditch is welcome.

4.12 **DCC Natural Environment Team - Ecology**

No objection subject to following being captured in a Landscape and Ecology Management Plan (LEMP) to complement proposed restoration:

- (1) Management of quarry bunds to maximise their biodiversity for duration of development.
- (2) Mitigation for loss of mature oak through additional planting which will also contribute to biodiversity gain through enhancement.
- (3) An agreed plan for number and location of bat and bird boxes.
- (4) A clear programme of management for hedgerows and margins.
- (5) Mitigation method statements for protected species (bats and badgers).

4.13 **DCC Natural Environment Team – Landscape**

The County Council's Senior Landscape Officer made detailed representations on the proposals in 2016 addressing overall landscape and visual impacts; Woodsford Lane; and Woodsford Castle as follows:

Overall landscape and visual impact issues

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

- (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 footpath 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, mitigated by the proposed bunds. Although these bunds will have some

adverse impact in their own right, the design and positioning of the 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.

4.14 Historic England

Historic England has submitted representations to application on WD/D/15/001057 in 3 letters, the most recent and detailed representations being set out a letter of 9th August 2017. The most recent submission indicates that the proposed extension to the existing quarry site will cause some harm to the setting of Woodsford Castle through changes to the landscape and the introduction of an industrial process with increased visual, noise and dust factors.

It is stated that harm would be caused to the setting of Woodsford Castle for two reasons:

- (1) it would bring quarrying operations nearer to the Castle on its western side, and reduce the buffer of agricultural land between it and the quarry, carrying a greater risk of disturbance to, and erosion of, the Castle's rural setting; and

- (2) it would introduce an uncharacteristic and artificial landscape feature into the setting of the Castle, whose height and length would make it very noticeable on two public approaches to it, and which in winter might be visible from its grounds.

Historic England attribute the level of harm likely to be caused to Woodsford Castle to be in the '*less than substantial*' category, noting that it (i.e. the proposed lagoon extension and associated bund) would:

“... cause a noticeable and detrimental change to an element of the landscape in which the Castle is currently experienced, and would impinge on the perceptions of visitors to the Castle, as well as passers-by who approach it along two specific routes. There is also likely to be a less definable impact caused by the expansion of an industrial activity in the surrounding countryside, to bring it closer to the Castle.

Overall, we believe the heritage harm likely to be caused by this development, when combined with the existing impact of the quarry, would be appreciable enough to warrant serious efforts being made to avoid it, or minimise it to the point where it would be negligible. If it is demonstrated that that cannot be achieved, then the cumulative harm should be weighed in the balance against the public benefits which could be delivered by the development, and a proportionate decision made. In that process, the significance of the listed building, and the level of harm that would be caused to it, should be balanced against the consequence to the quarry of the development not being permitted, and how that would affect the provision of mineral supplies within the area.

Heritage conservation is a public benefit which is an objective of sustainable development. Something that harms it is not, therefore, on the face of it, sustainable. The quarrying of minerals can also be a public benefit and might outweigh the heritage harm. However, if it is possible to deliver that need in another way that minimises or, ideally, entirely avoids any harmful impact, then that would be more sustainable, and therefore preferable. If it is demonstrably necessary to compromise one objective for another (i.e. compromising heritage for quarrying) then even so, the need should be clear and convincing, which it will be if it is in the local plan or the local authority is satisfied with the evidence of need that the developer puts forward. However, the public benefits of the quarrying proposal must still be of a scale to override the weight afforded in planning policy and legislation to heritage conservation.”

Historic England's recommendation confirm concerns regarding application WD/D/15/001057 on heritage grounds and that the issues and safeguards outlined in the advice should be addressed for the application to meet the requirements of paragraphs 129, 132 and 134 of the NPPF. Historic England further recommend that in determining this application, Dorset County Council should:

- bear in mind the statutory duty of Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess.

- take Historic England’s representations into account and seek amendments, safeguards or further information as set out in our advice.

4.15 **DCC Senior Archaeologist**

No objection subject to condition. Mitigation by archaeological recording is sufficient for this site. Nothing has been found that merits preservation in situ.

Pre-determination archaeological evaluation has been undertaken to an appropriate standard. While it has not identified archaeological remains that require preservation in situ, it has shown the presence of significant archaeological features (notably the two phases of enclosures) that need to be recorded to an appropriate professional standard before their destruction by quarrying. Mitigation by recording can be secured by planning condition.

Reference has been made in representations to the widespread loss of archaeological remains in the area through quarrying. This loss is being mitigated by archaeological recording, and this work is providing a picture not simply of the archaeology of a single site, but of a much larger area - you might say of a landscape. For instance, the recording and interpretation of ancient field systems across this area is likely to provide insights into changes in landholding and organisation.

Satisfied that further evaluation of presence and extent of Palaeolithic potential can be carried out as part of a programme of archaeological works as suggested by applicant’s heritage advisor. This can be secured as part of a Written Statement of Archaeological Works.

4.16 **West Dorset District Council – Senior Conservation Officer**

The District Council’s Senior Conservation Officer responded in September 2017 prior to the latest design changes submission of information agreeing with Historic England and commenting that:

“Whilst it seems that other sites have now been explored and exhausted, there remains the clear, harmful impact that the current proposals would have on the setting of Woodsford Castle and on public approaches to it. The quarry extension taken with the imposingly scaled bunds would fail to preserve or enhance the setting of the Grade I listed building and would fail to better reveal or enhance the significance of the Castle or its setting. This contravenes policy 137 of the NPPF.” and

“I am unable to support the application as it stands. Whilst the works are deemed to create less than substantial harm on the setting of Grade I Woodsford Castle, there needs to be more efforts to mitigate the harm that would result, as outlined above. I am hopeful that the proposed measures will do a great deal to alleviate the harm that would otherwise result, but the scale and proximity of the quarry to Woodford Castle currently raises concern.”

Further to most recent changes and submission, the District Council’s Senior Conservation Officer has submitted the following comment:

“Whilst I believe that (in respect to the NPPF) any harm created by the quarry extension would be less than substantial, an on-balance

decision could be made taking into account the clear public benefits and viability of the quarry. Importantly, I recognise that the existing permission is time limited and the restoration works at the end of 13 years would effectively reinstate the setting of Woodsford Farm to its original appearance. I feel strongly that this will need to be the case and still believe that the proposed extension is at the limits of acceptability. I am not aware of any additional comments raised by Historic England, which will have a bearing, however, on the basis of the additional information provided do not feel that the impact of the proposed works would be so detrimental to the setting of Woodsford Castle that they should necessarily be refused.”

4.17 **Other Representations Received**

A petition containing 8 signatures representing 11 occupiers of 8 properties in the near vicinity of the authorised area was received on 01 July 2015 indicating support for Knightsford Parish Council’s efforts to ensure that Woodsford Quarry minimises the noise of its operations and improves the landscaping around the site.

Representations have also been received from the Landmark Trust (owners of Woodsford Castle), The Thomas Hardy Society, The Wessex Road Club / Cycling UK, from 1 resident of Watermead Cottage, 1 resident of a property in Woodsford and from 1 resident of a property in Moreton. In addition, a solicitor’s letter has been submitted on behalf of the landowner (Woodsford Farms) indicating that the applicant has not been granted or acquired any rights to use the southwestern resource block for operational purposes. The representations received from the organisations and residents are summarised below.

4 residents (occupiers of 2 local properties including Watermead Cottage) submitted questions to the County Council and/or the Planning Officer prior to the Regulatory Committee meeting of 27 October 2016. The questions related to heritage impact and noise considerations. A written response was issued to each respondent in December 2016.

The Landmark Trust

Having initially commented in December 2015 expressing concern relating to impact on Woodsford Castle, more recently the Trust has commented that if bunds are to be reduced in height and faced at lower angles, the normal result would be an increase in noise, which will impact Woodsford Castle, its curtilage and its approaches. That response further comments on Woodford Castel in general and the wider landscape:

In general, Woodsford Castle:

- Was intended to dominate the surrounding landscape.
- Is a high profile cultural heritage asset.
- Will be adversely affected by the introduction of an uncharacteristic feature in the landscape.
- Will be affected as a result of the cumulative effect through northward expansion of the quarry.
- Setting is significant and has been ignored in this application.

In the wider landscape:

- The visibility of the castle from public rights of way will be diminished by an extended quarry.

- The current appearance of the quarry is detrimental to the general agricultural character of adjoining land.
- The poor view of the current workings looking southwards from the Castle in winter.
- There will be a reduced buffer of agricultural land between the proposed extension and the Castle.
- The increased noise pollution in a generally tranquil rural landscape.

Further noted that one of the obvious ways in which the setting of a Listed Building can be experienced is through a visual appreciation of it within its surroundings and that this can be done from views both towards and from the heritage asset, but that there is also a slightly more intangible aspect to setting, which is the context of the wider environs in which that asset is encountered. Noted that this is particularly applicable to rural historic sites, where one's awareness of a heritage asset is from within a wider landscape and that significant changes of character to the surrounding landscape can be harmful to the Castle's significance.

Previously to the comments above, in 2016, the Landmark Trust expressed disappointment that the Trust, as one of closest neighbours, does not receive updates or any notifications regarding applications – (notification letters were sent to the Castle on each occasion). Also commented that:

- Considered Heritage Impact Assessment not to be a comprehensive and reliable document, drawing to an incorrect conclusion based on inadequate research and investigation.
- Stated that full visual impact assessment required in winter to ensure all relevant outward views are considered prior to any determination being made on these applications.
- Concerned about destruction of wider historic setting - extension of quarry will completely remove 'significant archaeological features' including the hollow-way which runs past the Castle - believed to be the former main village street. Although the Senior Landscape Officer considers development to be 'temporary' loss of features and impact on setting will be permanent. This will undoubtedly cause material harm to setting of such an important Grade I Listed Building. Impact and change caused cannot simply be written off as 'incidental' or a consequence of pre-existing development. Heritage assets and their original settings are irreplaceable, development will cause an irreparable loss of features which organisations such as Historic England and Landmark Trust work tirelessly to preserve and protect. Requirement to assess alternative sites has been overlooked, there is a legal requirement to ensure that all avenues have been explored prior to the council making an overall decision on proposal.
- Evidently proposal for extension of quarry still fails to satisfy requirements set out by NPPF and guidance on Listed Buildings from Historic England and on this basis should be refused.

The Thomas Hardy Society

Wish to express grave concern regarding proposals, most particularly because of its proximity to Woodsford Castle. Noted that not only is the Grade 1 listed 14th century manor house clearly worthy of protection from this industrial development in its own right, but this is also a site of considerable significance in the work of Thomas Hardy.

The location is in the heart of *The Valley of the Great Dairies* in *Tess of the d'Urbervilles* and includes the particular setting of the 'Great Pool', where the character Retty Priddle attempts to drown herself. The proposed lagoons are within a quarter of a mile of 'Shadwater Weir', a very important setting in the culmination of the story in *Return of the Native*. This same location features in Hardy's poetry.

Further noted that scholars and tourists come from all over the world to experience the Hardy landscape surrounding Dorchester, an area little spoiled since England's greatest novelist and poet wrote about it and that it is surely our joint responsibility to protect this literary and historical heritage from visual, aural and other sensory disturbance.

Cycling UK and Wessex Road Club

Consider that there is no threat to the safe and unfettered passage of cyclists along the small road on the north side of the quarry which forms part of the National Cycling Network (Route 2 – Land's End to Dover). Note that recent frequent experience of riding that way (Crossways to Dorchester), indicates that the number of cyclists using route is continuing to increase, mainly for leisure purposes.

Local Residents

The respondent from Watermead Cottage indicated that they were very concerned about the intent to raise the noise level at their property.

The respondent from Woodsford objects to applications to expand already over-reached operations and requests that their current operations undergo an increased degree of scrutiny and that any breaches are remediated. Opposes anything that will allow increased adverse impact on quality of lives in what is a quiet, beautiful rural location.

The respondent from Moreton objects to the proposed extension but not to the proposed bagging plant. The respondent 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 respondent also states that there is little information within the application as to why further lagoons cannot be placed within the existing application site. The respondent 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.

5. Planning Policy Framework

- 5.1 Section 70(2) of the *Town and Country Planning Act 1990 (as amended)* requires that in dealing with an application for planning permission, local planning authorities shall have regard to the provisions of the development plan so far as material to the application, and to any other material considerations. Section 38(7) of the *Planning and Compulsory Planning Act 2004* provides that if regard is to be had to the development plan for any determination to be made under the planning Acts the determination must be

made in accordance with the plan unless material considerations indicate otherwise.

The Development Plan

- 5.2 For the application proposals, the development plan includes:
- i. the *West Dorset, Weymouth & Portland Local Plan 2015* adopted by West Dorset District Council in October 2015 ('*the West Dorset Local Plan*') which provides a basis for planning decisions in West Dorset for the period to 2031;
 - ii. the *Bournemouth, Dorset and Poole Minerals Strategy* adopted by Dorset County Council in May 2014 ('*the Minerals Strategy*') which sets out the development plan vision, objectives, spatial strategy and policy framework for minerals development across the plan area for the period to 2028 considering the need to contribute to national, regional and local mineral requirements and seeking to balance these needs against social, environmental and economic considerations; and
 - iii. the saved policies of the *Dorset Minerals and Waste Local Plan* originally adopted by Dorset County Council in April 1999 ('*the DM&WLP*'), which are legacy policies that have saved development plan status pending adoption of the Mineral Sites Plan which in time will comprise the second part of the Minerals Plan for Dorset.
- 5.3 Section 38(5) of the *Planning and Compulsory Purchase Act 2004* provides that if to any extent a policy contained in a development plan for an area conflicts with another policy in the development plan the conflict must be resolved in favour of the policy which is contained in the last document to be adopted, approved or published.
- 5.4 In this instance, the West Dorset Local Plan is the most recently adopted component of the development plan, but it is considered that there is no material conflict between the policies of that plan and those of the Minerals Strategy or the relevant saved policies of the DM&WLP.
- 5.5 The applications are for minerals development, with the most relevant policies being those relating to minerals development. The assessment set out in the subsequent section of this report therefore focusses primarily on the policies of the Minerals Strategy and the saved policies of the DM&WLP, rather than those of the West Dorset Local Plan, but includes reference to the policies of the District Local Plan where appropriate.
- 5.6 The most relevant development plan policies are listed below.

Bournemouth, Dorset and Poole Minerals Strategy, May 2014 (the Minerals Strategy)

- Policy SS1 – Presumption in Favour of Sustainable Development.
- Policy SS2 – Identification of Sites in the Mineral Sites Plan.
- Policy AS1 – Provision of Sand and Gravel.
- Policy AS2 – Landbank Provision.
- Policy CC1 – Preparation of Climate Change Assessments.

- Policy RS1 – Restoration, Aftercare and Afteruse of Minerals Development.
- Policy RS2 – Retention of Plant, Machinery and other Ancillary Development.
- Policy DM1 – Key Criteria for Sustainable Minerals Development.
- Policy DM2 – Managing Impacts on Amenity.
- Policy DM3 – Managing the Impact on Surface Water and Ground Water Resources.
- Policy DM4 – Protection and Enhancement of Landscape Character and the Countryside.
- Policy DM5 – Biodiversity and geological interest.
- Policy DM7 – The Historic Environment.
- Policy DM8 – Transport and Minerals Development.

Dorset Minerals & Waste Local Plan, April 1999 (the DM&WLP)

- Saved Policy 6: Relating to Applications Outside the Preferred Areas.
- Saved Policy 15: Preferred Areas for Sand & Gravel.
- Saved Policy 16: Applications for the Winning & Working of Gravel Outside Preferred Areas.

West Dorset, Weymouth & Portland Adopted Local Plan 2015 (the District Local Plan)

- ENV1 Landscape, Seascape and Sites of Geological Interest.
- ENV2 Wildlife and Habitats.
- ENV4 Heritage Assets.
- ENV5 Flood Risk.
- ENV9 Pollution and Contaminated Land.
- ENV16 Amenity.
- INT1 Presumption in Favour of Sustainable Development.

Other Policy Documents

- 5.7 The term '*other material planning considerations*' is very broad in its scope embracing all matters that should be taken into account in making a planning decision. Whether a consideration is material in any given case depends on circumstance, a material planning consideration being one which is relevant to planning and to the making of the planning decision in question. In relation to planning policy, term includes national policy and may also include emerging and supplementary planning policy documents.

National Planning Policy

- 5.8 The *National Planning Policy Framework* issued in March 2012 ('*the NPPF*') sets out the Government's planning policies for England and how these are expected to be applied.
- 5.9 The NPPF provides that the purpose of the planning system is to contribute to the achievement of sustainable development, that there are three dimensions to sustainable development - economic, social and environmental - and that to achieve sustainable development, economic, social and environmental gains should be sought jointly and simultaneously through the planning system (paragraphs 6-8). Local plans are identified as key to delivering sustainable development that reflects the vision and aspirations of local communities (paragraph 150) with planning authorities advised to approach

decision taking in a positive way to foster the delivery of sustainable development (paragraph 186), looking for solutions rather than problems and to approve applications for sustainable development where possible (paragraph 187).

- 5.10 Paragraph 186 of the NPPF provides that the relationship between decision-taking and plan-making should be seamless, transplanting plans into high quality development on the ground, whilst paragraph 152 states that:

“Local planning authorities should seek opportunities to achieve each of the economic, social and environmental dimensions of sustainable development, and net gains across all three. Significant adverse impacts on any of these dimensions should be avoided and, wherever possible, alternative options which reduce or eliminate such impacts should be pursued. Where adverse impacts are unavoidable, measures to mitigate the impact should be considered.”

- 5.11 Other relevant sections of the NPPF address:

- Building a strong, competitive economy – paragraphs 18-21.
- Promoting sustainable transport – paragraphs 34, 35,
- Requiring good design – paragraph 56, 61 and 65.
- Promoting healthy communities – paragraph 73 and 75.
- Meeting the challenge of climate change, flooding and coastal change – paragraphs 93, 96 and 103.
- Conserving and enhancing the natural environment – paragraph 109, , 112, 118, 120, 123 and 125.
- Conserving the historic environment – paragraphs 128, 129, 131-135, 137, 139 and 141.
- Facilitating the sustainable use of minerals – paragraphs 142-145.
- Decision taking – paragraphs 186, 187, 196 and 197.
- Planning conditions and obligations 203 and 206.

- 5.12 The NPPF is supplemented by the Government’s online Planning Practice Guidance. The guidance adds extra context to NPPF and it is intended that the policy and guidance be read together. Like the NPPF, the guidance addresses a wide range of planning issues and is a material consideration when determining planning applications. Reference in the assessment which follows is made to the following sections of the guidance:

- Minerals - guidance on the planning for mineral extraction in plan making and the application process.
- Noise – advice on how planning can manage potential noise impact in new development.

Emerging Planning Policy

- 5.13 In relation to the weight to be accorded to emerging planning policy, paragraph 216 of the NPPF provides that, from the day of publication, decision-takers may give weight to relevant policies in emerging plans according to:

- the stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);
- the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and

- the degree of consistency of the relevant policies in the emerging plan to the policies in this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).

5.14 The *Bournemouth, Dorset and Poole Mineral Sites Plan Pre-Submission Draft* was published for consultation on 01 December 2017 (*'the Pre-Submission Draft Mineral Sites Plan'*) identifying specific proposals and policies intended to deliver the development plan strategy for different mineral types and for maintaining mineral production. Consultation on the draft plan ended on the 31st January 2018 and it is now intended that the draft plan will be submitted for examination by the Secretary of State. Some weight may be accorded to the provisions of the draft plan.

5.15 Reference is made to the following draft policies and proposed site allocations:

- Draft Policy MS-1: Production of Sand and Gravel.
- Proposed Site Allocation AS-19: Woodsford Quarry Extension.
- Proposed Site Allocation AS-25: Station Road, Moreton.
- Proposed Site Allocation AS-26: Hurst Farm, Moreton.

6. Planning Assessment

6.1 The assessment that follows considers the main planning implications of both applications.

6.2 Having regard to the provisions of the development plan, the information submitted in support of the application and the representations received, the main issues in the determination of the application relate to:

- i. the adequacy of the information submitted in support of the applications;
- ii. whether the application proposals are acceptable in principle;
- iii. whether there is a need for the minerals development that is proposed beyond the confines of the authorised area;
- iv. the importance of the contribution that the authorised area makes to the landbank of permitted sand and gravel reserves and the extent to which the application proposals would likely facilitate a steady and adequate supply of locally extracted aggregates from the permitted reserves;
- v. whether potentially adverse environmental impacts can be avoided or adequately mitigated to acceptable levels in accordance with policy requirements;
- vi. whether there are alternatives means of meeting the identified development need either within the confines of the existing permitted site, the Preferred Areas for Sand and Gravel Extraction identified in the DM&WLP and/or elsewhere in a way that would have a less overall adverse impact on the environment and local amenity and in particular avoid or reduce the harm to the setting and heritage significance of Woodsford Castle; and

- vii. whether the potential harm to the heritage significance of Woodsford Castle is clearly and convincingly outweighed by public benefits associated with the application proposals.

Adequacy of Information Submitted in Support of Applications

- 6.3 Various respondents to the applications have questioned the adequacy of the information submitted in support of the application proposals, with the position advanced that the applications should be refused and/or not determined unless properly presented, justified and assessed.
- 6.4 A *Planning Statement* has been submitted in support of the applications which presents the application documents; describes and explains the proposals; outlines and discusses the policy context within which the applications fall to be considered; and appends a number of technical reports and other documents presented in support of the application proposals. Various plans, drawings and other documents presented within the *Planning Statement* and/or application have been revised, updated and/or supplemented during the processing of application WD/D/15/001057.
- 6.5 The NPPF provides that the right information is crucial to good decision-taking (paragraph 192), but that information requirements for applications should be proportionate and that planning authorities should only request supporting information that is relevant, necessary and material to the application in question (paragraph 193).
- 6.6 Having considered the information submitted in support of the application proposals and the representations received, the County Council's Planning Officers are satisfied that the information necessary for the applications to be determined is available.
- 6.7 Planning application 1/E/2005/0742 was accompanied by an *Environmental Statement* submitted pursuant to the requirements of the Environmental Impact Assessment Regulations as then in force and planning permission 1/E/2005/0742 was granted having regard to the relevant environmental information including:
- the *Environmental Statement* of March 2005;
 - an *Additional Statement* of May 2006 which provided further information and detailed a number of amendments to the originally proposed development; and
 - representations received from statutory consultees and others about the environmental effects of the then proposed development.
- 6.8 Neither current application is accompanied by an environmental statement submitted as such for the purposes of the Environmental Impact Assessment Regulations, but both applications have been screened under the regulations and neither has been deemed to be an '*EIA application*'. Submission of an *Environmental Statement* to accompany the current applications has not been deemed necessary.
- 6.9 I am satisfied that there is no legal impediment to the determination of the application proposals.

Principle of Development

- 6.10 Paragraph 142 of the NPPF provides that minerals are essential to support economic growth and our quality of life and that it is therefore important that there is a sufficient supply of material to provide the infrastructure, buildings, energy and goods that the country needs. Aggregates are identified as minerals of local and national importance, meaning that they are essential to meet society's needs (NPPF glossary).
- 6.11 Paragraph 7.1 of the Minerals Strategy identifies aggregates as being essential to support sustainable economic growth, with uses identified to include the construction and maintenance of hard infrastructure including roads, airports, schools, houses, hospitals and flood and sea defences and it is stated that the strategy for sustainable aggregates supply in Dorset seeks to ensure that there is sufficient supply of material to support the development that is needed.
- 6.12 Both providing for and managing the effects of aggregate supply are therefore important components of achieving sustainable development.
- 6.13 Minerals can only be worked where they are found, such that the acceptability of the application proposals falls to be considered in the context of the development plan strategy for maintaining an adequate and steady supply of locally extracted sand and gravel and their environmental, economic and social implications.
- 6.14 Many pertinent policy requirements are relevant to both applications, but there are also important and clear policy distinctions between the proposals within the authorised area and that beyond the authorised area (i.e. the proposed quarry extension). The basis for that distinction is two-fold:
- i. whereas the authorised area has planning permission for minerals development including the winning and working of sand and gravel and in consequence constitutes an '*existing permitted site*', the proposed lagoon extension area does not; and
 - ii. the authorised area is located entirely within the *Woodsford Farm Preferred Area for Sand and Gravel Extraction* as was identified in the DM&WLP, whereas the proposed lagoon extension area falls entirely outside both that area and the other Preferred Areas for Sand and Gravel extraction that were identified in the DM&WLP.
- 6.15 The application proposals within the authorised area are partly concerned with the operational arrangements for working mineral within the authorised area (e.g. phasing, water management, restoration arrangements etc), partly concerned with the processing of that mineral (e.g. the crushing of over-sized material) and partly concerned with more general ancillary matters (e.g. stockpiling, screening and noise attenuation), but additionally accommodate the operational implications of the mineral extraction that is proposed in conjunction with the formation of silt lagoons in the proposed lagoon extension area (e.g. access, transportation and stockpiling of mineral) and provide for the retention of the bagging plant.
- 6.16 The bagging plant did not form part of the original plans for Woodsford Quarry, but its retention is considered desirable to support future operation of

the authorised development and the plant does perform a valuable mineral supply function, enabling bagged aggregates to be despatched to a network of wholesale and retail outlets from which they can then be purchased in relatively small quantities in an environmentally and operationally efficient manner.

- 6.17 The plant was developed in 2016 to replace a facility formerly operated at Warmwell Quarry that was accessed off Highgate Lane. The plant is managed by Day Group Ltd ('Days') who transferred operations to Woodsford in 2016 in response to the closure of Warmwell Quarry, electing to operate on an unauthorised planning basis to maintain service provision and to avoid redundancies, initially using mobile plant which has since been replaced by semi-permanent and permanent structures.
- 6.18 The applicant recognises that the development of the bagging plant has been undertaken without the benefit of planning permission and therefore on 'at risk' basis, but has noted that application WD/D/15/001057 was submitted well in advance of the commencement of development, that there has been considerable delay in the determination of the application and that, in consequence, not proceeding 'at risk' would have left the company in breach on contractual commitments to Days. The applicant has further noted that the delay in determining application WD/D/15/001057 has much more to do with concerns expressed about the proposed lagoon extension than the presence and operation of the bagging plant.
- 6.19 The bagging plant handles mineral from both the authorised area and elsewhere, but approximately 70% of the mineral is sourced from the authorised area. Operation of the bagging plant within a quarry complex capable of supplying the majority the bagged aggregate reduces mineral handling and transportation with associated environmental benefit.
- 6.20 The development plan is not as clear as it could be on the acceptability in principle of facilities such as the bagging plant on sand and gravel quarries. Saved Policy 15 of the DM&WLP (*Preferred Areas for Sand & Gravel*) provides that planning permission will be granted for the winning and working of aggregates within 5 named Preferred Areas including Woodsford Farm, provided that:
- i. proposals satisfy the requirements of Policy 5 and 19;
 - ii. in the context of Policy 5(vii), buffer zones are provided to the extent necessary to achieve an acceptable degree of mitigation of adverse effects including noise, vibration, dust and visual intrusion, having regard to local circumstances and the effectiveness of the other available mitigation measures;
 - iii. proposals address the development control criteria set out in the site assessment for each Preferred Area in an acceptable fashion.
- 6.21 Policy 5 (*Relating to Applications within Preferred Areas*) and the development control criteria for the Woodsford Farm Preferred Area have not been saved and in consequence no longer form part of the development plan, but the broad purposes of the criteria contained in Policy 5 and, albeit somewhat more generally, the intentions of the development control criteria for the Woodsford Farm Preferred Area, are echoed in the development

management policies of the Minerals Strategy and thereby remain important material considerations. Policy 5(vii) referred to residential dwellings, other sensitive land-uses and proposals in proximity of any Listed Buildings. These 'detailed' rather than 'in principle' development management considerations are addressed in subsequent sections of this assessment, but I am satisfied that the bagging plant is acceptable, representing a sustainable form of minerals development that is accommodated within an existing permitted site and which is generally in accordance with the current development management policies.

- 6.22 Policy 19 (*Sand and Gravel Landbanks*) has also not been saved, but indicated that, subject to proposals being acceptable in their landuse implications, land would be released to maintain separate landbanks both for construction sand and for gravel in accordance with Government guidance from sources including the Preferred Areas, limited small-scale extensions meeting the requirements of Policy 17 and sites proposed in the circumstances of Policy 16(i) and Policy 16 (ii). Policies AS1 and Policy AS2 of the Minerals Strategy are now relevant and are addressed further later in this assessment. However, the policies are not of direct relevance to the acceptability in principle of the bagging plant.
- 6.23 The Minerals Strategy defines the winning and working of mineral to include, amongst other matters, extraction, processing and ancillary operations. The term was less clearly defined in the DM&WLP but in my view must include a degree of processing and ancillary activities.
- 6.24 In the context of development plan policy, it is therefore considered that the term winning and working of aggregates as used in saved Policy 15 allows for the accommodation of some degree of processing and ancillary activity within the Preferred Areas, and that such activities and related development may therefore be regarded as acceptable in principle.
- 6.25 In relation to the proposed stockpiling arrangements and other changes proposed in application 1/E/2005/0742/AuC, some level of stockpiling is essential to the effective operation of a mineral processing facility in order that the vagaries of supply and demand can be managed by a site operator. Excessive stockpiling can have adverse impacts on the environment and local amenity, but can also represent a significant cost to quarry operators with delay in the recovery of costs incurred winning, working and processing stockpiled material.
- 6.26 Planning permission already exists for the stockpiling of mineral within the authorised area and it is a well-established principle that ancillary uses do not of themselves involve separate development. The conditions imposed on planning permission establish control over both the areas used for stockpiling and the height of stockpiles within the site. These controls were established in the interest of the amenities of the area and policy compliance.
- 6.27 Development of the bagging plant has displaced the stockpiles of washed aggregates formerly accommodated in the authorised plant and operations area with these processed aggregates currently being accommodated in the proposed southern stockpiling area on an unauthorised basis.
- 6.28 The constrained nature of the approved stockpiling areas within the authorised area has presented an operational challenge for the applicant

since the commencement of the authorised development. The site establishment works generated large stockpiles of materials which could not be processed until the plant site was operational and which could not be contained within the approved areas without breaching the height limitation. Use of the southern stockpiling area and other parts of the site was informally agreed on a temporary basis whilst the stockpiles were reduced, but formal written approval was not given and the southern stockpiling area has been used to some degree for stockpiling of mineral on an unauthorised basis ever since.

- 6.29 If the bagging plant is to be retained as constructed and output from the quarry is to be maintained and/or increased, the need for stockpiling mineral beyond the currently approved areas is now likely to be a permanent requirement for the remaining operational life of the quarry.
- 6.30 The stockpiling proposals are all contained within the authorised area and therefore the Woodsford Farm Preferred Area. There is no '*in principle*' objection to the proposed arrangements, their acceptability or otherwise resting primarily on the detailed environmental implications of the proposed arrangements, with very much the same situation applying to all other changes proposed in application 1/E/2005/0742/AuC.
- 6.31 The application proposals do make provision for crushing of mineral, a processing operation that was not detailed in the Environmental Statement that accompanied planning application 1/E/2005/0742 and one for which written approval has not previously been granted. However, crushing has been undertaken periodically, albeit without written approval, such that the best use may be made of the available mineral resource.
- 6.32 With regard to the proposed lagoon extension, in contrast to the positive construction of saved Policy 15, saved Policy 16 of the DM&WLP (*Applications for the Winning & Working of Gravel Outside Preferred Areas*) provides that planning permission for the winning and working of sand and gravel from land outside the Preferred Areas will not be granted unless the development meets all the requirements of Policy 6, and:
- i. the development would provide significant planning and environmental gains compared with similar development within a preferred area; or
 - ii. the identified Preferred Areas cannot maintain an adequate landbank or rate of production; or
 - iii. the proposal is for a limited small-scale extension to an existing site which meets all the requirements of Policy 17; or
 - iv. the proposal is for a borrow pit which meets all the requirements of Policy 18.
- 6.33 Whilst Policy 16 does not render the winning and working of gravel in the proposal lagoon extension area unacceptable in principle, it does indicate important limitations.
- 6.34 In the context of both aggregate quarries in general and the size of the authorised area in particular (approximately 164 hectares), it is considered that the proposed lagoon extension area involving the working of mineral from

approximately 7.3 hectares of land and a total development area including soil storage and screen bunds of approximately 11.7 hectares, may be regarded as 'a *limited small-scale extension to an existing site*' and, subject to adherence to the requirements of saved Policy 6, permissible as such.

- 6.35 Policy 17 of the DM&WLP (*Limited Extensions to Sand and Gravel Sites*) has not been saved, but referred to Policies 6 (saved and described below) and 19 (not saved, but with Policies AS1 and AS2 described below now relevant).
- 6.36 Policy 6 of the DM&WLP (*Applications Outside the Preferred Areas*) has saved development plan status and is relevant to all planning applications for minerals facilities on land outside the identified Preferred Areas.
- 6.37 Particular requirements are established by saved Policy 6(i) for land which is within or which would adversely affect, an Area of Outstanding Natural Beauty, a listed Ramsar site, a potential or classified Special Protection Area (SPA) or candidate or designated Special Area of Conservation (SAC), a Site of Special Scientific Interest (SSSI), a National Nature Reserve, a Marine Nature Reserve or a species specially protected under the Wildlife and Countryside Act 1981.
- 6.38 No part of either the authorised area or the proposed extension area lies within a designated landscape area and, having regard to the information submitted in support of the applications, the representations received and the environmental information that informed the granting of planning permission 1/E/2005/0742, it is considered that, both alone and in combination, the authorised development, the proposed quarry extension, the proposed bagging plant and the proposed changes to the operation of the already authorised development would not have any significant adverse effects on any internationally or nationally important nature conservation or landscape designations identified in saved Policy 6(i) of the DM&WLP.
- 6.39 In other locations, saved Policy 6(ii) applies and provides that any other application will only be permitted where, having regard to the benefits that would accrue from it, either it has no significant adverse effect, either individually or cumulatively on any of the areas, designations, or criteria identified in (a) to (j) below or otherwise any significant adverse effect it would have, whether individually or cumulatively, can be satisfactorily alleviated with appropriate and acceptable mitigating measures:
- (a) Sites of Nature Conservation Interest, Local Nature Reserves, Regionally Important Geological Sites, areas of marine wildlife interest;
 - (b) the best and most versatile agricultural land (incorporating grades 1, 2 and 3a). In assessing the acceptability of proposals for irreversible development affecting the best and most versatile agricultural land, any special characteristics the proposed site may have for that development and the feasibility of directing the development to land of the lowest possible agricultural land quality will be taken into account;
 - (c) Ancient Monuments whether scheduled or not, and the settings of any of these;

- (d) surface or sub-surface water resources or land drainage systems;
- (e) the Heritage Coast, Conservation Areas, Listed Buildings, Historic Landscapes, Historic Parks and Gardens (including the setting of any of these), and other areas of acknowledged landscape importance. In assessing the acceptability of proposals located in the proximity of any Listed Building special regard will be paid to the desirability of preserving that Listed Building or its setting, or any features of special architectural or historic interest which it possesses.
- (f) the amenity of residential dwellings or of schools, hospitals, residential establishments, areas of acknowledged importance for quiet recreation and other sensitive land uses;
- (g) the safety and engineering/environmental capacity of the surrounding highway network including, where off site highway improvements are necessary, features of acknowledged importance in the proximity of the improvements;
- (h) the amenity, convenience and recreational benefit of any public rights of way within and surrounding the site;
- (j) the Bournemouth International Airport, Yeovilton Aerodrome and Portland Helicopter Consultation Zones.

6.40 The potential for the proposed quarry extension to have a significant adverse effect, either individually or cumulatively on the areas, designations and/or criteria listed above and the potential for any such effects to be satisfactorily alleviated with appropriate and acceptable mitigating measures has been considered through the screening of the applications under the Environment Impact Assessment Regulations, the determination being that significant effects on the environment are not likely. To that extent, I am satisfied that the proposed quarry extension should not be deemed 'unacceptable in principle' on account of any conflict with saved Policy 6. However, that does not mean that the application proposals would have no adverse impacts, nor render minerals development in the proposed lagoon extension area acceptable in principle, merely that its acceptability or otherwise again rests on more detailed development management considerations. The provisions of the Minerals Strategy are of similar effect.

6.41 Policy AS1 of the Minerals Strategy (*Provision of Sand and Gravel*) provides that an adequate and steady supply of locally extracted sand and gravel will be provided by maintaining a landbank of permitted sand and gravel reserves equivalent to at least 7 years' worth of supply over the period to 2028, based on the current agreed local annual supply requirement for Bournemouth, Dorset and Poole and that this will be achieved from:

- i. remaining reserves at existing permitted sites;
- ii. new sand and gravel sites, including extensions to existing permitted sites, as identified in the Mineral Sites Plan;

- iii. new sites not identified in the Mineral Sites Plan, provided:
 - a. monitoring indicates that the sites identified in (ii) above are unlikely to meet Bournemouth, Dorset and Poole's landbank requirements; or
 - b. the proposed development is for the prior extraction of aggregate in advance of non-minerals development; or
 - c. the development is part of a proposal for another beneficial use; or
 - d. the development is for a specific local requirement.
- 6.42 Policy AS1 further notes that future sites required to contribute to meeting this supply will be located within the resource blocks identified on the Policies Map and that sites will only be considered where it has been demonstrated that possible effects (including those relating to hydrology, displacement of recreation, species, proximity, land management and restoration) that might arise from the development would not adversely affect the integrity of the Dorset Heaths SAC, Dorset Heathlands SPA and Dorset Heathland Ramsar site either alone or in combination with other plans or projects.
- 6.43 Both the authorised area and the proposed lagoon extension area are located within the *Superficial Sand and Gravel Resource Block* and the *Bedrock Sand Resource Block* identified on the Minerals Strategy Policies Map and consequently the starting point for considering their locational suitability for sand and gravel extraction under Policy AS1 is favourable.
- 6.44 Having regard to available environmental information, I am also satisfied that the application proposals will not adversely affect the integrity of the Dorset Heaths SAC, the Dorset Heathlands SPA or the Dorset Heathland Ramsar either alone or in combination with other plans or projects and that the application proposals may therefore be considered under Policy AS1.
- 6.45 The authorised area has planning permission for minerals development including the winning and working of sand and gravel and therefore constitutes an '*existing permitted site*' for the purposes of Policy AS1. The proposed lagoon extension does not.
- 6.46 Policy SS2 of the Minerals Strategy provides that the Mineral Sites Plan will be used as the vehicle for the identification of specific sites wherever possible, but that planning 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 where the development would not prejudice the delivery of allocated sites.
- 6.47 Pending adoption of the Mineral Sites Plan, there are currently no allocated sand and gravel sites in Dorset and hence the proposed lagoon extension area constitutes '*a new site not identified in the Mineral Sites Plan*'. The proposed lagoon extension area is not proposed for allocation in the Pre-Submission Draft Minerals Sites Plan, such that, whilst not unacceptable in principle, there is a policy requirement for both a need for the development and the consideration of alternatives. The impact on Woodsford Castle, set

out later, also means that the need for the development must be considered along with alternatives.

- 6.48 The need for development outside the Preferred Areas identified in the DM&WLP is therefore considered before other policy requirements and alternatives.

Need for Development Outside Preferred Area

- 6.49 The production of high quality aggregates from the authorised area is dependent on processing (washing and grading) to ensure compliance with stated product specification. The Planning Statement submitted in support of the application proposals notes that:

“1.2 The extracted sand and gravel requires washing to remove any impurities. This produces silt which must be removed, in on-site settlement lagoons, prior to the discharge of the wash water. The impurity content in the mineral has proven to be much greater than anticipated when Planning Permission was initially sought by Woodsford Farms. As a result, the approved settlement lagoons are insufficient in size to process the remaining mineral in the quarry.

1.3 Planning permission, is therefore, sought to extend the quarry into a field to the north (the Extension Area). ...”

- 6.50 The claimed ‘need’ for silt management capacity is therefore a central consideration in the determination of application WD/D/15/001057.
- 6.51 Representations received have questioned the purpose of the application proposals, particularly in relation to the need for development beyond the confines of the Woodsford Farm Preferred Area, with the suggestion having been made that the proposal is either simply a means to extract further reserves of sand and gravel and/or to facilitate the future expansion of the quarry.
- 6.52 The Planning Statement submitted in support of the application contains little by way of technical information to demonstrate the variable nature of the mineral resource comprised in the authorised area. The impurity content of extracted mineral and the nature and settlement characteristics of the silt component and the implications for mineral processing and quarry outputs are matters that County Council Officers have discussed at some length with the applicant and the applicant’s representatives since 2013.
- 6.53 The management of the silt presents particular and significant issues for mineral operators. Silt can remain in a semi-liquid state for long periods following settlement and thereby represent a significant hazard requiring careful management. Accordingly, silt lagoons are treated as geotechnical structures under the Quarry Regulations 1999.
- 6.54 The applicant has explained that the characteristics of silts vary in composition and settlement characteristics.

- 6.55 Respondents to the application proposals have criticised the applicant for wrongly assessing the size of the required silt lagoons and further comment that this is an example of poor management of the quarry.
- 6.56 In the interest of accuracy, it should be noted that planning application 1/E/2005/0742 was not made by the applicant (i.e. the quarry operator), but by the landowner (Woodsford Farms) and, as far as I am aware, the applicant has at no point indicated that the authorised lagoon capacity would be sufficient to process the entirety of the authorised mineral extraction. Indeed, the Environmental Statement that informed the granting of planning permission 1/E/2005/0742 made clear that silt lagoon design was an operational matter for which requirements vary from quarry to quarry and that there may be need for additional further ponds beyond the silt management areas indicated on the application drawings.
- 6.57 Operating arrangements for the existing silt lagoons were established through the approval of details showing three linked silt lagoons/ponds in '*Silt Management Area 1*' but, to date, detailed arrangements for the *Silt Management Area No. 2* have not been submitted.
- 6.58 It is further pertinent to note that the winning, working and processing of minerals are, to a point, inherently uncertain forms of development that, to varying degrees, do tend to evolve over time. Whilst divergence from approved arrangements and/or non-compliance with planning conditions is a common source of irritation to those impacted by minerals development, it is not unusual for circumstances on, and indeed in, the ground to differ from those that may have been anticipated when planning permission was sought and/or granted. Even after detailed geotechnical investigation, until land has been worked, the precise extent of economically viable mineral available tends to be unknown, with factors such as the exact composition of material available and/or the degree of consistency/variation within a reserve nearly always subject to some level of unpredictability. Mineral supply is also a dynamic process in which quarry operators must respond to a range of factors beyond their control including (but not necessarily limited to) resource characteristics, market requirements and technological developments, ideally, though by no means always, on a profitable basis.
- 6.59 In the case of aggregates production, not all material that may be worked will necessarily be suitable for processing, but final decisions regarding suitability for processing and indeed the nature and timing of processing operations can often only be taken once mineral has been worked.
- 6.60 Whilst operations within the authorised area have not been conducted entirely in accordance with the requirements of planning permission 1/E/2005/0742 and aspects of the site operation have attracted criticism from Knightsford Parish Council and others, the County Council's Planning Officers consider that, in general, operations within the authorised area have been conducted in a broadly acceptable manner, the quarry operator seeking to address matters of concern constructively so that, to date, formal enforcement action, has not been deemed necessary.
- 6.61 In relation to both the uncertain nature of mineral operations and the purpose of the application proposals, it is further pertinent to note that 3D modelling undertaken on behalf of the applicant prior to the commencement of the authorised development, indicated that a greater quantity of River Terrace

aggregate was likely to be available within the authorised area than was anticipated when planning permission was granted. Assuming consistent silt levels, processing additional material would of course generate additional silt.

- 6.62 The extent of mineral working within the authorised area is controlled under Condition 5 of planning permission 1/E/2005/0742 (*Depth of Extraction*) with, amongst other matters, a limitation specified that, unless otherwise approved in writing by the Mineral Planning Authority, the depth of extraction shall not exceed the base of the gravel deposit. The planning permission itself does provide for some deeper extraction, most notably through the formation of silt lagoons, but the extent of such operations is relatively limited.
- 6.63 Calculations have been submitted by the applicant that provide an indication of the lagoon capacity currently thought to be required to process the remaining permitted reserves. Some care is needed in considering the submitted calculations such that the submitted information is not taken out of context. In my opinion, a clearer set of calculations and/or a more detailed explanation of the silt management requirement could have been provided, but the complexities and uncertainties inherent in any such calculation process have been discussed at some length with the applicant by Planning Officers and I am satisfied that adequate information has been provided for the application to be determined.
- 6.64 In brief summary, making allowance for freeboard that will be maintained for safety until at least such time as the lagoons are being readied for restoration or drying out, the existing lagoons have a design capacity of approximately 95,000m³ (their total capacity being approximately 105,000m³). It is anticipated that development of the approved area for future silt and water management (Silt Management Area No. 2) would provide approximately 63,000m³ with allowance for freeboard (70,000m³ in total). Together these provide approximately 158,000m³ with freeboard or 175,000m³ in total. Assuming an average silt content of 10% and an average specific gravity for that silt of 1.7 tonnes/m³, this compares to a total requirement based on the anticipated size of the River Terrace reserve as calculated in 2008 (i.e. 4,838,607 tonnes) of approximately 285,000m³.
- 6.65 This '*calculation*' is recognised by the applicant to be a much-simplified illustration of how the development requirement has in fact been calculated. However, it has been explained that together with the already existing lagoons, the lagoons proposed in application WD/D/15/001057 are intended to provide sufficient capacity to accommodate all the silt arising from the remaining permitted reserve as well as the additional mineral extraction involved in the formation of the lagoons without the authorised, but as-yet unconstructed future area for water and silt management (i.e. Silt Management Area No. 2) being constructed. Paragraph 3.3 of the Planning Statement submitted in support of the application proposals notes that:
- "This has an important benefit to the operation of the quarry and the visual amenity of the local area, as Silt Lagoon 2 Area, which is insufficient to accommodate the silt that will be generated from the remaining permitted reserves, can be utilised as part of an expanded processing and storage area."*
- 6.66 Should more capacity be required, Silt Management Area No. 2 could potentially be developed to provide that capacity, but this would have

implications for the operator's preferred arrangement for both the stockpiling of processed mineral and the stockpiling and crushing of oversized material. Within this context, my understanding is that the applicant's preference and intention is therefore not to construct the already authorised lagoons unless this becomes necessary and then, only if satisfactory alternative operating arrangements can be implemented.

- 6.67 Clearly, the extent to which the now anticipated ground conditions are actually encountered and the precise nature and characteristics of the available mineral reserve will inevitably remain uncertain until each part of the reserve is worked. Equally, final decisions on exactly how much mineral to process, when and how will be taken in the light of circumstances prevailing at the time when those decisions are made.
- 6.68 The operational capacity of any silt lagoon is also ultimately dependent on a range of factors including operating efficiency, engineering performance and safety. The precise lagoon capacity that may be achieved in the proposed extension area will be dependent upon detailed engineering design that will need to take account of the characteristics of the low permeability material won during their extraction. However, the applicant is confident that the proposed lagoon extension area will provide sufficient silt capacity for the processing of the remaining reserve and that the development of Silt Management Area No. 2 should not be necessary.
- 6.69 The applicant is also confident that through the management of processing operations, the proposed lagoon extension area can be filled back to existing ground level so as to facilitate its timely restoration to support high quality agricultural use without the importation of fill material from beyond the lagoon extension area and the authorised area. In my assessment, the applicant's restoration strategy does appear to be practicable.
- 6.70 In relation to suspicions expressed by respondents concerning the mineral motivation for the proposed lagoon extension area, the total mineral resource expected to be processed for export as product from the proposed lagoon extension area equates to approximately 10% of the estimated remaining permitted reserve within the authorised area, with extraction from the lower Grey Sand underlying the river terrace deposits likely to account for nearly half of the mineral that might be processed.
- 6.71 Averaging approximately 2 metres in depth across the proposed extraction area, the River Terrace deposits present in the proposed lagoon extension area would clearly enhance the remaining permitted reserve, albeit by a relatively modest percentage.
- 6.72 The composition and characteristics of the sand component of the material to be extracted from the underlying Lower Grey Sand mean that there is likely to be only a very limited local market for this material as a dry-screened (i.e. unwashed) product. Once washed, the processed fine sand will be suitable for use in concrete production but, owing to its fine grained nature and adherence properties, unless blended with other sand, this would require a high cement concentration to ensure product performance, with consequent cost implications, both financial and environmental. The applicant's preference is therefore to blend the processed Grey Sand with other quarry outputs.

- 6.73 To ensure maintenance of production specification, such blending is a limited process and hence the proposal is to stockpile the as-dug Grey Sand arising from the creation of the proposed silt lagoons for up to two years in the temporary stockpile area that is proposed to the south of the swale. Over this time, through intermittent processing of the Grey Sand so as to maintain a stockpile of available processed material, gradual blending with other quarry products will allow the stockpile to be utilised and therefore be reduced and ultimately eliminated, this being proposed in preference to discarding available mineral and/or the longer-term stockpiling of this material. The as-dug material could be processed prior-to stockpiling, reducing the volume of material to be stockpiled, but this would impact on the processing capacity more generally with implications for maintaining an adequate and steady supply of the aggregates from the quarry. The landscape and visual impacts of the application proposals are discussed later in this assessment, but having regard to the proposed bunding and limitations on the height of stockpiles, both of which can be secured by condition, I am satisfied that the proposed stockpiling arrangements are acceptable.
- 6.74 In relation to the proposed lagoons potentially facilitating mineral extraction elsewhere in the locality, some concern has been expressed in representations that the real intention is to create silt lagoon capacity to serve proposed site allocation AS-19 (*Woodsford Quarry Extension*). Concern has also been expressed regarding the possibility that elements of the authorised development and proposed lagoons may remain in-situ beyond the currently authorised period.
- 6.75 Having regard to the size of the permitted reserve remaining within the authorised area and to the information available, in my opinion, it is unlikely that the already authorised and the currently proposed silt lagoons would, either alone or in combination with the possible development of Silt Management Area 2, provide sufficient silt capacity to process a further reserve of the size indicated for proposed site allocation AS-19.
- 6.76 Equally, whilst the draft Mineral Sites Plan has been published, the Plan has not been adopted and there remains considerable uncertainty as to its final content. Objections have been received in relation to each of the potential mineral allocations in the Crossways area and consequently the weight that should be given to the provisions of the Pre-Submission Draft Mineral Sites Plan in decision making is limited. The proposed allocations identified in the Pre-Submission Draft are just that – proposed - they are not, and may not become, '*allocated sites*'. Equally, should the proposed allocations be adopted, the proposed Development Guidelines may well be subject to change.
- 6.77 Processing of mineral from AS-19 is a matter that would, if a proposal is brought forward, itself be subject to planning control, permission being required for mineral extraction in AS-19 and the existing planning permission for the processing plant containing limitations on the duration of the permission (Condition 3) and on processing imported material (Condition 15).
- 6.78 On this basis, I do not consider the potential acceptability or otherwise of possible future mineral working arrangements for extraction beyond the authorised area and the proposed lagoon extension area to be material to the determination of the current applications.

- 6.79 In summary, having regard to the extent and nature of the remaining permitted reserve, the information submitted in support of the applications and the representations received, I am satisfied that:
- i. a need does exist for additional silt management capacity to facilitate the processing of the remaining permitted reserve so as to produce high quality aggregates;
 - ii. obtaining permission for the additional mineral extraction is not the primary purpose of the proposed quarry extension; and
 - iii. the intended purpose of the proposed lagoons is not to accommodate as yet un-proposed and/or unallocated mineral extraction in the locality.

Contribution to Mineral Supply

- 6.80 The Planning Statement submitted in support of the applications (Appendix 10, *Review of Alternatives*, paragraph 2.4) notes that Woodsford Quarry has made an important contribution to Dorset's economy as follows:
- i. the quarry employs over 20 full time members of staff who are local to Dorset;
 - ii. over £100,000 per annum goes directly into the local economy through the procurement of fitters and contractors;
 - iii. the quarry provides approximately £300,000 of rates per annum; and
 - iv. the quarry provides a local source of construction materials needed to support the permitted and planned development projects in this area.

- 6.81 Supporting information further provides that:

“... the economic benefits of the continuation of quarrying at Woodsford Quarry and its strategic importance to the supply of mineral in Dorset have been highlighted. In light of the lack of viable alternatives for the silt lagoons and the benefits to Dorset from the continued development of this quarry, it is clear that it is in the public interest to grant Planning Permission for the proposed silt lagoons.”
(Review of Alternatives, paragraph 5.8)

- 6.82 Paragraph 3.6 of the Pre-Submission Draft Mineral Sites Plan notes that at the end 2016, 14 sand and gravel sites in Dorset had planning permission with combined reserves (minerals in the ground with planning permission) of approximately 13.6 million tonnes. The authorised area is included in that list (Woodsford Quarry) and contains a substantial remaining permitted reserve.
- 6.83 Woodsford Quarry is further identified in draft Policy MS-1 (*Production of Sand and Gravel*) as an active site that is expected to contribute to the maintenance of an adequate and steady supply of sand and gravel through continued provision from the remaining permitted reserves. In relation to all the existing permitted sites, paragraph 3.7 of the Pre-Submission Draft Mineral Sites Plan indicates that:

“As long as reserves remain, it is expected that sites will continue to be worked and contribute to meeting demand during the life of the Plan. As the reserves decline, the allocated sites are expected to be developed to meet demand.”

- 6.84 Accordingly, whilst the authorised area has not been proposed for allocation, the Pre-Submission Mineral Sites Plan anticipates continued, and indeed complete, working of the permitted reserve.
- 6.85 Expanding on the requirement of Policy AS1, Policy AS2 of the Minerals Strategy (*Landbank Provision*) expresses a commitment to maintain a separate landbank for both Poole Formation and River Terrace aggregate equivalent to at least 7 year’s supply in each case.
- 6.86 Modern processing methods mean that the traditional distinction between the use of ‘soft’ and ‘sharp’ sand is less absolute than was the case historically, but it has been deemed appropriate to monitor the supply of Poole Formation and River Terrace aggregates both jointly and separately so that should there be a decline in either type of aggregate, this will not be masked by overall production and/or the level of the combined landbank.
- 6.87 For monitoring purposes, even where working is permitted from both River Terrace deposits and the Poole Formation, sand and gravels sites are classified as either ‘sand’ (i.e. Poole Formation aggregate) or ‘sand and gravel’ (i.e. River Terrace aggregate). Accordingly, approval of application WD/D/15/001057 would result in an addition to the total sand and gravel landbank and to either the sand and gravel (i.e. River Terrace) or the sand (i.e. Poole Formation) landbank, but not both. In line with the classification of the authorised area and having regard to the nature, quantity and utility of the mineral resource likely to be produced, the lagoon extension area is most logically classified as River Terrace.
- 6.88 The most recent *Local Aggregates Assessment* was published in May 2017 and considered likely future demand for aggregates and the feasibility of future supply taking account of output for the ten-year period until the end of 2015. Total average sales for land won sand and gravel were identified as 1.55 million tonnes per annum (mtpa) comprising 1.03 mtpa for Poole Formation and 0.52 mtpa for River Terrace, whilst permitted reserves were estimated to be 13,827,020 tonnes comprising 7,105,020 tonnes of Poole Formation and 6,722,000 tonnes of River Terrace. The assessment therefore demonstrated that total permitted reserves of sand and gravel provided for more than the minimum of 7 years’ worth of supply required by Policy AS1, whilst the landbank reserves sought under adopted Policy AS2 equated to approximately 12.9 years for River Terrace and 6.9 years for Poole Formation.
- 6.89 Paragraph E.11 of the Aggregates Assessment noted that:

“All sources of aggregate demonstrate capacity for some increase in supply, should demand increase, and no sharp increases in demand are expected in the next year. In the longer term, there are adequate landbanks for sand and gravel and crushed rock. The emerging Mineral Sites Plan seeks to identify and allocate adequate new sites to maintain production and sales and allow for flexibility in the market. The Mineral Planning Authority has reasonable confidence that sites

will be identified and permitted to maintain supply at the level of provision as set out in Policy AS1 of the 2014 Bournemouth, Dorset and Poole Minerals Strategy. If monitoring of supply shows that the identified need is unlikely to be delivered, it may become necessary to review the strategy/policies.”

6.90 However, application WD/D/15/001057 has not been made on the basis that monitoring indicates that there is a shortfall in landbank requirements i.e. under Policy AS1(iii)(a), but rather that development would:

- i. support the quarry’s current contribution to the landbank by increasing the permitted reserve; and
- ii. allow the current reserves, which support the existing landbank, to continue to be washed to produce high quality aggregates.

6.91 Approval of application WD/D/15/001057 would provide for a noteworthy, albeit modest, addition to both the total permitted reserve for sand and gravel and the landbank for River Terrace aggregates. Whilst that contribution may be welcomed – the landbank requirement being a minimum rolling target that should ideally be exceeded, not a limit – it is the contribution that the application proposals would make to supporting the existing landbank by allowing the authorised reserves to be washed to produce high quality aggregates that is of greater importance to their determination.

6.92 In relation to addressing key Issues and delivery the sand and gravel strategy, paragraph 7.38 of the Minerals Strategy notes that:

“It is not enough to simply identify a lump sum figure which is adequate to meet future needs over the long term - the Mineral Sites Plan must demonstrate with reasonable certainty that the appropriate annual level of production can be achieved year upon year. This may require identification of more than the minimum level of future production. Every effort will be made to ensure an appropriate split in provision, based on past trends, between sand from the Poole Formation and sand and gravel from river terrace or plateau deposits in order to avoid shortages of particular types of aggregate.”

6.93 Echoing these sentiments, paragraph 3.5 of the Pre-Submission Draft Mineral Sites Plan notes that the deliverability of the annual aggregate supply must be taken into consideration.

6.94 The Woodsford Farms Preferred Area was the largest of five Preferred Areas for sand and gravel extraction identified across Dorset in the DM&WLP and had the highest predicted yield (3.02 million tonnes). The authorised areas is now operating as the largest supplier of River Terrace aggregates within the central Dorset area, with the remaining permitted reserve accounting for more than a fifth of the combined landbank (River Terrace and Poole Formation) and more than 40% of the River Terrace landbank.

6.95 The vast majority of the remaining River Terrace landbank is comprised within just 2 sites, one located close to the eastern edge of the County (Chard Junction) and the other close to its western edge (Avon Common), with the only other ‘sand and gravel’ quarry (as distinct from the sand quarries associated with Poole Formation) currently operating in the central Dorset

area being Redbridge Road Quarry, where extraction is nearing completion and the remaining reserves are being worked primarily for sand from the Poole Formation. Relative to the authorised area, Redbridge Road Quarry makes only a modest contribution to the supply of locally extracted sand and a very modest contribution to the supply of locally extracted gravel.

- 6.96 It has been accepted that a need does exist for additional silt management capacity to facilitate the processing of the remaining permitted reserve so as to produce high quality aggregates.
- 6.97 Having regard to both the size of the remaining permitted reserve contained within the authorised area and the location of other permitted sites, I regard securing the deliverability of the permitted reserve as strategically important to securing the deliverability of an adequate and steady supply of locally extracted sand and gravel for Dorset as a whole and for the central Dorset area in particular, especially in relation to River Terrace aggregates.
- 6.98 Paragraph 144 of the NPPF provides that local planning authorities should give great weight to the benefits of mineral extraction, including to the economy.
- 6.99 In my opinion, the extent to which the application proposals would help to secure the deliverability of mineral supply weighs heavily in favour of their approval and may be accorded great weight in the determination of the application proposals.

Sustainability of Application Proposals

- 6.100 In line with Government policy, Policy SS1 of the Minerals Strategy (*Presumption in Favour of Sustainable Development*) states that when considering development proposals the Mineral Planning Authority will take a positive approach that reflects the presumption in favour of sustainable development, working proactively with applicants jointly to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area. Planning applications that accord with the policies of the Plan are to be approved without delay, unless material considerations indicate otherwise.
- 6.101 Policy DM1 of the Minerals Strategy (*Key Criteria for Sustainable Minerals Development*) sets out a series of key criteria against which all applications for minerals developments will be assessed to gauge the extent to which the proposal delivers sustainable development. The provisions of Policy DM1 therefore apply equally to application 1/E/2005/0742/AuC as application WD/D/15/001057. The policy reads as follows:

“Proposals for minerals development should support the delivery of social, economic and environmental benefits, whilst any adverse effects should be avoided or mitigated to an acceptable level.

In order to achieve this, all proposals for minerals development must demonstrate that all of the following criteria have been addressed satisfactorily:

- a. *minimisation of impacts which could increase the effects of climate change;*
- b. *protection and, where appropriate, enhancement of local amenity;*
- c. *protection and, where possible, enhancement of biodiversity and geodiversity, including nationally and internationally designated sites;*
- d. *protection and, where appropriate, enhancement of heritage assets;*
- e. *protection and, where appropriate, enhancement of landscape, including the avoidance and/or mitigation of visual and landscape impacts through sensitive design, screening or other means;*
- f. *preparation of a scheme of working that will keep production of mineral waste to a minimum, while ensuring availability of an adequate amount of material for timely restoration of workings;*
- g. *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, giving preference to the development of poorer quality land over higher quality or best and most versatile land;*
- h. *efficient use of water resources on the site;*
- i. *avoidance or mitigation of, or compensation for, adverse impacts on the water environment and flood risk;*
- j. *avoidance of cumulative impacts resulting from minerals or other development, whether current or proposed;*
- k. *use of sustainable transport; and*
- l. *restoration, aftercare and after-use proposals and compliance with the strategy for restoration.”*

6.102 Paragraph 16.3 further explains that Policy DM1 requires mitigation of unacceptable impacts, to make an otherwise unacceptable proposal acceptable and that where mitigation proves impossible, the implication is that the impacts make that development unacceptable.

6.103 Comment on each of the issues identified in Policy DM1 is set out below.

Climate Change

6.104 The information submitted with the application sets out that the proposals will;

- i. retain the key components of the drainage strategy with natural drainage and managed flow off-site so that there will be no increased risk of off-site flooding;
 - ii. have a working scheme which will minimise mineral waste;
 - iii. not significantly increase traffic movements;
 - iv. use modern plant and machinery with high efficiency ratings; and
 - v. have landscape mitigation which allows for habitat management.
- 6.105 Although the proposals will involve some additional development, I do the likely associated increase in greenhouse gas emissions would be of only marginal significance relative to the already authorised development.
- 6.106 Consideration has been given to whether an additional requirement for the continued operation of, and reporting on, the applicant's established Environmental Management System would be appropriate, but having regard to the nature of the further development proposed, I do not consider that a further monitoring and/or reporting requirement of this form to be necessary and I am satisfied that the minimisation of impacts which could increase the effects of climate change as a consequence of the application proposals have been addressed satisfactorily.

Protection & Enhancement of Local Amenity

- 6.107 Policy DM2 of the Minerals Strategy (*Managing Impacts of Amenity*) provides that proposals for minerals development will only be permitted where the proposals demonstrate that, for the life-cycle of the proposed development, any potential adverse impacts associated with noise levels, dust, air emissions, lighting, visual and landscape impacts, vibration levels, site related traffic impacts, and stability of land at and around the site both above and below ground level, are avoided and/or adequately mitigated to an acceptable level. It is further stated that proposals should be accompanied, where appropriate, by an assessment of the impact, and that the assessment, together with any required mitigation, must consider impacts over the entire life-cycle of the proposed development and take into account the fact that impacts may extend for considerable distances beyond the boundaries of the site.
- 6.108 Saved Policy 6 of the DM&WLP similarly provides that applications for mineral facilities outside the Preferred Areas will only be permitted where, having regard to the benefits that would accrue from it, it has no significant adverse effect, either individually or cumulatively on the amenity of sensitive land uses or any significant adverse effect it would have can be satisfactorily alleviated with appropriate and acceptable measures.
- 6.109 Policy ENV16 of the District Local Plan (*Amenity*) provides that proposals for development should be designed to minimize their impact on the amenity and quiet enjoyment of existing and future residents and will only be permitted provided that, amongst other matters, they do not generate a level of activity or noise that will detract significantly from the character and amenity of the area or the quiet enjoyment of residential properties; and they do not generate unacceptable pollution, vibration or detrimental emissions unless it

can be demonstrated that the effects on amenity and living conditions, health and the natural environment can be mitigated to the appropriate standard.

- 6.110 The development authorised by planning permission 1/E/2005/0742 is a substantial undertaking with potential to affect the amenity of a number of sensitive receptors. That potential was recognised in the Environmental Statement that informed the granting of planning permission 1/E/2005/0742, but the conclusion drawn that the site could be worked without having a significant adverse impact on the amenities of the area.
- 6.111 The changes proposed in application 1/E/2005/0742/AuC, the extension of the quarry and the siting and operation of the bagging plant each have some potential for increased impact on amenity relative to the authorised position, but in the main, impact on amenity is likely to be little changed with the magnitude, likelihood duration, frequency and reversibility of anticipated impacts each remaining similar.
- 6.112 Operations (both authorised and proposed) are not considered likely to give rise to significant vibration impact. Accordingly, it is considered that the avoidance of vibration impact and the stability of land at and around the quarry both above and below ground level can be satisfactorily managed as part of normal site management arrangements and do not need to be the subject of additional planning control. No floodlighting is proposed and lighting arrangements can be satisfactorily controlled by condition.
- 6.113 The noise assessment contained in the Environmental Statement that informed the granting of planning permission 1/E/2005/0742 did not predict any medium or long term significant adverse noise impacts. Condition 11 of planning permission established a noise limit for normal operations at Watermead Cottage (40 dBA) and required the submission and approval of a detailed scheme for the control of noise. The approved scheme made provision for noise monitoring to be undertaken and established noise limits at other representative noise sensitive locations close to the authorised area ranging from 45 to 52 dB(A) LAeq, 1h free field.
- 6.114 In practice, operation of the quarry and processing plant has resulted in monitored exceedances of the noise limit imposed at Watermead Cottage, but the limit imposed at this property is unusually low for properties near to mineral workings and mineral processing facilities and lower than those established at other properties close to the authorised area. Monitoring has also recorded some exceedances of noise limits at other locations. Planning application WD/D/15/001057 proposes a higher maximum daytime noise level for normal operations at Watermead Cottage (48 dB(A) LAeq, 1h free field), but no change is sought to any other established noise limits.
- 6.115 Detailed technical guidance on noise impact is set out in the Government's online Planning Practice Guidance, wherein it is noted that mineral planning authorities should take account of the prevailing acoustic environment and in doing so consider whether the proposed operations would:
- give rise to a significant adverse effect;
 - give rise to an adverse effect; and
 - enable a good standard of amenity to be achieved.
- 6.116 The national Planning Practice Guidance (PPG) also states that mineral planning authorities should aim to establish a noise limit, through a planning

condition, at the noise-sensitive property that does not exceed background noise level (LA90,1h) by more than 10 dB(A) during normal working hours (0700-1900). However, where that would place unreasonable burdens in the mineral operator the limit set should be as close to that limit and in any event not above 55 dB(A) LAeq 1hr freefield.

- 6.117 Soil-stripping, the construction and removal of baffle mounds, soil storage and spoil heaps, construction of new permanent landforms and aspects of site road construction and maintenance are identified as operations that may give rise to particularly noisy short-term activities. The PPG states that increased daytime limits of up to 70 dB(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 work and construction of baffle mounds where it is clear that this will bring longer-term environmental benefits to the site or its environs (Ref ID: 27-022-20140306).
- 6.118 The Planning Statement submitted in support of the application proposals incorporates an assessment of the potential noise impact of the authorised and proposed operations and an *Environmental Scheme* that sets out procedures proposed to be adopted to identify, mitigate, control and monitor noise impact from the site. Noise emissions likely to be associated with the proposed layout changes, extended processing area, operation of the bagging plant and the proposed extension have been assessed cumulatively with levels predicted at Watermead Cottage in excess of the noise limit established by planning permission 1/E/2005/0742 and more than 10 dB(A) above recorded background levels (reported as 34 dB LA90, T based on surveys conducted in 2004 and 2005, but an average of 35 dB LA90, T with account taken of a further survey undertaken in 2017), but similar to levels monitored both here and elsewhere in the vicinity of the quarry and well below the limit of 55dB(A) LAeq, 1h free field identified in the PPG as the upper noise limit that should not be exceeded for normal daytime mineral operations. A higher noise limit of 70 dB(A) LAeq 1 hour already applies to temporary operations, with no change proposed to that limit.
- 6.119 The submitted noise impact assessment recommends the imposition of noise level at Watermead Cottage for normal operations of 48 dB LAeq, 1 hour free field and maintenance of all other existing noise limits.
- 6.120 Recorded exceedances of the current noise limit at Watermead Cottage have not generated a history of complaint from the occupiers of the property, although representations have been received from the occupiers indicating that they are very concerned by the proposed raising of the noise level.
- 6.121 Experience of visiting officers is that whilst daytime noise from quarry and/or processing activity noise tends to be noticeable in the vicinity of Watermead Cottage and other noise sensitive receptors in the area, it is not intrusive. effect level. The levels experienced and predicted are considered to be consistent with a good standard of amenity.
- 6.122 Aspects of the noise impact assessment submitted in support of the application have been criticised by noise consultants acting on behalf of Knightsford Parish Council and others. The criticisms focus on the methodology, interpretation of data and the suggested noise limits. The Parish Council and their consultant contend that a noise limit of 43 dB LAeq, 1hr would be more appropriate than the 48 dB LAeq, 1hr proposed, but

acknowledge that without further mitigation being undertaken to reduce noise emanating from the site that such a limit will not be met.

- 6.123 The applicant has instigated a range of measures to mitigate noise levels from operations within the authorised area and further mitigation, primarily in the form of bunding but also involving operating restrictions, form part of the application proposals. The applicant contends that requiring further mitigation would be unreasonable in circumstances that the noise impact has not given rise to a history of complaint from the occupiers of Watermead Cottage and the District Council's Environmental Health/Technical Officers have raised no objection to the applications.
- 6.124 Having considered the information submitted in support of the application, the representations received and experience of the quarry operation to date, in my opinion, future exceedance of the significant observed adverse effect level is not likely. Appropriate noise controls including maximum noise levels, routine monitoring and, should it prove necessary, the instigation of remedial measures, can be secured by means of planning condition.
- 6.125 No change is proposed for the noise limits established at any other sensitive receptor location and West Dorset District Council's Environmental Health Officers have raised no objection to the application proposals. In my opinion, a noise limit for normal operations during the extraction period of 48 dB LAeq, 1 hour free field, reducing to 45 dB LAeq, 1 hour free field following the lagoon extraction and construction period would be consistent with policy requirements and not impose unreasonable burdens on the quarry operator.
- 6.126 Particular comment has been made regarding noise impact at Woodsford Castle and more generally in the setting of the Castle. Additional development activity associated with the application proposals will inevitably generate some additional noise and, having regard to the proximity of the application proposals to Woodsford Castle, such activity is likely to be audible at Woodsford Castle. However, no increase in the noise limit that applies to West Woodsford (Castle Dairy) which lies between the Castle and the proposed lagoon extension area (the main source of any additional noise) and, in my opinion, the prevailing noise climate is acceptable both here and elsewhere in the vicinity of the quarry. Accordingly, subject to the implementation of the recommended planning conditions, I consider that the potential for unacceptable noise impact in respect of the Castle and its setting has been adequately mitigated in accordance with policy requirements.
- 6.127 In relation to dust, the Environmental Statement that informed the granting of planning permission 1/E/2005/0742 noted that the excavation of sand and gravel does not generally give rise to dust, this being due to the natural retained moisture content in the excavated material and processing being a wet operation. It was recognised that earth moving operations and trafficking of unsurfaced roads can give rise to dust unless operations are properly managed. A slight risk of blown sand from stockpiles during strong winds was also acknowledged.
- 6.128 A range of standard dust management measures were identified the aim of which was to avoid the situations that might give rise to dust and/or seek to contain any dust deposition within the confines of the quarry site. With the successful implementation of the mitigation measures, it was concluded that dust should not be a problem from the site.

- 6.129 A dust management scheme is currently in place for the existing quarry operations and is secured through a condition of the existing planning permission.
- 6.130 The Planning Statement submitted in support of the application proposals notes that the control of dust will be managed in accordance with the approved scheme and that this scheme requires in the management of dust in both the quarry and plant/processing areas.
- 6.131 The excavation of mineral within the proposed extension area involves working the same deposits largely in the same manner as is currently undertaken within the authorised area. To date there have been no reported issues with dust and/or emissions from the authorised area.
- 6.132 Significant levels of dust deposition are not expected at any dust sensitive receptors but, should dust nuisance occur, could be remedied through the deployment of standard dust control measures. Appropriate dust management measures are already in place and the application of those measures to the additional proposed development can be secured by means of planning condition.
- 6.133 Some criticism has been directed at the dust scheme. However, having regard to the nature of the proposed activities and the content of the existing document, I am satisfied that it is adequate to protect the amenities of the locality from unacceptable harm. Subject to a condition extending the scheme to cover the proposed quarry extension and bagging plant operations and having regard to the relatively limited potential for the proposed operations to generate fugitive dust beyond the application site boundaries, I am therefore satisfied that the protection of local amenity has been satisfactorily addressed with the potential for unacceptable harm either avoided and/or adequately mitigated to an acceptable level.
- 6.134 More detailed comment relating to landscape and visual impacts are set out later in the assessment, but overall, the application proposals are considered to be in accordance with development plan requirements for protecting and enhancing local amenity

Biodiversity & Geodiversity

- 6.135 Having regard to the information submitted in support of the application proposals, the representations received and the environmental information that informed the granting of planning permission 1/E/2005/0742, it is not considered that the application proposals are likely to have a significant impact on any designated sites of nature conservation importance.
- 6.136 The Environmental Statement that informed the granting of planning permission 1/E/2005/0742 reported the findings of detailed ecological surveys, noting that whilst there were/are some habitats that may be of interest to protected species, staged surveys ahead of development would be carried out and if species found to be present appropriate relocation measures would be agreed and implemented. It was further noted that the restoration scheme offers considerable opportunity to improve the habitats in the locality with particular mention of the open woodland area proposed in the west of the site and new hedgerow patterns, the swales and ponds/wetland areas more generally as providing new wildlife corridors and thereby

improving the network in the locality with, overall, the restored site providing ecological gain. Natural England were consulted upon application 1/E/2005/0742 and did not object to the granting of planning permission.

- 6.137 The Planning Statement submitted in support of the application proposals incorporates an Ecological Assessment and Survey Report and comments on the tree and vegetation/habitat loss associated with the application proposals.
- 6.138 Development plan policy provides that, where possible, proposals should enhance biodiversity and geological interest and achieving high quality restoration at the earliest possible opportunity as an integral part of all minerals development is identified as a key issue in the Mineral Strategy. An opportunity does exist through the granting of planning permission and/or the approval under the conditions of planning permission 1/E/2005/0742 to secure additional biodiversity gains.
- 6.139 Natural England and Dorset County Council's Natural Environment Team have requested the imposition of conditions requiring the submission, approval and implementation of a Landscape and Ecology Management Plan for the site. It is considered that the measures secured through this condition would adequately promote and manage ecological interest in accordance with planning policy requirements with further minor benefit likely.

Protection and Enhancement of Heritage Assets

- 6.140 Conserving heritage assets in a manner appropriate to their significance so that they can be enjoyed for their contribution to the quality of life of this and future generations is one of 12 core planning principle identified in paragraph 17 of the NPPF.
- 6.141 Representations from Historic England and others point out that heritage conservation is a public benefit which is an objective of sustainable development, with development that harms heritage conservation not, therefore, on the face of it, sustainable.
- 6.142 Although there are no designated heritage assets within either the authorised area or the proposed lagoon extension area, the natural resources provided by the River Frome and the fertile, free draining soils of the associated gravel geology have meant that the Frome Valley has been a focus for human activity for many centuries, this being reflected in:
- i. a rich and diverse historic environment characterised by archaeological remains of prehistoric, Roman and later date;
 - ii. historic buildings, including medieval and post-medieval structures; and
 - iii. a predominantly rural landscape, which is shaped by the pattern of historic settlement, land divisions, lanes and woodland, and historic quarrying and gravel extraction which has taken place on a localised scale within the Frome Valley since the late 18th/early 19th century, the resulting character of the landscape having attracted and inspired artists, novelists and writers since at least the 19th century.

- 6.143 The lagoon extension area has potential for archaeological resource that would be harmed (destroyed) by the application proposals, and there are both designated and non-designated heritage assets in the locality that would be indirectly impacted by change within their setting. Foremost amongst these assets, is Woodsford Castle.
- 6.144 Paragraph 131 of the NPPF provides that in determining planning applications, local planning authorities should take account of:
- the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
 - the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
 - the desirability of new development making a positive contribution to local character and distinctiveness.
- 6.145 Policy DM7 (*The Historic Environment*) of the adopted *Bournemouth, Dorset and Poole Minerals Strategy* (May 2014) provides that proposals for minerals development will only be permitted where it can be demonstrated through an authoritative process of assessment and evaluation that heritage assets and their settings will be conserved in a manner appropriate to their significance. The policy further provides that adverse impacts should be avoided or mitigated to an acceptable level and that 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.
- 6.146 Saved Policy 6(ii)(e) of the DM&WLP provide that applications for mineral facilities outside the Preferred Areas will only be permitted where, having regard benefits what would accrue from it, it has no significant adverse impact on Listed Buildings and their setting. The policy further provides that in assessing the acceptability of proposals located in the proximity of any Listed Building, special regard will be paid to the desirability of preserving that Listed Building or its setting, or any features of special architectural or historic interest which it possesses.
- 6.147 Policy ENV4 (*Heritage Assets*) of the *West Dorset, Weymouth & Portland Local Plan 2015* (October 2015) echoes the above requirements, noting, amongst other matters, the importance of thorough assessment and the provision of sufficient information as well as a need for harm to the significance of designated or non-designated heritage assets to be justified. It is stated that applications will be weighed against the public benefits of the proposal with consideration to be given to whether all reasonable efforts have been made to mitigate the extent of the harm to the significance of the asset.
- 6.148 Paragraph 2.3.2 of the District Local Plan notes that heritage assets provide wide social, cultural, environmental and economic benefits and once lost they can not be replaced. It is further stated that wherever possible the strategy is to ensure that historic buildings and other heritage assets that make a positive contribution to local character are put to an appropriate and viable use that is consistent with their conservation and noted that these assets can be harmed through development, either directly or by an indirect impact to the

setting (paragraph 2.3.3). It is stated that such harm should be exceptional and will require clear and convincing justification (paragraph 2.3.3). Paragraph 2.3.4 notes that one of the strategic objectives of the local plan is to protect and enhance the outstanding built environment and the local distinctiveness of places within the area and that the strategy and policies for the historic environment will be to protect and enhance heritage assets, secure positive improvements and play a positive role in the delivery of other plan objectives such as supporting the local economy and regeneration of key areas, with key initiatives identified to include encouraging heritage led tourism.

- 6.149 In relation to listed buildings there is a statutory duty to have special regard to the desirability of preserving the listed building and/or its setting together with any special architectural or historic features it has. This duty applies when considering granting planning permission affecting a listed building or its setting.
- 6.150 Even where harm is less than substantial, that harm must carry great weight in the planning balance. That weight is though less than the weight which must be given where the harm to a listed building is substantial. The duty effectively creates a rebuttable presumption against the granting of planning permission which would harm a listed building or its setting. This presumption also requires alternatives to be considered which could reduce or avoid the harm.
- 6.151 Representations have been submitted by a number of respondents relating to the historic environment and heritage implications of the application proposals, with a particular focus being the potential for harm to the setting of Woodsford Castle. The need for heritage assessment and the correct approach to decision taking have also been key themes.
- 6.152 The Planning Statement submitted in support of the application proposals incorporates an Archaeological Assessment, a Landscape and Visual Impact Appraisal, a Heritage Impact Assessment, a peer review of the presented Heritage Impact Assessment, an addendum to the Heritage Impact Assessment and a Review of Alternatives each of which, to some degree, address the heritage implications of the application proposals. The Planning Statement further includes a noise assessment, environmental scheme and dust scheme which are also relevant to the consideration of heritage impact.
- 6.153 The information submitted in support of the application proposals has been criticised by a number of respondents, and particularly by Knightsford Parish Council and professional representatives acting on behalf of the Parish Council. Other representations have been received as set out in section 4 of this report.
- 6.154 An assessment in accordance of paragraph 129 of the NNPF has been made by County Council Officers which draws on the content and findings of various documents available to the County Council.
- 6.155 The assessment finds that there would be no direct impacts to any designated heritage assets resulting from the application proposals, but that excavation/removal of all topsoil and subsoil and gravel deposits within the footprint of the proposed lagoon extension area would result in the complete loss of all archaeological remains present. The archaeological resource is

considered a non-designated heritage asset but, having regard to available information, the identified archaeological resource within the proposed extraction area is not considered to be of sufficient complexity, condition or rarity to require preservation *in situ* and that, in line with the approach taken across the authorised area, the recording of the archaeological resource prior to extraction would be sufficient mitigation for its loss. Such recording can be secured by a planning condition.

- 6.156 Knightsford Parish Council has expressed some concern regarding the removal (destruction) of archaeological features and the growing area of total archaeological loss in the locality and neighbouring parishes. In response, the County Council's Senior Archaeologist has advised that this loss is being mitigated by archaeological recording and that impact on archaeological resources can be adequately mitigated by means of planning condition with an appropriate condition being recommended.
- 6.157 With the exception of Woodsford Castle, Officers assessment is that there would be no indirect impacts to designated heritage assets in the locality as a result of the application proposals. This conclusion is made on the basis that the designated assets are all situated at some distance from the proposed extension area and the authorised area with no direct line of sight nor sense of the application proposals on the close approaches to any of the assets. Notwithstanding that intervisibility is not the only determining factor when considering impacts arising through change to setting, in each case, the key factors that inform the physical experience (setting) of each asset and serve to better enhance and reveal their significance, are not influenced by the application proposals. With no identifiable pathway to change, there can be no alteration to the significance of the designated heritage assets at either Lower Lewell or Woodsford village because of the proposals.
- 6.158 In relation to indirect impact on non-designated asset, the changes to the physical environment experienced by the assets in the locality of the authorised area resulting from the alterations to the internal layout changes, phasing and restoration arrangements within the authorised development are considered so minor as to not constitute a '*change*' over and above the baseline environment of the existing quarry. There would be a slight change to the setting of Castle Farm Dairy and Castle Farm Dairy cottages located to the west of Woodsford Castle and also to the setting of the earthworks to the east of Woodsford Castle as a result of the proposed quarry extension, but it is not considered that this change would result in harm to the significance of the non-designated heritage assets.
- 6.159 Extensive comment has been made on the implications of the application proposals for Woodsford Castle and its setting and how those implications should be considered and managed.
- 6.160 Officer's assessment is that the changes proposed within the authorised area are so slight that they would have no material impact on the heritage significance of Woodsford Castle beyond that of the authorised quarry, but that the change associated with the proposed quarry extension would cause harm to the setting of the listed building for two reasons:
- i. it would bring quarrying operations nearer to the Castle on its western side, and reduce the buffer of agricultural land between it and the

quarry, carrying a greater risk of disturbance to, and erosion of, the Castle's rural setting

- ii. it would introduce by extension an uncharacteristic and artificial landscape feature into the setting of the Castle, whose height and length would make it very noticeable on two public approaches to it, and which in winter might be visible from its grounds.
- 6.161 The change would cause harm to the heritage significance of Woodsford Castle in that it would cause a noticeable and detrimental change to an element of the landscape in which the Castle is currently experienced, and would impinge on the perceptions of visitors to the Castle, as well as passers-by who approach it along two specific routes.
- 6.162 It is common ground between the experts that have commented on the application proposals that the harm to the heritage significance of Woodsford Castle resides in the '*less than substantial category*'. In my opinion, it is also clear that the harm resides towards the lower, rather than upper, end of the broad category of less than substantial harm. Historic England's letter of 9 August 2017 as summarised at paragraph 4.14 of the report should though be borne in mind. West Dorset District Council's Conservation Officer's comments, which followed minor design changes to the proposals are set out in the last part of paragraph 4.16 of this report.
- 6.163 Whilst the applicant has not offered further mitigation, in my opinion, harm to the setting of Woodsford Castle arising in consequence of the presence of the bunding could be further reduced through the imposition of a planning condition requiring the lowering of bunding to the north of the proposed silt lagoons following the construction of the lagoons, as has been proposed to the west. During the extraction phases, presence of the screen bunds would assist in limiting both the visual and acoustic impacts of extraction operations, but following construction of the lagoons, the bunding could be lowered to reduce visual intrusion without unacceptably jeopardising compliance with established and proposed noise limits. This would reduce visual intrusion and thereby reduce harm to the setting of Woodsford Castle, whilst still screening the lagoons and allowing for the appropriate management of site soils. Such a condition would reduce, but not negate harm to the setting, such that there would still be minor harm to the setting of the listed building leading to less than substantial harm to heritage significance. Any increase in noise exposure beyond the site boundary would be slight, with the reduction in visual intrusion of greater benefit to the setting of the Castle and visual amenity generally, thereby reducing overall harm.
- 6.164 No means of better revealing the heritage significance of Woodsford Castle has been proposed by the applicant or suggested by respondents.
- 6.165 Some concern has been expressed in representations relating to the potential for adverse impact on the viability of the established use of Woodsford Castle in consequence of potential harm to heritage tourism. No evidence has been presented that the presence of the existing quarry has materially impacted on the viability of the established commercial tourism use of Woodsford Castle or that the application proposals would jeopardise its future viability. Having regard to the anticipated impact on the setting of Woodsford Castle, a material impact on viability is considered unlikely. With regard cumulative harm, it is recognised that the cumulative impact of incremental small-scale

changes within an environment may have as great an effect on the significance of a heritage asset as a single larger scale change and that where the significance of a heritage asset has been compromised in the past by unsympathetic development to the asset itself or its setting, consideration still needs to be given to whether additional change would further detract from, or can enhance, the significance of the asset in order to accord with the NPPF and development policies.

- 6.166 The authorised quarry was the subject of an environmental impact assessment and the effects of the mitigated impacts to the historic environment were not identified as ‘*significant*’ in EIA terms.
- 6.167 The addition of a small area to the northern edge of the authorised quarry, with the correct mitigation measures in place, would not substantively change the overall impact that the current quarry has on the historic environment. This is primarily because of the small-scale of the additional area, the identification of suitable mitigation to ameliorate identified impacts and the temporary (albeit long term) nature of the proposals. Indeed, the application proposals do not introduce any entirely ‘*new*’ impacts, only a continuation or extension of existing, authorised impacts.
- 6.168 Nevertheless, the cumulative, less than substantial harm to heritage assets does need to be weighed against the public benefits associated with the application proposals and, at least in so far as harm to the setting of Woodsford Castle is concerned, does require clear and convincing justification. Indeed the public benefits must be sufficient to outweigh the presumption against development resulting from this (less than substantial) harm.

Protection and Enhancement of Landscape

- 6.169 Policy DM4 of the Minerals Strategy (*Protection and Enhancement of Landscape Character and the Countryside*) provides that minerals development will only be permitted when the proposals include provisions to protect and/or enhance the quality, character and amenity value of the countryside and landscape. It is further stated that 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 and 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.
- 6.170 Policy DM4 further provides that development is expected to ensure the protection of statutorily designated areas in accordance with relevant statutory requirements and to take account of non-statutory designations and that each proposal for minerals development should be accompanied by an objective assessment of any impacts upon the landscape character and its setting (including historic landscape character) having regard to the status

and significance of any heritage assets affected, with any assessment to be informed by the Dorset Landscape Character Assessment as a minimum.

- 6.171 Saved Policy 6 of the DM&WLP provides that applications for mineral facilities outside the Preferred Areas will only be permitted where, having regard to the benefits that would accrue from it, it has no significant adverse effect, either individually or cumulatively on the amenity, convenience and recreational benefit of any public rights of way within and surrounding the site
- 6.172 Policy ENV1 of the District Local Plan (*Landscape, Seascape and Sites of Geological Interest*) provides that development should be located and designed so that it does not detract from and, where reasonable, enhances the local landscape character. It is further stated that proposals that conserve, enhance and restore locally distinctive landscape features will be encouraged and where proposals relate to sites where existing development is of visually poor quality, opportunities should be taken to secure visual enhancements. Development that significantly adversely affects the character or visual quality of the local landscape or seascape will not be permitted.
- 6.173 The landscape in the locality of the application areas is relatively flat, generally open with only occasional blocks of woodland and mature trees, and primarily agricultural in character, but with occasional settlements and evidence of mineral working.
- 6.174 The Environmental Statement that informed the granting of planning permission 1/E/2005/0742 included a detailed landscape and visual impact assessment. Adverse landscape impacts associated with the authorized development were identified to include the loss of approximately 4.4 km of hedges, loss a 3-metre band (approximately) of young elms on the edge of the copse west of the site access, the possible loss of three or four trees and some shrubs for vehicle and conveyor belt access to the plant site and the post-extraction change in landform. Potential adverse visual impacts throughout the extraction period were identified in relation to the plant site, lagoons, gravel storage, lorry traffic on the access road and the field conveyor belt. The assessment further noted that owing to the rolling program of restoration, visual impacts of excavation would be contained to one or two resource blocks (phases) at any time.
- 6.175 In practice, more extensive areas have been subject to active disturbance, with some delay in the restoration of areas worked to the south of the field conveyor, and land to the north remaining open. However, restoration to the south of the conveyor is now progressing satisfactorily, with approximately 10 hectares currently restored and a further 4 hectares due to be restored this year. A further 2 hectares of land are expected to be restored to the proposed interim condition this year through the replacement of sub-soils and seeding with a low maintenance grass seed mix to create a species rich grassland.
- 6.176 The assessment presented in the environmental assessment considered that there would be a neutral impact on Footpath S60/1, slight adverse impact of Footpath S60/3 and large adverse impact on Footpaths S60/4 and S60/6. Slight adverse impacts were identified for users of the local roads and railway due to the short periods when the screen mounds provided for them are formed and removed.

- 6.177 Mitigation measures were identified with the residual landscape impact classified as slight adverse during the excavation period. Residual visual impacts were predicted to range from slight to moderate adverse. The assessment further concluded that the overall landscape impacts in the years after completion of the development would be notably beneficial and that there would be no adverse visual impacts following completion.
- 6.178 The Planning Statement submitted in support of the application proposals includes a *Landscape and Visual Impact Appraisal* which considers the location of the proposed quarry extension and the bagging plant in terms of existing visibility from surrounding receptors including residential properties and public rights of way, and the general landscape character of the proposed development areas, the adjacent quarry operation and wider surrounds.
- 6.179 The Appraisal notes that the site is not located within any area nationally designated for their landscape and the site is not visible from the Dorset AONB, the nearest boundary of which is identified as being some 5.1 km to the south, with another boundary some 6.7 km to north. It is further noted that no regional/local level landscape designations apply to the site or surrounds.
- 6.180 The assessment identifies that there are a number of listed buildings within the vicinity, but inaccurately reports that there is no intervisibility between any of these Listed Buildings (or their settings) and the site.
- 6.181 Knightsford Parish Council's Heritage Consultant has pointed out that the proposed high bunds will be visible from the grounds of Woodsford Castle and on approaches and that Woodsford Castle is visible from the application areas and indeed in the representative viewpoint presented in the Landscape and Visual Impact Assessment.
- 6.182 Key effects on landscape features are identified in the Landscape and Visual Impact Appraisal to include the removal of approximately 0.67 hectares of planted trees/shrubs on the existing bund at the south-western corner of the proposed quarry extension area, but noted that the revised restoration scheme for the whole quarry operation would provide approximately 3,665 metres of new hedgerow and approximately 5.77 hectares of new woodland planting and birch/willow regeneration areas on silt lagoons, 0.88 hectares of which would be in addition to that already consented. It is noted that this would result in a net benefit to landscape features.
- 6.183 With regard to landscape character, the Appraisal notes that there would be some adverse effects associated with the proposed development (including limited cumulative effects), but that these effects would be temporary and considered to be of *Minor Significance*. Proposals for the restoration of the lagoon extension area to agricultural use are considered to be in general accordance with the Valley Pasture landscape character type (Dorset Landscape Character Assessment), maintaining the "*typically grazed pastoral landscape*" which is typical of this character type, whilst restoration of the bagging plant area to damp acid grassland with wet scrapes and woodland blocks would positively contribute to local landscape character.
- 6.184 In relation to visual impact, the Appraisal notes that the highest level of visual effects would be caused by initial soil stripping and bunding works, but noted that these activities would be temporary, relatively short term in nature and

seen in the context of the existing quarry operation. It is noted that changes to the view would be highest for receptors closest to the proposed development areas including footpath users and residents in properties within West Woodsford (from first floor windows).

6.185 Significance of effects during the most visible activities (identified as likely to be temporary soil stripping and bund construction/recovery) for those viewpoints most affected by the works is considered to be *Minor-Medium*, with subsequent views of the extraction works being well screened, but the presence of the bund itself being the cause of a *Minor* significance of effect. For all other viewpoints, with more limited views towards the area, the Significance of Effects are said to be Negligible-Minor.

6.186 Overall the Appraisal concludes:

“Therefore in summary, it is considered that the Proposed Development could be accommodated in the landscape without causing unacceptable adverse effects on landscape features, character or visual amenity during the operational and progressive restoration stage. The operational stages of the Proposed Development would be temporary and the restoration proposals would be in accordance with the character of the surrounding landscape. In addition, the Proposed Development would respond positively to a number of national and local planning policies, including the NPPF (Core Planning Policies and Section 7: Requiring Good Design) and Policies RS1: Restoration, Aftercare and Afteruse of Minerals Development and DM4: Protection and Enhancement of Landscape Character and the Countryside of the Bournemouth, Dorset and Poole Minerals Strategy (Adopted 6th May 2014).”

6.187 As with of number of other aspects of the Planning Statement submitted in support of the applications, the *Landscape and Visual Impact Appraisal* has been criticised by and on behalf of Knightsford Parish Council.

6.188 Consultation responses have been received from both the County Council’s Senior Landscape Officer and West Dorset District Council’s Landscape Officer; see section 4 of this report.

6.189 The proposed bagging plant is situated within the authorised plant and operations area which benefits from a significant degree of screening by mature vegetation and existing bunds. The facility is in situ and operational and, beyond the displacement of stockpiling capacity, does not have any significant impact on either the landscape character or the visual amenities the locality.

6.190 Locating stockpiles outside of the currently authorised areas has the potential to adversely impact on the landscape and the visual amenities of the locality. The arrangement as proposed would have some additional impact on the visual amenities of users of footpath S60/6 relative to the approved position, but in the context of the already authorised operations, the proposals for additional bunding and the proposals for bund management, in my opinion, the additional impact would be slight and adequately mitigated. The additional bunding and/or stockpiling would also be visible from residential properties at West Woodsford and from the curtilage of Woodsford Castle, but

at distances from which impact would also be slight/negligible and again adequately mitigated.

- 6.191 The southern stockpiling area is located approximately mid-way between the roads that run broadly parallel to the north and south of the authorised operational areas. Although located outside of the authorised plant and operations area, the proposed stockpiling areas do still benefit from the presence of blocks of mature woodland and hedgerows to the north, south and west which assist in limiting and filtering views of the stockpiles, albeit that they are still visible from certain locations. It is however the case that views of the stockpiles from the roads to the north and south are generally oblique and transitory in nature as users pass along the highways. Stockpiling material adjacent to the authorised as-dug stockpile area has persisted since establishment phase of the quarry. In my opinion, the proposed stockpiling arrangement is acceptable.
- 6.192 Existing bunds that enclose the southern stockpile area to the south and east would be extended to 5 metres in height and a further section of bund is proposed to be constructed to the northeast which would assist in screening views from West Woodsford. It is proposed that stockpiling within this area be limited to a height of 5 metres i.e. no higher than the bunding. Having regard to the presence of mature vegetation in locations around the authorised area as well as the measures proposed to extend the existing bunds, I consider that the proposed arrangement is both acceptable and in accordance with policy requirements.
- 6.193 The temporary stockpiling of grey sand would also be no higher than the adjacent 5 metre bund. Stockpiling in other locations either adjacent to the operational areas or elsewhere in the authorised area would, in my opinion, likely have an appreciably greater impact on landscape character and visual amenity through a combination of intrusion, dispersion of operational activities, greater height and/or larger land take.
- 6.194 It is not considered practicable to accommodate both the stockpiling of oversized material and periodic campaign crushing within the confines of the authorised plant and operations area, particularly with the bagging plant in place, and without provision for campaign crushing, the volume of rejects from the extracted mineral would increase, contrary to the objective of efficient and sustainable use of mineral resources.
- 6.195 In relation to the amendments proposed to the approved phasing arrangements for mineral extraction and restoration across the western resource block, whilst working the authorised area as a continuous strip across the extraction area does expose additional areas to simultaneous disturbance, in the context of authorised operations, impact on landscape character and visual amenity of this change is slight and outweighed by the benefit gained from the effective management of surface and ground waters.
- 6.196 It is recognised that the working of the site has resulted in a strip of land to the north of the conveyor that has not yet been restored and that the proposed method of working means that the land to north of the conveyor cannot be fully restored and then returned to its planned agricultural afteruse until much later in the life of the quarry. At present, much of the worked area remains as bare ground. Whilst the landscape and visual impact of this area is modest, the applicant has agreed that the area will be progressively

restored to a low nutrient/species rich grassland prior to its final restoration to agriculture. There will be very little difference between the character and appearance of this area in its temporary restored condition as compared to the final restoration state, but the temporary state will allow for the maintenance of water storage capacity whilst the quarry is operational and avoid the risk of damage to top soil when/if the area is inundated.

- 6.197 Some concern has been expressed in relation to control of the proposals for the area to the north of the field conveyor, most notably is relation to timing. A condition addressing this matter is proposed. Implementation of the interim restoration arrangement is expected to commence in 2018 with the placement of subsoils across approximately 2 hectares.
- 6.198 The landscape and visual impacts associated with the development of proposed lagoon extension area would be a combination of the temporary excavation/engineering works during construction and restoration, the temporary stockpiling of grey sand to the south of the swale for up to 2 years and the longer-term presence of the lagoons and enclosing bunds themselves whilst the lagoons are operational.
- 6.199 The proposed quarry extension would increase the total authorised area of the quarry development by less than 10%. No other proposed changes would increase the total area impacted by the authorised quarry operation, although the revised phasing and operating arrangements would increase the area of land subject to mineral related activity at any one time and the presence of the proposed lagoons would also increase the area of land subject to long-term presence of mineral-related development. However, in that operation of the quarry would continue to be on phased basis with progressive restoration and only a small proportion of the total authorised area would be subject to active disturbance and/or mineral related use at any one time, the proposed changes and extension do not fundamentally alter the design of the authorised development.
- 6.200 The Environmental Statement that informed the granting of planning permission 1/E/2005/0742 ultimately concluded that, despite the large area covered by the application site, the approved workings could be carried out with only a limited impact within the locality. In reaching this conclusion, account was taken of the proposal for the phased working and progressive restoration of the site. The same factors are relevant to the modified and extended quarry operation.
- 6.201 The initial construction/engineering phase within the proposed lagoon extension area would be relatively short in duration and would principally involve the stripping of topsoil and subsoil to form the bunding that would extend around the eastern, northern and western perimeter of the lagoons close to the existing field boundaries as well as the lower bunding to the south. Once this bund is constructed, operations within the lagoon extension area, including the extraction of sand and gravel over a 1 year period, would then be generally well screened within views from the surrounding area, the exception being those views from the public footpath that crosses the southeastern corner of the proposed extension area. The visual impact from this section of footpath would be marked, but the impacts would occur over a short section of path and would not adversely impact upon the route as a whole.

- 6.202 Following the initial bund construction and extraction phase, operational works within the lagoon area would be limited to routine inspections and maintenance.
- 6.203 Restoration would involve removal of the bunds and the reinstatement of the extension area at a similar ground level, with only very limited implications for its character and appearance in the longer term.
- 6.204 The applicant has stated that it will be necessary to stockpile sands extracted from the Lower Grey sand outside the currently authorised and now proposed long-term stockpile areas. The proposed stockpile would be located between the existing conveyor and swale and remain in place for up to two years. The stockpile would be limited to a maximum height of 7 metres from the base of the plant area (i.e. approximately 5 metres from pre-quarrying ground levels), no higher than the 5 metre high bunding proposed immediately to the north of the swale. The presence of this bund and mature vegetation would assist in filtering and screening views of the stockpile from the wider landscape to an acceptable level. Views from public footpath S60/6 would be impacted, but only in the context of the authorised quarrying and processing operations.
- 6.205 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 would not be unduly visually intrusive nor unduly detrimental to the landscape character of the area. Topsoil and subsoil from within the proposed lagoon extension area would be stripped and used in the formation of a 5 metre high bund that would be constructed around the site. To minimise the visual and landscape impact of this feature it is proposed that its outer slopes would be at a reduced gradient of 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 would be from Woodsford Lane that runs along the northern boundary of the site and from public footpath S60/6 to the east.
- 6.206 When viewed from the road adjacent to the proposed lagoon extension area, the crest of the proposed bund would be approximately 30 metres from the road. A mature hedgerow also exists between the road and the application site.
- 6.207 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 filter or screen views of the bund. The most recent amendments to the application proposals provide the planting of a new section of hedgerow on a low bank in the field access from the lane, which would overtime create an extension to the existing hedgerow. It is also proposed that the roadside perimeter hedgerow would be maintained as a thick and healthy screen throughout the life of the proposed development and that any gaps, should they occur, would be planted up.
- 6.208 The footpath that runs in the adjacent field to the east of the proposed lagoon extension area would present more open views of the bund, but again a mature hedgerow exists between the footpath and the bund which would help to reduce its impact from this location. This section of the footpath is relatively short before it continues south through the existing quarry complex, but does comprise part of the historic landscape setting of Woodsford Castle.

It is proposed that the hedgerow to the east of the proposed lagoons be allowed to grow to a height of between 3-4 metres (an increase of approximately 1 metre) to provide additional screening of the bund, creating a similar bund-height to hedgerow-height ratio seen elsewhere within the quarry landscape.

- 6.209 It is considered that public views of the proposed development from within the wider landscape would be limited with a mature belt of trees to the north and west and mature hedgerows and groups of trees to east and south.
- 6.210 It is recognised that there are circumstances where bunds intended to screen views of development and/or reduce noise emissions can in themselves result in intrusive and/or discordant features in the landscape, but in my opinion, the bunding proposed within and beyond the authorised area would not appear unduly intrusive in the wider landscape. This view is reached having regard to the scale, extent and setting of the proposed bunding, its relationship to sensitive receptors including Woodsford Castle and the cumulative landscape and visual implications of the proposed and authorised development. Moreover, in my opinion, any harm to the landscape character and visual amenity caused by the presence of the proposed bunding would be clearly outweighed by the benefits that they would bring from screening active quarrying operations. Reducing the height of the perimeter bunding to the north of the proposed silt lagoons following completion of the extraction operations would further mitigate the visual impact.
- 6.211 Some concerns have been expressed in relation to impact on historic landscape character, particularly in the context of the area's cultural and artistic associations, most notably those relating to Thomas Hardy and Henry Moule.
- 6.212 Whilst not subject to any heritage landscape designation as a result of its literary and historic associations, it is recognised that the local area does attract large numbers of visitors who ply between the many centres of cultural heritage interest, many passing through the Frome Valley conscious that they are travelling through Hardy's *Valley of the Great Dairies* and with the purpose of landscape appreciation and/or experiencing heritage assets such as Woodsford Castle with its known associations to Thomas Hardy, Lewell Farm (widely suggested to have been used by Thomas Hardy as his inspiration for '*Talbothays Dairy*' in *Tess of the D'Urbervilles*) and T E Lawrence's grave at Moreton. Those using Woodsford Lane, which is part of the National Cycle Network and therefore an important recreational route as well as a public highway, would likely pass immediately adjacent to the proposed lagoon extension area.
- 6.213 Advance planting was an important requirement of the development control criteria for the Woodsford Farms Preferred Area set out in the DM&WLP. In relation to concerns discussed at the public inquiry into the DM&WLP regarding the identification of the Woodsford Farms Preferred Area raised, the Local Plan Inspector commented that:

"The Grade I listed Woodsford Castle stand some 300m north of the PA [Preferred Area] boundary from where only a foreshortened view of the shallow gravel extractions would be visible. Moreover, the DC [development control] criteria provide specifically for advance screen planting to protect the view south from Woodsford Castle. Most of the

building's windows do not look out in the direction of the PA and observers within its grounds would continue to be chiefly aware of open agricultural land adjacent to the road backed by prominent hedge at the edge of the PA. I conclude that the setting of Woodsford Castle would not be unacceptably harmed by gravel extraction within the PA. ..."

(Paragraph 10.2.18 N.)

- 6.214 The DM&WLP Inspector also addressed concerns regarding harm to the tourist potential of the area in connection with literary and historic associations, commenting that gravel extraction would devalue the tourist potential of the area if not carefully controlled, but that this did not override the preferred area designation though it supported the need for proper landscaping measures.
- 6.215 The heritage expert acting on behalf of Knightsford Parish Council considers that roadside planting undertaken in advance of the development of the quarry has itself greatly reduced the historic visual setting of Woodsford Castle. The Landmark Trust and the Thomas Hardy Society have also each objected to the application proposals.
- 6.216 Whilst increased enclosure and/or enhanced screening may have impacted on views from and towards Woodsford Castle, it is Officer's opinion that the advanced planting mitigation strategy set out in the DM&WLP was well considered and later successfully executed, enhancing both the landscape character and the appearance of the locality in line with landscape management objectives. It is further considered that any harm arising from that planting to heritage significance is slight at worst and potentially reversible through future lopping, trimming and/or felling.
- 6.217 Officers acknowledge that there is some potential for the application proposals to further impact on the cultural heritage interest of the landscape, but for the reasons set out above, the potential is considered to be modest and capable of adequate mitigation.
- 6.218 Taking account of both the proposed changes to, and the proposed extension of, the already authorised development, it is considered that the development as now proposed would continue to have a limited impact on the locality, similar in scale and kind to that associated with the authorised development. Having regard to the limited height of the proposed stockpiles, the height, design and landscaping of the proposed screening bunds, the presence of mature woodland vegetation within the locality and the temporary and permanent restoration strategies, it is considered that the application proposals would not be unacceptably detrimental to either the landscape character or the visual amenities of the locality.
- 6.219 Subject to the lowering of the perimeter bunding following construction of the proposed lagoons, the application proposals are therefore considered to be in accordance with the policy requirements the protection and enhancement of landscape character and visual amenity.

Waste Minimisation & Restoration

- 6.220 Operation of the quarry as proposed to be extended is unlikely to produce significant quantities of waste requiring disposal elsewhere, the proposal being that quarry waste be retained on site for use in the site restoration.
- 6.221 Both the authorised the proposed development provides for the efficient use of the materials to be extracted, with working schemes that seek to keep the production of mineral waste to a minimum whilst ensuring the availability of an adequate amount of material for timely restoration.
- 6.222 Existing and proposed methods of quarry operation are mindful of the production and management of waste, including the production of quarry fines. Established operating methods have allowed for the management of waste without significant long-term adverse environmental effects and it is proposed that those working methods be maintained.
- 6.223 The proposed extension of the quarry to create additional silt lagoon capacity responds to experience in which the impurity content of the extracted mineral has been higher than originally anticipated with the consequence that the already authorised settlement lagoons are now considered insufficient in size to accommodate the processing of the remaining mineral resource. However, the environmental risk associated with the production and management of the silt remains essentially unchanged and does not warrant environmental impact assessment. Significant environmental impacts are not likely.

Protection of Soil Resources & Agricultural Land

- 6.224 Development plan policy seeks the protection of soils throughout the life of minerals development and, where significant development of agricultural land is demonstrated to be necessary and there is a choice of location, that preference should be given to the development on poorer quality land in preference to higher quality or best and most versatile land.
- 6.225 Like much of the already authorised area, the proposed quarry extension would be undertaken on land classified as best and most versatile agricultural land (Grade 1), but the application proposals would not lead to the permanent loss of agricultural land, the proposal being that the proposed lagoon extension area be restored to a condition suitable for high quality agricultural use.
- 6.226 The temporary loss of agricultural land would compound the temporary and permanent losses associated with the authorised development which was permitted on predominately Grade 1 and 2 agricultural land, and, it is likely that there would be some lasting impact on land quality. However, no practicable and readily deliverable option has been identified for achieving the purpose of the application proposals that would not also impact on high quality agricultural land and/or land that has been restored and is being actively managed for the purpose of reinstating high quality agricultural use, with those areas that have been assessed each having been classified as either Grade 1 and/or Grade 2. Moreover, no practicable and readily deliverable options have been identified that are considered to be both deliverable and to provide for less overall environmental impact.

- 6.227 The Department for the Environment Food and Rural Affairs (DEFRA) did not object to the grant of planning permission 1/E/2005/0742 and Natural England has not objected to the application proposals. The importance of drainage design, the approach to restoration and the carrying out of aftercare to the successful restoration of agricultural areas has been recognised by both the operator and the landowner in relation to the authorised area and to the proposed lagoon extension area. Detailed work was undertaken to demonstrate the practicality of the approved restoration strategy and appropriate management can be secured as part of the detailed restoration scheme and conditioned requirements for aftercare.
- 6.228 Standard management measures are in place to minimise damage to the soil resource of the authorised area and the wider application of such measures can be readily secured by means of planning condition.
- 6.229 The bagging plant has been constructed entirely within the authorised plant and operations area, a previously developed part of the authorised area, the soils from which are already subject to appropriate management arrangements. Provision of the bagging plant has reduced the area available for stockpiling mineral within the authorised plant and operations area, contributing by displacement to the need for alternative arrangements for mineral stockpiling, but with only a relatively limited effect on the overall land use and no impact on either soil resources or agricultural use, the impacted areas already being part of the authorised minerals site and '*operational*' rather than '*transitory*' extraction areas.
- 6.230 The authorised arrangement provides that the majority of the authorised area (over 70%) will be returned to permanent agricultural use, with other areas being given over to water management measures and/or focussed on achieving landscape and/or biodiversity gains. Much of the authorised area remains in agricultural use, and both the authorised and proposed arrangements for progressive restoration would see this position maintained throughout the life of the quarry, these matters being subject to control by means of planning condition.
- 6.231 It is proposed that the lagoon extension area be restored to existing ground levels and then be managed to ensure suitability for high quality agricultural use, so as to avoid any further permanent loss of best and most versatile agricultural land. These proposals are in general accordance with the requirements of development plan policy for the restoration of mineral workings and the submission, approval and implementation of more detailed schemes to ensure policy compliance can be secured by means of planning condition.
- 6.232 In consequence, the impact on the existing soil resource and agricultural use is unlikely to be significant.
- 6.233 Natural England has been consulted on the applications and has raised no objection in relation to either the loss of, or impact on, agricultural land.

Water Resources & Flood Risk

- 6.234 The Environmental Statement that informed the granting of planning permission 1/E/2005/0742 included a detailed Hydrological and Hydrogeological Study and Report, with drainage of the site identified as

being important consideration both during extraction and following restoration, with waters to be managed without permanent pumping with 'no' off-site effects, this being achieved by means of a series of balancing ponds and pipes allowing for natural drainage through underlying strata and managed flow off-site.

- 6.235 Site restoration to date has progressed rather more slowly than was envisaged when planning permission was granted, but restoration of the initial phases of extraction has progressed successfully with phasing and drainage arrangements adapted in response to experience. Whilst the application proposals include amendments to the detailed drainage arrangements, the key components of the restoration and drainage strategies remain unchanged.
- 6.236 The Planning Statement submitted in support of the application proposals includes a Hydrology and Flood Risk Assessment which concludes that there were no overriding hydrogeological, hydrological or flood risk based reasons why the proposed development should not proceed. Following clarification of a number of matters, neither the Environment Agency nor Dorset County Council's Flood Risk Engineer have raised any objection to the proposals.
- 6.237 The application proposals are considered to be in accordance with Policy DM3 of the Minerals Strategy (*Managing the Impact on Surface Water and Ground Water Resources*) and saved Policy 6(ii)(d) on the DM&WLP.

Avoidance of Cumulative Impacts

- 6.238 Policy DM1(j) of the Minerals Strategy refers to the avoidance of cumulative impacts resulting from minerals or other development, whether current or proposed.
- 6.239 The authorised area is located within an important area for aggregates extraction and there is some potential for cumulation with other mineral related developments in the locality. This includes ongoing restoration and development at Warmwell, continued mineral working and ongoing restoration works at Redbridge Road Quarry east of Crossways and proposals for the prior extraction of sand and gravel on land to the south of Warmwell Road, southeast of Crossways that is allocated for mixed-use development. However, overall, the potential for cumulative impact from other proposed and authorised minerals related development is considered to be little changed or reduced from the position that existed when planning permission 1/E/2005/0742 was granted.
- 6.240 No significant adverse environmental effects are anticipated in conjunction with any other ongoing, allocated and/or unimplemented authorised developments in the locality.
- 6.241
- 6.242 Representations received have further raised concern in relation to the potential for cumulative impact from site allocations proposed in the Pre-Submission Mineral Sites Plan.
- 6.243 Three sites for sand and gravel extraction have been proposed for allocation in the vicinity of the authorised area. These are:

- i. *AS-19: Woodsford Quarry Extension* relating to approximately 90 hectares of land to the east and west of the C59 (Watery Lane), north or the eastern resource block, that is proposed as a potentially suitable location for the extraction of River Terrace sand and gravel as an extension and continuation of the existing Woodsford Quarry (i.e. the authorised area) with an estimated mineral resource of approximately 2,100,000 tonnes;
- ii. *AS-25: Station Road, Moreton* relating to approximately 58.5 hectares of land at the west of Moreton village that is proposed as a potentially suitable location for extraction of sand and gravel with estimated mineral resource of 3,100,000 tonnes; and
- iii. *AS-26: Hurst Farm, Moreton* relating to approximately 77.6 hectares of land to the northwest of Moreton village proposed as a potentially suitable location for sand and gravel extraction with an estimated mineral reserve of 3,300,000 tonnes.

6.244 In relation to the proposed allocations, draft Policy MS-1 provides that proposed areas are allocated to contribute to the adequate and steady supply of sand and gravel, provided that the applicant can in each case demonstrate that the proposal is in accordance with the development plan.

6.245 The draft Development Guidelines for each site further note the need for the potential for cumulative impacts with other mineral working in this (i.e. the Crossways) area and existing/proposed housing development to be taken into consideration.

6.246 Although the potential for cumulative impact from minerals development in the proposed site allocation areas is acknowledged, in relation to environmental impact assessment, it is important to stress that there is an important and clear distinction between '*proposed development*' and '*proposed site allocation/s*'.

6.247 Each of the potential development plan allocations remains just that, i.e. a potential allocation, with none yet being either a firm commitment or the subject of an application for development consent i.e. proposed development.

6.248 The potential for cumulative impact associated with the possible presence of minerals development within these areas and the potential means for avoiding, reducing or otherwise mitigating any potential for significant adverse cumulative effects are matters that fall to be considered primarily through the development plan process and/or future applications for development consent. On this basis, I am satisfied that the potential site allocations do not constitute '*proposed development*' for the purposes of adopted Policy DM1(j) and that the policy requirement has been addressed satisfactorily.

Use of Sustainable Transport

6.249 Policy DM8 of the Minerals Strategy (*Transport and Minerals Development*) provides that sustainable transportation should be used where possible and practical, including through minimising distance travelled by road and maximising the use of transport means such as rail, water, pipelines or conveyor belts to transport minerals where practicable and environmentally acceptable and that mineral site transport plans should be established. The

policy further requires that minerals development which could have an adverse impact as a consequence of the traffic generated by it will only be permitted where it is demonstrated, through a Transport Assessment that:

- a. a safe access to the proposed site will be provided;
- b. there will be no adverse impact on the Strategic, Primary and/or Local road network:
- c. developers will provide the funding for any highway and transport network improvements necessary to mitigate or compensate any adverse impact on the safety, capacity and use of a highway, railway, cycleway or public right of way and that these improvements will be delivered in a timely manner; and
- d. the proposal, where possible, has direct access or suitable links with the Dorset strategic highway network or primary route network.

6.250 Based on production estimates of 175,000 tonnes per year, the Transport Assessment contained in the Environmental Statement that informed the granting of planning permission /E/2005/0742 suggested that operation of the quarry might generate an annual average of 93 vehicular movements between 07:00 and 19:00 on a typical week day, including 76 HGV movements.

6.251 Traffic counts reported in the Environmental Statement recorded average 12-hour flow (07:00-19:00) passed the quarry access point (two-way) totalling 3,163 movements including 396 HGV movements (07:00-19:00). It was noted that the average HGV component was relatively high for a rural road of this nature and noted that this reflected the level of quarry activity taking place in the vicinity.

6.252 The predicted traffic generation was assessed to be a 4.1% change in flow during the peak period and a 2.9% change to the overall flow, with the impact considered so slight that no mitigation was warranted (ES Volume 1, paragraph 4.5.5), although minor improvements to the load road network were ultimately secured as part of the planning permission.

6.253 Quarry output in 2017 is understood to have been broadly in line with the expectations set out in the Environmental Statement, but the site is understood to be operating well within its maximum processing capacity.

6.254 Level of aggregate production is expected to be maintained through the proposed lagoon extraction period with little/no change in vehicular movements to or from the quarry during this period and internal movement of extracted mineral being primarily by means of field conveyor.

6.255 The new dedicated access on to Highgate Lane was specifically constructed to comply with the necessary visibility requirements and no change is proposed to existing access arrangements. Moreover, the application proposals will not lead to a change in outputs from the quarry that is likely to significantly increase the number of HGVs using the local road network, the intention being that vehicles importing aggregates to the site for bagging, will '*back haul*' aggregate from Woodsford on their return journey.

- 6.256 Export of bagged aggregates is expected to generate up to 5 additional HGV movements per day with all such movements being via the purpose-built road access onto the public highway, with no significant implication for either network capacity or highway safety. It is understood that this figure takes account of the fact that aggregates worked within the authorised area would ultimately be leaving the quarry whether as bagged-product or not, meaning that the actual number of lorries exporting aggregate is likely to average approximately 10-12 per day.
- 6.257 Having regard to the nature of the existing highway access and the limited number of additional HGV movements likely to be associated with the application proposals, the transport implications are considered to be acceptable under Policy DM8 of the Minerals Strategy and saved Policy 6(ii)(g) of the DM&WLP.

Restoration, Aftercare and After-use

- 6.258 Policy DM1(l) of the Minerals Strategy refers to restoration, aftercare and after-use proposal and compliance with the strategy for restoration, this being set out in Policy RS1 of the Mineral Strategy (*Restoration, Aftercare and Afteruse of Minerals Development*).
- 6.259 Policy RS1 of the Minerals Strategy (*Restoration, Aftercare and Afteruse of Minerals Development*) provides that proposals for minerals development will be permitted where they demonstrate a high quality and appropriate after-use and the long-term maintenance and enhancement of the environment. It is noted that schemes will be required to have regard to the Landscape Management Guidelines and, where possible, contribute to the targets of the Dorset Biodiversity Strategy. Amongst other matters, proposals must demonstrate that the restoration scheme will maximise the potential of the site for the successful adoption of the proposed after-use and where necessary offer flexibility for a range of potential after-uses.
- 6.260 Policy RS2 of the Minerals Strategy (*Retention of Plant, Machinery and other Ancillary Development*) provides that, subject to limited and defined exceptions, permission for the retention of plant, machinery and any other ancillary development associated with any minerals development/operation will not extend beyond the life of the development with which it is associated, or any earlier date that may be set. Condition 3 of the planning permission 1/E/2005/0742 limits the duration of the authorised development and establishes control over the timing of restoration for the authorised area. Further control over the restoration and aftercare of the authorised area is established under Conditions 7, 8, 9 and 21 of planning permission 1/E/2005/0742 including provision for the reinstatement of areas used for operational purposes at the end of their working life.
- 6.261 No permanent plant is proposed in the lagoon extension area and removal of the bagging plant can be conditioned. A condition mirroring the time limit established through Condition 3 of planning permission 1/E/2005/0742 would be appropriate and is recommended.
- 6.262 It is proposed that the proposed lagoon extension area be restored to existing (or near-to-existing) ground levels and then be managed to ensure suitability for high quality agricultural use, so as to avoid any further permanent loss of best and most versatile agricultural land. These proposals are in general

accordance with the requirements of development plan policy for the restoration of mineral workings and the submission, approval and implementation of more detailed schemes to ensure policy compliance can be secured by means of planning condition.

Alternatives

- 6.263 Under the provisions of saved Policy 16 of the DM&WLP it is appropriate to consider whether the winning and working of sand and gravel proposed on land outside the preferred areas for such development as were identified in the former plan would provide significant planning and environmental gains compared with similar development within a Preferred Area. It is therefore necessary and appropriate to consider alternatives. Consideration of alternatives is also needed where proposed development is considered to be harmful to the setting of a listed building.
- 6.264 The Planning Statement submitted in support of the application proposals includes a *Review of Alternatives* report detailing consideration that has been given to the potential for providing additional silt lagoon capacity elsewhere both within and beyond the authorised area, to the possible use of a silt press as an alternative means of addressing the silt management requirement, and a ‘*do-nothing*’ scenario in which the quarry would seek to operate without additional provision for silt management beyond that which could potentially be accommodated within Silt Management Area No. 2.

Do-Nothing Scenario

- 6.265 With regard to the ‘*do-nothing scenario*’, it is not easy to predict the precise implication for mineral supply if the proposed lagoon extension does not proceed. Planning permission 1/E/2005/0742 does include provision for the construction of additional silt lagoons, and in circumstances that permission for an alternative silt management arrangement is not forthcoming, it seems likely that the additional permitted lagoons would indeed be constructed, albeit that that this would impact on the currently proposed arrangements for the stockpiling and processing (crushing) of mineral. However, subject to the identification and implementation of some other acceptable arrangements for mineral stockpiling and crushing, quarry output would perhaps then be maintained until such time as the permitted silt lagoon capacity is exhausted, potentially a period of perhaps 4-5 years.
- 6.266 Thereafter, the applicant’s ‘*do-nothing*’ scenario, contemplates that remaining mineral could potentially be transported off-site for processing elsewhere, but notes that the movement of unprocessed mineral by HGV would have a negative impact on the local road network and potentially make the continued working of the quarry commercially unviable.
- 6.267 The Review of Alternative report notes that the right to work the quarry was won by tender, with payments to the landowner based on the use of lagoons for silt management and that, in consequence, a significant increase in operational costs would make the quarry commercially unviable.
- 6.268 Whilst detailed viability information has not been provided, I accept that the economics of off-site processing can be particularly challenging for quarry operators who typically need to bear such costs themselves with very limited opportunity to recover costs through sales beyond the mineral processor

because the processing facility will typically already be located within a quarry complex providing its own source of land won aggregates.

- 6.269 In my opinion, there are also significant planning and environmental benefits associated with the proposed stockpiling, crushing and bagging arrangements which count against the development of Silt Management Area No. 2 for silt management purposes as provision of lagoons as initially envisaged would displace these activities from their proposed location.
- 6.270 Since commencing operation, it is understood that output from the bagging plant has accounted for a significant proportion (approximately 25%) of the mineral output from the authorised area and supported a noted growth in overall quarry output, that growth reflecting both the increased importance of the authorised area to local mineral supply following the closure of Warmwell Quarry and the importance of a bagging facility in the supply of mineral to the local market.
- 6.271 Continued operation of the bagging plant has been to the benefit both of the economy generally, through the continued supply of locally land won aggregates, and to those employed at the facility whose employment has been sustained through the transition from Warmwell, jobs that the granting of planning permission for the facility's retention would help to secure into the future.
- 6.272 Having regard to the nature of the minerals bagged at the facility and the location and nature of other active sites locally, it is considered that there is no other quarry operating in the central Dorset area that is better placed to serve the central Dorset market area than Woodsford.
- 6.273 With the bagging plant in place, in my opinion, there is insufficient room within the currently authorised plant and operations area to accommodate both stockpiled washed aggregate, a stockpile of over-sized aggregate and a mobile crusher as well as other existing plant and operational activities.
- 6.274 Were the bagging plant to be removed, stockpiled material could be relocated back into the authorised plant and operations area without further planning approval. However, the bagging plant does provide a useful minerals function and, in my opinion, is appropriately located. There is also no-principle objection to the siting of the bagging plant within the authorised plant and operations area, its main planning implications being the displacement of the authorised stockpiling and contribution to site noise levels as already considered above, with significant planning and environmental benefit associated with its retention. Moving the displaced stockpiling elsewhere to facilitate the development of Silt Management Area 2 would be likely to have greater environment impact than their retention.

Provision of a Silt Press

- 6.275 The option of operating a silt press instead of settlement lagoons has been discounted by the applicant on account of concerns over the cost, size, reliability and potential for adverse environmental impacts both on and off site.
- 6.276 The Review of Alternatives report notes that a silt press of the scale required would be very expensive to purchase and are known for being mechanically

unreliable, requiring regular maintenance works. It is stated that the resulting down time required for maintenance would also significantly reduce the quarry operation's productive capacity, thereby further increasing operating costs and impacting on the ability to meet orders.

- 6.277 In terms of operational requirements, it is noted that a silt press system to handle 200m³/hr would be required and that this would include a thickener tank, mixing equipment and press and would occupy the same footprint as the concrete batching plant, but that the processing area is already insufficient in size to even maintain the quarry's current operations.
- 6.278 Comment has already been made above regarding the comparative environmental implications of alternative silt management techniques as compared to lagoons in the context of climate change impacts, and having regard to those implications and also to the implications of accommodating additional plant within authorised plant and operations area and/or elsewhere within the authorised area, I consider that the applicant's preference for silt lagoons is justified in both planning and environmental terms.

Alternative Locations for Silt Lagoons

- 6.279 In relation to alternative locations for accommodating silt lagoons the *Review of Alternatives* report notes that to avoid additional costs associated with pumping, further lagoons must be located appropriately to allow for the movement of water by gravity, restricting the area within which lagoons can be located.
- 6.280 Water is currently pumped between the lagoons and the washing plant, but it is recognised that there are operational, financial and environmental implications of pumping water and particularly silt laden water over increased distances.
- 6.281 The Review of Alternative further notes that there are significant health and safety implications for quarry operators and landowners relating to the design, construction, operation and restoration of silt lagoons. In particular, concern has been noted regarding locations that are remote from working and/or operational areas where visually monitoring trespass would be more difficult, with the risk that trespassers could fall into a silt lagoon, which could be potentially fatal.
- 6.282 Knightsford Parish Council has been critical of the lack of information put forward to sustain the claimed health and safety concerns. The Parish Council's submissions on health and safety issues do not appear to be based on expert health and safety opinion and do not appear to acknowledge/accept the specific safety issues relating to silt lagoons as distinct from other water bodies in quarries.
- 6.283 The County Council's Planning Officers are satisfied that it is undoubtedly the case that silt lagoons are very dangerous places and that safety should be a paramount consideration for quarry operators. In this regard, the submitted risk assessment does note that, wherever feasible, responsible quarry operators will try to site lagoons in areas completely out of sight or away from the public or otherwise in areas where there is the lowest foot fall or exposure of risk to the public.

- 6.284 The applicant has pointed out that the particular risks associated with silt lagoons begin during construction, continue during operation and can remain long beyond the end of active quarry operations. It has also been noted that the long-term restoration of silt lagoons can be a somewhat complex matter as access on to the surface of old lagoons can be exceedingly dangerous and that limiting public access is a key safety issue throughout operation, but also after decommissioning.
- 6.285 From the information submitted, whilst I accept that public safety can be an important material consideration, it does not appear to be case that any increased risk associated the development of silt lagoons in the alternative locations considered by the applicant would be so great as to render such development impracticable, rather that development in these areas would be less preferable from a health and safety perspective.
- 6.286 The applicant's Review of Alternatives considers two broad areas within the authorised area (and therefore within the Woodsford Farm Preferred Area) comprising the southwestern resource block ('*Alternative Area B*,') and previously worked land to the east of the as-dug stockpile area ('*Alternative Area C*') and one area beyond the authorised area ('*Alternative Area A*') being to the eastern side of Heron Grove.
- 6.287 The applicant has expressed concern over health and safety in relation to each of the alternative locations.
- 6.288 Knightsford Parish Council considers that any additional lagoon capacity should be provided within the confines of the already authorised area and, in particular, favours provision within the as-yet-unworked southwestern resource block (*Alternative Area B*), this being the potential alternative location within the authorised area that is furthest removed from Woodsford and Woodsford Castle.
- 6.289 Subject to both the granting of planning permission and landowner agreement, it is considered that parts of the southwestern resource block could potentially be utilised for the development of additional silt lagoon capacity. However, representatives of the landowner have confirmed that this area is not available to the applicant for operational purposes and have further indicated that the area will not be taken out of agricultural production at this time and will not be made available for the development of silt lagoons.
- 6.290 Since before the submission of application WD/D/15/001057 and throughout the consideration period, the applicant has made it clear that they are unable to construct silt lagoons within the southwestern resource block. In response, Knightsford Parish Council has requested that arrangements and agreements under which the quarry is operated be made available for scrutiny or otherwise be viewed as immaterial to the determination of the application.
- 6.291 Representatives of the applicant and the landowner have each advised that the contractual arrangements are commercially sensitive and can not be disclosed to third parties and therefore cannot and will not be made available for public scrutiny. However, a solicitor acting on behalf of the landowner has confirmed that the southwestern resource block is not available to the applicant for operational purposes.

- 6.292 In the circumstances, in my opinion, it is reasonable to conclude that the southwestern resource block is not available to the applicant and is therefore not a deliverable alternative. In contrast, the lagoon extension area is deliverable and its development would likely provide sufficient silt capacity to facilitate the complete working and processing of the permitted mineral reserve.
- 6.293 Securing the deliverability of the authorised mineral extraction would help to secure both the total sand and gravel landbank and the River Terrace landbank and would likely provide for the delivery of an adequate, steady, and flexible supply of locally extracted aggregates, thereby offering significant planning and environmental benefit.
- 6.294 The development of silt lagoons within the initial extraction areas which have already been worked and restored and which are now being returned to agricultural use has been discounted by the applicant citing a range of concerns relating to visual impact, harm to soil resources and increased impact on agricultural land.
- 6.295 The applicant has 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 the westernmost extraction phase alone (Phase A) and that the engineering requirement for accommodating silt lagoons adjacent to the existing field conveyor and haul routes (which are located on an engineered platform constructed on the floor of the quarry below original ground level to reduce noise and visual intrusion) would involve a greater area of land than development in the proposed lagoon extension area.
- 6.296 Officer's understanding is that these comments were made on the basis that the conveyor would need to be raised, but the applicant has since clarified that that engineered retaining banks could be constructed to enclose lagoons at an elevated level relative to conveyor. However, this arrangement would be dependent on the importation of engineering clays not available on site or from local quarries. Concern has been expressed by the applicant relating to cost, traffic impact and the implications for site restoration and after use.
- 6.297 A key requirement of the development control criteria set out in the DM&WLP was that worked areas should be progressively restored to agriculture of comparable grade without importation of waste. In order to achieve this, careful consideration has been given to the design and operation of water management measures across the authorised area. The landowner has a long term interest in the successful restoration of the worked areas and has always supported the restoration of the vast majority of the authorised area back to high quality agricultural land.
- 6.298 Whilst very little in the way of technical detail has been provided to substantiate any agricultural justification for not wishing to see silt lagoons developed in the southwestern resource block in preference to the proposed lagoon extension area, the land management implications in the previously worked area are rather more apparent: development of silt lagoons at quarried/reduced ground levels would render the lagoons vulnerable to flooding with silt pollution implications, whilst development of silt lagoons at or near ground level would impact on restoration profiles. Either option would have implications for ground water movement and removing the restoration

soils would be harmful to the soil resource, with total land take likely be greater than in the proposed lagoon extension area.

- 6.299 Alternative Area A comprises land that is remote from the authorised plant and operations area, but, at least within its southern most section, adjacent to the quarry access road and close to the southwestern corner of the existing silt lagoons and water management area. However, water would need to be pumped further than would be the case with the application proposal and either through or around Heron Grove, either option involving some additional environmental impact by reason of increased pumping and potentially also by disturbance within/to the woodland. The area is also not in the ownership or control of either the applicant or the landowner, with both availability and deliverability unknown, but recognised as having very significant implications for viable mineral operation.
- 6.300 Watermead Cottage is located to the north of Area A and there is potential for adverse noise impact at this property, but also some potential for mitigation through the positioning of the lagoons within the central and/or southern section of the area and for the sequencing bund formation to limit impact.
- 6.301 The area to the west of Heron Grove is located between two roads in a visually open location within which the construction of screening bunds would introduce an incongruous, quarry related feature into an agricultural landscape otherwise little impacted by any activity related to the extraction operations. Some concern has also been expressed in relation to heritage impact, the area being within the wider setting of listed buildings at Lower Lewell Farm and still adjacent/near to the same road approach to Woodsford Castle, albeit slightly further from the Grade I designated heritage asset.
- 6.302 Locating the silt lagoons and/or screen bunds in the vicinity of Heron Grove would mean that from most locations, the bunds would be seen against the backdrop of Heron Grove helping to mitigate their landscape and visual impact, but with the consequence that operations would likely be undertaken closer to Watermead Cottage than currently proposed with a high likelihood of increased noise impact.

The Planning Balance & Conclusion

- 6.303 It has been noted:
- i. that minerals are essential to support economic growth and our quality of life and that it is important that there is a sufficient supply of material to provide the infrastructure, buildings, energy and goods that the country needs (NPPF, paragraph 142);
 - ii. that the development plan seeks to provide for sufficient minerals extraction and associated development to meet the needs of the economy and society, whilst minimising impacts on environmental assets and amenity (Minerals Strategy, paragraph 5.1)
 - iii. that aggregates are essential to support sustainable economic growth, with uses identified to include the construction and maintenance of hard infrastructure including roads, airports, schools, houses, hospitals and flood and sea defences (Minerals Strategy, paragraph 7.1);

- iv. that a need exists for additional silt management capacity to facilitate the processing of the remaining permitted mineral reserve authorised at Woodsford Quarry so as to produce high quality aggregates; and
 - v. that the application proposals would help to secure the deliverability of the sand and gravel landbank and contribute to the delivery of an adequate, steady and flexible supply of locally extracted aggregates.
- 6.304 The application proposals would, both individually and collectively, result in some harm to the setting of the Grade I Listed Woodsford Castle, compounding the harm caused by the authorised development.
- 6.305 Harm to the setting of Woodsford Castle would arise in consequence of:
- i. quarrying operations being brought nearer to the Castle on its western side, reducing the buffer of agricultural land between it and the quarry, carrying a greater risk of disturbance to, and erosion of, the Castle's rural setting; and
 - ii. the introduction by extension an uncharacteristic and artificial landscape feature into the setting of the Castle, whose height and length would make it very noticeable on two public approaches to it, and which in winter might be visible from its grounds.
- 6.306 The change would cause harm to the heritage significance of Woodsford Castle in that it would cause a noticeable and detrimental change to an element of the landscape in which the Castle is currently experienced, and would impinge on the perceptions of visitors to the Castle, as well as passers-by who approach it along two specific routes.
- 6.307 It is common ground between the experts that have commented on the application proposals that the harm to the heritage significance of Woodsford Castle resides in the '*less than substantial*' category.
- 6.308 It is recognised that, as a Grade I listed building, Woodsford Castle is of exceptional heritage significance and national conservation importance, that there is a strong presumption in favour of preserving or enhancing the building and its setting and that great weight must be accorded to the harm, albeit that the harm is less than substantial, to the heritage significance of this exceptionally important heritage asset and its setting.
- 6.309 Following careful consideration of the potential to avoid, minimise and mitigate the harm, no alternative means of meeting the identified development requirement has been identified that is both deliverable and would have less overall environmental impact.
- 6.310 Public benefits associated with the application proposals include:
- i. the contribution that the application proposals would make to securing the deliverability of an appropriate, robust and flexible level of aggregates provision in general and River Terrace aggregates in particular required to meet the needs of the economy;
 - ii. the contribution that operation the quarry and bagging plant makes to the economy more generally, including local employment; and

- iii. limiting overall impact on the environment and amenity.
- 6.311 In my opinion, the extent to which the application proposals would help to secure the deliverability of mineral supply weighs heavily in favour of their approval and should be accorded great weight in the determination of the application proposals.
- 6.312 Subject to the bunding to the north and west of the proposed silt being lowered to a height of 4 metres after the completion of the extraction operations, I am satisfied that adequate buffer zones would exist to the extent necessary to achieve an adequate and acceptable level of mitigation of potential adverse effects including noise, vibration, dust and visual intrusion such that the application proposals are therefore in general accordance with saved Policies 16 and 6 of the DM&WLP and also relevant provisions of the adopted Minerals Strategy.
- 6.313 I am also satisfied that retention of the bagging plant that is already being operated within the authorised plant and operations area and other proposals within the authorised area is similarly in general accordance with the requirements of Saved Policy 15 of the DM&WLP and relevant provision Minerals Strategy.
- 6.314 In my opinion, the harm to the setting of the listed building and the consequent harm to the significance of Woodsford Castle, even once given great weight, and the cumulative harm to the significance of heritage assets (both designated and undesignated), and to the character, appearance and amenities of the locality is clearly and convincingly outweighed by the significant public benefits of the application proposals.
- 6.315 The application proposals include the provision of a limited small-scale extension to the authorised area and it is considered that there are significant planning and environmental gains associated with this element of the application proposals compared with similar development that may be both practicable and deliverable within the authorised area and other preferred areas for sand and gravel extraction identified in the DM&WLP.
- 6.316 Overall, having regard to the provisions of the development plan, policy set out in the NPPF, the information submitted in support of the applications, the representations received and the environmental information that informed the granting of planning permission 1/E/2005/0742, in my opinion, the application proposals provide for an acceptable form of minerals development that is generally in accordance with the provisions of the development plan. Notwithstanding the harm to the setting and heritage significance of Woodsford Castle, in my opinion, planning permission can and should be granted

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:
- i. Article 8 - Right to respect for private and family life; and

ii. 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. Recommendation

8.1 APPLICATION 1/E/2005/0742/AuC

That the application be approved.

8.2 APPLICATION WD/D/15/001057

That planning permission be granted subject to the conditions set out in paragraph 8.3 below.

8.3 SCHEDULE OF CONDITIONS

Time Limit – Commencement of Lagoon Extension

1. Operations comprised in the extension of the quarry to the north to provide additional silt lagoon capacity 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).

Development in Accordance with Approved Plans, Drawings and Details

2. Unless otherwise approved in writing by the local planning authority or required by the conditions of this permission, the development hereby permitted shall be carried out in accordance with following approved plans, drawings and details:

- (i) Drawing No. WQSLP-5000-002 dated May 2015 and titled Site Location Plan;
- (ii) Drawing No. 14803 - 2500 - 001 Rev B dated Sept 2015 (Sheet 1) save that the proposed screen bund shall be constructed in general accordance with the details shown on Drawing No: WOOD003Rev.A dated OCTOBER 2017 and titled INDICATIVE CROSS SECTIONS A-A' AND B-B' THROUGH SCREEN BUND and landscaped in accordance with the details shown on Drawing No. WOOD001.RevA dated FEBRUARY 2015 and titled PROPOSED EXTENSION SCHEME – SOIL BUND: LANDSCAPE SCHEME;
- (iii) Drawing No. WQ-02500-NF001MT dated 22 Nov 2013 illustrating the location of the proposed field conveyor, which shall be installed in accordance with details set out in the email from the applicant's agent sent on 22 March 2016;
- (iv) Drawing No. 2619/01 Rev A dated May 14 and titled General Arrangement;
- (v) Drawing No. 91077/c0/w/1. Rev c dated Jan 2015 and titled Western Area Phasing Plan; and

- (vi) Drawing No. WOOD002.RevC dated September 2015 and titled REVISED RESTORATION SCHEME.

No part of the operations specified therein shall be amended or omitted without the prior written approval of the local planning authority.

Reason

To ensure appropriate control over site operations having regard to Policies DM1, DM2, DM3, DM4, DM5, DM7 and DM8 of the adopted *Bournemouth, Dorset and Poole Minerals Strategy* and saved Policies 6 and 16 of the *Dorset Minerals & Waste Local Plan*.

Limit of Extraction

3. No extraction of minerals shall take place outside of the area to be developed as the proposed lagoons shown on approved Drawing No. 14803 - 2500 - 001 Rev B and no extraction shall take place below the base of the of the lagoons shown on Drawing No. 14803 - 1000 - 003 submitted with the application.

Reason

To limit the impact of the development in accordance with the application proposals having regard to Policies DM1, DM2, DM3, DM4, DM5, DM7 and DM8 of the adopted *Bournemouth, Dorset and Poole Minerals Strategy* and saved Policies 6 and 16 the *Dorset Minerals & Waste Local Plan*.

Duration of Development - Bagging Plant

4. No later than 1st October 2028 (or such later date that has first been approved in writing by the local planning authority) operation of the bagging plant subject of this permission shall cease and the site of the bagging plant shall have been restored in accordance with the restoration scheme to be approved under condition 7 of this permission.

Reason

Operation of the bagging plant is permitted as a beneficial temporary development incidental to the minerals extraction and processing operations authorised by planning permission 1/E/2005/0742 but would otherwise constitute inappropriate development in this rural location and to secure restoration of the lagoon extension area having regard to Policies RS1, RS2, DM1, DM2 and DM4 of the adopted *Bournemouth, Dorset and Poole Minerals Strategy* and saved Policy 15 of the *Dorset Minerals & Waste Local Plan*.

Duration of Development - Lagoon Extension Area

5. Within 3 months of a permanent cessation of mineral working authorised by planning permission 1/E/2005/0742 and in any event no later than 1st March 2028 (or such later date that has first been approved in writing by the local planning authority), a scheme for the drainage of the silt lagoons hereby permitted and for the restoration of the site to a condition suitable for high quality agricultural use shall be submitted to the local planning authority for approval. Unless otherwise approved in writing by the local planning authority, the approved drainage and restoration works must be completed and shall

be undertaken in accordance with the details and arrangements approved pursuant to this condition.

Reason

To limit the maximum duration of disturbance from the development and to secure restoration of the lagoon extension area having regard to Policies RS1, RS2, DM1, DM2, DM3, DM4, DM5 and DM7 of the adopted Bournemouth, Dorset and Poole Minerals Strategy and saved Policies 6 and 16 the Dorset Minerals & Waste Local Plan.

Landscape and Ecology Management Plan

6. Prior to the commencement of any mineral extraction operations hereby permitted a Landscape and Ecology Management Plan for the application site and the operational areas of the associated quarry and mineral processing facility authorised by planning permission 1/E/2005/0742 shall be submitted to and approved in writing by the local planning authority. The submitted Landscape and Ecology Management Plan shall include:
- (i) details of the position, species, and size of all existing trees, shrubs and hedges to be retained and proposals for their protection throughout the extraction, operation and restoration phases of development;
 - (ii) details of planting and/or seeding and management of all bunds and any temporarily restored areas;
 - (iii) the position, species, and size of any trees and shrubs to be felled or removed;
 - (iv) a plan and schedule specifying the location, number, species and initial size of all trees and shrubs to be planted and the measures to be taken for their protection;
 - (v) details of measures proposed for the maintenance and management of the hedgerows and trees around the boundary of proposed lagoon extension area and adjacent to other operational areas;
 - (vi) arrangements for the lowering of the height of the bunding proposed to north and west of the proposed silt lagoons to a height not exceeding 4 metres measured from adjacent undisturbed ground level following completion of the lagoon extraction operations;
 - (vii) measures to be taken to review the restoration/removal of bunds if no longer required for amenity or operational purposes;
 - (viii) a plan specifying the number and location of bat and bird boxes to be installed;
 - (ix) mitigation method statements for the avoidance of harm to protected species including bats and badgers;
 - (x) arrangements for the subsequent maintenance and review of the Landscape and Ecology Management Plan; and
 - (xi) a programme for the implementation of all measures contained within the Plan.

Unless otherwise approved in writing by the local planning authority, the approved Landscape and Ecology Management Plan shall be implemented as approved. The operational areas referred to above shall be taken to include the plant and operations area, any land utilised for the stockpiling of minerals and/or the storage of soils and

the land located within the authorised quarry located to the north of the field conveyor.

Reason

In the interests of landscape and visual amenity, to protect and enhance biodiversity interest, and to mitigate for the loss of trees and habitat having regard to Policies DM1, DM2, DM4, DM5 and DM7 of the adopted Bournemouth, Dorset and Poole Minerals Strategy and saved Policies 6 and 16 of the Dorset Minerals & Waste Local Plan.

Restoration Scheme – Bagging Plant and Land North of Conveyor

7. Prior to the commencement of any mineral extraction operations hereby permitted a detailed scheme for the restoration of the bagging plant area and the interim restoration of the land located between the field conveyor and the northern boundary of the quarry authorised by planning permission 1/E/2005/0742 shall be submitted to and approved in writing by the local planning authority. The submitted restoration scheme shall include:

- (i) provision for the relief of ground compaction;
- (ii) arrangements the replacement of indigenous soils; and
- (iii) a programme for implementation.

Unless otherwise approved in writing by the local planning authority, restoration of the bagging plant area and the interim restoration of the land north of field conveyor site shall be completed and undertaken in accordance with the approved scheme.

Reason

To secure the orderly and satisfactory restoration of the site in the interests of the environment and amenity having regard to Policies RS1, RS2, DM1, DM2, DM3, DM4, DM5 and DM7 of the adopted Bournemouth, Dorset and Poole Minerals Strategy and saved Policies 6 and 16 of the Dorset Minerals & Waste Local Plan.

Aftercare Scheme

8. Within 3 months of a permanent cessation of mineral working authorised by planning permission 1/E/2005/0742 and no later than 1st March 2028 (or such later date that has first been approved in writing by the local planning authority) an aftercare scheme detailing a strategy of commitment to a five-year period of post-restoration aftercare land management for all parts of the application site shall be submitted to and approved in writing by the local planning authority. The submitted aftercare scheme shall include details of proposals for planting (timing and pattern of vegetation establishment), cultivating, fertilising, watering, draining, and/or otherwise treating the land as appropriate to its intended afteruse including measures for managing soil quality, structure and fertility and the control of weeds. The aftercare scheme shall make provision for the submission and approval of a detailed management programme setting out the steps to be undertaken for each twelve-month period comprised in the aftercare period which shall specify the steps to be taken, the period during which the steps are to be undertaken and who will be responsible for undertaking each step. The aftercare strategy shall also make provision for an annual meeting to review the previous years' aftercare. The aftercare scheme and detailed programmes of

management must be completed and shall be implemented as approved.

Reason

To secure the beneficial afteruse of the site and ensure that the land is brought up to the required standard to enable it to be used for the intended afteruse having regard to Policies RS1, RS2, DM1, DM2, DM3, DM4, DM5 and DM7 of the adopted Bournemouth, Dorset and Poole Minerals Strategy and saved Policies 6 and 16 of the Dorset Minerals & Waste Local Plan.

Aftercare Management and Annual Review

9. Before February of every year comprised in the five-year post-restoration aftercare period(s), a detailed programme of management measures shall be submitted to the local planning authority for review and approval. The detailed programme of management measures shall include a record of aftercare measures undertaken on the land during the previous 12 months and detail the measures to be undertaken in the following 12 months, the period during which the measures are to be undertaken and details of who will be responsible for undertaking each measure. The measures shall include details of proposed planting (timing and pattern of vegetation establishment), cultivating, seeding fertilising, watering, draining, and/or otherwise treating the land and any other measures for managing soil quality, structure and fertility and for the control of weeds. The detailed programmes of management must be completed and shall be implemented as approved.

Reason

To secure appropriate aftercare measures and ensure that the land is brought up to the required standard to enable it to be used for the intended afteruse having regard to Policies RS1, RS2, DM1, DM2, DM3, DM4, DM5 and DM7 of the adopted Bournemouth, Dorset and Poole Minerals Strategy and saved Policies 6 and 16 of the Dorset Minerals & Waste Local Plan.

Bund for Screener at Face

10. A noise attenuation bund 4 metres high, as measured from excavated ground level, shall be in place and shall be maintained immediately adjacent to the screener located within any active extraction area comprised in the proposed lagoon extension area or the extraction phases of the quarry subject of planning permission 1/E/2005/0742 whenever the screener is operational.

Reason

To safeguard the environmental and amenity interest of the locality having regard to Policies DM1, DM2, DM4, DM5 and DM7 of the adopted Bournemouth, Dorset and Poole Minerals Strategy and saved Policies 6 and 16 of the Dorset Minerals & Waste Local Plan.

Prevention of Import of Material

11. Unless otherwise agreed in writing by the local planning authority, other than materials imported to supply the aggregate bagging plant, no materials of any kind shall be imported onto the site.

Reason

To ensure that traffic movements and any associated environmental and highway impacts connected with the site are maintained at acceptable levels having regard to Policies DM1, DM2, DM4, DM5, DM7 and DM8 of the Bournemouth, Dorset and Poole Minerals Strategy and saved Policies 6 and 16 of the Dorset Minerals & Waste Local Plan.

Stockpiling in Lagoon Extension Area

12. Unless otherwise approved in writing by the local planning authority, no mineral shall be stockpiled within that part of the application site to be developed for the proposed lagoons as shown on approved Drawing No. 14803 - 2500 - 001 Rev B (Sheet 1).

Reason

For the avoidance of doubt, to ensure appropriate control over site operations and to safeguard the environmental and amenity interest of the locality having regard to Policies DM1, DM2, DM4 and DM7 of the adopted Bournemouth, Dorset and Poole Minerals Strategy and saved Policies 6 and 16 of the Dorset Minerals & Waste Local Plan.

Height of Stockpiles in Associated Quarry & Processing Facility

13. No stockpiles of material within the plant and operations area identified on Drawing No. 91077/c0/w/1. Rev c dated Jan 2015 shall exceed 7 metres in height when measured from the base of the plant and operations area. No stockpiles within the operational area to the south of the as-dug stockpile area and to the north of Phase L as shown on Drawing No. 91077/c0/w/1. Rev c shall exceed 5 metres in height when measured from the base of the plant and operations area.

Reason

In accordance with the application proposals and to ensure appropriate control over mineral operations to safeguard the environment and amenity having regard to Policies DM1, DM2, DM4 and DM7 of the adopted Bournemouth, Dorset and Poole Minerals Strategy and saved Policies 6 and 16 of the Dorset Minerals & Waste Local Plan.

Grey Sand Stockpile

14. Within 3 months of the date of the is permission, bunding shall be provided in the locations to the north and west of the Grey Sand Storage area shown on approved Drawing No. 14803 - 2500 - 001 Rev B (Sheet 1) in accordance with the details shown on that drawing. Any mineral stockpiled within the Grey Sand Storage area shall not exceed the height of the bund to be provided to the north and west of the area. The bund shall not exceed a height of 5 metres when measured from the adjacent public footpath.

Reason

In accordance with the application proposals and to ensure appropriate control over mineral operations to safeguard the environment and amenity having regard to Policies DM1, DM2, DM4 and DM7 of the adopted Bournemouth, Dorset and Poole Minerals Strategy and saved Policies 6 and 16 of the Dorset Minerals & Waste Local Plan.

Archaeology

15. No development hereby permitted shall take place within that part of the application site to be developed for the proposed lagoons as shown on approved Drawing No. 14803 - 2500 - 001 Rev B (Sheet 1) until the programme of archaeological work has been completed in accordance with a written scheme of investigation that has first been submitted to and approved in writing by the local planning authority. This scheme shall include details of arrangements for:
- (i) evaluating the presence and extent of Palaeolithic potential of the application site and the areas to be worked for mineral;
 - (ii) a programme of archaeological fieldwork to be undertaken during the extraction period; and
 - (iii) post-excavation work and publication of the results.

Reason

To ensure appropriate recording of archaeological interest on the site having regard to Policies DM1 and DM7 of the adopted Bournemouth, Dorset and Poole Minerals Strategy and saved Policies 6 and 16 of the Dorset Minerals & Waste Local Plan.

Maximum Noise Levels – Routine Operations

16. Unless otherwise approved in writing by the local planning authority 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 monitoring location:
- (i) 45 dB LAeq 1 hour freefield when measured at Higher Woodsford monitoring location;
 - (ii) 52 dB LAeq 1 hour freefield when measured at Woodsford Lane Houses monitoring location;
 - (iii) 45 dB LAeq 1 hour freefield when measured at Cuckoo Mead, Lower Dairy monitoring location;
 - (iv) 46 dB LAeq 1 hour freefield when measured at School Lane, Woodsford monitoring location;
 - (v) 46 dB LAeq 1 hour freefield when measured at West Woodsford, adj Castle Dairy monitoring location;
 - (vi) 48 dB LAeq 1 hour freefield when measured at Watermead Cottage monitoring location; and
 - (vii) 45 dB LAeq 1 hour freefield when measured at Higher Barn monitoring location.

Reason

To limit noise impact from mineral operations in the interest of the environment and amenity of the locality having regard to Policies DM1, DM2 and DM7 of the adopted Bournemouth, Dorset and Poole Minerals Strategy and saved Policies 6 and 16 of the Dorset Minerals & Waste Local Plan.

Maximum Noise Levels – Essential Temporary Operations

17. For temporary operations comprising site preparation, soil and overburden stripping, bund formation and final restoration, noise levels at any of the monitoring locations listed in condition 16 above shall not exceed 70dB (LAeq) 1 hour free field. Temporary operations which exceed the routine operations noise limits shall not exceed a total of eight weeks in any calendar year for any dwelling.

Reason

To limit noise impact from mineral operations in the interest of the environment and amenity of the locality having regard to Policies DM1, DM2 and DM7 of the adopted Bournemouth, Dorset and Poole Minerals Strategy and saved Policies 6 and 16 of the Dorset Minerals & Waste Local Plan.

Noise – Minimising Discrete and Distinct Noise Emissions

18. 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 application site and the associated quarry and mineral processing facility authorised by planning permission 1/E/2005/0742 shall be submitted to the local planning authority for approval. 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 that are (or that are likely to be) readily distinguishable at the noise monitoring locations. Immediately following approval by the local planning authority the measures approved within the scheme shall 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.

Noise Monitoring

19. Unless otherwise approved in writing by the local planning authority noise monitoring for the site shall be undertaken in accordance with the monitoring procedures set out in the document prepared by Advance Environmental entitled '*Environmental Scheme*' dated 08 May 2017 comprising Appendix 14 of the *Planning Statement* dated May 2017 (Version 2) submitted in support of the application for planning permission. Following a noise survey, in the event that any of the maximum permissible noise levels set out in condition 16 above are exceeded at any of the monitoring locations as a consequence of mineral operations from the application site and/or the associated quarry operations and mineral processing facility authorised by planning permission 1/E/2005/0742, the mineral planning authority shall be informed with 24 hours of the occurrence and mitigating measures shall be taken to reduce the noise impact. Noise complaints reported to the quarry operator shall be dealt with in accordance with complaints procedures set out in section 3 of the Environmental Scheme identified above.

Reason

To assist in the monitoring and regulation of noise impact in the interest of the environment and amenity of the locality of the locality having regard to Policies DM1, DM2 and DM7 of the adopted Bournemouth, Dorset and Poole Minerals Strategy and saved Policies 6 and 16 of the Dorset Minerals & Waste Local Plan.

Water Monitoring

20. Unless otherwise approved in writing by the local planning authority procedures for the management and monitoring of ground and surface water shall be undertaken in accordance with the details set out in Appendix 5 of the document entitled '*Details Pursuant to Permission I/E/2005/0742*' dated September 2008 as approved by Dorset County Council under condition 10 of planning permission on 1/E/2005/0742 by letter dated 20 January 2009.

Reason

In the interests of protecting the local water environment having regard to Policies DM1, DM3 and DM5 of the adopted Bournemouth, Dorset and Poole Minerals Strategy and saved Policies 6 and 16 of the Dorset Minerals & Waste Local Plan.

Site Lighting

21. Unless otherwise approved in writing by the local planning authority, artificial lighting of the site shall be managed in accordance with the arrangements set out within the document entitled '*Details Pursuant to Permission I/E/2005/0742*' dated September 2008 submitted pursuant to the requirements of condition 18 of planning permission on 1/E/2005/0742.

Reason

In the interest of the environment and amenity having regard to Policies DM1, DM2, DM4 and DM7 of the adopted Bournemouth, Dorset and Poole Minerals Strategy and saved Policies 6 and 16 of the Dorset Minerals & Waste Local Plan.

Surface Water Management and Drainage

22. No development shall take place until a site specific surface water management scheme for the proposed quarry extension and amended strategy for the associated quarry operations and mineral processing facility authorised by planning permission 1/E/2005/0742 has been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved surface water management scheme. Drainage works, mitigation and monitoring measures shall be undertaken in general accordance with the details contained within Hydrology and Hydrological Assessment dated March 2015 comprising Appendix 6 of the *Planning Statement* dated May 2017 submitted in support of the planning application and the details set out in Appendix 8 of the document entitled '*Details Pursuant to Permission I/E/2005/0742*' dated September 2008 (as expanded by the letter from Mr C Leake to the Ms J Purser of the Environment Agency dated 12 January 2009 and to the letter from Environs dated 16 September 2008 as approved by Dorset County Council under condition 22 of planning permission on 1/E/2005/0742 by letter dated 20 January 2009.

Reason

In the interests of protecting the local water environment having regard to Policies DM1, DM3 and DM5 of the adopted Bournemouth, Dorset and Poole Minerals Strategy and saved Policies 6 and 16 of the Dorset Minerals & Waste Local Plan.

Measures to Prevent Disturbance to Breeding Birds

23. Unless with the prior written agreement of the local planning authority to a variation, no tree felling or clearance of scrub or other vegetation shall be carried out between 1 April to 31 July inclusive.

Reason

To limit the impact of the development on breeding birds having regard to Policies DM1 and DM5 of the adopted Bournemouth, Dorset and Poole Minerals Strategy and saved Policies 6 and 16 of the Dorset Minerals & Waste Local Plan.

Means of Access

24. Unless otherwise agreed in writing by the local planning authority, no vehicle visiting the site in connection with the development hereby permitted shall enter or leave the site other than by the main access to Woodsford Quarry from Highgate Lane.

Reason

In accordance with the application proposals and to ensure appropriate control over mineral operations to safeguard the environment and amenity having regard to Policies DM1, DM2, DM4, DM7 and DM8 of the adopted Bournemouth, Dorset and Poole Minerals Strategy and saved Policies 6 and 16 of the Dorset Minerals & Waste Local Plan.

Reversing Alarms

25. 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 local planning authority. Only the approved reversing alarm shall then be used on any mobile plant within the site. Changes to the make and model of reversing alarm shall only be undertaken with the prior written approval of the local planning authority.

Reason

To limit noise impact from mineral operations in the interest of the environment and amenity of the locality having regard to Policies DM1, DM2 and DM7 of the adopted Bournemouth, Dorset and Poole Minerals Strategy and saved Policies 6 and 16 of the Dorset Minerals & Waste Local Plan.

Hours of Operation

26. 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 local planning authority prior to development beginning, including notification to the local 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 approval of the local planning authority.

Reason

In the interest of the environment and amenity having regard to Policies DM1, DM2, DM4 and DM7 of the adopted Bournemouth, Dorset and Poole Minerals Strategy and saved Policies 6 and 16 of the Dorset Minerals & Waste Local Plan.

Soil Stripping

27. 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 as approved by Dorset County Council under condition 11 of planning permission on I/E/2005/0742 by letter dated 20 January 2009.

Reason

To ensure the suitable protection of soil resources having regard to Policies DM1, DM4 and DM5 of the adopted Bournemouth, Dorset and Poole Minerals Strategy and saved Policies 6 and 16 of the Dorset Minerals & Waste Local Plan.

Restriction of Permitted Development Rights

28. 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 ensure appropriate control over site operations in the interest of the environment and amenity having regard to Policies DM1, DM2, DM3, DM4, DM5 and DM7 and of the adopted *Bournemouth, Dorset and Poole Minerals Strategy* and saved Policies 6 and 16 of the *Dorset Minerals & Waste Local Plan*.

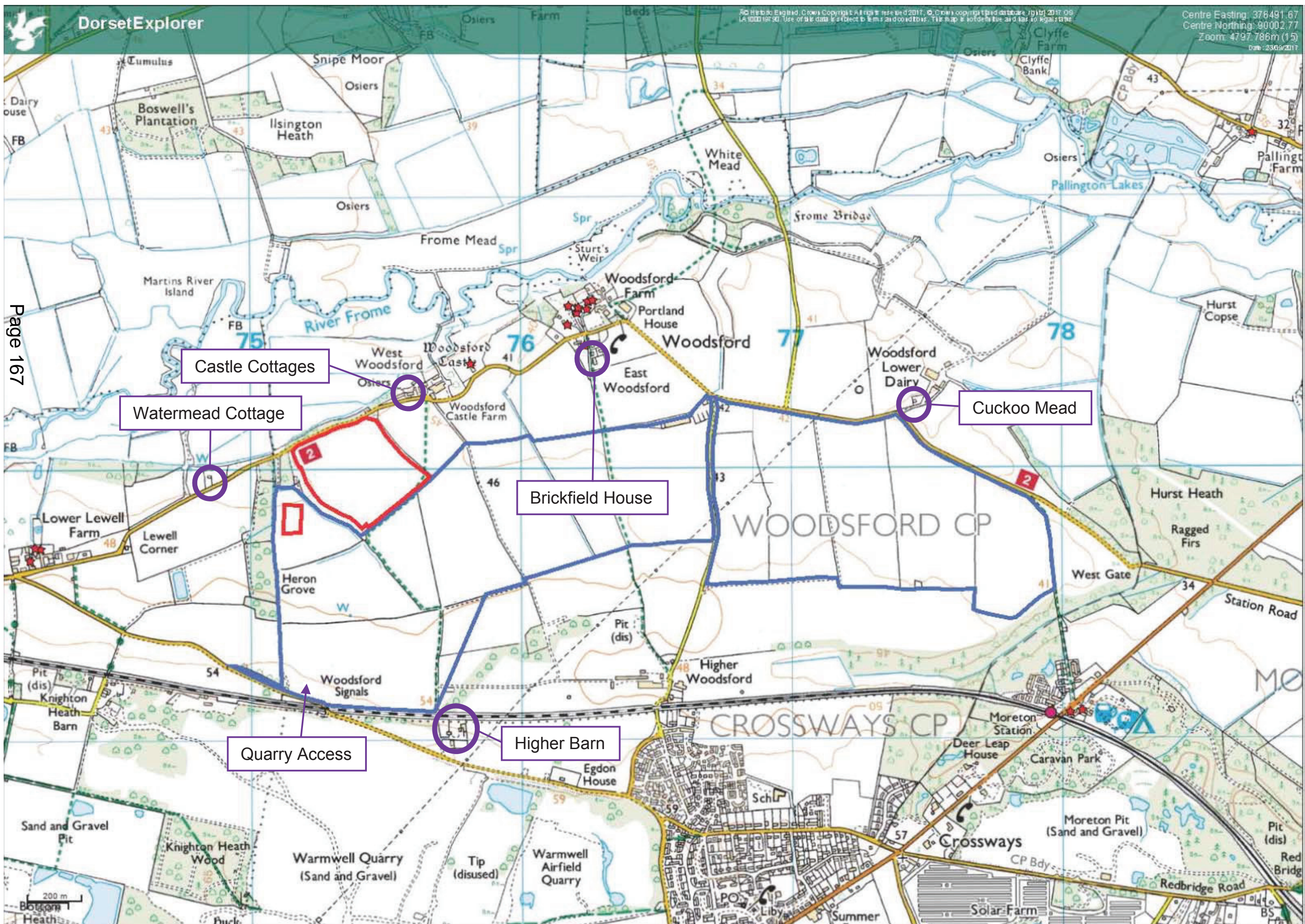
Dust

29. Unless otherwise approved in writing by the local planning authority, monitoring and suppression of dust shall be undertaken in accordance with the details set out in Appendix 4 of the *Planning Statement* dated May 2017 (Version 2) submitted in support of the application for planning permission.

Reason

To ensure appropriate control over site operations in the interest of the environment and amenity having regard to Policies DM1, DM2, DM4, DM5 and DM7 of the adopted *Bournemouth, Dorset and Poole Minerals Strategy* and saved Policies 6 and 16 of the *Dorset Minerals & Waste Local Plan*.

Matthew Piles
Service Director Economy
21 February 2018



~ = Planning Application Site WD/D/15/001057
 ~ = Planning Permission 1/E/2005/0742 'authorised area'
 ★ = Listed building

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