

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> <hr/> <p>Budget:</p> <p>No budget implications.</p> <hr/> <p>Risk Assessment:</p> <p>No risk assessment implications.</p> <hr/> <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 DM5 (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 55dBL(A) (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).