

Regulatory Committee

Dorset County Council



Date of Meeting	16 August 2018
Officer	Maxine Bodell - Head of Planning
Subject of Report	<p>To consider:</p> <ul style="list-style-type: none">i) Application 8/16/2011 for the extension of sand and gravel extraction at Hurn Quarry, followed by filing with imported materials and restoration, at Hurn Quarry, Parley Lane, Hurn, Dorset, BH23 6AX; andii) Application 8/16/2010 to vary conditions 3 and 6 of planning application 8/2001/0192. This is to enable the processing and dispatching of minerals, from the proposed extension of Hurn Quarry, for a further 12 years.
Executive Summary	<p>Two linked applications have been submitted jointly by Viscount Fitzharris and HH Drew Limited. The first seeks temporary planning permission for a 15.7-hectare extension to an existing sand and gravel quarry (Hurn Quarry) for the phased extraction of approximately 700,000 tonnes of mineral, until 2031, with phased restoration. The second seeks temporary planning permission for the continued use of an existing mineral processing facility, extending the date for reclamation of the approved final working phase by a further 12 years. It is not proposed to extract mineral from the existing quarry and the proposed extension simultaneously.</p> <p>Objections have been received in relation to the proximity of the quarrying to residential dwellings and to the effect this would have on the structural integrity of a Grade 2 listed building. The application for the proposed extension was subsequently amended and the subject of further consultation, but not all objections were withdrawn.</p>
Impact Assessment:	<p>Equalities Impact Assessment:</p> <p>The report concerns the determination of an application for planning permission and not any changes to any new of existing policy with equality implications.</p>

	<p>Use of Evidence: The recommendation has been made after consideration of the application and supporting documents, the relevant development plans, government policy, legislation and guidance, representations and all other material planning considerations as detailed in the main body of the report.</p>
	<p>Budget: Generally, the determination of applications will not give rise to any budget implications for the Committee. However, in circumstances where an application is refused there may be implications for budgets if the applicant appeals as the Council could be ordered to pay all or some of the applicant's costs. These costs can be significant.</p>
	<p>Risk Assessment: There are no other risk assessment implications.</p>
	<p>Other Implications: All other matters are considered in the body of this report as part of the planning assessment.</p>
<p>Recommendation</p>	<ol style="list-style-type: none"> 1. That planning permission be GRANTED for the development proposed in application 8/16/2011 subject to consultation with the Civil Aviation Authority and the conditions set out in paragraph 9.2 of the report. 2. That planning permission be GRANTED for the development proposed in application 8/16/2010 subject to the conditions set out in paragraph 9.3 of the report.
<p>Appendices</p>	<ol style="list-style-type: none"> i. Site Location Plan. ii. Existing Site Layout Plan. iii. Existing Site Layout Plan for planning permission 8/2001/0192. iv. Proposed Phasing Plan and Cross Sections.
<p>Background Papers</p>	<p>Planning application file: 8/2001/0192 Planning application file: 8/16/2010 Planning application file: 8/16/2011</p>
<p>Report Originator and Contact</p>	<p>Name: Charlotte Rushmere Tel: (01305) 224249 Email: charlotte.rushmere@dorsetcc.gov.uk</p>

1. Background

- 1.1 Temporary planning permission 8/16/2001 was granted in 2004 for '*...the extraction and processing of sand and gravel and restoration to agricultural land at Hurn Court Farm, Hurn*'. In addition to permitting the extraction and processing of 1.8 million tonnes of mineral, in 5 phases and over a 14-year period, the consent also allowed for the erection of a mineral processing plant, concrete batching plant, office and weighbridge. The planning permission was subject to the completion of a legal agreement, under Section 278 of the Highways Act 1980, to secure the provision of a right turning lane onto Parley Lane. The consented site extended across an area of approximately 48 hectares (ha) of land (hereafter referred to as '*the existing quarry*'). The existing quarry is currently completing works in Phase 4 with all other worked phases having been fully reclaimed (restored and out of a 5-year period of aftercare) and in agricultural use, or restored and in aftercare. The authorised operations are required to cease and the existing quarry is required to be fully reclaimed by 2019.
- 1.2 Temporary and conditional planning permission 8/2007/0545 was granted in 2007 authorising the importation of inert material and disposal of on-site quarry waste, for the purposes of raising ground levels to improve drainage. This was necessary to improve existing mineral restoration on a small area of land within the existing quarry that was subject to flooding and that prevented timely reclamation to agriculture. Temporary planning permission 8/2007/0545 expired in 2009 and the area of land has been fully reclaimed.
- 1.3 Two applications were submitted to Dorset County Council jointly by the landowner, Viscount Fitzharris and the mineral operator, HH Drew Limited (hereafter referred to as '*the applicant*') as valid on 8 August 2016 and were accompanied by a single Environmental Statement (ES). Further environmental information was provided by the applicants following requests from the County Council.

2. Site Description

- 2.1 The existing quarry, where the mineral processing facility is located, and the proposed extension site which is to the west of the existing quarry, lie in the countryside which is immediately to the south of the B3073 (Parley Lane). This road separates the northern boundary of existing quarry and the main entrance to Bournemouth International Airport. The towns of Christchurch and Bournemouth lie approximately 4 miles to the south east and 7 miles to the south west, respectively.
- 2.2 The surrounding area is of a mixed character comprising undulating agricultural land, dense woodland and the large flat expanse of land interspersed with built development associated with the airport complex. The underlying geology of the site comprises sand, silt and clay known as '*Poole Formation*'. This is overlain by deposits of sand and gravel classified as '*River Terrace*'. At its nearest point, the River Stour Site of Special Scientific Interest (SSSI) runs approximately 450 metres (m) to the south-west and the River Moor SSSI approximately 550m to the east.
- 2.3 The proposed quarry extension is located to the west of Hurn Court Lane and is approximately 15.7 hectares (ha) in area. The existing mineral processing facility is located east of Hurn Court Lane and is approximately 3.6 ha in area. Access to the

existing quarry is directly off Parley Lane onto Hurn Court Lane, using the provision of a dedicated right turn.

- 2.4 Beyond the existing quarry access, Hurn Court Lane becomes a single-track road providing access to a small number of residential dwellings along Dales Lane, a no through road and Hurn Court Lane. Hurn Court Lane loops around the western and southern edges of the existing site, connecting back onto Parley Lane B3073.
- 2.5 The proposed extension area comprises predominately flat agricultural land, divided into three irregular shaped fields by hedgerows and is used for arable farming. A 12.5 ha section of the proposed extension is classified as '*Best and Most Versatile*' (BMV) Grade 2 and Grade 3a agricultural land. The far western section of one of the fields is not used for farming but temporarily each year as an overflow carpark for '*Adventure Wonderland*' theme park. There are many small paddocks and an abundance of scrub to the south-west, adjacent to the arable fields and that abut the gardens of a scattered residential properties along Dales Lane, to the south and further along Hurn Court Lane, to the south east.
- 2.6 The proposed extension site is fully enclosed by mature hedgerows on all but the western boundary that abuts the temporary overflow carpark of Adventure Wonderland. There are glimpsed views of the site from the public highway along Hurn Court Lane and Dales Lane. The Stour Valley Way, a public right of way (reference: E62/2), runs adjacent to a short section of the proposed extension boundary in the south-west corner.
- 2.7 The nearest residential properties are two dwellings known as 'Dales House' which lie approximately 38.5 m to the south of the outer boundary of the proposed extension. Dales House is designated a Grade 2 listed building.
- 2.8 The existing mineral processing facility comprises operational plant machinery, restored land and land that will be worked for sand and gravel extraction. The mineral processing facility is bounded to the north by Parley Lane and beyond that Bournemouth Airport; to the east by restored land within the existing quarry and beyond that Mill Lane; to the south by agricultural land that is used for arable farming and beyond that Mill Lane, and to the west by Hurn Court Lane. The existing mineral processing facility is not visible from the public highway and already benefits from landscaping screening bunds.

The location and extent of the existing quarry site and the location and extent of the proposed extension site are illustrated in Appendices 1-3 of this report.

3. The Proposals

Quarry extension

- 3.1 The extant permission for mineral extraction at the existing quarry ends in 2019 and all reserves, except those located under the mineral processing facility (Phase 5), will have been extracted and the quarry restored by this time. The proposal seeks temporary planning permission for the continued phased extraction of a modest 15.7 ha extension to the west of the existing quarry. The total output of the extension would be approximately 700,000 tonnes of sand and gravel, over an additional ten-year period, with phased restoration led infilling of on-site soils and approximately 564,000

tonnes of locally imported inert waste. Phased restoration-led infilling would enable the final reclamation of the site back to existing ground levels and would facilitate the return of the site back to an agricultural use, which would be completed within 12 years by 2031.

- 3.2 Prior to mineral extraction commencing in each phase, soils, subsoils and overburden would be stripped and stored separately within the site. These materials would then be used to create 3m high screening and noise attenuation bunds around the periphery of the site, as extraction progresses. Any materials not required for the construction of screening bunds would be stockpiled until needed for restoration purposes.
- 3.3 Mineral extraction and restoration would be split into five distinct phases. Extraction would commence in the south-eastern part of the site (Phase 1) and progress in an anti-clockwise and westerly direction into the south west (Phase 2), followed sequentially by the north west (Phase 3) and then the north east (Phase 4). A strip of mineral running east – west through the centre of the proposed extension area (Phase 5) would be retained as an access route to Phases 2 to 4 and would be extracted after Phases 1 to 4 had been worked out. All mineral extraction would be 'dry dug' therefore above the normal water table.
- 3.4 The extraction of mineral in Phases 1 – 4 would last approximately two years and three months for each individual phase, with the smaller Phase 5 being worked in just one year. There would be an approximate 12-month delay between mineral extraction ceasing in each phase and restoration beginning, taking approximately another 12 months to complete. The total mineral extraction period would last approximately ten years, but a further two years is required after extraction has ceased to fully reclaim the site back to its intended agricultural after use.
- 3.5 Mineral would be extracted up to 7m in depth at an average rate of 70,000 tonnes each year, using an HGV excavator. The extracted mineral would be hauled to the existing mineral processing area by HGV 'tipper' truck, across a proposed new junction at Hurn Court Lane. Once processed, the mineral would continue to be exported off-site for onward sale and delivery.
- 3.6 The proposed extension would not change the existing vehicular access arrangements, with all traffic entering or leaving the proposed extension doing so from the existing main site entrance.

Retention of the mineral processing facility

- 3.7 The second application is made under section 73 of the Town and Country Planning Act 1990 for the development of land without complying with conditions subject to which a previous planning permission was granted.
- 3.8 The existing mineral processing facility is located east of Hurn Court Lane, within the existing quarry, and covers an area of approximately 3.6 ha in area. The application seeks temporary planning permission to vary conditions 3 (*Duration of the development permitted*) and 6 (*Adherence to approved plans and details*) of the current planning permission 8/2001/0192. This application seeks to:
 - allow continued use of the existing mineral processing facility to process mineral extracted from the extension (the subject of the first application); and

- delay the completion of mineral extraction and reclamation of the final phase (5) of the existing quarry by 12 years, as this phase lies beneath the mineral processing facility.

Other matters

Hours of operation

- 3.9 It is proposed that the extension site would operate to the existing working hours of 07:00 to 18:00 Monday to Friday and 07.00 to 13.00 on a Saturday (excluding bank and public holidays).
- 3.10 Temporary works such as soil stripping and the construction of screening bund would be restricted in hours to 08.00 to 17.00 Monday to Friday and 08.00-13.00 on a Saturday (excluding bank and public holidays).

A copy of the proposed phasing plan for mineral extraction has been produced in Appendix 4.

4. Consultations and Representations

- 4.1 The application was advertised in the local press and by site notice. Three email representations (dated 5 October 2016, 7 June 2017 and 15 September 2017) were received from a single local resident objecting to the development for the reasons summarised below:
- **Environmental (Flooding and land stability)** – *“Dales House, a Grade 2 Listed Building, sits about 2 metres above road level, the excavations, will, however deep, leave the house on an island which will in effect sit above the surrounding land. The closer the excavations the smaller the ‘island’, upon which it sits, will be, and the greater the risk of ground movement. The cellar [is more] than 2 metres below ground level. Any change to the ground water levels locally will potentially cause problems for the foundations of the building which has stood undisturbed for over 300 years. I do not believe that any hydrologist can say, with absolute certainty, that there will be no adverse effect due to these excavations”.*
 - **Amenity** – loss of privacy due to machine operators being able to see directly into the upper floor windows.
 - **Amenity** – adverse impact from noise and “possibly” dust restricting the amount of time enjoyed in the garden.
 - **Adequacy of the ES** – the ecological survey has missed several species that can be found on the southern boundary of the application site and would be directly impacted by the proposed development: Lapwings, Barn Owls, Bullfinches, Reed Buntings, Kestrels and Sparrow hawks.

In addition to the above, the local resident making the representation states: *“As I live here all year round I have a much better idea of what wildlife is around, except of course where specialist knowledge is required.....I have also seen Grass Snakes, Hedgehogs and Toads in the area of our garden which fronts*

the site, and in the field itself Barn Owls hunting in broad daylight, and Stoats and Weasels on many occasions”.

4.2 County Council Ward Member

No comment made.

4.3 Christchurch District Council (Planning)

Has raised no objection to the retention of the mineral processing facility but has objected to the proposal, as originally submitted in 2016, on the following grounds:

- **Prematurity** - The proposed extension has been consulted on as part of the draft Minerals Sites Plan but the extension is not yet allocated in an adopted plan. It is therefore considered that the proposed extension would be premature in advance of the adoption of the current Draft Minerals Sites Plan.
- **Traffic impact**- Parley Lane is already subject to high levels of congestion which includes HGV traffic from the existing site and from Eco Sustainable Solutions, Chapel Lane. The Christchurch and East Dorset Core Strategy plans for further employment development at the Airport and residential development including allocations at West Parley. The Core Strategy and Local Transport Plan 3 identify a package of improvements to the B3073 to mitigate the impact of planned development. The impact of the proposed extension to the site would need to be mitigated through appropriate measures that consider the cumulative impact of other developments.
- **Extent of the proposed site** – it is considered unlikely that an adequate separation distance with screening mitigation can be achieved from the site to Dales House to avoid adverse impacts. The settings of both Merritown Farm and Dales House, which are Grade II listed buildings, would be harmed. However, it is accepted that the proposed extraction will take place in phases, with “*quick*” restoration to agriculture at a slightly lower level behind each phase, and therefore the impact on the setting of the listed building would be temporary.
- **Visual impact** – the proposed extension would have a detrimental impact when viewed from Parley Lane, Dales Lane and Hurn Court Lane. The Christchurch Borough – Wide Character Assessment notes that the landscape character of this area (*RL Area 7: River Stour Terrace*) is sensitive to ‘*changes that undermine the rural/agricultural character of the land*’ and notes minerals extraction as a specific potential threat.
- **Economic impact** – A 100 m buffer should be considered between the site and Adventure Wonderland Theme Park, due to the visitor perception of being located adjacent to a quarry and the loss of overflow carparking.

The District Council also raised concerns about the proposed extension in relation to:

- **Flood risk** – it will need to be ensured that the contaminants from mineral operations / washings of lorries do not drain into the River Stour to the south of the site. Although, not itself protected, the Stour supports a range of species and flows past the Moors River SSSI and eventually into the Christchurch Harbour SSSI. It will need to be ensured that the proposed site extension does not give rise to adverse impacts on these protected habitats.
- **Aerodrome safety** – it will need to be ensured that there would be no adverse impact on aerodrome safety, during the working of the proposed extension or restoration.

4.4 **Christchurch District Council (Pollution Control)**

No objection.

4.5 **Christchurch and East Dorset Conservation Officer**

No objection – initially raised a holding objection to the proposed extension on the grounds that the heritage assessment required further information to complete it, and to correct inaccuracies. Once this information had been provided and the heritage assessment amended the inaccuracies contained in it, the conservation officer withdrew the objection and was satisfied with the methodology and conclusions of the assessment, which included additional mitigation through a revised design and location of the proposed bund and mineral extraction area to take it further away from Dales House.

4.6 **Hurn Parish Council**

The Parish Council was consulted on three separate occasions and made lengthy representation in relation to both applications. Despite further information being submitted and additional mitigation proposed, the Parish Council has maintained its objection to the proposed extension. In order to overcome their objection, the Parish Council has requested that a 100-m buffer between the quarry and Dales Lane and Adventure Wonderland is imposed, to mitigate for adverse impacts and their effects upon:

Amenity – the Parish Council highlights that there is at least a 100m buffer between the existing quarry and other listed buildings that are also residential properties. There is therefore a need for a “*consistent*” approach towards mineral extraction in the area. The proximity of mineral extraction so close to Dales House could have a “*...potentially devastating effect on the structure of this ancient building due to vibration.... changes in the water table and possible subsidence*”. The proximity of the quarry to residential properties would also “*...impact detrimentally on the privacy and quality of life of the occupants...*”.

Visual impact – the Parish Council notes that the applicant’s ES states that there would be a “*substantial adverse*” effect on the residents of Dales House visual amenity due to the boundary of the quarry, in the form of a proposed landscape screening bund, immediately abutting the gardens of Dales House. It does not agree with the mitigation proposed in the ES that the relocation of the bund further away from Dales House and the landscaping of the bund would provide adequate screening. The Parish Council also considers that the proposed bund would substantially affect the landscape character of the area and there should be a minimum of a 25-m buffer between Dales Lane and any screening bunds. The proposed removal of hedgerows to construct the new vehicular access, between the extension and existing site, would increase the visibility of mineral operations.

Economic loss – the Parish Council states that there should be a 100m buffer between the mineral extraction area and the adjacent Adventure Wonderland amusement park. Its opinion is that the close proximity of mineral working to an “*...important visitor attraction could have a detrimental economic effect on it*”.

Biodiversity – the Parish Council states that “*...it is well known that Lapwings nest in the fields proposed for extraction*” and have queried why the birds have not been recorded in the submitted ecological survey. The Parish Council requests that further

surveys are required in the “spring” to “clearly establish whether Lapwings are present”.

Precedence – the existing quarry provides for a 100m buffer between the two Grade II listed buildings adjacent the workings. Both these properties are “...less affected...” than Dales House, which sits above the gravel shelf and therefore a “dangerous” precedence would be set. The viability assessment does not adequately demonstrate that a 100m buffer is not achievable and would be contrary to the policy position of the Minerals Strategy.

Hurn Parish Council also raised concerns about the proposed extension in relation to:

Restoration – the applicant needs to resolve the flooding issues in the existing quarry and deliver progressive reclamation, in addition to demonstrating that there is enough inert waste to complete the timely restoration of the proposed extension. The Parish Council supports the view of Dorset Wildlife Trust in using restoration as an opportunity to enhance biodiversity and public amenity wherever possible.

Vibration – the application is not supported by a structural survey of Dales House to ensure that vibration impacts would not adversely affect the stability of the building.

4.7 **Environment Agency**

No objection, subject to the imposition of planning conditions relating to groundwater and surface water assessment and management.

4.8 **Natural England**

Has stated that they wish to provide no comment.

4.9 **Historic England**

Raised no objection but advised that the heritage advice on both applications should be provided by Christchurch and East Dorset’s conservation officer. Historic England have advised that they will only comment on development that affects those listed buildings that are of more than special interest, which are designated Grade I and Grade II*.

Historic England have been kept informed of the advice provided by all officers in relation to both applications, and have provided no further comments.

4.10 **DCC Flood Risk Management Team**

No objection subject to the imposition of a planning condition relating to the provision of a surface water drainage strategy, to include further information on existing and future surface water discharge.

4.11 **DCC Natural Environment Team**

No objection.

4.12 **DCC Archaeologist**

No objection subject to the imposition of a planning condition that requires the submission of a scheme of archaeological investigation, to be undertaken during mineral extraction, to be agreed prior to any works associated with mineral excavation taking place.

4.13 **DCC Rights of Way Officer**

No comment made.

4.14 **DCC Landscape Manager**

No objection and supports the phased and comprehensive reclamation of both the existing quarry and proposed extension to an agricultural afteruse. The restoration proposal is considered to be a key way to address and adhere to the conservation and enhancement of landscape character in the area, in accordance with Christchurch Borough Council's Landscape Character Assessment.

4.15 **DCC Highways Liaison**

No objection.

4.16 **Manchester Airport Group**

No objection, subject to the imposition of a planning conditions relating to development height restrictions, bird strike risk, Air Traffic Control safeguarding and effects on communications and aids to navigation.

4.17 **Dorset Wildlife Trust**

No objection, but would reiterate their comments that were made to the allocation of extension in the draft Minerals Sites Plan. The Trust stated

"...future restoration plans, following mineral extraction, should be used as an opportunity for enhancement of both biodiversity and public amenity - wherever possible. Restoration should therefore be planned with this principle in mind and not necessarily restoring to the pre-extraction use and condition. It is recommended that a substantial part of the area should be restored to semi-natural habitat and opportunities taken to increase public access with consideration of its potential as a Suitable Alternative Natural Greenspace".

5. **Planning Policy Framework**

5.1 Applications for planning permissions must be determined in accordance with the development plan unless material considerations indicate otherwise. The term 'material considerations' is wide ranging, but includes national, emerging and other planning policy documents. Material to all applications is the National Planning Policy Framework, a revised version of which was published in July 2018 (the NPPF), which sets out the Government's planning policies for England and how these are expected to be applied, and the associated online Planning Practice Guidance (PPG).

5.2 The Local Development Framework for both applications includes a number of adopted development plans, saved policies and emerging development plans.

5.3 The statutory local plan framework includes:

i the *Christchurch and East Dorset Local Plan: Part 1 – Core Strategy* adopted in April 2014 ('*C&ED Core Strategy*') which provides a basis for planning decisions in Christchurch and East Dorset for the plan period until 2028.

ii the *Bournemouth, Dorset and Poole Minerals Strategy* adopted in May 2014 ('*the Minerals Strategy*') provides guidance and criteria for the three mineral planning authorities of Dorset, Bournemouth and Poole when considering planning applications for minerals development for the plan period until 2028.

iii the saved policies of the *Dorset Minerals and Waste Local Plan*, originally adopted in April 1999 ('*the DM&WLP*'); and

- iv the saved policies of the *Bournemouth, Dorset and Poole Waste Local Plan*, originally adopted June 2006 (*the Waste Local Plan*).

5.4 The most relevant planning policies are listed below.

Bournemouth, Dorset and Poole Minerals Strategy

- Policy SS1 – Presumption in Favour of Sustainable Development.
- Policy SS2 – Identification of Sites in the Minerals Sites Plan.
- Policy AS1 – Provision of Sand and Gravel.
- 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.
- Policy DM9 - Extraction and Restoration within Airfield Safeguarding Areas.

Bournemouth, Dorset and Poole Waste Local Plan

- Saved Policy 1 – Guiding Principles.
- Saved Policy 42 – Landfilling inert waste in areas not covered by Policies 40 and 41.

Christchurch and East Dorset Local Plan: Part 1 – Core Strategy, April 2014

- Policy KS1 Presumption in Favour of Sustainable Development.
- Policy KS11 Transport and Development.
- Policy ME1 Safeguarding Biodiversity and Geodiversity.
- Policy ME6 Flood Management, Mitigation, and Defence.
- Policy HE1 – Valuing and Conserving Our Historic Environment.
- Policy HE3 Landscape Quality.

Borough of Christchurch Local Plan, March 2001

- Saved Policy ENV 4 Protection of water supply and quality.
- Saved Policy ENV 5 Drainage and new development.
- Saved Policy ENV 21 Landscaping in new development.

5.5 Although Saved Policies 6 (*Relating to Applications Outside the Preferred Areas*) and 16 (*Applications for the Winning and Working of Gravel Outside of Preferred Areas*) of the 1999 DM&WLP still form part of the development plan and have relevance to both applications, they are not considered to be the most up-to-date position of the Mineral Planning Authority. Given the adoption of the Minerals Strategy in 2014 and the advanced stage of preparation of the emerging Mineral Sites Plan, it is reasonable to consider the saved policies in this instance to be of limited weight.

Emerging policy

5.6 In relation the weight to be afforded to emerging planning policy, paragraph 48 of the NPPF (2018) provides that from the day of publication, decision-takers may give weight to relevant policies in the 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 may be given); and
- The degree of consistency of the relevant policies in the emerging plan to the policies in the NPPF (the closer the policies in the emerging plan to the policies in the NPPF, the greater the weight may be given)¹.

5.7 The emerging Bournemouth, Dorset and Poole Draft Minerals Sites Plan (*'the Minerals Sites Plan'*) and the emerging Bournemouth, Dorset and Poole Waste Plan (*'The Waste Plan'*) are at an advanced stage of preparation, having been submitted to the Secretary of State for Housing, Communities and Local Government for Examination. They have therefore been afforded material weight in the determination of both applications, having regard to the following considerations:

- i) the draft Mineral Sites Plan proposes sites and policies aimed at delivering the adopted Minerals Strategy and the Hurn Court Farm extension site is proposed for allocation. The Mineral Planning Authority therefore considers that the site is important to delivering the guiding policy principles of the *'parent'* Minerals Strategy which are already adopted and so part of the statutory development plan;
- ii) the issues raised in outstanding representations to relevant policies in the submitted and emerging plans. In cases where there are no outstanding representations, then the policy has been given more weight, subject to other material considerations that might be relevant.

5.8 Particular weight has been afforded to the policies listed below in the planning assessment. There are no unresolved objections to the policies cited from the draft Waste Plan and the objections received in relation to the proposed allocation of the extension relate to the environmental impacts of the development; matters which can be assessed in detail as part of a planning application and are duly covered in this report.

Bournemouth, Dorset and Poole Minerals Sites Plan Pre-Submission Draft

- Draft Policy MS1 – Production of Sand and Gravel.
- Proposed Site Allocation AS-09 – Hurn Court Farm, Hurn, Christchurch.

Bournemouth, Dorset and Poole Waste Plan Pre-Submission Draft

- Draft Policy 1 – Sustainable Waste Management
- Draft Policy 16 - Natural Resources
- Draft Policy 12 -Transport and Access

¹ During the transitional period for emerging plans submitted for examination (set out in paragraph 214), consistency should be tested against the previous Framework published in March 2012

- Draft Policy 8 – Inert Waste Recovery and Disposal

Relevant Material Considerations

National Planning Policy Framework (2018)

- Achieving sustainable development – chapter 2.
- Decision-taking – Chapter 4.
- Planning conditions and obligations – paragraphs 54-57.
- Building a strong, competitive economy – Chapter 6.
- Meeting the challenge of climate change, flooding and coastal change – Chapter 14.
- Conserving and enhancing the natural environment – Chapter 15.
- Conserving and enhancing the historic environment – Chapter 16.
- Facilitating the sustainable use of minerals – Chapter 17.

Planning Practice Guidance to the NPPF (published March 2014)

- Minerals policy - paragraph (21)-(51)
- Waste policy - paragraph (3), (8) –(9), (46) – (48)
- Noise – paragraphs (1) – (9)

6. Planning Assessment

- 6.1 In accordance with national policy, Policy SS 1 (*Presumption in Favour of Sustainable Development*) of the Minerals Strategy requires that when considering development proposals, the MPA 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 development plan are to be approved without delay, unless material considerations indicate otherwise.
- 6.2 Having regard to the provisions of the development plan, the information submitted in support of both applications and the representations received, the main issues in the determination of both applications relate to:
- i. the acceptability in principle of the proposed development;
 - ii. whether potentially adverse environmental impacts can be avoided, reduced or mitigated to acceptable levels in accordance with policy requirements, in particular those related to likely significant effects:
 - Water resources and flood risk
 - Restoration using inert waste
 - Retention of the existing mineral processing facility and delay to the full reclamation of the existing quarry by 12 years
 - Impact on heritage assets including listed buildings
 - Landscape and visual impact
 - iii. other planning matters which are not significant for the purposes of the EIA, but which nevertheless are material to the planning application, in particular:
 - Transport and traffic

- Ecology and biodiversity
- Climate change.

Principle of development

- 6.3 Minerals can only be worked where they are found and so the acceptability in-principle of the proposed extension, and the retention of the mineral processing facility has been considered within the context of the development plan strategy for maintaining an adequate and steady supply of locally extracted sand and gravel.
- 6.4 The NPPF and the Minerals Strategy both recognise the value of minerals as a finite resource and the contribution that minerals make to national prosperity and in improving quality of life. Paragraph 205 of the NPPF provides that, when determining planning applications, ‘*great weight*’ should be given to the benefits of mineral extraction, including to the economy. Aggregates are minerals of national and local importance, meaning that they are essential in meeting the needs of a healthy and prosperous society. This requirement to give ‘*great weight*’ to a particular form of development is used infrequently elsewhere in the framework and is, therefore, a fundamental expression of policy support for minerals development. Both the NPPF and the Minerals Strategy are underpinned by a general presumption in favour of sustainable development.
- 6.5 The Minerals Strategy recognises that aggregates are essential to support continued economic growth in Dorset and to maintain the high quality of life that the County benefits from. Without a sufficient supply of aggregates, the County would not be able to build and maintain the infrastructure that is necessary to deliver and maintain the sustainable development of housing, schools and community facilities, transport networks, flood and sea defences and commercial buildings.
- 6.6 A key objective of the C&ED Local Plan is to deliver strategic highway infrastructure improvement works for South East Dorset (Objective 6) and to provide a wide range of new homes to provide for local need (Objective 5) in an area of the County where house prices to income ratios are amongst the highest in the country. The Minerals Strategy is committed to providing a sufficient supply of construction aggregates to deliver this ambitious building programme and to maintain existing infrastructure, whilst also managing the environmental effects of this essential form of development (paragraph 7.1).
- 6.7 Policy AS1 (*Provision of Sand and Gravel*) of the Minerals Strategy requires that new sand and gravel quarries are located within the designated aggregate resource blocks, which are spatial areas that have been identified as having significant reserves of sand and gravel considered economically viable. Specific sites within these resource blocks will only be considered for development where it has been demonstrated that mineral extraction would not adversely affect the integrity of the Dorset Heaths SAC, Dorset Heathlands SPA and Ramsar site, either alone or in combination with other plans or projects (Policy AS1).
- 6.8 Draft Policy SS2 (*Identification of Sites in Minerals Sites Plan*) of the emerging Minerals Sites Plan is intended to be used, where possible, for the identification of specific sites within resource blocks to be developed for aggregate extraction. The site is a proposed allocation for aggregate extraction in the submitted Plan (*MSP AS09- Hurn Court Farm extension*) and the ES demonstrates that neither the existing site or proposed extension would adversely affect the integrity of the Dorset Heaths SAC, Dorset Heathlands SPA and Ramsar site, either alone or in combination. The suitability of the

location proposed for the extension is favourable and fully accords with Policy AS1 of the Minerals Strategy.

- 6.9 The allocation of the site in the draft Minerals Sites Plan has been objected to by Christchurch and East Dorset District planning team and by Hurn Parish Council. The objections are broadly similar to those received to the submitted application and therefore are addressed within the later sections of this report.
- 6.10 The existing quarry is identified in Policy AS1 of the Minerals Strategy as an '*existing permitted site*' and when read in conjunction with draft Policy MS-1 (*Production of Sand and Gravel*) of the draft Minerals Site Plan, the existing site contains remaining permitted reserves that are expected to contribute to the maintenance of an adequate and steady supply of sand and gravel. Furthermore, draft Policy MS-1 allocates the proposed extension for this purpose also indicating in the supporting text (paragraph 4.9) 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'.

- 6.11 Accordingly, the draft Minerals Sites Plan anticipates the continued and complete working of the permitted reserve at the existing quarry and the development of the allocated extension site to be worked as this reserve declines, having regard to the MPA being satisfied that any adverse environmental and amenity effects could be satisfactorily mitigated. The existing quarry and the proposed extension would not be worked simultaneously.
- 6.12 The NPPF places a duty on DCC, as the Mineral Planning Authority (MPA), to make provision for a steady and adequate supply of aggregate minerals by maintaining at least a 7-year supply of permitted sand and gravel reserves. This is a minimum requirement and the NPPF acknowledges that longer periods may be appropriate to take account of the need to supply a range of types of aggregates, locations of permitted reserves relative to markets, and productive capacity of permitted sites. The principle of a 7-year landbank being a minimum threshold that should not preclude additional reserves being secure is re-iterated in paragraph 086 of the Planning Policy Guidance (PPG) in which it is clearly stated that:

"There is no maximum landbank level and each application for minerals extraction must be considered on its own merits regardless of the length of the landbank".

- 6.13 The mineral output from the proposed extension would be approximately 700,000 tonnes of '*River Terrace*' sand and gravel. Policies AS1 (*Provision of Sand and Gravel*) and AS2 (*Landbank Provision*) demonstrate that in 2016 the Local Aggregate Assessment (LAA) forecast provision of River Terrace aggregate as meeting the NPPF requirement for a minimum 7-year landbank forecast over the plan period, until 2033. The LAA is based on the current agreed local annual supply requirements for Bournemouth, Dorset and Poole and is calculated based on:
- i. remaining reserves at existing permitted sites;
 - ii. new sand and gravel sites, including extensions to existing permitted sites that are identified in the Draft Minerals Site Plan;
 - iii. new sites not identified in the Draft Minerals Site Plan (subject to other criteria not relevant to this report).

- 6.14 Although LAA figures for 2017 have not yet been published, the minerals and waste planning policy manager has confirmed that figures for provision of permitted reserves of River Terrace aggregate are estimated at 5.2 million tonnes, which is the equivalent of an approximate 10-year landbank, until 2033. However, with demand for construction aggregates continuing to rise, in response to ambitious national and local targets for housing and infrastructure provision, it is important to consider that the original 2016 forecast is estimated on a 'rolling' year-on year basis. This means that permitted reserves are continuing to be worked and therefore the landbank is continually diminishing. Furthermore, whilst the current River Terrace landbank exceeds 10 years, further commitments to the landbank, via allocations or permissions, are required to ensure that a landbank is capable of being maintained throughout the life of the plan (and beyond).
- 6.15 As part of the evidence base for the draft Minerals Sites Plan, a review of the existing permitted sites for River Terrace aggregate extraction concluded that the vast majority of the remaining River Terrace landbank was comprised within just four sites. One located to the eastern edge of the County (Chard Junction) and the other close to its western edge (Avon Common), with the only other two 'sand and gravel' quarries (as distinct from sand quarries associated with Poole Formation sand) currently operating in the central Dorset area at Redbridge Road, where extraction is nearing completion, and at Woodsford Quarry.
- 6.16 Relative to the markets served by the existing quarry and the proposed extension, the productive capacity of Avon Common remains nil as it is not operational, despite planning permission being granted 12 years ago. There is no certainty during the plan period that Avon Common would be worked, and so the Hurn Court Farm extension would have an important role to play in serving the markets in the South East of the County, including the conurbations of Poole and Bournemouth.
- 6.17 The closest site to the proposed extension that has been allocated through the emerging draft Minerals Sites Plan is at Roeshot Quarry, which is 11km away to the east and straddles the Hampshire-Dorset border. It is expected that this site would not be implemented for some 6-8 years or more. By this time the proposed extension at Hurn would be almost half way completed. A planning application is currently awaiting determination by Hampshire County Council.
- 6.18 Moreover, the planning policy assessment and the documents submitted in support of its proposed allocation in the emerging Plan and the current planning application demonstrate that Roeshot Quarry would have its own established markets by the time any extension into Dorset occurred, and it is not therefore anticipated this any other preferred site in the emerging Plan would adversely affect the market demand for the aggregate.

Prematurity of the proposal

- 6.19 Christchurch and East Dorset have objected to the application on 'prematurity' grounds, in advance of its consideration in the examination of the emerging Minerals Site Plan. In responding to this concern, it is important to note that Paragraph 49 of the 2018 NPPF states that prematurity grounds are unlikely to apply unless the plan is at an advanced stage and *'the development proposed is so substantial, or its cumulative effect would be so significant, that to grant permission would undermine the plan-making process by predetermining decisions about the scale, location or phasing of new development that are central to an emerging plan'*. Paragraph 014 of Planning Practice Guidance adds that *'...arguments that an application is premature are unlikely to justify a refusal of planning permission other than where it is clear that*

the adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, taking the policies in the Framework and any other material considerations into account...Where planning permission is refused on grounds of prematurity, the local planning authority will need to indicate clearly how the grant of permission for the development concerned would prejudice the outcome of the plan-making process'.

- 6.20 In this case the proposed extension and supporting application are entirely consistent with the submitted Mineral Sites Plan. They do not, therefore, prejudice the outcome of the local plan process. An approval of planning permission during the Examination period would simply mean that the site would no longer need to be included in the Mineral Sites Plan and the landbank would be increased accordingly. The circumstances where prematurity could apply would include situations where a non-mineral form of development would sterilise the mineral resource. As this is not the case here the Planning Policy Manager is content that there are no grounds for demonstrating prematurity.

Restoration using inert waste

- 6.21 The application for the proposed extension would use a total of approximately 564,000 tonnes of imported inert waste to restore the quarry back to an agricultural afteruse. The restoration of each phase would immediately follow once mineral extraction had ceased, thereby progressively restoring the proposed extension fully by 2031.
- 6.22 Policy RS1 (*Restoration, Aftercare and Afteruse of Minerals Development*) of the Minerals Strategy advocates progressive and timely restoration, whilst recognising the importation of inert waste as an established way to restore a quarry. Similar to the Minerals Strategy, both the Waste Local Plan and emerging draft Waste Plan also support the use of inert waste for the restoration of mineral voids.
- 6.23 Policy RS1 requires the developer to demonstrate that inert waste imported for restoration is both suitable and available in sufficient quantity when needed to achieve the proposed restoration scheme. As far as reasonably possible, recyclable material capable of producing high quality washed recycled aggregates should already have been removed from the inert waste prior to being used for restoration.
- 6.24 The draft Waste Plan identifies a shortfall in the provision of inert waste disposal facilities and the need for greater provision (Paragraph 7.72). Draft Policy 8 (*Inert Waste Recovery and Disposal*) of this Plan provides specific criteria for identifying the provision of new disposal facilities that have been used, alongside Policy RS1 of the Minerals Strategy, to assess the acceptability of disposing the proposed quantities of inert waste to achieve the proposed restoration profile and afteruse.
- 6.25 There are no outstanding objections to Draft Policy 8 of the draft Waste Plan and it has therefore been afforded significant weight as a more up-to-date policy position than Policy 42 (*Landfilling Inert Waste in areas not covered by Policies 40 and 41*) of the Waste Local Plan.
- 6.26 Draft Policy 8 requires proposals for inert waste disposal to demonstrate that they meet all of the following criteria:
- a. *as far as is reasonably practicable all materials capable of producing high quality recycled aggregates have been removed for recycling;*
 - b. *the minimum amount of waste is being used to achieve the intended benefit;*
- and*

c. *they will not prejudice the restoration of existing or permitted mineral sites.*

- 6.27 I am satisfied that the applicant has demonstrated that there would not be sufficient material available on site to restore the proposed extension back to original ground levels, and thereby avoid standing bodies of water forming. Water bodies would not only be an aviation hazard, due to the increase in risk of bird strike, but would also prohibit the reclamation of the site back to a high grade of agricultural land.
- 6.28 Although '*cut and fill*' calculations for quarry restoration can only ever be estimated, I am satisfied that proposed overall volume of imported inert waste is not excessive to achieve the proposed land form and afteruse. Nevertheless, a condition has been imposed requiring the applicant to submit a detailed restoration scheme that would require the tonnage and volume of inert waste, required for the restoration of each phase, to be specified and approved in writing by the MPA prior to any mineral extraction taking place.
- 6.29 In meeting the requirements of criterion (a) and (c) of draft Policy 8, the developer intends to import inert waste through their own local construction and demolition waste business. Any materials that could be used to produce a high quality recycled aggregate would have been removed for their commercial value, prior to the inert waste being exported from the developer's waste management business to the proposed site. At present, inert waste from this business is currently exported outside of the local area to one of its other existing waste sites for disposal. The use of this waste stream would not therefore prejudice the restoration of an existing or permitted mineral site.

Retention of the existing mineral processing facility and delay to the full restoration of the existing quarry by 12 years.

- 6.30 Policy RS2 (*Retention of Plant, Machinery and other Ancillary Development*) of the Minerals Strategy requires that there should be a demonstrable need for the retention of the mineral processing facility beyond the life of the existing permitted quarry. Policy DM8 (*Transport and Minerals Development*) of the Minerals Strategy requires the provision of a safe access.
- 6.31 The proposed extension would require the retention of the existing mineral processing facility to provide for the continuing supply of construction aggregates from the site. The need for the mineral from the proposed extension is considered sufficient to outweigh any cumulative effects from the delay to the final working of Phase 5 of the existing quarry and the full restoration of the site, which would otherwise be contrary to the requirements of Policy DM1 j (*Key Criteria for Sustainable Minerals Development*) and RS1 f (*Restoration, Aftercare and Afteruse of Minerals Development*) of the Minerals Strategy. The retention of the mineral processing facility and the delay to mineral extraction and reclamation of Phase 5 would not affect restoration of the wider permitted site (Policy RS2 c).
- 6.32 A planning condition is recommended that would ensure that mineral extraction in Phase 5 of the existing quarry would not occur until the proposed extension had been fully worked and restored. This would prevent the working of both sites simultaneously and ensure the timely reclamation of both sites back to an agricultural afteruse in accordance with Policy RS2 (b).

Scope for mitigation of likely significant effects of the development

Water resources and flood risk

- 6.38 Paragraphs 103 of the NPPF and PPG: *Minerals* provide that when determining a planning application for minerals development that the MPA is required to ensure flood risk is not increased elsewhere. Development should also have no unacceptable adverse impact on the flow and quantity of surface and groundwater, and migration of contamination from a site. The Minerals Strategy recognises that sand and gravel extraction will at some point affect surface and ground water resources, and that there will be potential for significant adverse impacts to water quality and water levels, both within and beyond the boundaries of a site. Policy DM3 (*Managing the Impact on Surface Water and Ground Water Resources*) states that proposals for minerals development which would have an impact on water resources will only be permitted where it can be demonstrated that the local water environment would be protected and where appropriate enhanced.
- 6.39 A flood risk assessment and hydrogeological information, in relation to groundwater levels and flow, have been submitted in support of the proposed extension and the retention of the mineral processing facility. The proposed extension and remaining reserve in Phase 5 of the existing quarry would be 'dry dug', so extraction would not occur below the water table. Both sites lie within Flood Zone 1 as indicated by the EA indicative flood maps. Flood Zone 1 comprises land assessed as having a 'low' probability (<0.1%) to river and sea flooding. All uses of land are appropriate in Zone 1, including mineral extraction.
- 6.40 The nearest main river is the River Stour, which is located approximately 450m to the south-west of the proposed extension and the Moors River, which is located approximately 550m to the east of the minerals processing facility. There are no watercourses or surface water features located within the boundaries of either site.
- 6.41 The proposed extension site is located immediately adjacent to Bournemouth Airport and within the 13-km safeguarding consultation zone, which is subject to the requirements of Policy DM9 (*Extraction and Restoration within Airfield Safeguarding Areas*) of the Minerals Strategy. Manchester Airport Group, who own Bournemouth Airport, have not objected to either proposal but this is subject to the imposition of a planning condition requiring the submission of an updated birdstrike management plan. The plan is required to be approved prior to any development taking place in the proposed extension area and is to ensure that there would be no increased hazards to aviation safety.
- 6.42 The proposed extension has been objected to by a local resident who is concerned that the existing quarry already results in the flooding of his cellar in winter and this would be made worse. The indirect effect of this potential increase in flooding would be to adversely affect the structural integrity of his property, which is a Grade II listed building. Hurn Parish Council has also expressed concern that the current site floods, and that this has adversely impacted on the restoration of the existing quarry.
- 6.43 The issues of hydrology and hydrogeology, the working of the proposed extension and its potential effect on surface water and groundwater flooding and water pollution has been the subject of discussions between the Environment Agency, DCC's Flood Risk Management Team (FRMT) and the developer. The applicant recognises that groundwater flooding issues have required moderate mitigation during the current working of the existing quarry, because it would not be restored to existing ground levels. Therefore, the restoration of the proposed extension would be restored back to existing ground levels using inert material. There is no evidence to support the

suggestion that the existing quarry has resulted in the flooding of a cellar at Dales House and no further assessment is required to determine the application for the proposed extension.

- 6.44 DCC's FRMT have advised that the issue of continued flooding in a small area of the existing quarry, during winter months, is because groundwater levels have risen in recent years, which has resulted in groundwater rising above restored ground level. Both the EA and DCC's FRMT agree that the use of inert material to restore the proposed extension back to pre-extraction ground levels, whilst not as porous as the sand and gravel to be extracted, would reduce the risk of groundwater flooding should groundwater levels become elevated or drainage potential for surface water reduce.
- 6.45 The EA and DCC's FRMT have requested the submission of a detailed hydrogeological risk assessment (HRA) to be approved prior to the commencement of mineral extraction, the principles of which should be agreed prior to any development taking place. The principles of the HRA would ensure that no mineral extraction would take place below the water table and that no areas of standing water would occur during the lifetime of the permission. The requirement to submit an HRA would be secured by planning condition.
- 6.46 To manage the potential risk of off-site flooding caused by temporary changes to the topography and drainage during extraction, surface water runoff would be managed in a similar way as it is in the existing site. The use of temporary landscape screening bunds and drainage channels would be used to intercept runoff and redirect it into the base of the mineral void. This surface water would then be reused as part of the mineral processing or allowed to infiltrate into the ground.
- 6.47 Following completion of extraction, all areas would be backfilled with inert waste and returned to pre-development ground levels. Drainage would then be monitored following restoration for a period of 5 years to ensure that soils continue to drain freely, with remediation measures taken in the event of drainage problems. DCC's FRM team have raised no objection to either application but have requested the submission of a surface water management plan, prior to mineral extraction commencing, to ensure that there would be no overall change in rate of water entering or leaving the site that would cause an increased risk of surface or groundwater flooding.
- 6.48 The layout of the existing plant site would not be changed during the proposed works and runoff will continue to be managed as at present with runoff dispersing by infiltration and overland flow and by retention within the drainage ditch to the north of the site.
- 6.49 Having regard to the above, the two development proposals would not have any significant adverse effect on water resources and flood risk in isolation or cumulatively that could not be mitigated for by planning condition, and is therefore considered they are in accordance with national policy and Policies DM1 i (*Key Criteria for Sustainable Minerals Development*), DM2 (*Managing Impacts to Amenity*), DM3 (*Managing the Impact on Surface Water and Groundwater Resources*) and CC1 (*Preparation of Climate Change Assessment*) and draft Policy 16 (Natural Resources) of the Waste Plan.

Impact on heritage assets

- 6.50 Paragraph 193 of the NPPF states that when considering the impact of a proposed development on the significance of a designated heritage asset, 'great weight' should

be given to the asset's conservation. Such weight should have regard to the significance of the asset. The attribution of '*great weight*' in the NPPF is used sparingly and so needs to be given proper consideration when considering impacts on heritage assets. (It is relevant to note that great weight is also afforded to minerals supply and this report considers both matters accordingly.) As heritage assets are irreplaceable, any harm should require clear and convincing justification.

- 6.51 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.
- 6.52 Even when harm is less than substantial, that harm must carry great weight in the planning balance. The NPPF requires that '*Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification*' (para. 194). It goes on to state that permission should be refused in the case of a proposal leading to substantial harm to a designated heritage asset unless substantial public benefits can be demonstrated (para. 195). Where the harm to the significance of a designated heritage asset is less than substantial the NPPF adds that '*this harm should be weighed against the public benefits of the proposal...*' (para. 196). In assessing such benefits, it will important to give due consideration to alternatives which could reduce or avoid the harm.
- 6.53 In accordance with the NPPF, Policy DM7 (*The Historic Environment*) of the Minerals Strategy states that proposals for mineral development will only be permitted where it can be demonstrated through authoritative assessment and evaluation that heritage assets and their setting will be conserved in a manner appropriate to their significance. Adverse impacts should be avoided or mitigated to an acceptable level. The policy further provides 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.
- 6.54 Policy DM1 (d) (*Key Criteria for Suitable Minerals Development*) requires the protection, and where possible, enhancement of heritage assets. Preservation in this context means not harming the interest in the building, as opposed to keeping it utterly unchanged. Policy HE1 (*Valuing and Conserving Our Historic Environment*) of the Christchurch and East Dorset Core Strategy accords with national and minerals policy.
- 6.55 An archaeological assessment, which was based on a geophysical survey of the site, has been submitted in support of the proposed extension. The survey indicated the potential for below ground prehistoric remains to be located within the boundary of the site that could be disturbed by extraction. Further fieldwork investigations found no evidence of any remains, but DCC's archaeologist has recommended the imposition of a planning condition requiring an archaeological mitigation strategy to be submitted. This strategy would ensure that any unidentified archaeological features in each operational phase are mapped, investigated and recorded prior to any works associated with mineral extraction taking place.
- 6.56 A heritage assessment and a landscape and visual impact assessment (LVIA) have also been submitted in support of the application for the proposed extension. The assessments have concluded that the temporary change of use of land from agriculture

to mineral extraction, including the removal of hedgerows would temporarily harm the setting of two Grade II listed buildings: Dales House and Merritown Farm. The heritage assessment also concluded that the proposed screening bund, along the southern boundary of the extension, is also considered to be harmful to the setting of Dales House. These impacts are considered by heritage assessment and the Borough Council's Conservation Officer to fall within the '*less than substantial*' category which is not disputed by any party.

- 6.57 The retention of the mineral processing facility and subsequent delay to the working of the mineral and final reclamation Phase 5 of the existing quarry would have no impact on any heritage asset, or its setting that would require further assessment beyond forming the baseline of the submitted LVIA. The mineral processing area does not form part of the setting of either heritage asset and is not visible from either heritage asset. The LVIA acknowledges that the delay to the restoration of the final phase would increase the length of the time that the land is used for mineral extraction and this would have an adverse effect on landscape character. However, the cumulative effects of the proposed extension and the delay to the working and restoration of the final phase of the existing quarry is not considered to be significant for the purposes of EIA. Moreover, any adverse visual impact that would affect landscape character would be adequately mitigated by the progressive working and restoration of the proposed extension, and the imposition of a planning condition that ensures that the existing quarry and proposed extension would not be worked simultaneously. The following assessment therefore relates only to the harm from the proposed extension to the setting of Dales House and Merritown Farm, respectively. The assessment of heritage impacts also considers the use of both buildings as residential dwellings; the amenity of the residents being difficult to separate from the environmental impacts that harm setting.
- 6.58 Both Dales House and Merritown Farm are listed because of their archaeological, architectural and historic value as examples of late 17th/early 18th century agricultural dwellings. The immediate setting of both buildings is considered to contribute towards their individual significance. Officers agree that all identified harm has been accurately assessed as '*less than substantial*' and is most significant to Dales House, due to its proximity, where noise and visual impacts from the quarry would be more noticeable during operational phases 1-3.

Dales House

- 6.59 Dales House is located to the north of Dales Lane, a single-track road and is set within a moderate size garden that extends to the north west and south east of the property. The building comprises two storeys, with attic rooms and is split into two residential properties: 1 Dales House and 2 Dales House. The house is set back from and elevated above road level which, along with the lack of enclosure to the front garden, makes the asset a prominent feature on the lane.
- 6.60 The immediate surrounding landscape is predominantly rural in character, with agricultural fields to the north and pastoral fields to the south. Beyond this immediate agricultural surrounding is a more developed landscape with the existing quarry to the east; the leisure and recreational uses associated with Adventure Wonderland to the west and Bournemouth Airport to the north.
- 6.61 The proposed mineral extraction would be visible from the rear elevation and upper two floors of Dales House. The revised extension boundary, where a 3m landscape

screening bund would be constructed, would be located 38.5 m from the northern back façade of Dales House, 15 m from the property boundary. The revised limit of the extraction would be located 59 m from the northern property boundary. The heritage assessment concludes that the temporary change of use of land from agriculture to mineral extraction, including the removal of hedgerows would temporarily harm the setting of Dales House. It is acknowledged that the construction of a landscape screening bund between the proposed extension and Dales House would be an alien feature in the immediate agricultural landscape, and this would lead to less than substantial harm to the setting of Dales House. Nevertheless, it would also mitigate for the impact of noise and visual impact from mineral extraction that would affect amenity, particularly in Phase 1. Hence, it offers certain benefits, which should be taken into account if the public benefit of extracting the mineral is deemed to override any residual impact upon the heritage asset.

- 6.62 Distant views of the rear and eastern side elevation of Dales House are possible across the extraction site, from a small number of vantage points along Hurn Court Lane, but these views are limited due to the presence of mature landscaping along the lane and boundary garden. The heritage assessment establishes that the visual impact from the proposed extraction would be limited to views from the rear elevation and upper floors of Dales House, rather than views towards the asset from the surrounding area.
- 6.63 The LVIA initially assessed the visual impact and effect on amenity from mineral extraction as '*substantial adverse*' (in landscape terms, not in relation to impact upon the heritage asset) during Phase 1, whilst the screening bund was being constructed along the southern boundary and the initial phase worked. After such time, the visual impact from mineral extraction would then be negligible, as the proposed bund would adequately screen the working of the remaining extraction phases so that they were no longer visually intrusive.
- 6.64 The LVIA considered the mitigation benefits of the screening bund in relation to landscape character and the visual impact from mineral extraction. It did not deem the impact of the bund to have any adverse effect in isolation and considered the bund to be beneficial in terms of mitigating views of the proposed quarry in the wider landscape. It was the shared opinion of officers, the resident of 1 Dales House and Hurn Parish Council that the initial distance proposed, between the boundary of Dales House and the foot of the screening bund, could be increased which would lead to improved visual amenity mitigation, and a reduction in the scale of less than substantial harm upon the heritage asset.
- 6.65 The bund in its revised location would no longer have a substantial adverse visual impact that would affect amenity, and would instead offer substantial mitigation in screening views of mineral extraction in Phase 1, which without it could be seen from the upper floors of Dales House. The intention of this modification was to reduce the overdominance of the structure and allow for greater visual amenity, benefiting both the residents and the degree of mitigation afforded, thereby reducing further any less than substantial harm to the setting of the heritage asset. However, the heritage assessment acknowledged that the identified reasons for less than substantial harm to the setting of the asset would remain but the mitigation was accepted by C&ED conservation officer as reasonable. Hurn Parish Council maintained their objection on the basis that, in their view, only a 100m buffer would offer adequate mitigation for the effect of the proposal to visual amenity.

- 6.66 In considering the contribution that the agricultural land to the north contributes to the significance of Dales House through setting, the heritage assessment acknowledges that the field pattern of the proposed extension has not altered since the early 20th century, and that the landscape is therefore of historic value due to its age. Nevertheless, the field pattern is considered to offer limited contribution to the significance of Dales House through its setting. This is because the rear and side elevations of Dales House are of notably less architectural quality, having been subject to later alterations.
- 6.67 The heritage assessment further establishes that it is the front façade and eastern elevation of Dales House that is of notably greater architectural quality because of its aesthetic and well-preserved design, and also due to the asset's elevated position on Dales Lane from where it is most visible. The heritage assessment concludes that it is the southern and eastern landscape setting that enhances the architectural value of Dales House and thereby contributes to the historic significance. This important landscape setting and views from the asset and of the asset would not be affected by the proposed extension.

Merritown Farm

- 6.68 Merritown Farm is located approximately 200m to the south and west of the proposed extension along Merritown Lane. The farmhouse is surrounded by a number of agricultural buildings, comprising the farmhouse and a number of barns that reflect its former agricultural use and status. The group value of these buildings contributes towards the significance of the farmhouse, enhancing its historic and archaeological interest.
- 6.69 The main frontage of the farmhouse has been designed to be impressive and imposing, but the back and side elevations have notable less aesthetic quality. The farmhouse is set in substantial grounds that have been extensively developed as the farm has diversified to incorporate leisure and recreational uses. The curtilage of the farmhouse has been extended to the south east and diversified into an amusement park '*Alice in Wonderland*', comprising an outdoor maze which has been designed to add to the architectural interest of the farmhouse. In 2005 the theme park was extended to include an indoor play centre and rebranded '*Adventure Wonderland*', this was the same year that the existing quarry was developed.
- 6.70 The heritage assessment establishes that it is the immediate farmyard setting that contributes most to the significance of Merritown Farm and that this setting, including the group value of the historic barns, would not be impacted by the proposed extension. Neither would the principle front façade and maze. Distant views of Phase 3 B of quarry would only be visible from the northern and upper storey of Merritown Farm, but so too are the buildings and infrastructure associated with Adventure Wonderland.
- 6.71 It is considered that beyond the immediate farmyard setting, the wider agricultural setting is degraded by the leisure and recreational uses immediately surrounding the asset. These uses interrupt direct views of the farmhouse and how it is appreciated within the wider landscape. The proposed quarry therefore would have '*less than substantial*' harm but this would be minor and at the lowest end of the scale.

Consideration of alternatives and the planning balance

- 6.72 It is materially relevant to the consideration of this application that the site is proposed for allocation in the submitted Mineral Sites Plan. The plan is now before the Secretary of State and is currently being examined. The NPPF is clear that plans at such an advanced stage should be given material weight in decision making. As part of the plan's preparation over several years, various options for mineral sites have been considered and a number of sites have been discounted through the process. It is reasonable to conclude, therefore, that alternatives to this site have been considered and those sites remaining in the plan are deemed to have an important role in maintaining a strategic supply of aggregates. Notwithstanding this, it is important to consider if there are alternative ways in which the proposal itself could be developed which minimise or mitigate any residual harm, even where such harm is less than substantial.
- 6.73 The ES includes detailed consideration of alternatives, including two '*do-nothing*' scenarios: the first considers not working the proposed extension and the second considers working the proposed extension, but transporting the mineral off-site to be processed.
- 6.74 If the proposed extension was not to be worked this would result in the loss of 700,000 tonnes of nationally important River Terrace aggregate. The need to allocate new sites for aggregate extraction within the plan period and its contribution to economic growth and quality of life within Dorset has been discussed in detail in paragraphs 6.3 – 6.18.
- 6.75 The applicant's second '*do nothing*' scenario considers transporting the mineral from the proposed extraction area off-site to be processed elsewhere. The ES notes the need to reduce the transportation of mineral by road and the additional HGV movements off-site processing would require. Officers also recognise that this would be the challenging economics of off-site processing and consider that there are notable environmental benefits in co-locating complimentary processes in proximity.
- 6.76 The ES reports alternative locations for the proposed extension but acknowledges that this is limited by only being able to work mineral where it is found. The review of alternative locations notes that a quarry extension requires less land-take than a new quarry and that the proposed extension benefits from an existing mineral processing facility in proximity, which reduces HGV movements associated with mineral processing or the additional development of another site.
- 6.77 Although the geographical extent of the proposed extension is limited by mineral availability, possible alternative options for the extension were considered. However, these alternatives were discounted on the grounds that each would have a likely greater environmental impact:
- i. To the north: if the quarry were extended to the north mineral would have to be transported to the existing processing plant using Parley Lane (B3073), which already is a busy main road that suffers problems with congestion during peak hours. This option would also mean that the mineral extraction area would be located directly adjacent to Bournemouth International Airport and therefore unlikely to be supported by the aviation authority due to potential traffic and access issues.
 - ii. To the east: there is no room to extend the existing quarry in this direction due to the proximity of the Moors River SSSI and Hurn Conservation Area.

- iii. To the south: land to the south-west of the existing quarry lies within Flood Zone 3, and is therefore not suitable for mineral extraction. Land immediately to the south predominantly comprises agricultural fields but contain a large number of trees and areas of woodland that would require removal. There is also a Grade II listed building within one of the fields 'Ice House' that would limit the area available for extraction.
- 6.78 Officers consider that the environmental harm caused by each of the alternatives (save for no development at all) would render each of the alternatives unacceptable in planning terms. That means there are no realistic alternatives to the proposal.
- 6.79 In response to initial concerns and following negotiations with DCC, the Borough Council's Conservation Officer and the residents of Dales House, an alternative quarry design was proposed and amended the original submission to provide additional mitigation. In summary, the location of the bund and the extraction area were both amended to take them further away from Dales House. The applicant had commissioned an economic viability assessment of the mineral resource estimated from the proposed extension in order to help inform this process.
- 6.80 When re-consulted on these amendments, Hurn Parish Council maintained its objection and request for a 100m buffer on amenity grounds. The occupant of 1 Dales House was receptive to an increase in distance between his property and the quarry, but remained concerned about the environmental effects of mineral extraction to his property and on his amenity. No comment was received from the occupiers of 2 Dales House. Neither the Parish Council or local resident made an objection on the grounds of harm to the setting of the listed buildings and the contribution of setting to significance.
- 6.81 The supporting text to Policy DM2 (*Managing Impacts on Amenity*) of the Minerals Strategy advises that an appropriate buffer between residents and minerals workings should be at least 100 m, unless a smaller buffer would be achievable without causing adverse impacts. This is a suggested guideline and does not form part of the assessment criteria of Policy DM2. The policy requires only that potential adverse impacts are "...avoided or mitigated to an acceptable level...".
- 6.82 Officers consider that a 100m buffer would be more appropriate to other types of quarrying, where the blasting of mineral is required and not to a modest aggregate quarry that utilises only a single HGV excavator and dumper. In choosing to apply the more pragmatic test of the policy, in seeking mitigation to an acceptable level, regard has been had to the supporting environmental information that includes representations made by the district's pollution control officer, the EA, DCC's landscape manager and DCC's planning policy manager. None of these have objected to the proposed extension or suggested a 100m buffer as appropriate mitigation. The proposed extension is therefore considered to be in accordance with Policy DM2.
- 6.83 The EA have not objected to the proposed development and do not consider that it would increase the risk of flooding to Dales House. C&ED pollution control team have stated that the bund is located at the optimum distance between the proposed extraction and Dales House to ensure that the effects to amenity, from any increase in noise emissions, would fall within permitted standards. Vibration levels from mineral extraction would be low and not sufficient to have any impact on the structural integrity of Dales House or significantly affect amenity. The continuation of good practice

quarrying methods would ensure that potential emissions of dust would be adequately managed and the visual impact of the proposed extension has not been objected to by DCC's landscape manager. Officers therefore consider the proposed extension to accord with Policy DM2 and that a 100-m buffer would be an onerous burden on the economic viability of the applicant to continue to operate. Planning conditions have been imposed relating to noise exposure levels and flood risk protection.

- 6.84 The proposed extension would temporarily change the immediate northern setting of Dales House and to a lesser extent the wider setting of Merritown Farm from agriculture to mineral extraction, which would result in '*less than substantial harm*' to the setting of these Grade 2 listed buildings. However, the heritage assessment has concluded that the proposed extension site does not contribute towards the overall significance of either heritage asset and the views of both assets within the landscape from this vantage point are degraded by the presence of the built development associated with Adventure Wonderland.
- 6.85 Despite the heritage impacts from the proposed extension not being identified as '*significant*' in EIA terms, the less than substantial harm to heritage assets does need to be weighed against the public benefits associated with the proposed extension. Specifically, in relation to the harm to the setting of Dales House and Merritown Farm which requires clear and convincing justification, such that the public benefits must be sufficient to outweigh any harm - even when such harm is less than substantial.
- 6.86 Public benefits associated with the proposed extension include:
- i. The contribution to securing an appropriate, robust and flexible level of aggregates provision to meet the requirement for ambitious housing and infrastructure building programmes. New housing and infrastructure is a key national priority of the Government that is reflected in local development plans as necessary to secure economic growth and to maintain and improve quality of life in the County, as well as the larger conurbations of Bournemouth and Poole. This argument is substantiated by the fact that the site is a proposed allocation in the submitted Mineral Sites Plan;
 - ii. The continued contribution that the existing quarry and proposed extension would make to the economy more generally, including locally based and skilled employment.
- 6.87 Officers consider the extent to which the proposed extension would help to secure the deliverability of construction aggregate supply weighs heavily in favour of the proposal and should be accorded great weight. The proposed extension is modest of scale and there are significant planning and environmental gains associated with locating the quarry adjacent to an existing mineral processing facility. Subject to the imposition of planning conditions, an adequate buffer 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 to the use of Dales House and Merritown Farm as residential dwellings, such that the proposal would be in accordance with Policy DM2 (*Managing Impacts on Amenity*).
- 6.88 The heritage assessment has established that the most important settings and views of both listed buildings would not be impacted by the proposed extension. Moreover, the surrounding agricultural landscape character that would be changed temporarily by mineral extraction does not meaningfully contribute to the significance of either

asset, because this setting has already been degraded by other built development. Nevertheless, less than substantial harm to the setting does exist, albeit minor within the scale of less than substantial harm and this must be afforded significant weight. In doing so, officers have concluded that the harm is clearly outweighed by the significant public benefits of the proposal, which also provide clear and convincing justification to make an exception to Policies DM1 d (*Key Criteria for Sustainable Mineral Development*) and DM4 (*Protection and Enhancement of Landscape Character and the Countryside*) and DM7 (*The Historic Environment*), which require the preservation of a heritage asset's setting.

Landscape and visual impact

- 6.89 Policy DM4 (*Protection and Enhancement of Landscape Character and Countryside*) of the Minerals Strategy 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 an adverse impact cannot be avoided, the impact will be adequately mitigated; or
 - iii. where adverse impacts cannot be avoided or adequately mitigated, compensatory environmental enhancements will be made to offset the residual landscape and visual impacts.
- 6.90 Policy HE3 (*Landscape Quality*) of the C&ED Core Strategy places similar requirements on new development. Policy RS1 (*Restoration, Aftercare and Afteruse of Minerals Development*) requires high quality and timely restoration that where possible is undertaken in phases to mitigate for residential amenity and to minimise the duration of landscape and environmental impacts.
- 6.91 The LVIA that has been submitted in support of both applications provides an objective assessment of the impacts and effect of continued mineral extraction and processing on landscape character and its setting, including the historic landscape and visual amenity, due to potential changes in views. The impacts and effects on the historic landscape and visual amenity of the adjacent listed buildings has been discussed in the preceding section of this report.
- 6.92 The LVIA uses the 2003 Christchurch Borough Council Landscape Character Assessment of the study area (Rural Landscape Character Area 7: The River Stour Terrace) as the baseline. The baseline landscape character of the area whilst traditionally rural is acknowledged to have changed significantly along Parley Lane because of the substantial development of Bournemouth Airport and by Adventure Wonderland. Accordingly, this development has altered the perception of the landscape along this busy main road corridor.
- 6.93 Whilst the site for the proposed extension is located on a remnant of terraced landscape and the minor lanes and tracks leading away from Parley Lane still retain a strong rural character, glimpsed views to the surrounding built up area, road noise and aircraft noise reduce the tranquillity of the landscape.

- 6.94 Nevertheless, the LVIA accepts that the proposed extension is part of an important landscape that provides a buffer between the built-up areas, and is sensitive to changes which undermine its rural and agricultural character. C&ED district council have objected to mineral extraction in this location because they consider it would undermine the rural and agricultural character of the area.
- 6.95 Mitigation measures to screen the development and reduce landscape and visual impacts have been incorporated into the design of the proposed extension. These measures include a scheme of enhanced landscaping around the boundary of the site and the construction of landscape screening bunds that would be planted with semi-mature trees to provide additional screening. The site would be worked and restored in phases which would limit the area being used for active mineral extraction and ensure the timely reclamation of the site back to agriculture.
- 6.96 The LVIA identifies that the change of land use from arable to mineral extraction; the removal of hedgerows within the site and the construction of a screening bund along the boundary of the site would likely have an adverse effect on landscape character. However, the change would be temporary and wholly reversible, with progressive restoration being undertaken at the earliest opportunity.
- 6.97 The LVIA concludes that the impact from mineral extraction and processing to the local landscape character would be '*moderate adverse*' during extraction but that any effects on landscape character and visual impact would be mitigated through progressive working and restoration, and through screening offered by landscape bunding and additional planting. All impacts would be temporary and entirely reversible. Given that the existing quarry and the proposed extension would not be worked simultaneously, there would be a negligible cumulative visual impact. C&ED district council, whilst objecting, do support the proposed progressive restoration of the site back to agriculture and acknowledge the temporary impact of the landscape character change.
- 6.98 The existing quarry forms part of the landscape and visual baseline of the study area used in the LVIA, although the existing quarry and the proposed extension would not be worked together. However, a delay of 12 years would occur in the reclamation of the mineral processing area, as this would be needed to support the aggregate extraction in the proposed extension. Once extraction is completed in the proposed extension, the mineral processing facility would be removed and the remaining mineral in this phase extracted, over an 18-month period, before being reclaimed back to an agriculture after use. A reclamation scheme for this phase has been secured under the planning permission for the existing quarry (planning permission: 8/2001/0192) but given the delay to reclamation, a planning condition has been imposed requiring the submission of an updated restoration and aftercare scheme to be incorporated into the wider reclamation of all mineral working in this area. The ongoing issue of surface water ponding in Phase 2B of the existing quarry is also required to be included and mitigated in any future submitted scheme. This fully accords with Policy RS1 and DM4 of the Minerals Strategy.
- 6.99 DCC's landscape manager has not objected to either proposal and strongly supports the successful and complete restoration of the proposed extension and the existing quarry. A significant proportion of the proposed extension would be undertaken on land classified as best and most versatile agricultural land (Grade 2 and 3a) but the restoration of the site back to high quality agricultural land would ensure that there is no permanent loss of agricultural land. DCC's landscape manager considers that the comprehensive reclamation of both sites back to agriculture is important from a landscape and visual point of view because of the relationship of the site with the surrounding countryside. Although the parish council and Dorset Wildlife Trust would

like to see restoration provide green infrastructure benefits and public access, the reinstatement of high quality agricultural land is considered to be the more appropriate in adhering to the policy requirements to conserve and enhancement of landscape character. Appropriate management would be secured as a part of a detailed restoration scheme and conditioned requirements for aftercare.

- 6.100 Natural England have been consulted on both applications and raised no objection in relation to the temporary loss, or impact on, agricultural land.
- 6.101 The LIVA identified public highways, footpaths, residential properties and other public amenity areas from where mineral extraction and processing would be visible. Concern has been expressed by a local resident about the screening offered by proposed landscape planting given the time it would take to establish. The same local resident objects to the loss of tranquillity from the potential noise from the quarry and a loss of privacy, due to the HGV's being used for site preparation and restoration of Phase 1 being able to look directly into the upper windows of his house.
- 6.102 Dales House is a sensitive receptor to views of the proposed extension and from noise that would impact the tranquillity of its semi-rural character. It is recognised that screening bunds themselves can be intrusive in the landscape but that the screening and noise attenuation mitigation, particularly from the proposed bund on the southern boundary, would significantly reduce impacts from views and noise from mineral extraction, particularly the closest phase to the dwelling (1). To mitigate for the over dominance of the proposed bund in the original submission, the applicant has modified the location of it to take it further away from Dales House, and has also reduced the size of the extraction area. C&ED pollution control officer has not objected the proposed extension, considering that the modified location of the screening bund would offer optimum noise attenuation benefits to Dales House and the surrounding area that accord with relevant noise exposure limits. Planning conditions have been imposed limiting noise exposure levels.
- 6.103 The LVIA concludes that visual impacts on road users would be limited to roads adjacent to the site boundary and were assessed as '*moderate/substantial adverse*' during site preparation and prior to the construction of any proposed screening bunds. Once the bunds were constructed and the additional planting was established, then this impact would reduce to '*slight adverse*' or nil. The proposed screening bunds are not considered to have an adverse visual impact that would affect road users.
- 6.104 Visual impacts from mineral extraction that would affect the amenity of users of a small section of the Stour Valley Way (E62) public right of way, which is adjacent to the south west corner of the site, were assessed also to be '*substantial adverse*' during construction of the landscape screening bund along the southern boundary of the site, and during the extraction and restoration of Phase 2. Visual impacts from mineral extraction on this section of the footpath during the remaining phases, and on public open space within the study area would be negligible. The proposed screening bunds are not considered to have an adverse visual impact that would affect the amenity of public rights of way users.
- 6.105 The views of the quarry by visitors to Adventure Wonderland and Bournemouth Aviation Museum would only be '*substantial adverse*' from their respective carparks and would be limited to soil stripping and the construction of landscape screening bund. Views of the proposed extension from the attractions themselves would not be possible. The temporary loss of a temporary use of land, belonging to the landowner and applicant, by Adventure Wonderland for overflow carparking is not considered to be a material planning matter.

- 6.106 A planning condition has been recommended which seeks a detailed landscaping plan, prior to the commencement of mineral extraction and this would ensure that all additional planting is sufficient to offer mitigation.
- 6.107 Having regard to the above, the proposed development would not have any significant adverse visual or noise impact that would effect landscape character or views in isolation or cumulatively that could not be adequately mitigated for by planning condition, and is therefore considered to be in accordance with national policy and Policies DM4 (*Protection and Enhancement of Landscape Character and Countryside*) and RS1 (*Restoration, Aftercare and Afteruse of Minerals Development*) and Policy HE3 (*Landscape Quality*) of the C&ED Core Strategy.

Other planning matters that are material to the applications

Transport and Traffic

- 6.108 Policy DM8 (*Transport and Minerals Development*) of the Minerals Strategy provides that minerals development which could have an adverse impact as a consequence of the traffic generated should only be permitted where it is demonstrated through a transport assessment that, among other matters, safe access will be provided, there will be no adverse impact on the Strategic, Primary or Local Route Network, and that where required, funding for network improvements will be provided to mitigate for significant impacts.
- 6.109 Policy KS11 (*Transport and Development*) of the C&ED Core Strategy states that development will only be permitted where mitigation against adverse transport impacts, which may arise in isolation or cumulatively with other proposals, is provided. Mitigation is to be provided through site specific legal agreements and payment of the Community Infrastructure Levy (CIL).
- 6.110 Vehicular access to the existing quarry is gained from the staggered signalised intersection between Parley Lane B3073, Hurn Court Lane and the main access to Bournemouth Airport. The existing site access lies approximately 50m south of this signalised junction and is a priority controlled right turning junction onto Hurn Court Lane.
- 6.111 Parley Lane forms part of Dorset's Strategic Road Network and is also designated as a strategic lorry route. It is a single carriageway road and links the A338 at Blackwater, to the east, to the A347, Ringwood Road, at Parley Cross, to the west. Its designation as a strategic route means that it suffers from traffic congestion in the peak hours, especially at the junctions at each end: Parley Cross and Blackwater.
- 6.112 To address traffic congestion, the LEP and DCC as the highway authority have committed to delivering a package of highway improvement works to the B3073 which will be delivered during the lifetime of the proposed development. The improvements are intended address existing traffic congestion but also to mitigate for the allocated and potential future employment development at Bournemouth Airport and residential development at West Parley, as detailed in the C&ED Core Strategy
- 6.113 Both applications are supported by a single transport assessment which has assessed the predicted traffic impact from both proposals against existing baseline 12-hour traffic flow data. Vehicular movements have been assessed for a range of extraction rates to allow for fluctuation in market demand that may occur from one year to the next, but

over the life of the quarry the average annual output will be 70,000 tonnes. Baseline data was collected from a 12-hour (7am – 7pm) manual count assessment, undertaken on a weekday in May 2016, at the following junctions:

- the priority junction between the site access on Hurn Court Lane, Parley Lane;
- the staggered signalised intersection between Parley Lane (B3073), Hurn Court Lane and the access to Bournemouth Airport; and
- the roundabout junction between Parley Lane (B3073), Avon Causeway and Christchurch Road (B3073).

and was intended to represent an average working day at the existing quarry.

- 6.114 The data from the assessment showed that the busiest peak hours at the staged signalised intersection between Parley Lane, Hurn Court Lane and Bournemouth Airport was between 7.00-8.00am, with steady flow for the rest of the day that only slightly increased between 14.30-15.30pm and 16.00-17.00pm. The data from the assessment demonstrated that the busiest peak hours for HGV movements to and from the site access, onto Hurn Court Lane and then Parley Lane, was between 10.45-11.45am (22 two-way HGV movements) and between 12.30-13.30pm (18 two-way HGV movements), which is outside of the busiest peak hours for this junction, and peak flows for the other assessed junctions also.
- 6.115 The existing quarry is permitted for a maximum annual throughput of 150,000 tonnes each year. The 12-hour data to and from the existing site access, using the priority junction between Hurn Court Lane and then Parley Lane, recorded a two-way traffic flow of 358 vehicles, of which 218 (109 one-way) were classified as HGVs.
- 6.116 The average throughput for the quarry extension and mineral processing facility, over its ten-year life, is estimated to be 70,000 tonnes each year. Using this average and comparing it to the current baseline, future predicted 12-hour two-way traffic flow is estimated at 296 (148 one-way) vehicles, of which 100 (50 one-way) would be classified as HGVs. This predicted average throughput would represent a decrease of 118 (59 one-way) in average daily HGV movements. It is feasible that ‘back hauling’ of inert materials (for restoration) could further reduce HGV movements, but for the purposes of the assessment no allowance has been made for this.
- 6.117 The existing quarry and proposed extension would not be worked simultaneously and the transport assessment has concluded that vehicle movements from the quarry, when it is operating at a maximum annual throughput of 140,000 tonnes, would only increase HGV movements during peak traffic flow by 4 (2 one-way) each working day, assuming no back hauling takes place (which would reduce movements). Overall vehicle movements from the site would not materially change in total number or flow and Parley Lane, as a strategic road and designated lorry route, is considered adequate to continue to accommodate traffic from continued mineral extraction and processing in this location. A planning condition has been imposed that would limit the annual throughput of mineral extraction and processing to 140,000 tonnes.
- 6.118 The proposed extension would impact on existing traffic flow onto Hurn Court Lane, which is moderately light, as mineral would need to be hauled by HGV across the road to the existing mineral processing facility. To mitigate for any interruption to existing traffic flow and to ensure highway safety, the recommendation of planning permission for the proposed extension is subject to the applicant entering into a legally binding

highway agreement to construct a new junction between the two sites. The construction of the junction has also been secured by planning condition.

- 6.119 DCC's highways team have accepted the conclusions of the transport assessment and have raised no objection to either application, subject to the imposition of planning conditions relating to highway safety. DCC's rights of way team have offered no comment on either application but there would be no impact from traffic on any public right of way. Retaining the existing minerals processing facility during the life of the proposed quarry extension would also offering meaningful environmental benefits by reducing the distance the mineral would have to be transported for processing. Both proposals are therefore considered to fully comply with Policy DM8 (*Transport and Minerals Development*) of the Minerals Strategy and draft Policy 12 (*Transport and Access*) of the Waste Plan.
- 6.120 Policy DM1 (j) of the Minerals Strategy refers to the avoidance of cumulative impacts resulting from minerals or other development, whether current or proposed. C&ED have stated that the impact of the proposed extension would need to be mitigated through appropriate measures that consider the cumulative traffic impact of other developments.
- 6.121 Although the potential for cumulative impacts from the continuation of quarrying with the proposed site allocations, identified in the C&ED Core Strategy, is acknowledged, the EIA Regulations make a fundamental distinction between '*proposed development*' and '*allocations*'. Each of the development plan allocations remain only an allocation, with none having been the subject of a planning application. Accordingly, there is no requirement for the purposes of EIA for the proposal to consider the cumulative impact of allocated development that may or may not come forward. Notwithstanding this, the application does not propose any materially significant increase in traffic movements over and above the existing permitted quarry and there is a committed programme of highway improvements to serve planned growth in and around the airport. Aggregates are essential minerals that are needed to support the construction industry, as well as for highway infrastructure, and in this sense a local potential supply of aggregate for an area of planned growth offers distinct sustainability benefits. In the absence of any highway objection in relation to direct or cumulative impacts, I therefore do not consider that the impact of HGV movements from the proposed extension would have a significant adverse effect, in isolation or cumulatively with other development that would require a financial contribution through the district council's CIL. Both proposals are therefore considered to fully comply with Policy DM (j) of the Minerals Strategy and Policy KS11 (*Transport and Development*) of the CD&ED Core Strategy.

Ecology and biodiversity

- 6.122 Policy DM5 (*Biodiversity and Geological Interest*) of the Minerals Strategy aims to protect, maintain and enhance the condition of all types of nature conservation sites, habitats and species within their ecological networks and sets out criteria that should be addressed when development is proposed.
- 6.123 Having regard to the information submitted in support of the application proposals and the representations received, it is not considered that the application proposals are likely to have a significant adverse impact on any designated sites of nature conservation importance.
- 6.124 The ES reported the findings of a preliminary ecological assessment (PEA) which identified relevant protected species and discusses how adverse effects on them could be avoided and mitigated. The PEA noted the presence of some habitats that may be

of interest to protected species and the potential presence of badgers, reptiles, amphibians including great crested newts and nesting birds. Further assessment of bats, badgers and reptiles was subsequently undertaken.

- 6.125 An objection has been raised by a local resident in relation to the absence of protected species in the submitted survey. The ecological manager reviewed this objection and ecological information submitted, concluding that all/most of the species mentioned by the local resident are listed in the PEA. No objection to the either proposal was raised by the ecological manager or by Natural England and it is considered that the ecological interests on the site would be addressed satisfactorily through the imposition of a planning condition requiring a site environmental management plan for the lifecycle of the proposed development. It is noted that that details requiring further survey, mitigation and enhancement, which are contained in the PEA should be undertaken. This includes the provision of more nesting bird habitat contained within the detailed restoration plan.
- 6.126 The opportunity to create new ecological habitat and increase biodiversity during restoration should ensure that there is no net loss to biodiversity, because of the temporary loss of habitat. The temporary loss of nesting habitat while the site is in use as a quarry should be mitigated by creating more nesting habitat once the site is restored and this is dealt with in the site restoration plan.
- 6.127 Having regard to the above, the proposed development would not have any significant adverse effect on ecology and biodiversity in isolation or cumulatively that could not be mitigated for by planning condition, and is therefore considered to be in accordance with national policy and Policy DM5 (*Biodiversity and Geological Interest*) of the Minerals Strategy.

Climate Change

- 6.128 Policy CC1 (*Preparation of Climate Change Assessments*) require proposals for minerals development to include an assessment of how climate change mitigation has been considered and addressed.
- 6.129 Both proposals are supported by a climate change assessment which details the limited increase in greenhouse gas emissions from the proposed extension when compared to the existing authorised development. Climate change impacts and their effects would be limited due to the fairly short-term duration of the development, but would include the following:
- i. implement a drainage strategy that would ensure that there was no increased risk of flooding;
 - ii. have a working scheme to minimise mineral waste;
 - iii. not significantly increase traffic movements;
 - iv. use of modern plant and machinery with high efficiency rating; and
 - v. progressive restoration of the site to a high quality that would deliver net ecological gain.
- 6.130 Having regard to the information submitted in support of both proposals, neither would have any significant adverse effect on climate change in isolation or cumulatively that could not be mitigated for by planning condition, and is therefore considered to be in accordance with national policy and Policy CC1 (*Preparation of Climate Change Assessments*) of the Minerals Strategy.

7. Conclusion

- 7.1 The location of the proposed extension fully accords with Policy AS1 (*Provision of Sand and Gravel*) of the Minerals Strategy and its allocation in the draft Minerals Sites Plan (*Draft MSP AS09 – Hum Court Farm extension*) lends strong in-principle support for the development. The proposal is in accordance with the emerging Mineral Sites Plan and therefore would not prejudice the outcome of the local plan process.
- 7.2 Inert waste is an acceptable restoration method for quarry voids and the importation of sufficient quantities of waste from local construction sites would also provide an identified need for inert waste disposal facilities that complies with draft Policy 8 (*Inert Waste Recovery and Disposal*) of the Waste Plan.
- 7.3 The retention of the existing minerals processing facility is logical, as it is optimally placed to serve the proposed extension and accords with the requirement to reduce the impact of mineral development traffic (*Policy DM8 – Transport and Minerals Development*). The need for the mineral is sufficient to outweigh an exception to Policy RS1 - f (*Restoration, Aftercare and Afteruse of Minerals Development*) which requires restoration to be undertaken at the earliest opportunity.
- 7.4 The ES demonstrates that neither the existing site or proposed extension would adversely affect the integrity of the Dorset Heaths SAC, Dorset Heathlands SPA and Ramsar site, either alone or in combination (the plan requires that this be demonstrated).
- 7.6 The proposed extension would result in temporary harm to the setting of two Grade II listed buildings: Dales House and Merritown Farm. However, it is accepted that the temporary harm to both listed buildings would be less than substantial. Despite the heritage impacts from the proposed extension not being identified as ‘*significant*’ in EIA terms, the less than substantial harm to the listed buildings does need to be given significant weight when weighed against the public benefits associated with the proposed extension and, in relation to harm to the setting of Dales House and Merritown Farm, requires clear and convincing justification.
- 7.7 The assessment set out in this report has taken account of the valuable contribution to securing a sufficient supply of aggregate that the site would make, which is evidenced by the fact that the site is a proposed allocation in the submitted Mineral Sites Plan. The extension would also maintain the valuable local economic role of the quarry.
- 7.8 As detailed in the ES, prior to the submission of both applications, consideration was given to alternative land areas for the proposed extension. The current area and boundaries were identified as being both deliverable, maximising the efficient extraction of the mineral available, in close proximity to an existing processing facility and having the least overall environmental effects. Officers consider that the environmental harm caused by each of the other alternatives (save for no development at all) would render each of the alternatives unacceptable in planning terms. The applicant has provided clear and robust justification as to why harm to the assets cannot be avoided and officers view the public benefits that exist to justify this harm are clear and significant. There are no realistic alternatives to the proposals.
- 7.9 Officers have had special regard to the desirability of preserving the setting of both listed buildings when considering the alternatives proposed by the applicant, but are of the opinion that the less than substantial harm to the setting of each listed building would be minor in scale, due to the lack of contribution that the proposed extension

area makes to the appreciation of their significance within the wider landscape. Whilst the screening bund on the southern boundary of the site would also harm the setting of Dales House, it would significantly reduce impacts from the visual intrusion and noise of mineral extraction, particularly from the closest phase to the swelling (Phase 1), which without it would have significant adverse effects to amenity. Even when this less than substantial harm is given great weight, the public benefits of the mineral extraction and the economic viability of the business clearly outweigh the residual harm to the respective settings of Dales House and Merritown Farm.

- 7.10 Any residual adverse impacts that would affect the wider landscape character and amenity of the adjacent residential dwellings and public right of way need also to be considered in the context of the temporary and reversible nature that would be predominately contained within the first phase of the quarry. Subject to the imposition of planning conditions, an adequate buffer would also exist to the extent necessary to achieve an acceptable level of mitigation of potential adverse effects including noise, vibration, dust and visual intrusion to the use of Dales House and Merritown Farm as residential dwellings, such that the proposal would be in accordance with Policy DM2 (*Managing Impacts on Amenity*).
- 7.11 Mineral extraction and restoration would be phased and the reclamation of the site back to an agricultural after use, with a 5-year aftercare period is supported (Policy RS1 - *Restoration, Aftercare and Afteruse of Minerals Development* of the Minerals Strategy. The public benefits associated with the continued use of the minerals processing facility to provide a steady supply of construction aggregates and to reduce the transportation distance of minerals, is considered material to delay the reclamation of the final phase of the existing quarry by 12 years.
- 7.12 Having regard to the mitigation of impacts and potential effects associated with the proposed development, and when balancing the remaining residual impacts and their effects against the wider public benefits, there are clear and robust material reasons to justify the approval of both applications.
- 7.13 Overall, when considering the provisions of the development plan, national policy and guidance, the environmental information submitted in support of the applications and in support of planning permission 8/2001/192 for the existing quarry, and the representations received, both proposals would provide for sustainable minerals development in accordance with the provisions of the development plan there are no other material considerations that indicate that a decision should be made otherwise.

8. Human Rights Implications

- 8.1 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.
- 8.2 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.

9. Recommendations

9.1 That planning permission be GRANTED for the developments proposed in:

- (i) application 8/16/2011 subject to:
- (ii)
 - a) consultation with the Civil Aviation Authority; and
 - b) the conditions set out in paragraph 9.2 of this report;
- (iii) application 6/10/2010 subject to conditions set out in paragraph 9.3 of this report.

9.2 SCHEDULE OF CONDITIONS FOR APPLICATION 8/16/2011

1. Time limit - commencement of development

The development permitted by this consent shall commence before the expiration of 3 years from the date of this permission. Written notification of the date of commencement shall be sent to the waste planning authority within 7 days of such commencement.

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

2. Development to be in accordance with approved plans

Unless otherwise approved in writing by the waste planning authority, the development hereby permitted shall be carried out in strict accordance with the details shown on the following plans and drawings submitted as part of the application:

DRG No. ST14939-001 Site Location
DRG No. ST14939-002 Plant Site Area
DRG No. ST14939-003 Site Setting
DRG No: ST14186-021 – Sections (date: 17/5/17)
DRG No. ST14186-007 – Total Extraction and Phasing (date: 16/5/17)

Reason: For the avoidance of doubt and to control the form of development in the interests of safeguarding the local environmental and amenity of local residents having regard to: the Bournemouth, Dorset and Poole Minerals Strategy; the Bournemouth, Dorset and Poole Minerals Sites Plan Pre-Submission Draft; the Bournemouth, Dorset and Poole Waste Plan Pre-Submission Draft; and the Christchurch and East Dorset Local Plan: Part 1 – Core Strategy.

3. Limit and depth of extraction

No mineral extraction will take place below the water table. The depth of mineral extraction will be limited to 7 m below AOD.

Reason: To accord with the application proposal and to regulate the impact of the development in the interests of protecting amenity and the environment having regard to: Policies SS1; SS2; AS1; CC1; RS1; RS2; DM1; DM2; DM3; DM4; DM5; DM7; DM8; DM9 and Policy DM10 of the Bournemouth, Dorset and Poole Minerals Strategy; Draft Policies MS1 and Site Allocation AS-09 – Hurn Court Farm, Hurn, Christchurch of the Bournemouth, Dorset and Poole Minerals Sites Plan Pre-Submission Draft and Draft Policies 1; 16; 12 and 8 of the Bournemouth,

Dorset and Poole Waste Plan Pre-Submission Draft.

4. Mineral throughput

The annual throughput of mineral extracted from the development hereby approved will not exceed 140,000 tonnes. Mineral extraction permitted by planning permission 8/2001/192 shall not occur simultaneously as mineral extraction in the extension hereby approved.

Reason: To protect amenity and the receiving environment having regard to: Policies SS1; SS2; AS1; CC1; RS1; RS2; DM1; DM2; DM3; DM4; DM5; DM7; DM8; DM9 and Policy DM10 of the Bournemouth, Dorset and Poole Minerals Strategy; Draft Policies MS1 and Site Allocation AS-09 – Hurn Court Farm, Hurn, Christchurch of the Bournemouth, Dorset and Poole Minerals Sites Plan Pre-Submission Draft and Draft Policies 1; 16; 12 and 8 of the Bournemouth, Dorset and Poole Waste Plan Pre-Submission Draft.

5. Hours of Operation

No operations other than essential maintenance and testing of plant shall be carried out on site other than between 07:00 to 18:00 Monday to Friday and 07.00 to 13.00 on a Saturday (excluding bank and public holidays), unless with prior written approval of the mineral planning authority or where operations are necessary to maintain safe mineral working in emergencies. A precise definition of emergencies shall be submitted to, and agreed in writing by, the mineral planning authority prior to the commencement of development. Thereafter any qualifying emergency that requires working outside of the hours specified in this condition shall be notified to the mineral planning authority as soon as is practicable.

Temporary works such as soil stripping and the construction of screening bunds are restricted in hours to between 08.00 to 17.00 Monday to Friday and 08.00- 13.00 on a Saturday (excluding bank and public holidays).

Reason: In accordance with the application proposal and to safeguard amenity having particular regard to: Policies SS1; SS2; AS1; CC1; RS1; RS2; DM1; DM2; DM3; DM4; DM5; DM7; DM8; DM9 and Policy DM10 of the Bournemouth, Dorset and Poole Minerals Strategy; Draft Policies MS1 and Site Allocation AS-09 – Hurn Court Farm, Hurn, Christchurch of the Bournemouth, Dorset and Poole Minerals Sites Plan Pre-Submission Draft and Draft Policies 1; 16; 12 and 8 of the Bournemouth, Dorset and Poole Waste Plan Pre-Submission Draft.

6. Archaeology

No development shall take place until a written scheme of investigation has first been submitted to and approved in writing by the mineral planning authority. The scheme shall include details of arrangements for:

- (i) evaluating the presence and extent of archaeological potential of the application site and the area to be worked for mineral;
- (ii) a programme of archaeological fieldwork to be undertaken during the extraction period; and
- (iii) post excavation works and publication of results.

The written scheme of investigation shall be implemented as approved.

Reason: To safeguard heritage assets having regard to: Policies SS1; SS2; AS1; CC1; RS1; RS2; DM1; DM2; DM3; DM4; DM5; DM7; DM8; DM9 and Policy DM10 of the Bournemouth,

Dorset and Poole Minerals Strategy; Draft Policies MS1 and Site Allocation AS-09 – Hurn Court Farm, Hurn, Christchurch of the Bournemouth, Dorset and Poole Minerals Sites Plan Pre-Submission Draft and Draft Policies 1; 16; 12 and 8 of the Bournemouth, Dorset and Poole Waste Plan Pre-Submission Draft.

7. Noise

No development shall take place until a scheme which specifies provisions for the control of discrete and distinct noise emissions from the quarry extension and associated quarry, inclusive of the mineral processing facility, shall be submitted to and approved in writing by the mineral planning authority. 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 mineral planning authority, the measures approved within the scheme shall be implemented and maintained at all times.

Reason: In accordance with the application proposal and to safeguard amenity having regard to: Policies SS1; SS2; AS1; CC1; RS1; RS2; DM1; DM2; DM3; DM4; DM5; DM7; DM8; DM9 and Policy DM10 of the Bournemouth, Dorset and Poole Minerals Strategy; Draft Policies MS1 and Site Allocation AS-09 – Hurn Court Farm, Hurn, Christchurch of the Bournemouth, Dorset and Poole Minerals Sites Plan Pre-Submission Draft and Draft Policies 1; 16; 12 and 8 of the Bournemouth, Dorset and Poole Waste Plan Pre-Submission Draft.

8. Reversing alarms

No development shall take place until the details of the make and model of reversing alarm that is to be used on mobile plant has been submitted to and approved in writing by the mineral planning authority. Only the approved reversing alarms 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 mineral planning authority.

Reason: In accordance with the application proposal and to safeguard amenity having particular regard to: Policies SS1; SS2; AS1; CC1; RS1; RS2; DM1; DM2; DM3; DM4; DM5; DM7; DM8; DM9 and Policy DM10 of the Bournemouth, Dorset and Poole Minerals Strategy; Draft Policies MS1 and Site Allocation AS-09 – Hurn Court Farm, Hurn, Christchurch of the Bournemouth, Dorset and Poole Minerals Sites Plan Pre-Submission Draft and Draft Policies 1; 16; 12 and 8 of the Bournemouth, Dorset and Poole Waste Plan Pre-Submission Draft.

9. Maximum Noise Levels – Routine Operations

The residual noise level (LAeq 1 h) at any noise sensitive receptor should not exceed +10 decibels (dB) above the background noise level (LA90, 1h) or an absolute limit of 55 dB (A) LAeq 1h (freefield), whichever is the lower, at any time during permitted operational hours. Within one month of a justifiable complaint being received by the mineral planning authority, a detailed noise action plan shall be submitted to, and approved (in writing) by, the mineral planning authority for procedures to be adopted for the management of noise suppression and mitigation in the event of the maximum permitted noise levels being exceeded. Once approved the noise management plan shall be implemented in full for the duration of the planning permission.

The site operator shall maintain quarterly records of noise emissions at representative locations around the site (including the nearest noise-sensitive premises or locations that enable noise levels at those premises to be calculated) and make these available to the mineral planning authority within 3 working days of any written request.

Reason: In accordance with the application proposal and to safeguard amenity having particular regard to: Policies SS1; SS2; AS1; CC1; RS1; RS2; DM1; DM2; DM3; DM4; DM5; DM7; DM8; DM9 and Policy DM10 of the Bournemouth, Dorset and Poole Minerals Strategy; Draft Policies MS1 and Site Allocation AS-09 – Hurn Court Farm, Hurn, Christchurch of the Bournemouth, Dorset and Poole Minerals Sites Plan Pre-Submission Draft and Draft Policies 1; 16; 12 and 8 of the Bournemouth, Dorset and Poole Waste Plan Pre-Submission Draft.

10. Maximum Noise Levels

For temporary operations comprising site preparation, soil and overburden stripping, bund formation and final restoration, noise levels at noise sensitive receptors shall not exceed 70Db (LAeq) 1-hour free field. Temporary operations which exceed the routine operations noise limits set out in condition 9 of this planning permission shall not exceed a total of eight weeks in any calendar year from any dwelling.

Reason: In accordance with the application proposal and to safeguard amenity having particular regard to: Policies SS1; SS2; AS1; CC1; RS1; RS2; DM1; DM2; DM3; DM4; DM5; DM7; DM8; DM9 and Policy DM10 of the Bournemouth, Dorset and Poole Minerals Strategy; Draft Policies MS1 and Site Allocation AS-09 – Hurn Court Farm, Hurn, Christchurch of the Bournemouth, Dorset and Poole Minerals Sites Plan Pre-Submission Draft and Draft Policies 1; 16; 12 and 8 of the Bournemouth, Dorset and Poole Waste Plan Pre-Submission Draft.

10. Landscape and Ecological Management Plan

Within three months of the development hereby permitted a landscape and ecological management plan for the quarry extension site shall be submitted to and approved in writing by the mineral planning authority. The landscape and ecological 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 the protection throughout 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, shrubs and hedges to be felled or removed;
- iv. a plan and schedule specifying the location, number, species and initial size of all trees, shrubs and hedges to be planted and the measures to be taken for their protection;
- v. Details of the measures proposed for the maintenance and management of hedgerows, trees and shrubs around the boundary of the quarry extension site and adjacent to other operational areas;
- vi. Measures to be taken to review the restoration/removal of bunds if no longer required for amenity or operational purposes;
- vii. Mitigation method statements for the avoidance of harm for all protected species identified;
- viii. Arrangements of the subsequent maintenance and review of the landscape and ecological management plans; and
- ix. A programme for the implementation of measures contained within the Plan.

Unless otherwise approved in writing by the mineral planning authority, the approved landscape and ecological management plan shall be implemented as approved.

Reason: To safeguard the natural environment and amenity having particular regard to: Policies SS1; SS2; AS1; CC1; RS1; RS2; DM1; DM2; DM3; DM4; DM5; DM7; DM8; DM9 and Policy DM10 of the Bournemouth, Dorset and Poole Minerals Strategy; Draft Policies MS1 and Site Allocation AS-09 – Hurn Court Farm, Hurn, Christchurch of the Bournemouth, Dorset and Poole Minerals Sites Plan Pre-Submission Draft and Draft Policies 1; 16; 12 and 8 of the Bournemouth, Dorset and Poole Waste Plan Pre-Submission Draft.

11. Soil Management

No soil stripping shall take place until a soil management scheme has been submitted to, and approved in writing by, the mineral planning authority. The scheme shall be implemented as approved.

Reason: To safeguard the natural environment and amenity having particular regard to: Policies SS1; SS2; AS1; CC1; RS1; RS2; DM1; DM2; DM3; DM4; DM5; DM7; DM8; DM9 and Policy DM10 of the Bournemouth, Dorset and Poole Minerals Strategy; Draft Policies MS1 and Site Allocation AS-09 – Hurn Court Farm, Hurn, Christchurch of the Bournemouth, Dorset and Poole Minerals Sites Plan Pre-Submission Draft and Draft Policies 1; 16; 12 and 8 of the Bournemouth, Dorset and Poole Waste Plan Pre-Submission Draft.

12. Groundwater Protection

No development shall take place until such time that the principles of a Hydrogeological Risk Assessment (HRA) have been submitted to, and approved in writing by, the Mineral Planning Authority. The principles of the HRA should seek to ensure that there is no extraction below the water table and no large areas of standing water during the lifetime of the permission. The scope of the HRA should include, but not be limited to, the following:

- i. Up to date groundwater level data from monitoring boreholes on the site measured with respect to common datum;
- ii. A detailed phasing plan of the extraction and backfilling operations including expected groundwater levels, which takes account of localised impacts arising from any anticipated change to surface water drainage, and which sets out maximum depths of working;
- iii. Seasonal mitigation measures to reduce large areas of open water;
- iv. Details of the proposed backfill material and process including Waste Acceptance Criteria, the source of the waste, the acceptance procedures, the verification testing for the fill material and the risk to controlled water receptors from any contaminants in the fill material;
- v. Scheme for ongoing groundwater level monitoring;
- vi. Protection of licensed and un-licensed water abstraction sources;
- vii. Protection of groundwater dependent terrestrial ecosystems;
- viii. Protection of all water interests including groundwater within the Secondary 'A' aquifers and surface waters of the River Stour and the Moors River;
- ix. Future aftercare including operation and maintenance of any surface water management system and groundwater flow pathways.

The HRA shall be implemented in full and in accordance with approved details.

Reason: To safeguard the natural environment and amenity having particular regard to: Policies SS1; SS2; AS1; CC1; RS1; RS2; DM1; DM2; DM3; DM4; DM5; DM7; DM8; DM9 and Policy DM10 of the Bournemouth, Dorset and Poole Minerals Strategy; Draft Policies MS1 and Site Allocation AS-09 – Hurn Court Farm, Hurn, Christchurch of the Bournemouth, Dorset and Poole Minerals Sites Plan Pre-Submission Draft and Draft Policies 1; 16; 12 and 8 of the Bournemouth, Dorset and Poole Waste Plan Pre-Submission Draft.

13. Surface Water Management and Drainage

No development shall take place until a detailed surface water management and drainage scheme for the proposed quarry extension and amended strategy for Phase 5 of the existing quarry (where the mineral processing facility is located) authorised by planning permission 8/2001/192 has been submitted to, and approved in writing by the Mineral Planning Authority. The development shall be carried out in accordance with the approved surface water management and drainage scheme. Drainage works, mitigation and monitoring measures shall be undertaken in accordance with the agreed Hydrological Risk Assessment.

Reason: To safeguard the natural environment and amenity having particular regard to: Policies SS1; SS2; AS1; CC1; RS1; RS2; DM1; DM2; DM3; DM4; DM5; DM7; DM8; DM9 and Policy DM10 of the Bournemouth, Dorset and Poole Minerals Strategy; Draft Policies MS1 and Site Allocation AS-09 – Hurn Court Farm, Hurn, Christchurch of the Bournemouth, Dorset and Poole Minerals Sites Plan Pre-Submission Draft and Draft Policies 1; 16; 12 and 8 of the Bournemouth, Dorset and Poole Waste Plan Pre-Submission Draft.

14. Birdstrike management

No development shall take place until a detailed bird hazard management plan has been submitted to and agreed in writing by the mineral planning authority. Immediately following approval by the mineral planning authority, the bird hazard management plan shall be implemented in full at all times and must address any standing water issues in the existing quarry.

Reason: To safeguard aviation safety having particular regard to: Policies SS1 and DM9 of the Bournemouth, Dorset and Poole Minerals Strategy.

15. Highway Safety

Prior to the commencement of mineral extraction, the first 10.00 metres of the new access crossing hereby permitted, measured from the nearside of the carriageway, shall be laid out and constructed to a specification submitted to and approved by the mineral planning authority.

Reason: To ensure highway safety having regard to: Policies SS1; SS2; AS1; CC1; RS1; RS2; DM1; DM2; DM3; DM4; DM5; DM7; DM8 and Policy DM10 of the Bournemouth, Dorset and Poole Minerals Strategy; Draft Policies MS1 and Site Allocation AS-09 – Hurn Court Farm, Hurn, Christchurch of the Bournemouth, Dorset and Poole Minerals Sites Plan Pre-Submission Draft and Draft Policies 1 of the Bournemouth, Dorset and Poole Waste Plan Pre-Submission Draft.

16. Highway Safety

Prior to the commencement of development, any entrance gates shall be set back a minimum distance of 10.00 metres from the edge of the carriageway and hung so that the gates can only be opened inwards (i.e. away from the carriageway). Visibility splays shall be cleared/excavated to a level not exceeding 0.6 metres above the relative level of the adjacent carriageway. The visibility splays shall thereafter be maintained and kept free from obstructions.

Reason: To ensure highway safety having regard to: Policies SS1; SS2; AS1; CC1; RS1; RS2; DM1; DM2; DM3; DM4; DM5; DM7; DM8 and Policy DM10 of the Bournemouth, Dorset and Poole Minerals Strategy; Draft Policies MS1 and Site Allocation AS-09 – Hurn Court Farm, Hurn, Christchurch of the Bournemouth, Dorset and Poole Minerals Sites Plan Pre-Submission Draft and Draft Policies 1 of the Bournemouth, Dorset and Poole Waste Plan Pre-Submission Draft.

17. Throughput and type of waste

Only inert waste shall be imported to the site for mineral restoration purposes. There shall be no processing of waste on site. Unless otherwise agreed in writing by the mineral planning authority, the annual throughput of inert waste used for quarry restoration shall not exceed 140,000 tonnes and shall be limited to a total of 564,000 tonnes.

Reason: To safeguard the natural environment and amenity having particular regard to: Policies SS1; SS2; AS1; CC1; RS1; RS2; DM1; DM2; DM3; DM4; DM5; DM7; DM8; DM9 and Policy DM10 of the Bournemouth, Dorset and Poole Minerals Strategy; Draft Policies MS1 and Site Allocation AS-09 – Hurn Court Farm, Hurn, Christchurch of the Bournemouth, Dorset and Poole Minerals Sites Plan Pre-Submission Draft and Draft Policies 1; 16; 12 and 8 of the Bournemouth, Dorset and Poole Waste Plan Pre-Submission Draft.

18. Phased Restoration and Aftercare Scheme

Within three months of any mineral extraction hereby permitted, a comprehensive and detailed scheme of restoration for the quarry extension, together with an amended scheme of restoration for Phase 2 (to address the ongoing standing water issues) and Phase 5 (where the mineral processing facility is located) authorised by planning permission 8/2001/192 shall be submitted to and approved in writing by the mineral planning authority. The submitted restoration scheme shall include:

- (i) provision for the relief of groundwater standing water in Phase 2 of the existing quarry;
- (ii) provision for the relief of ground compaction;
- (iii) tonnage and volume of waste required for the restoration of each phase;
- (iv) a programme for implementation.

Thereafter, and unless otherwise approved in writing by the mineral planning authority, restoration shall be completed in accordance with the approved scheme and aftercare shall be undertaken for a 5-year period from the date restoration of each phase is completed.

The restoration scheme shall be implemented in full and in accordance with approved details. The site shall be fully reclaimed to an agricultural afteruse by 31 December 2031.

Reason: To safeguard the natural environment and amenity having particular regard to: Policies SS1; SS2; AS1; CC1; RS1; RS2; DM1; DM2; DM3; DM4; DM5; DM7; DM8; DM9 and

Policy DM10 of the Bournemouth, Dorset and Poole Minerals Strategy; Draft Policies MS1 and Site Allocation AS-09 – Hurn Court Farm, Hurn, Christchurch of the Bournemouth, Dorset and Poole Minerals Sites Plan Pre-Submission Draft and Draft Policies 1; 16; 12 and 8 of the Bournemouth, Dorset and Poole Waste Plan Pre-Submission Draft.

19. Aftercare Management and Annual Review

Before February of every year in the five-year post-restoration aftercare periods, a detailed programme of management measures shall be submitted to the mineral planning authority for review and approval. This shall include a record of aftercare undertaken on the land during the previous 12 months and detail the measures to be undertaken in the following 12 months, the period during when the measures are to be undertaken and details of who will be responsible for undertaking each measure. The measures shall include details for the proposed planting (timing and pattern of vegetation establishment), cultivating, seeding, fertilising, watering, draining, and/or otherwise treating 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 safeguard the natural environment and amenity having particular regard to: Policies SS1; SS2; AS1; CC1; RS1; RS2; DM1; DM2; DM3; DM4; DM5; DM7; DM8; DM9 and Policy DM10 of the Bournemouth, Dorset and Poole Minerals Strategy; Draft Policies MS1 and Site Allocation AS-09 – Hurn Court Farm, Hurn, Christchurch of the Bournemouth, Dorset and Poole Minerals Sites Plan Pre-Submission Draft and Draft Policies 1; 16; 12 and 8 of the Bournemouth, Dorset and Poole Waste Plan Pre-Submission Draft.

20. Surveying of Restored Phases

On completion of the infilling of inert waste in each phase, the surface levels of that phase shall be surveyed by a suitably qualified professional and any discrepancy between actual levels and those approved shall be immediately made known to the mineral planning authority. Any remedial action requested in writing by the mineral planning authority shall be implemented in full within 1 month.

Reason: To safeguard the natural environment and amenity having particular regard to: Policies SS1; SS2; AS1; CC1; RS1; RS2; DM1; DM2; DM3; DM4; DM5; DM7; DM8; DM9 and Policy DM10 of the Bournemouth, Dorset and Poole Minerals Strategy; Draft Policies MS1 and Site Allocation AS-09 – Hurn Court Farm, Hurn, Christchurch of the Bournemouth, Dorset and Poole Minerals Sites Plan Pre-Submission Draft and Draft Policies 1; 16; 12 and 8 of the Bournemouth, Dorset and Poole Waste Plan Pre-Submission Draft.

21. Stockpile Height

Unless otherwise agreed in writing by the mineral planning authority, stockpiles will not exceed 3 meters in height from the base of the plant area

Reason: To safeguard the landscape character and amenity having particular regard to: Policies SS1; SS2; AS1; CC1; RS1; RS2; DM1; DM2; DM3; DM4; DM5; DM7; DM8; DM9 and Policy DM10 of the Bournemouth, Dorset and Poole Minerals Strategy; Draft Policies MS1 and Site Allocation AS-09 – Hurn Court Farm, Hurn, Christchurch of the Bournemouth, Dorset and Poole Minerals Sites Plan Pre-Submission Draft and Draft Policies 1; 16; 12 and 8 of the Bournemouth, Dorset and Poole Waste Plan Pre-Submission Draft.

23. Environmental Management Plan

Prior to the commencement of development, a site wide environmental management plan will be submitted to and agreed in writing by the mineral planning authority. Thereafter development shall be implemented in accordance with the agreed plan unless otherwise agreed in writing by the mineral planning authority.

Reason: To ensure appropriate management of the development and to safeguard the receiving environment having particular regard to: Policies SS1; SS2; AS1; CC1; RS1; RS2; DM1; DM2; DM3; DM4; DM5; DM7; DM8; DM9 and Policy DM10 of the Bournemouth, Dorset and Poole Minerals Strategy; Draft Policies MS1 and Site Allocation AS-09 – Hurn Court Farm, Hurn, Christchurch of the Bournemouth, Dorset and Poole Minerals Sites Plan Pre-Submission Draft and Draft Policies 1; 16; 12 and 8 of the Bournemouth, Dorset and Poole Waste Plan Pre-Submission Draft.

24. Measures to Prevent disturbance to Breeding Birds

Unless with prior written approval of the mineral 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 development on breeding birds having particular regard to: Policies SS1; SS2; AS1; CC1; RS1; RS2; DM1; DM2; DM3; DM4; DM5; DM7; DM8 and DM9 of the Bournemouth, Dorset and Poole Minerals Strategy; Draft Policies MS1 and Site Allocation AS-09 – Hurn Court Farm, Hurn, Christchurch of the Bournemouth, Dorset and Poole Minerals Sites Plan Pre-Submission Draft and Draft Policies 1; 16; 12 and 8 of the Bournemouth, Dorset and Poole Waste Plan Pre-Submission Draft.

9.3 **SCHEDULE OF CONDITIONS FOR 6/10/2010:**

1. Duration of the Development Permitted

The development hereby approved shall be limited to a period of 12 years from the date of this permission, by which time mineral winning and working shall have ceased and the site shall be fully reclaimed in accordance with the restoration and aftercare requirements detailed in Condition 6 of this permission.

Reason: To provide for the completion and progressive restoration of the site within a reasonable and acceptable timescale thereby reducing the environmental effects of the development having regard to: the Bournemouth, Dorset and Poole Minerals Strategy; the Bournemouth, Dorset and Poole Minerals Sites Plan Pre-Submission Draft; the Bournemouth, Dorset and Poole Waste Plan Pre-Submission Draft; and the Christchurch and East Dorset Local Plan: Part 1 – Core Strategy.

2. Development in Accordance with Approved Plans and Documentation

Unless otherwise agreed in writing by the mineral planning authority, no development shall be carried out other than in strict accordance with the approved plans, schemes and details submitted as part of the original planning application number: 8/2001/0192; plans and details approved under planning permission 8/16/2011, as listed below; and other plans and details approved under the requirements of these conditions.

- DRG No. ST14939-001 Site Location
- DRG No. ST14939-002 Plant Site Area

The development shall be carried at in full accordance with the approved plans, schemes and details for the duration of this permission.

Reason: To manage the development in the interests of ensuring that the permission is implemented correctly thereby avoiding, reducing or mitigating the environmental effects of the development having regard to: Policies SS1; SS2; AS1; CC1; RS1; RS2; DM1; DM2; DM3; DM4; DM5; DM7; DM8; DM9 and Policy DM10 of the Bournemouth, Dorset and Poole Minerals Strategy; Draft Policies MS1 and Site Allocation AS-09 – Hurn Court Farm, Hurn, Christchurch of the Bournemouth, Dorset and Poole Minerals Sites Plan Pre-Submission Draft and Draft Policies 1; 16; 12 and 8 of the Bournemouth, Dorset and Poole Waste Plan Pre-Submission Draft.

3. Notification of Implementation of the Permission

The applicant shall notify the mineral planning authority in writing within one month of the dates of commencement and completion of the following:

- i) entering a new phase of extraction and completion of restoration of each phase;
- ii) completion of (a) final restoration and (b) aftercare under this planning permission.

Reason: To enable the Mineral Planning Authority to control the development and to monitor the site to ensure compliance with the planning permission having regard to: Policies SS1; SS2; AS1; CC1; RS1; RS2; DM1; DM2; DM3; DM4; DM5; DM7; DM8; DM9 and Policy DM10 of the Bournemouth, Dorset and Poole Minerals Strategy; Draft Policies MS1 and Site Allocation AS-09 – Hurn Court Farm, Hurn, Christchurch of the Bournemouth, Dorset and Poole Minerals Sites Plan Pre-Submission Draft and Draft Policies 1; 16; 12 and 8 of the Bournemouth, Dorset and Poole Waste Plan Pre-Submission Draft.

4. Processing of Mineral and Importation of Waste

Only inert waste is to be imported to the site and this should be for quarry restoration purposes only. The only mineral that shall be processed at the site is from the permitted quarry and extension area permitted under planning permission 8/16/2011.

Reason: The permission is granted only for the extraction and processing of mineral from the existing quarry and permitted extension having regard to: Policies SS1; SS2; AS1; CC1; RS1; RS2; DM1; DM2; DM3; DM4; DM5; DM7; DM8; DM9 and Policy DM10 of the Bournemouth, Dorset and Poole Minerals Strategy; Draft Policies MS1 and Site Allocation AS-09 – Hurn Court Farm, Hurn, Christchurch of the Bournemouth, Dorset and Poole Minerals Sites Plan Pre-Submission Draft and Draft Policies 1; 16; 12 and 8 of the Bournemouth, Dorset and Poole Waste Plan Pre-Submission Draft.

5. Depth of Extraction

Mineral extraction shall not take place below the normal water table and there should be no dewatering of the site.

Reason

To safeguard the local water environment, ensure the satisfactory reclamation of the site and to prevent standing water that could increase the risk of bird strike, compromising aviation safety having regard to: Policies SS1; SS2; AS1; CC1; RS1; RS2; DM1; DM2; DM3; DM4; DM5; DM7; DM8; DM9 and Policy DM10 of the Bournemouth, Dorset and Poole Minerals Strategy; Draft Policies MS1 and Site Allocation AS-09 – Hurn Court Farm, Hurn, Christchurch of the Bournemouth, Dorset and Poole Minerals Sites Plan Pre-Submission Draft and Draft

Policies 1; 16; 12 and 8 of the Bournemouth, Dorset and Poole Waste Plan Pre-Submission Draft.

6. Phased Restoration and Aftercare Scheme

No soil stripping or mineral extraction shall take place in the final phase of the quarry, approved under planning permission 8/2001/0192, until a comprehensive and detailed scheme of restoration for Phase 2 (to address the ongoing standing water issues) and Phase 5 (where the mineral processing facility is located) authorised by planning permission 8/2001/192 is submitted to and approved in writing by the mineral planning authority. The submitted restoration scheme shall include:

- (i) provision for the relief of groundwater standing water in Phase 2 of the existing quarry;
- (ii) provision for the relief of ground compaction;
- (iii) tonnage and volume of waste required for the restoration of each phase;
- (iv) a programme for implementation.

Restoration shall be completed in accordance with the approved scheme unless otherwise approved in writing by the Mineral Planning Authority.

The restoration scheme shall be implemented in full and in accordance with approved details. The site shall be fully restored to an agricultural afteruse by 31 December 2031.

Thereafter, and unless otherwise approved in writing by the mineral planning authority, restoration shall be completed in accordance with the approved scheme and aftercare shall be undertaken for a 5-year period from the date restoration of Phase 2 and Phase 5 is completed.

Reason: To ensure the progressive and timely reclamation of the site back to agriculture having regard to: Policies SS1; SS2; AS1; CC1; RS1; RS2; DM1; DM2; DM3; DM4; DM5; DM7; DM8; DM9 and Policy DM10 of the Bournemouth, Dorset and Poole Minerals Strategy; Draft Policies MS1 and Site Allocation AS-09 – Hurn Court Farm, Hurn, Christchurch of the Bournemouth, Dorset and Poole Minerals Sites Plan Pre-Submission Draft and Draft Policies 1; 16; 12 and 8 of the Bournemouth, Dorset and Poole Waste Plan Pre-Submission Draft.

7. Hours of Working

No operations other than essential maintenance and testing of plant shall be carried out on site other than between 07:00 to 18:00 Monday to Friday and 07.00 to 13.00 on a Saturday (excluding bank and public holidays), unless with prior written approval of the mineral planning authority or where operations are necessary to maintain safe mineral working in emergencies. A precise definition of emergencies shall be submitted to, and agreed in writing by, the mineral planning authority prior to the commencement of development. Thereafter any qualifying emergency that requires working outside of the hours specified in this condition shall be notified to the mineral planning authority as soon as is practicable.

No operations associated with soil stripping or the construction or removal of screening bunds shall be carried out except between 0800 hours to 1700 hours, Mondays to Fridays and 0800 to 1300 hours on Saturdays.

Reason: To protect the amenity of local residents having regard to: Policies SS1; SS2; AS1; CC1; RS1; RS2; DM1; DM2; DM3; DM4; DM5; DM7; DM8; DM9 and Policy DM10 of the Bournemouth, Dorset and Poole Minerals Strategy; Draft Policies MS1 and Site Allocation AS-09 – Hurn Court Farm, Hurn, Christchurch of the Bournemouth, Dorset and Poole Minerals

Sites Plan Pre-Submission Draft and Draft Policies 1; 16; 12 and 8 of the Bournemouth, Dorset and Poole Waste Plan Pre-Submission Draft.

8. Measures to Prevent Disturbance to Breeding Birds

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

Reason: To protect breeding birds having regard to: Policies SS1; SS2; AS1; CC1; RS1; RS2; DM1; DM2; DM3; DM4; DM5; DM7; DM8; DM9 and Policy DM10 of the Bournemouth, Dorset and Poole Minerals Strategy; Draft Policies MS1 and Site Allocation AS-09 – Hurn Court Farm, Hurn, Christchurch of the Bournemouth, Dorset and Poole Minerals Sites Plan Pre-Submission Draft and Draft Policy 1 of the Bournemouth, Dorset and Poole Waste Plan Pre-Submission Draft.

9. Storage of liquids and chemicals

Any facilities for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls, details of which shall be submitted to the mineral planning authority for approval in writing and thereafter the details implemented in full. The volume of the bunded compound should be at least equivalent to the capacity of the tank plus 10%. If there is multiple tankage, the compound should be at least equivalent to the capacity of the largest tank, or the combined capacity of interconnected tanks, plus 10%, or 25% of the total volume which could be stored at any one time, whichever is the greater. All filling points, vents, gauges and sight glasses must be located within the bund. The bund shall be sealed with no drain valves or pipes that could discharge to any watercourse, land or underground strata. Associated pipework should be located above ground where possible, and protected from accidental damage. All filling points and tank overflow pipe outlets should be detailed to discharge downwards into the bund. The bund should be maintained to ensure its storage capacity is always available.

Reason: To prevent pollution of the local environment having regard to: Policies SS1; SS2; AS1; CC1; RS1; RS2; DM1; DM2; DM3; DM4; DM5; DM7; DM8; DM9 and Policy DM10 of the Bournemouth, Dorset and Poole Minerals Strategy; Draft Policies MS1 and Site Allocation AS-09 – Hurn Court Farm, Hurn, Christchurch of the Bournemouth, Dorset and Poole Minerals Sites Plan Pre-Submission Draft and Draft Policies 1; 16; 12 and 8 of the Bournemouth, Dorset and Poole Waste Plan Pre-Submission Draft.

10. Height of Stockpiles

No stockpiles of material on the plant site shall exceed 7 metres in height when measured from base of the plant area. No material shall be stockpiled on the remainder of the site.

Reason: To protect the amenity of local residents having regard to: Policies SS1; SS2; AS1; CC1; RS1; RS2; DM1; DM2; DM3; DM4; DM5; DM7; DM8; DM9 and Policy DM10 of the Bournemouth, Dorset and Poole Minerals Strategy; Draft Policies MS1 and Site Allocation AS-09 – Hurn Court Farm, Hurn, Christchurch of the Bournemouth, Dorset and Poole Minerals Sites Plan Pre-Submission Draft and Draft Policies 1; 16; 12 and 8 of the Bournemouth, Dorset and Poole Waste Plan Pre-Submission Draft.

11. Lighting

No floodlights or street/area lighting shall be erected or installed other than (a) security lighting activated by unauthorised entry by persons or vehicles, (b) temporary site lighting to ensure a safe working environment (and which shall be so designed and installed as to prevent light spillage outside the application site), and (c) street lighting at the offices in accordance with details which shall first have been submitted to and approved in writing by the Mineral Planning Authority. Matters requiring detailed approval prior to installation of lighting shall include details of the location, height, design, sensors, and luminance of lighting, the times when lights are proposed to be illuminated, and the measures proposed to prevent potential nuisance of light spillage on adjoining properties.

Reason: To protect the amenity of local residents having regard to: Policies SS1; SS2; AS1; CC1; RS1; RS2; DM1; DM2; DM3; DM4; DM5; DM7; DM8; DM9 and Policy DM10 of the Bournemouth, Dorset and Poole Minerals Strategy; Draft Policies MS1 and Site Allocation AS-09 – Hurn Court Farm, Hurn, Christchurch of the Bournemouth, Dorset and Poole Minerals Sites Plan Pre-Submission Draft and Draft Policies 1; 16; 12 and 8 of the Bournemouth, Dorset and Poole Waste Plan Pre-Submission Draft.

12. Aftercare Management and Annual Review

Before February of every year in the five-year post-restoration aftercare periods, a detailed programme of management measures shall be submitted to the mineral planning authority for review and approval. This 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 when the measures are to be undertaken and details of who will be responsible for undertaking each measure. The measures shall include details for the proposed planting (timing and pattern of vegetation establishment), cultivating, seeding, fertilising, watering, draining, and/or otherwise treating 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 safeguard the natural environment and amenity having particular regard to: Policies SS1; SS2; AS1; CC1; RS1; RS2; DM1; DM2; DM3; DM4; DM5; DM7; DM8; DM9 and Policy DM10 of the Bournemouth, Dorset and Poole Minerals Strategy; Draft Policies MS1 and Site Allocation AS-09 – Hurn Court Farm, Hurn, Christchurch of the Bournemouth, Dorset and Poole Minerals Sites Plan Pre-Submission Draft and Draft Policies 1; 16; 12 and 8 of the Bournemouth, Dorset and Poole Waste Plan Pre-Submission Draft.

13. Surveying of Restored Phases

On completion of the infilling of inert waste in each phase, the surface levels of that phase shall be surveyed by a suitably qualified professional and any discrepancy between actual levels and those approved shall be immediately made known to the mineral planning authority. Any remedial action requested in writing by the mineral planning authority shall be implemented in full within 1 month.

Reason: To safeguard the natural environment and amenity having particular regard to: Policies SS1; SS2; AS1; CC1; RS1; RS2; DM1; DM2; DM3; DM4; DM5; DM7; DM8; DM9 and Policy DM10 of the Bournemouth, Dorset and Poole Minerals Strategy; Draft Policies MS1 and Site Allocation AS-09 – Hurn Court Farm, Hurn, Christchurch of the Bournemouth, Dorset and Poole Minerals Sites Plan Pre-Submission Draft and Draft Policies 1; 16; 12 and 8 of the Bournemouth, Dorset and Poole Waste Plan Pre-Submission Draft.

INFORMATIVE

The applicant will be required to enter into an agreement under Section 278 of the 1980 Highways Act to secure the provision of a new access junction across Hurn Court Lane.

Maxine Bodell
Head of Planning