

Regulatory Committee

Dorset County Council



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

Impact Assessment	Equalities Impact Assessment: The report concerns the determination of an application for planning permission and not any changes to any new or existing policy with equality implications.
	Use of Evidence: The recommendations have been made after consideration of the applications and supporting information, the development plan, government policy and guidance, representations received and all other material planning considerations as detailed in the main body of the report including the environmental information that informed the granting of planning permission 1/E/2005/0742.
	Budget/Risk Assessment: No budget/risk assessment implications.
Recommendations	<ol style="list-style-type: none"> 1. That planning permission be granted for the development proposed in application WD/D/15/001057 subject to conditions as set out in paragraph 8.2 of the report. 2. That application 1/E/2005/0742/AuC be approved subject to the provisos set out in paragraph 8.3 of the report.
Reason for Recommendations	The reasons for recommending the grant of planning permission and approval are summarised in paragraphs 6.303-6.316 of the report.
Appendices	<ol style="list-style-type: none"> 1. Site Context Plan.
Background Papers	<p>Planning Application File WD/D/15/001057. Planning Application File 1/E/2005/0742/AuC. Planning Application File 1/E/2005/0742. Committee Report 27 October 2016 Site Visit Report 28 September 2018</p>
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1. Background

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

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

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

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

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

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

“Unless otherwise approved in writing by the Mineral Planning Authority, no development shall be carried out other than in strict accordance with the plans and details hereby approved or the schemes approved under the requirements of these conditions. Operations on the application site shall be carried out in accordance with the approved plans, working schemes and details and no part of the operations specified therein shall be amended or omitted without prior written approval of the Mineral Planning Authority.”

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

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

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

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

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

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

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

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

2. Site Description

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

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

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

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

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

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

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

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

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

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

3. The Application Proposals

Application 1/E/2005/AuC

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

Layout Changes and Operating Arrangements

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

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

Revised Phasing

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

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

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

Restoration

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

Application WD/D/15/001057

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

Quarry Extension

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

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

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

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

Bagging Plant

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

4. Consultation and Representations

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

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

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

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

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

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

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

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

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

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

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

4.5 **Knightsford Parish Council**

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

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

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

General Matters

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

Inadequate Information

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

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

Failure to Exercise Proper Planning Control

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

Impact on Woodsford Castle and Other Heritage Assets

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

Heritage Impact Assessment:

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

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

Peer Review of Heritage Impact Assessment:

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

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

Archaeology

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

Impact on Amenity

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

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

Mineral Supply Matters & Need for Silt Lagoons

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

Silt lagoon sizing

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

Alternatives

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

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

Traffic, Cycling and Footpaths

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

Stockpiling & Bunds

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

Restoration

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

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

No objection.

4.7 **DCC Rights of Way / Ranger**

No response received.

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

No objections.

4.9 **Environment Agency**

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

4.10 **DCC Sustainable Urban Drainage Systems Officer**

No objection subject to condition relating to surface water management.

4.11 **Natural England**

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

4.12 **DCC Natural Environment Team - Ecology**

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

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

4.13 **DCC Natural Environment Team – Landscape**

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

Overall landscape and visual impact issues

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

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

Woodsford Lane

The landscape and visual impacts from this lane will be moderate to slight, mitigated by the proposed bunds. Although these bunds will have some

adverse impact in their own right, the design and positioning of the them will reduce this impact to an acceptable level and help integrate the development. The outer slopes of the bund will have a relatively shallow 1:6 profile and the highest point of the bund (5m) will be 30-40m from the lane. Views from open field access gaps in the lane side hedgerow and winter views will be more obvious. However this is not expected to be a significant impact on this national cycle network route as views will mostly be sequential as people move along the route with any views being sought after, glimpsed and peripheral rather than direct. The bunds will help to remove from sight the operational activities and may help mitigate against any noise impacts although I have not assessed this later potential aspect of the works. Opportunities to enhance the ecological and floristic interest of these bunds so there is some biodiversity enhancement albeit temporary, will be considered and addressed. The temporary nature of the scheme, 13 years, also helps to mitigate the long term permanent impacts on this rural lane.

Woodsford Castle

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

Private views from within the property have not been assessed. There are some important, large evergreen mature trees in the castle grounds which contribute to its character and setting and due to their position, are likely to help mitigate any glimpsed views in the direction of the site. Based on my outline assessment I feel that it would be difficult to agree that the proposed works would have a significant adverse and long term impact on the sites landscape setting and on its visual amenity. This is based on the fact the development would be temporary and it is some distance away from the immediate setting of the castle and its grounds.

4.14 Historic England

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

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

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

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

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

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

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

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

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

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

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

4.15 **DCC Senior Archaeologist**

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

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

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

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

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

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

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

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

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

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

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

4.17 **Other Representations Received**

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

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

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

The Landmark Trust

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

In general, Woodsford Castle:

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

In the wider landscape:

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

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

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

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

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

The Thomas Hardy Society

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

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

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

Cycling UK and Wessex Road Club

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

Local Residents

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

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

The respondent from Moreton objects to the proposed extension but not to the proposed bagging plant. The respondent questions why the applicants did not foresee the need for additional silt lagoons before they submitted their original application. It is stated that the applicant has made a series of mistakes in their calculations to justify the volume of lagoon space required resulting in a dramatic under-estimate of the silt lagoon capacity they require. The representation includes an assessment of the calculations submitted by the applicant and where these calculations are considered to be incorrect. The respondent also states that there is little information within the application as to why further lagoons cannot be placed within the existing application site. The respondent considers that the development will degrade the landscape and have a detrimental visual impact on the locality with the proposed mitigation bunds making the situation worse. It is stated for these reasons the proposal does not accord with development plan policy.

5. Planning Policy Framework

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

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

The Development Plan

- 5.2 For the application proposals, the development plan includes:
- i. the *West Dorset, Weymouth & Portland Local Plan 2015* adopted by West Dorset District Council in October 2015 ('*the West Dorset Local Plan*') which provides a basis for planning decisions in West Dorset for the period to 2031;
 - ii. the *Bournemouth, Dorset and Poole Minerals Strategy* adopted by Dorset County Council in May 2014 ('*the Minerals Strategy*') which sets out the development plan vision, objectives, spatial strategy and policy framework for minerals development across the plan area for the period to 2028 considering the need to contribute to national, regional and local mineral requirements and seeking to balance these needs against social, environmental and economic considerations; and
 - iii. the saved policies of the *Dorset Minerals and Waste Local Plan* originally adopted by Dorset County Council in April 1999 ('*the DM&WLP*'), which are legacy policies that have saved development plan status pending adoption of the Mineral Sites Plan which in time will comprise the second part of the Minerals Plan for Dorset.
- 5.3 Section 38(5) of the *Planning and Compulsory Purchase Act 2004* provides that if to any extent a policy contained in a development plan for an area conflicts with another policy in the development plan the conflict must be resolved in favour of the policy which is contained in the last document to be adopted, approved or published.
- 5.4 In this instance, the West Dorset Local Plan is the most recently adopted component of the development plan, but it is considered that there is no material conflict between the policies of that plan and those of the Minerals Strategy or the relevant saved policies of the DM&WLP.
- 5.5 The applications are for minerals development, with the most relevant policies being those relating to minerals development. The assessment set out in the subsequent section of this report therefore focusses primarily on the policies of the Minerals Strategy and the saved policies of the DM&WLP, rather than those of the West Dorset Local Plan, but includes reference to the policies of the District Local Plan where appropriate.
- 5.6 The most relevant development plan policies are listed below.
- Bournemouth, Dorset and Poole Minerals Strategy, May 2014 (the Minerals Strategy)*
- Policy SS1 – Presumption in Favour of Sustainable Development.
 - Policy SS2 – Identification of Sites in the Mineral Sites Plan.
 - Policy AS1 – Provision of Sand and Gravel.
 - Policy AS2 – Landbank Provision.
 - Policy CC1 – Preparation of Climate Change Assessments.

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

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

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

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

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

Other Policy Documents

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

National Planning Policy

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

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

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

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

- 5.11 Other relevant sections of the NPPF address:

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

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

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

Emerging Planning Policy

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

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

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

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

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

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

6. Planning Assessment

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

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

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

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

Adequacy of Information Submitted in Support of Applications

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

Principle of Development

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Need for Development Outside Preferred Area

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

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

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

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

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

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

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

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

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

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

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

Contribution to Mineral Supply

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Sustainability of Application Proposals

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

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

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

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

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

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

Climate Change

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

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

Protection & Enhancement of Local Amenity

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

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

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

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

- 6.117 Soil-stripping, the construction and removal of baffle mounds, soil storage and spoil heaps, construction of new permanent landforms and aspects of site road construction and maintenance are identified as operations that may give rise to particularly noisy short-term activities. The PPG states that increased daytime limits of up to 70 dB(A) LAeq 1h free field for periods of up to 8 weeks in a year at specified noise-sensitive properties should be considered to facilitate essential site preparation and restoration work and construction of baffle mounds where it is clear that this will bring longer-term environmental benefits to the site or its environs (Ref ID: 27-022-20140306).
- 6.118 The Planning Statement submitted in support of the application proposals incorporates an assessment of the potential noise impact of the authorised and proposed operations and an *Environmental Scheme* that sets out procedures proposed to be adopted to identify, mitigate, control and monitor noise impact from the site. Noise emissions likely to be associated with the proposed layout changes, extended processing area, operation of the bagging plant and the proposed extension have been assessed cumulatively with levels predicted at Watermead Cottage in excess of the noise limit established by planning permission 1/E/2005/0742 and more than 10 dB(A) above recorded background levels (reported as 34 dB LA90, T based on surveys conducted in 2004 and 2005, but an average of 35 dB LA90, T with account taken of a further survey undertaken in 2017), but similar to levels monitored both here and elsewhere in the vicinity of the quarry and well below the limit of 55dB(A) LAeq, 1h free field identified in the PPG as the upper noise limit that should not be exceeded for normal daytime mineral operations. A higher noise limit of 70 dB(A) LAeq 1 hour already applies to temporary operations, with no change proposed to that limit.
- 6.119 The submitted noise impact assessment recommends the imposition of noise level at Watermead Cottage for normal operations of 48 dB LAeq, 1 hour free field and maintenance of all other existing noise limits.
- 6.120 Recorded exceedances of the current noise limit at Watermead Cottage have not generated a history of complaint from the occupiers of the property, although representations have been received from the occupiers indicating that they are very concerned by the proposed raising of the noise level.
- 6.121 Experience of visiting officers is that whilst daytime noise from quarry and/or processing activity noise tends to be noticeable in the vicinity of Watermead Cottage and other noise sensitive receptors in the area, it is not intrusive. effect level. The levels experienced and predicted are considered to be consistent with a good standard of amenity.
- 6.122 Aspects of the noise impact assessment submitted in support of the application have been criticised by noise consultants acting on behalf of Knightsford Parish Council and others. The criticisms focus on the methodology, interpretation of data and the suggested noise limits. The Parish Council and their consultant contend that a noise limit of 43 dB LAeq, 1hr would be more appropriate than the 48 dB LAeq, 1hr proposed, but

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

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

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

Biodiversity & Geodiversity

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

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

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

Protection and Enhancement of Heritage Assets

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

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

setting (paragraph 2.3.3). It is stated that such harm should be exceptional and will require clear and convincing justification (paragraph 2.3.3).

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

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

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

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

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

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

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

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

Protection and Enhancement of Landscape

- 6.169 Policy DM4 of the Minerals Strategy (*Protection and Enhancement of Landscape Character and the Countryside*) provides that minerals development will only be permitted when the proposals include provisions to protect and/or enhance the quality, character and amenity value of the countryside and landscape. It is further stated that development which affects the landscape will only be permitted if it can be demonstrated that any adverse impacts can be:
- i. avoided; or
 - ii. where and adverse impact cannot be avoided, the impact will be adequately mitigated; or
 - iii. where adverse impacts cannot be avoided or adequately mitigated, compensatory environmental enhancements will be made to offset the residual landscape and visual impacts.
- 6.170 Policy DM4 further provides that development is expected to ensure the protection of statutorily designated areas in accordance with relevant statutory requirements and to take account of non-statutory designations and that each proposal for minerals development should be accompanied by an objective assessment of any impacts upon the landscape character and its setting (including historic landscape character) having regard to the status

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

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

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

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

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

6.186 Overall the Appraisal concludes:

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

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

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

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

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

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

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

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

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

- 6.202 Following the initial bund construction and extraction phase, operational works within the lagoon area would be limited to routine inspections and maintenance.
- 6.203 Restoration would involve removal of the bunds and the reinstatement of the extension area at a similar ground level, with only very limited implications for its character and appearance in the longer term.
- 6.204 The applicant has stated that it will be necessary to stockpile sands extracted from the Lower Grey sand outside the currently authorised and now proposed long-term stockpile areas. The proposed stockpile would be located between the existing conveyor and swale and remain in place for up to two years. The stockpile would be limited to a maximum height of 7 metres from the base of the plant area (i.e. approximately 5 metres from pre-quarrying ground levels), no higher than the 5 metre high bunding proposed immediately to the north of the swale. The presence of this bund and mature vegetation would assist in filtering and screening views of the stockpile from the wider landscape to an acceptable level. Views from public footpath S60/6 would be impacted, but only in the context of the authorised quarrying and processing operations.
- 6.205 It is considered that owing to their short duration and the presence of the screening bund, the landscape and visual impacts of the initial construction and extraction phases of the operation would not be unduly visually intrusive nor unduly detrimental to the landscape character of the area. Topsoil and subsoil from within the proposed lagoon extension area would be stripped and used in the formation of a 5 metre high bund that would be constructed around the site. To minimise the visual and landscape impact of this feature it is proposed that its outer slopes would be at a reduced gradient of 1:5 - 1:6. In addition, a 5 metre stand-off is proposed between the hedgerow and woodland that encloses the site and the toe of the bund itself. The principal public views of the bund would be from Woodsford Lane that runs along the northern boundary of the site and from public footpath S60/6 to the east.
- 6.206 When viewed from the road adjacent to the proposed lagoon extension area, the crest of the proposed bund would be approximately 30 metres from the road. A mature hedgerow also exists between the road and the application site.
- 6.207 Views from users of the highway to the north would be oblique and transitory in nature as users pass along the road. The presence of the mature hedgerow that runs along the northern boundary of the site would filter or screen views of the bund. The most recent amendments to the application proposals provide the planting of a new section of hedgerow on a low bank in the field access from the lane, which would overtime create an extension to the existing hedgerow. It is also proposed that the roadside perimeter hedgerow would be maintained as a thick and healthy screen throughout the life of the proposed development and that any gaps, should they occur, would be planted up.
- 6.208 The footpath that runs in the adjacent field to the east of the proposed lagoon extension area would present more open views of the bund, but again a mature hedgerow exists between the footpath and the bund which would help to reduce its impact from this location. This section of the footpath is relatively short before it continues south through the existing quarry complex, but does comprise part of the historic landscape setting of Woodsford Castle.

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

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

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

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

(Paragraph 10.2.18 N.)

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

Waste Minimisation & Restoration

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

Protection of Soil Resources & Agricultural Land

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

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

Water Resources & Flood Risk

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

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

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

Avoidance of Cumulative Impacts

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

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

- 6.244 In relation to the proposed allocations, draft Policy MS-1 provides that proposed areas are allocated to contribute to the adequate and steady supply of sand and gravel, provided that the applicant can in each case demonstrate that the proposal is in accordance with the development plan.
- 6.245 The draft Development Guidelines for each site further note the need for the potential for cumulative impacts with other mineral working in this (i.e. the Crossways) area and existing/proposed housing development to be taken into consideration.
- 6.246 Although the potential for cumulative impact from minerals development in the proposed site allocation areas is acknowledged, in relation to environmental impact assessment, it is important to stress that there is an important and clear distinction between '*proposed development*' and '*proposed site allocation/s*'.
- 6.247 Each of the potential development plan allocations remains just that, i.e. a potential allocation, with none yet being either a firm commitment or the subject of an application for development consent i.e. proposed development.
- 6.248 The potential for cumulative impact associated with the possible presence of minerals development within these areas and the potential means for avoiding, reducing or otherwise mitigating any potential for significant adverse cumulative effects are matters that fall to be considered primarily through the development plan process and/or future applications for development consent. On this basis, I am satisfied that the potential site allocations do not constitute 'proposed development' for the purposes of adopted Policy DM1(j) and that the policy requirement has been addressed satisfactorily.

Use of Sustainable Transport

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

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

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

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

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

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

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

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

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

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

Restoration, Aftercare and After-use

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

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

Alternatives

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

Do-Nothing Scenario

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

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

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

Provision of a Silt Press

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

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

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

Alternative Locations for Silt Lagoons

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

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

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

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

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

The Planning Balance & Conclusion

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

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

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

7. Human Rights Implications

- 7.1 The provisions of the Human Rights Act and principles contained in the Convention of Human Rights have been taken into account in reaching the recommendation contained in this report. The articles/protocols of particular relevance are:
- i. Article 8 - Right to respect for private and family life; and

ii. The First Protocol, Article 1 - Protection of Property.

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

8. Recommendation

8.1 APPLICATION 1/E/2005/0742/AuC

That the application be approved.

8.2 APPLICATION WD/D/15/001057

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

8.3 SCHEDULE OF CONDITIONS

Time Limit – Commencement of Lagoon Extension

1. Operations comprised in the extension of the quarry to the north to provide additional silt lagoon capacity hereby permitted shall be begun not later than the expiration of 3 years beginning from the date of this permission.

Reason

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

Development in Accordance with Approved Plans, Drawings and Details

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

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

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

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

Reason

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

Limit of Extraction

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

Reason

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

Duration of Development - Bagging Plant

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

Reason

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

Duration of Development - Lagoon Extension Area

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

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

Reason

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

Landscape and Ecology Management Plan

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

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

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

Reason

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

Restoration Scheme – Bagging Plant and Land North of Conveyor

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

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

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

Reason

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

Aftercare Scheme

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

management must be completed and shall be implemented as approved.

Reason

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

Aftercare Management and Annual Review

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

Reason

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

Bund for Screener at Face

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

Reason

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

Prevention of Import of Material

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

Reason

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

Stockpiling in Lagoon Extension Area

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

Reason

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

Height of Stockpiles in Associated Quarry & Processing Facility

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

Reason

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

Grey Sand Stockpile

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

Reason

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

Archaeology

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

Reason

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

Maximum Noise Levels – Routine Operations

16. Unless otherwise approved in writing by the local planning authority and with the exception of essential temporary operations of bund formation/removal and soil stripping/placement, noise levels arising from mineral extraction operations shall not exceed the site noise limit specified below at each monitoring location:
- (i) 45 dB LAeq 1 hour freefield when measured at Higher Woodsford monitoring location;
 - (ii) 52 dB LAeq 1 hour freefield when measured at Woodsford Lane Houses monitoring location;
 - (iii) 45 dB LAeq 1 hour freefield when measured at Cuckoo Mead, Lower Dairy monitoring location;
 - (iv) 46 dB LAeq 1 hour freefield when measured at School Lane, Woodsford monitoring location;
 - (v) 46 dB LAeq 1 hour freefield when measured at West Woodsford, adj Castle Dairy monitoring location;
 - (vi) 48 dB LAeq 1 hour freefield when measured at Watermead Cottage monitoring location; and
 - (vii) 45 dB LAeq 1 hour freefield when measured at Higher Barn monitoring location.

Reason

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

Maximum Noise Levels – Essential Temporary Operations

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

Reason

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

Noise – Minimising Discrete and Distinct Noise Emissions

18. Within two months of the date of this permission a scheme which specifies provisions for the control of discrete and distinct noise emissions from the application site and the associated quarry and mineral processing facility authorised by planning permission 1/E/2005/0742 shall be submitted to the local planning authority for approval. The scheme shall include specific measures, both existing and proposed, to minimise the emission of any discrete continuous noise (i.e. whine, hiss, screech, hum etc.) or distinct impulses (i.e. bangs, clicks, clatters or thumps etc.) that are repeated as part of normal operations and that are (or that are likely to be) readily distinguishable at the noise monitoring locations. Immediately following approval by the local planning authority the measures approved within the scheme shall be implemented at all times.

Reason

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

Noise Monitoring

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

Reason

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

Water Monitoring

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

Reason

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

Site Lighting

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

Reason

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

Surface Water Management and Drainage

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

Reason

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

Measures to Prevent Disturbance to Breeding Birds

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

Reason

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

Means of Access

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

Reason

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

Reversing Alarms

25. Prior to the commencement of operations within the lagoon extension area the operator shall submit details of the make and model of reversing alarm that is to be used on the sites mobile plant for approval by the local planning authority. Only the approved reversing alarm shall then be used on any mobile plant within the site. Changes to the make and model of reversing alarm shall only be undertaken with the prior written approval of the local planning authority.

Reason

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

Hours of Operation

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

Reason

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

Soil Stripping

27. All soils and soil making materials shall only be stripped, handled, stored and replaced in accordance with the details contained within the document entitled '*Woodsford Quarry - Details Pursuant to Permission I/E/2005/0742*' dated September 2008 as approved by Dorset County Council under condition 11 of planning permission on I/E/2005/0742 by letter dated 20 January 2009.

Reason

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

Restriction of Permitted Development Rights

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

Reason

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

Dust

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

Reason

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

Matthew Piles
Service Director Economy
21 February 2018