

Regulatory Committee

Dorset County Council



Date of Meeting	16 August 2018
Officer	Maxine Bodell – Head of Planning
Subject of Report	Planning application 3/17/0967/DCC for the extraction of sand, the backfilling of the void with inert waste and the restoration of the site to low grade agricultural land at Redman's Quarry, Horton Road, Three Legged Cross.
Executive Summary	This application seeks permission for the extraction of sand, the backfilling of the void with inert waste and the restoration of the site to low grade agricultural land. The development is proposed to take place over a short time frame (approximately 3.5 years) and involves a relatively modest amount of material. The proposal includes the provision of a permissive path for part of the section of haul road to minimise conflict with other users. The report recommends approval of the application subject to planning conditions.
Impact Assessment:	<p>Equalities Impact Assessment: This report concerns the determination of an application for planning permission and not any changes to any new or existing policy with equality implications.</p> <p>Use of Evidence: The recommendation has been made after consideration of the application and supporting documents, the development, government policy, legislation and guidance, representations and all other material planning considerations as detailed in the main body of the report.</p>

Page 2 - Planning application 3/17/0967/DCC for the extraction of sand, the backfilling of the void with inert waste and the restoration of the site to low grade agricultural land at Redman's Quarry, Horton Road, Three Legged Cross

	<p>Budget: Generally, the determination of applications will not give rise to any budget implications for the Committee.</p> <p>Risk Assessment: As the subject matter of this report is the determination of a planning application the County Council's approved Risk Assessment methodology has not been applied.</p> <p>Other Implications: None</p>
Recommendation	That planning permission be granted subject to the conditions set out in paragraph 9.1 of this report.
Reason for Recommendation	As set out in paragraph 6.63- 6.70 of this report.
Appendices	<ol style="list-style-type: none"> 1. Location Plan 2. Site Phasing Plan 3. Site Sections 4. Proposed haul road 5. Proposed route of temporary permissive path.
Background Papers	Planning application file reference – 3/17/0967/DCC
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Page 3 - Planning application 3/17/0967/DCC for the extraction of sand, the backfilling of the void with inert waste and the restoration of the site to low grade agricultural land at Redman's Quarry, Horton Road, Three Legged Cross

1. Background

- 1.1 Following the submission of the application and initial consultation, the proposal has been amended by the submission of revised information, and further consultation carried out, in respect of ecological surveys, revised restoration proposals, further hydrology reports, reduced hours of operation, reduced vehicular movements and the provision of temporary permissive paths.
- 1.2 East Dorset District Council (EDDC) approved temporary planning permission for an access off Horton Road during the construction of the solar park located to the east and south of the application site. Planning permission to permanently retain the access was approved under planning permission EA/3/15/0259/FUL.

2. Site Description

- 2.1 The application site comprises a parcel of land located approximately 1km to the south west of Verwood and 1.5 km to the north west of Three-Legged Cross. The site is broadly rectangular, measuring approximately 50 x 270 metres. It is located on higher ground with land levels falling away north, east and south.
- 2.2 The site consists of a number of historic sand excavations with an area of unexcavated land situated at the southern end of the site. It is understood that the site has been used in the past for the disposal of sewage.
- 2.3 A solar farm is located immediately to the east and south of the site with a bridleway running down the western boundary of the site.
- 2.4 Access to the site is off Horton Road. It is proposed that the haul road (1.3km) for the site would utilise existing gravel tracks, some of which are also Public Rights of Way.
- 2.5 The area immediately surrounding the application site consists primarily of agricultural land used for grazing. The closest residential properties to the proposed extraction area are Oakfield Farm (300 metres) and Wedgehill Cottage (500 metres) located to the north of the site. Higher Farm is located approximately 500 metres to the west. The closest properties to the proposed haul route include Silverwood Farm, located 200 metres to the east and Laywings, located 200 metres to the west.
- 2.6 Horton Common SSSI is located approximately 200 metres to the east of the site. The majority of this designation also forms part of the Dorset Heaths Special Area of Conservation (SAC). Horton Common SNCI is located approximately 300 metres to the south of the site. Homers Wood SNCI is located 400 metres to the east with Wedgehill Lakes SNCI 400 metres to the north. The site is within the South East Dorset Green Belt.

3. The Proposal

- 3.1 Planning permission is sought for the extraction of about 100,000 tonnes of sand with the subsequent void being infilled with inert waste.
- 3.2 The proposed quarrying and subsequent infilling with inert waste would take place within the northern section of the application site. The smaller southern parcel of land

Page 4 - Planning application 3/17/0967/DCC for the extraction of sand, the backfilling of the void with inert waste and the restoration of the site to low grade agricultural land at Redman's Quarry, Horton Road, Three Legged Cross

would be used for the storage of quarry plant and the siting of a site office and welfare facilities. This area also incorporates the turning areas/one-way systems for HGV's being used to transport aggregate and, the inert fill. Topsoil will be stored in a bund within the southern plant/stockpile area.

- 3.3 Following the removal of topsoil and its temporary storage at the southern end of the site, the quarry will be worked in a phased manner from north to south. Initially only sand extraction will take place until a suitably sized void has been created at the northern end of the site. From this point onwards both sand extraction and the infilling of the void with inert waste will occur at the same time.
- 3.4 Sand will be extracted and transported around the site using a 360° excavator, loading shovel and small dumper truck. Initially a dumper truck will be used move topsoil to the storage area. The maximum depth of extraction proposed is 8 metres from existing original ground levels.
- 3.5 The application states that the majority of sand on site is of a quality that would require no additional processing. For the remainder of material that does require processing, the application proposes the temporary use of plant to screen the material. It is envisaged that the screening plant will remain on site for approximately 15 working days during the first year of operations. The haul road operating hours are proposed to be between 8am and 1 pm Monday to Friday (Excluding Public/Bank Holidays).
- 3.6 The applicant has proposed up to 7 HGV trips per day (14 movements in total) to the site. The applicant has stated that backhauling would take place where possible and so the anticipated vehicular movements allow for this.
- 3.7 Vehicular access is proposed on the northern side of Horton Road. The existing access is located approximately 300 metres to the east of the junction of Horton Road with Burt's Hill. The proposed haul road consists of existing gravel tracks and is approximately 1.3 km in length. The haul road first crosses bridleway E46/12 before joining bridleway E46/30 for approximately 300 metres. The haul road then follows bridleway E46/32 for approximately 500 metres. The application proposes the formation of a permissive path for Bridleway users that will run adjacent to bridleway E46/32 for the 500 metres where this route is shared with quarry traffic.
- 3.8 Following the extraction of sand and the subsequent infilling of the void with inert waste, the site will be restored to acid grassland in accordance with an existing and approved Landscape and Ecology Management Plan (LEMP).

4. Consultations and Representations

4.1 East Dorset District Council:

Objection – Whilst the site is smaller than that proposed through the minerals site plan, the Council's objections to the allocation still stand. Objections are raised to the impacts on the landscape based on the historical importance of Monmouth's Ash. Transport links and access close to the site is poor and there are concerns about vehicles using rural roads to travel south to Wimborne and Poole. The impact of the proposal on the nearby SSSI and internationally designated Horton Common are also raised.

Page 5 - Planning application 3/17/0967/DCC for the extraction of sand, the backfilling of the void with inert waste and the restoration of the site to low grade agricultural land at Redman's Quarry, Horton Road, Three Legged Cross

4.2 Knowlton Parish Council:

Objection – Concern is expressed as to the traffic generation impact upon the C2 (Horton Road). There are already difficulties at a number of points along the road which are narrow making it hard for opposing HGV's to pass. Road maintenance also fails to keep up with the damage caused by HGV's.

The representation states that the area is heavily used by horse riders and is widely used as grazing for horses. In addition, it is noted that DCC Highways has an obligation to maintain the surfaces of the bridleways to an adequate standard.

4.3 Highway Liaison Engineer:

No objection – The site will be accessed from Horton Road utilising the new highway access that was created for the nearby solar farm. The access is provided with adequate visibility splays. The proposal details a relatively low level of vehicle movements.

4.4 DCC Senior Ecologist:

No Objection – subject to a condition securing the implementation of those mitigation measures set out within the approved LEMP, including the permanent retention of a Sand Martin face and the restoration of the site to acid grassland.

4.5 DCC Senior Landscape Officer:

No objection – subject to a condition securing those measures set out within the submitted LEMP.

4.6 DCC Rights of Way Officer:

No objection – Concerns were initially raised over the impact and interaction of HGV traffic with Rights of Way users. However, based on the provision of a temporary permissive path, the fact that there is already vehicle access along a section of the bridleway, the proposed vehicle movements are at low levels and are scheduled for periods of low level use by horse riders, the objection was withdrawn. It has been stated that the applicant should be made responsible for the creation and maintenance of the temporary permissive path and the details agreed with DCC Rights of Way.

4.7 Environment Agency:

No objection – Without prejudicing the determination of a subsequent Environmental Permit application, the submitted hydrogeological assessment provides a measure of reassurance that the proposed activities will not significantly impact upon identified water features.

4.8 Natural England:

No Objection – Having regard to the impact of the proposal on the wetland at Horton Common, the response notes that only a proportion of water coming from the site would be likely to reach the wetlands and that as long as the water that passes through the waste is not highly calcareous on emerging no significant impact on the designation is likely.

4.9 Historic England:

No Objection.

Page 6 - Planning application 3/17/0967/DCC for the extraction of sand, the backfilling of the void with inert waste and the restoration of the site to low grade agricultural land at Redman's Quarry, Horton Road, Three Legged Cross

4.10 Dorset Wildlife Trust:

No Objection – subject to a condition securing the implementation of those mitigation measures set out within the approved LEMP.

4.11 Bournemouth Airport:

The site lies within 10km of Bournemouth Airport and the proposed development has been examined from an aerodrome safeguarding aspect. No objection subject to condition requiring Bird Management Plan.

4.12 British Horse Society:

Objection – The area represents an important route for horse riders around the network of bridleways, particularly those from Green Cottage Stables and the Riding for the Disabled Group. Whilst the provision of a temporary public access route is welcomed, horses may still be frightened by lorries passing along side.

The representation raises concerns over the disturbance caused by historic and existing uses such as motor cycling, gravel extraction from the old BMX site and clay pigeon shooting. It is stated that the failure of EDDC to enforce the lawful use of Horton Common has put riders, cyclist and walkers in danger. It is stated the movement of additional sand lorries in the area will make the situation worse.

If permission is granted, it is requested that the temporary public access route be extended to cover the entire access route. It is also requested that the site should be carefully monitored to ensure the safety of all Rights of Way users.

4.13 Ramblers Association:

Objection. Concerns raised in relation to the interaction with Rights of Way users and quarry traffic. The Ramblers Association are prepared to withdraw their objection subject to the temporary permissive path being extended along the entire length of the quarry beyond the access at the southern end. It is stated that any temporary route should be 3 metres in width and include suitable surfacing.

4.14 Other Representations:

Seven representations have been received which object to the proposed development. These objections can be summarised as follows:

- The proposal is not in accordance with development plan policy. The site is not in the Draft Minerals Sites Plan and will be detrimental to Green Belt Policy.
- The Rights of Way around Clump Hill form part of a circular route used by many cyclists, walkers and horse riders. The proposal would make the routes dangerous, especially for young and nervous horses. The proposal would therefore impact upon the safe use of these bridleway and footpath routes. It is considered that there would be an unacceptable onus on horse riders to contact site manager.
- The road infrastructure is not in place to take an additional 20-30 vehicles per day. The access onto Horton Road is a known accident blackspot.
- Wedgehill Farm already has chemical lorries using the access on a daily basis, as well as weekend activities including 4WD events, motor cross and clay shooting.
- The access constructed for the solar farm was only temporary. It is noted that the landscape specification imposed by EDDC has not been complied with.
- The development will give rise to undue noise disturbance both from the quarrying activities themselves and the presence of HGV's on the surrounding gravel tracks. The increased noise from additional HGV's on Horton Road has also been raised.

Page 7 - Planning application 3/17/0967/DCC for the extraction of sand, the backfilling of the void with inert waste and the restoration of the site to low grade agricultural land at Redman's Quarry, Horton Road, Three Legged Cross

The impact of noise on the Camping Club Site at Silverwood Farm and Remedy Oak Golf Club are specifically mentioned.

- The proposal would industrialise the area even further following the construction of the solar park and would be detrimental to the landscape character of the area.
- The movement of HGV's on the surrounding gravel tracks will give rise to dust pollution.
- The proposal is close to ancient monuments including tumuli and earthworks.
- The proposal will be detrimental to the neighbouring SSSI. Full surveys should inform the LEMP and the site should not be restored to improved grassland.
- If the proposal includes the disposal of household waste, this could result in odour complaints.
- No evidence that the material is available to fill the proposed void.
- No details as to whether the site will be lit.
- Cumulative impact of the proposal has not been considered.

5. Planning Policy Framework:

5.1 The purpose of the planning system is to help achieve sustainable development. Applications for planning permissions must be determined in accordance with the development plan unless material considerations indicate otherwise. The statutory development plan includes:

- the Bournemouth, Dorset & Poole Minerals Strategy (2014);
- the Christchurch and East Dorset Local Plan: Part 1 – Core Strategy adopted in April 2014;
- the 'saved' policies of the Minerals and Waste Local Plan (1999); and
- the 'saved' policies of the Bournemouth, Dorset and Poole Waste Local Plan 2006.

The term '*material considerations*' is wide ranging, but includes national and emerging planning policy documents. Material to all applications is the *National Planning Policy Framework* (the NPPF), a revised version of which was published in July 2018, which sets out the Government's planning policies for England and how these are expected to be applied. The Framework has been supplemented by Written Ministerial Statements and Planning Practice Guidance (PPG), which can also be material. The most relevant policies and provisions are listed below.

Relevant Development Plan Policies

5.2 *The Bournemouth, Dorset & Poole Minerals Strategy (BDPMS) – May 2014*

- Policy AS1 Provision of Sand and Gravel
- Policy DM1 Key Criteria for Minerals Development
- Policy DM2 Managing Impacts on Amenity
- Policy DM3 Managing the Impact on Surface Water and Ground 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 Zones.
- Policy RS1 Restoration, Aftercare and Afteruse of Minerals Development

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

- Policy KS1 Presumption in Favour of Sustainable Development.
- Policy KS3 Green Belt.

Page 8 - Planning application 3/17/0967/DCC for the extraction of sand, the backfilling of the void with inert waste and the restoration of the site to low grade agricultural land at Redman's Quarry, Horton Road, Three Legged Cross

- Policy KS11 Transport and Development.
- Policy ME1 Safeguarding Biodiversity and Geodiversity.
- Policy HE1 Valuing and Conserving our Historic Environment.
- Policy HE3 Landscape Quality.

5.4 *Saved Policies of the Dorset Minerals and Waste Local Plan (DMWLP) - 1999*

- Policy 6 Relating to Applications Outside the Preferred Areas
- Policy 16 Applications for the Winning and Working of Gravel Outside Preferred Areas.

5.5 *Saved policies of the Bournemouth, Dorset and Poole Waste Local Plan (BDPWLP) - 2006*

- Policy 4 Landscape Character
- Policy 8 Protection of Species
- Policy 13 Water Resources
- Policy 15 Rights of Way
- Policy 21 Transport Impact
- Policy 42 Landfilling Inert Waste in areas not covered by Policies 40 and 41.

Emerging Plans

- 5.6 On 1 December 2017 the Minerals and Waste Planning Authority published the Bournemouth Dorset and Poole Mineral Sites Plan and the Waste Plan for pre-submission consultation. These plans have since been submitted for examination to the Secretary of State. The NPPF notes that decision-takers may give weight to relevant policies in emerging plans (unless material circumstances indicate otherwise), having regard to, amongst other things, the stage such plans have reached. These plans have reached an advanced stage and provide the most up-to-date expression of minerals policy intent from the Mineral Planning Authority.

Bournemouth, Dorset and Poole Waste Plan (BDPWP) (pre-submission Draft December 2017)

- Policy 8 Inert Waste Recovery and Disposal
- Policy 12 Transport and Access
- Policy 13 Amenity and Quality of Life
- Policy 14 Landscape and Design Quality
- Policy 18 Biodiversity and Geological Interest
- Policy 19 Historic Environment
- Policy 21 South East Dorset Green Belt
- Policy 23 Restoration, Aftercare and Afteruse

5.7 Other Material Considerations

National Planning Policy Framework (the NPPF)

The most relevant guidance in the 2018 NPPF is set out in the following sections:

- Achieving sustainable development – Chapter 2
- Decision making – Chapter 4
- Planning conditions and obligations – Chapter 4 (paragraphs 54-57).
- Promoting healthy and safe communities – Chapter 8
- Promoting Sustainable Transport – Chapter 9
- Protecting Green Belt land – Chapter 13

Page 9 - Planning application 3/17/0967/DCC for the extraction of sand, the backfilling of the void with inert waste and the restoration of the site to low grade agricultural land at Redman's Quarry, Horton Road, Three Legged Cross

- Meeting the challenge of climate change, flooding and coast 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.

6. Planning Assessment

6.1 Having regard to the provisions of the development plan, the information submitted in support of the application and the representations received, the main planning considerations are:

- The acceptability in principle of the proposed development.
- Highways
- Rights of Way
- Noise
- Landscape and Green Belt
- Ecology
- Historic Environment
- Dust

6.2 Principle of Development

The proposal details the extraction of approximately 100,000 tonnes of sand, with the subsequent infilling of the void with inert waste. The site is outside a Preferred Area for sand and gravel extraction as detailed within the DMWLP. Outside of Preferred Areas, Policy 16 of the DMWLP states that planning permission will only be granted where the development meets all the requirements of Policy 6 and the development would provide significant planning and environmental gains compared with similar development within a preferred area.

6.3 Policy AS1 of the BDPMS provides a more up to date statutory policy framework than the saved policies of the 1999 local plan, and this states that an adequate and steady supply of locally extracted sand and gravel will be provided by maintaining a landbank of permitted sand and gravel reserves equivalent to at least 7 years' worth of supply over the period to 2028, based on the current agreed local annual supply requirement for Bournemouth, Dorset and Poole. This will be achieved from:

- remaining reserves at existing permitted sites;
- new sand and gravel sites, including extensions to existing permitted sites, as identified in the Mineral Sites Plan;
- new sites not identified in the Mineral Sites Plan, provided:
 - monitoring indicates that the sites identified in ii. above are unlikely to meet Bournemouth, Dorset and Poole's landbank requirements; or
 - the proposed development is for the prior extraction of aggregate in advance of non-minerals development; or
 - the development is part of a proposal for another beneficial use; or
 - the development is for a specific local requirement.

Future sites required to contribute to meeting this supply will be located within the resource blocks identified on the Policies Map. This site is within a sand and gravel resource block.

Page 10 - Planning application 3/17/0967/DCC for the extraction of sand, the backfilling of the void with inert waste and the restoration of the site to low grade agricultural land at Redman's Quarry, Horton Road, Three Legged Cross

Sites will only be considered where it has been demonstrated that possible effects that might arise from the development would not adversely affect the integrity of the Dorset Heaths SAC, Dorset Heathlands SPA and Dorset Heathland Ramsar site either alone or in combination with other plans or projects.

- 6.4 Having regard to the need for the development, it is necessary to consider the current sand and gravel landbank. NPPF paragraph 207 (e and f) refers to the need to maintain an adequate landbank for sand and gravel of at least 7 years. Estimates for the current landbank for combined sand and gravel are approximately 7.4 years for Dorset. When looking solely at sand from the Poole Formation, of which the application site forms part, the estimate for reserves is around 6.5 years. The addition of the 100,000 tonnes from the proposed development would increase this reserve to 6.6 years. It should be noted that the landbank does not take account of the geographic location of permitted reserves. Paragraph 207 of the NPPF also states that longer periods may be appropriate to take into account of the need to supply a range of types of aggregates and the locations of permitted reserves relative to markets.
- 6.5 It is considered that whilst the development proposal is not of strategic importance, it has the potential to make a small but useful contribution to the sand landbank provision. Nevertheless, it is acknowledged that the weight given to the landbank provision is limited owing to the relatively small quantities involved. As such, any adverse impacts associated with the proposal must be balanced against these limited increases in provision.
- 6.6 Having regard to the requirements of Policy 6 and Policy 16 of the DM&WLP, the application states that there is a considerable demand for building sand within 10 miles of the application site. It is noted that providing material directly into that market will reduce vehicle movements from other parts of the county. The application states that there is currently a shortage of building sand, with proposals to increase production from existing pits in the Purbeck area and to import sand from Somerset.
- 6.7 Taking into consideration the above, it is noted that there are sustainability benefits associated with the use of sand within the local market and the small but useful contribution of the proposal to the sand landbank. Therefore, it is considered that, subject to conformity with the remaining planning considerations detailed in the following paragraphs, the principle of sand extraction as detailed within the application is acceptable. The proposal is considered to accord with Policy AS1 of the BDPMS and saved policies 6 and 16 of the DM&WLP.
- 6.8 The development proposal includes the infilling of the mineral void with inert waste. Policy 40 of the BDPWLP states that Outside the selected strategic mineral voids in Policy 40 and north and west Dorset, landfilling with inert waste will normally only be permitted at existing mineral voids and where:
- i. there is no permitted capacity available for disposal of such waste within reasonable proximity;
 - ii. evidence is provided that sufficient fill will be available to ensure satisfactory completion of the scheme proposed;
 - iii. the proposal is for a "stand alone" scheme of working or for restoration on a portion of the site; and

Page 11 - Planning application 3/17/0967/DCC for the extraction of sand, the backfilling of the void with inert waste and the restoration of the site to low grade agricultural land at Redman's Quarry, Horton Road, Three Legged Cross

- iv. the proposal includes facilities for recovery of inert waste where these are not already provided at the site.
- 6.9 Policy 8 of the emerging BDPWP states that proposals for the recovery of inert waste will be permitted where it is demonstrated that waste is being managed at the highest practicable level of the waste hierarchy and there is a clear engineering, agricultural, landscape or recreation amenity justification for the development. Proposals for inert waste land recovery or disposal must also demonstrate that they meet all of the following criteria:
- a. as far as 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.
- 6.10 The application states that the site comprises a series of pits that were excavated by Wimborne Town Council for the disposal of raw sewage. Responsibility for the pits subsequently passed to EDDC, and the ground should have been reinstated many years ago when the pits were no longer required for the disposal of sewage but this did not take place. It is stated that the landowner would like to see the area reinstated following the removals of further sand deposits.
- 6.11 The application details the tipping of non-recyclable inert waste only. This will be derived from local development sites.
- 6.12 Whilst projected arising should be treated with caution, the emerging BDPWP notes that a comparison between need and capacity demonstrates that there is surplus capacity for managing inert waste (for both recycling and recovery/disposal) in the short term. However, a potential shortfall from the middle to the end of the Plan period has been identified. Therefore, there is a recognised need to enable the provision of localised inert waste recovery and disposal facilities in order to meet an identified shortfall in the later part of the Plan period and facilitate a good spatial distribution throughout the county.
- 6.13 Having regard to location of the proposed recovery operation and the nature of the waste to be deposited, it is considered that the principle of infilling of the mineral void with inert waste is acceptable. Whilst the proposal would not strictly accord with Policy 40 (iv) of the BDPWLP (provision of facilities for recovery of waste), it is considered that significant weight should now be given to the policies of emerging BDPWP, in particular Policy 8, which does not require the proposal to include facilities for recovery of inert waste. In this instance, I consider that it would not be appropriate to seek provision for recycling on site having regard to the size of the site, potential impacts upon amenity and the potential impact upon the duration of operations. Having regard to the above, the proposal is seen to accord with Policy 8 of the emerging BDPWP.
- 6.14 Highways
The principal highway impact associated with the proposed development will be the use of the access by quarry traffic and the increased numbers of HGV's on the local highway network.

Page 12 - Planning application 3/17/0967/DCC for the extraction of sand, the backfilling of the void with inert waste and the restoration of the site to low grade agricultural land at Redman's Quarry, Horton Road, Three Legged Cross

- 6.15 Policy DM 8 of the BDPMS notes that minerals development which could have an adverse impact as a consequence of the traffic generated by it will only be permitted where it is demonstrated, through a Transport Assessment that:
- a. a safe access to the proposed site will be provided;
 - b. there will be no adverse impact on the Strategic, Primary and/or Local road network;
 - c. developers will provide the funding for any highway and transport network improvements necessary to mitigate or compensate any adverse impact on the safety, capacity and use of a highway, railway, cycleway or public right of way and that these improvements will be delivered in a timely manner; and
 - d. the proposal, where possible, has direct access or suitable links with the Dorset strategic highway network or primary route network.
- 6.16 Policy 21 of the BDPWLP states that proposals for waste management facilities will not be permitted where the associated traffic would have an unacceptable effect on residential or other environmentally sensitive areas, in terms of noise, disturbance, vibration or safety, and that harm could not be avoided or adequately mitigated through an acceptable highways agreement, planning obligation and related package of works/traffic management measures or through appropriate planning conditions. Appendix B (f) of the NPPW states that in determining planning applications, waste planning authorities should consider the suitability of the road network.
- 6.17 Quarry traffic entering or leaving the site will do so via a dedicated access onto Horton Road. The access was initially constructed to serve the development of the solar park that is situated adjacent to the site. Planning permission for the access was initially temporary but its permanent retention was secured through a subsequent permission issued by EDDC. The specification of the access has been assessed by DCC's Highways Liaison Officer and is deemed to be acceptable. It is considered that its use will not be detrimental to highway safety.
- 6.18 The application initially proposed that quarrying and landfill operations would generate up to 13 trips HGV trips (26 movements) per day. Following concerns raised as to the level and nature of interaction between Rights of Way users and HGV's the applicant has proposed a reduction in the number of daily movements. The revised proposal now details a maximum number of 7 trips (14 movements) per day.
- 6.19 After an initial period to create quarry void, this traffic figure would include both the extraction of sand and infilling of inert material. Sand extraction at this rate would take just over 2.5 years to complete. The application proposes the backhauling of material wherever possible in order to reduce the vehicular impact. The backhauling of material is of course welcomed but it is recognised that this will not take place at all times. The life of the site would therefore be limited to 3.5 years to allow for the full restoration of the site. It is proposed that the number of vehicle movements per day is restricted by planning condition as detailed under paragraph 9 of this report.
- 6.20 Objections have been received as the suitability of Horton Road for HGV traffic. Having regard to the duration of the proposed quarry and landfill operations, together with the limited number of HGV movements proposed, it is considered that the proposed development will not adversely impact upon the capacity of the highway network or result in any significant increase in congestion. DCC's Highway Liaison engineer has raised no concerns regarding the suitability of Horton Road for HGV's. The proposal

Page 13 - Planning application 3/17/0967/DCC for the extraction of sand, the backfilling of the void with inert waste and the restoration of the site to low grade agricultural land at Redman's Quarry, Horton Road, Three Legged Cross

is therefore seen to accord with policy DM8 of the Minerals Strategy and Policy 21 of the BDPWLP.

6.21 Rights of Way

The proposed development has the potential to impact upon the safety and enjoyment of rights of way users as a result of HGV movements along routes designated as bridleways. One of the principal objections to the proposal concerns impact on the safety and enjoyment on users of the existing Rights of Way network.

6.22 Policy DM 8 of the Minerals Strategy notes that Minerals development which could have an adverse impact as a consequence of the traffic generated by it will only be permitted where it is demonstrated, through a Transport Assessment that a safe access to the proposed site will be provided. Policy 13 of the emerging BDPWP states that proposals for waste management facilities will be permitted where it is demonstrated that any potential site related traffic impacts on amenity arising from the operation of the facility and any associated transport can be satisfactorily avoided or mitigated to an acceptable level.

6.23 As is reflected in Development Plan Policy, it would not be appropriate for a development to lead to an unacceptable impact upon the safety of Rights of Way users. Any assessment of impact on the amenity and enjoyment of Rights of Way must be considered having regard to the level of impact (taking into account mitigation) and the associated benefits associated with extraction of mineral.

6.24 In this instance, the physical characteristics of the Rights of Way and the current level of vehicular usage are important considerations. The initial 475 metre section of haul road (when measured from site access) is not a public Right of Way, although the haul road crosses bridleway E46/12 at around 300 metres from the site access point. The haul road then joins and follows bridleway E46/30 for approximately 300 metres. The application notes that this section of bridleway is particularly wide with good visibility. It is also stated that this section of track provides access to the Monmouth Ash Farm and Wedgehill Farm, as well as two residential properties. It is also stated that track is used for sewage disposal vehicles on a daily basis and access to the solar farm on a weekly basis. Consequently, whilst the potential exists for conflict with Rights of Way users along this section, the nature and scale of such interactions is unlikely to be significantly greater than that already experienced along this section of bridleway. The final section of haul road shares bridleway E46/32 for approximately 500 metres where it passes the quarry access. This section of bridleway is a narrower single gravel track in sections with reduced visibility at certain points.

6.25 In the light of the concerns raised, the applicant has proposed to form a permissive path in the fields immediately to the northwest, and adjacent to, the existing bridleway; this land is within the control of the applicant. This would extend from the quarry entrance to the junction with bridleway E46/30 and would remain in place for the duration of the life of the site. It is considered that the provision of a permissive path along this section of bridleway would ensure that Rights of Way users have the ability to continue to use a traffic free section of track and would avoid potential conflict between uses along the narrowest section of the access.

Page 14 - Planning application 3/17/0967/DCC for the extraction of sand, the backfilling of the void with inert waste and the restoration of the site to low grade agricultural land at Redman's Quarry, Horton Road, Three Legged Cross

- 6.26 Following the receipt of a number of objections concerning the impact on Rights of Way users, the applicant undertook a survey of the track use over an extended period of time. From the survey data the applicant has stated that between the proposed operating hours of 8am-1pm, approximately 1 horse rider and 2.5 pedestrians per day would pass the site on average. The number of cyclists is stated as approximately 1 per week between the proposed operation hours.
- 6.27 As detailed above, the applicant has agreed to reduce vehicle numbers to 7 trips (14 movements) per day between the hours of 8am -1pm. This equates to approximately 3 HGV movements per hour along the haul road.
- 6.28 In addition, the applicant has proposed further mitigation in the form of signage which would inform Rights of Way users of the Site Managers contact details so that vehicles can be stopped whilst horse riders pass. Whilst such mitigation is welcomed, and may prove beneficial to some users, it is considered that Rights of Way users should not have to be put to the considerable inconvenience of phoning the Site Manager whilst the route is used. Therefore this element of the proposed mitigation is given limited weight in assessing the impact of the development on Rights of Way users.
- 6.29 Given the relatively high use of part of the Right of Way network by existing vehicles, the provision of a permissive path for duration of operations, the relatively low traffic numbers proposed and restrictions over hours of operation, it is considered that the impact of the proposal on Rights of Way users would not be so severe as to warrant the refusal of the application. The proposal is therefore seen to be in accordance with Policy DM8 of the Minerals Strategy and Policy 13 of the emerging BDPWP.
- 6.30 Noise
The proposed development has the potential to adversely impact upon the amenity of residential properties by way of noise disturbance from both the quarrying operations and HGV movements along the haul road.
- 6.31 Policy DM 2 of the BDPMS and Policy 13 of the emerging BDPWP states that proposals for waste management facilities will be permitted where it is demonstrated that any potential noise impacts on amenity arising from the operation of the facility and any associated transport can be satisfactorily avoided or mitigated to an acceptable level.
- 6.32 Planning Practice Guidance on noise associated with minerals (paragraphs 19-22) states that subject to a maximum of 55dB(A)LAeq, 1h (free field), MPA's should aim to establish a noise limit at the most noise-sensitive property that does not exceed the background level by more than 10dB(A). It is recognised, however, that in many circumstances it will be difficult to not exceed the background level by more than 10dB(A) without imposing unreasonable burdens on the mineral operator. The guidance states that in such cases, the limit set should be as near that level as practicable during normal working hours (0700-1900) and should not exceed 55dB(A) LAeq, 1h (free field).
- 6.33 The Planning Practice Guidance further states that all mineral operations will have some particularly noisy short-term activities that cannot meet the limits set for normal

Page 15 - Planning application 3/17/0967/DCC for the extraction of sand, the backfilling of the void with inert waste and the restoration of the site to low grade agricultural land at Redman's Quarry, Horton Road, Three Legged Cross

operations. It is noted that these activities can bring longer-term environmental benefits. Increased temporary daytime noise limits of up to 70dB(A) LAeq 1h (free field) for periods of up to 8 weeks in a year at specified noise sensitive properties should be considered to facilitate essential site preparation and restoration works where it is clear this will bring longer-term environmental benefits to the site or its environs.

- 6.34 The nearest residential properties to the proposed quarry are Oakfield Farm (290 metres to the north), Bridge Farm (460 metres to the north east), Wedge Hill Cottage (500 metres to the north) and Higher Farm (500 metres to the east). The nearest residential properties to the proposed haul road are Laywings (200 metres) and Silverwood Farm (200 metres).
- 6.35 Having regard to the impact of noise associated with the proposed quarrying operations, the applicant has proposed a limit of 45dB at the nearest noise sensitive premises for general day to day quarry operations. It is noted that this is well below the maximum 55dB as detailed in Planning Practice Guidance. It is proposed that the noise limits, as well the requirement for a noise monitoring and procedures to be followed in the event of a complaint, can be secured by planning condition as detailed in paragraph 9 of this report.
- 6.36 Having regard to the noise impact of HGVs using the haul road, it is considered that the level of disturbance will not be significant owing to the distance between the haul road and the noise sensitive premises. It is also noted that relatively small numbers of HGV movements are proposed and that any noise is transitory in nature. In addition, it is noted that the use of the haul road for HGVs will be limited between 8am-1pm (Monday to Friday). No weekend or Bank Holiday Working is proposed.
- 6.37 Taking into account the distance from the proposed quarry to the nearest noise sensitive premises, the proposed noise limits and the method and scale of proposed working, it is considered that there will be no material adverse impact upon the amenity of nearby residential properties by way of noise disturbance. The proposals are therefore seen to be in accordance with policy DM2 of the BDPMS and Policy 13 of the emerging BDPWP.
- 6.38 Landscape and Visual Impact and Green Belt
The landscape impacts associated with the proposed development include the landscape character and visual impacts associated with the quarry and landfill. The movement of the HGVs along the haul road and the restoration of the site to original ground levels are also considered relevant impacts in this instance.
- 6.39 Policy DM 4 BDPMS and policy 14 of the emerging BDPWP states 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 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

Page 16 - Planning application 3/17/0967/DCC for the extraction of sand, the backfilling of the void with inert waste and the restoration of the site to low grade agricultural land at Redman's Quarry, Horton Road, Three Legged Cross

- iii. where adverse impacts cannot be avoided or adequately mitigated, compensatory environmental enhancements will be made to offset the residual landscape and visual impacts.
- 6.40 Policy 21 of the emerging BDPWP states that proposals for waste management facilities will only be permitted in the South East Dorset Green Belt where:
- a. they do not constitute inappropriate development; or
 - b. they would serve to support an established waste facility and deliver operational and/or amenity improvements; and
 - c. there is a need for the development to an extent that would be deemed by the Waste Planning Authority to demonstrate very special circumstances, and that need cannot be met by alternative suitable non-Green Belt sites; and
 - d. the restoration of the site, where relevant, is appropriate to the inclusion of the land in the Green Belt and enhances the beneficial use of the Green Belt.
- 6.41 Policy KS3 of Christchurch and East Dorset Local Plan states that development in East Dorset District and Christchurch Borough will be contained by the South East Dorset Green Belt. A key purpose of the Green Belt is to protect the separate physical identity of individual settlements in the area by maintaining wedges and corridors of open land between them. Paragraphs 143-147 of the NPPF set out the criteria for development in the Green Belt.
- 6.42 At present the proposed quarry site consists of a mixture of rough grassland and scrub around a series of shallow pits. Whilst the site is located on higher ground, views of the site from within the wider landscape are limited. The site is located immediately adjacent to a solar farm within the surrounding fields generally used as grazing.
- 6.43 It is proposed that topsoil storage will be located at the southern end of the site, to the east of a group of trees. The topsoil storage will be limited to 4 metres in height. Sand stockpiles will be located within the quarry floor and are proposed to be 2 metres in height above the original ground level.
- 6.44 Having regard to the visual impact of the proposal from within the immediate vicinity, the site is most visible from the bridleway that adjoins its western boundary. Whilst the quarry will be visible from this 250 metre section of bridleway, it is considered that the impact is transitory in nature as a user passes the site. Furthermore, any impacts will be mitigated to a reasonable extent by existing scrub vegetation along the boundary between the site and the Right of Way. It is proposed that the retention of existing vegetation can be appropriately controlled through a planning condition as detailed in paragraph 9 of this report.
- 6.45 It is considered that the limited vehicle numbers and restricted hours of operation will ensure that the visual impact of vehicles moving along the haul road will be limited to an acceptable degree.
- 6.46 Having regard to the scale and nature of the proposed and the extent of its visual impact, I consider that the proposal will not adversely impact upon the visual amenity and landscape character of the area to an unacceptable level. In light of the above, and on the basis of those mitigation measures secured through the condition in

Page 17 - Planning application 3/17/0967/DCC for the extraction of sand, the backfilling of the void with inert waste and the restoration of the site to low grade agricultural land at Redman's Quarry, Horton Road, Three Legged Cross

paragraph 9 of this report, the proposal is considered to be in accordance with policy DM 4 of the BDPMS and policy 14 of the emerging BDPWP. 'Mineral extraction is not inappropriate development in the Green Belt if openness of the Green Belt is preserved and there is no conflict with the purposes of the Green Belt. It is considered that the nature of the proposed development will preserve the openness of the Green Belt and that there are no conflicts with the purposes of the Green Belt. Thus it is considered that the proposed mineral extraction is not inappropriate development within the Green Belt. It is not clear from the NPPF whether the proposed infilling of inert waste is also not inappropriate development. Therefore it is assumed, out of caution that it is inappropriate development in the Green Belt. As a result there must be very special circumstances that outweighs the harm to the Green Belt of the inappropriate development and any other harm caused by the development. The infilling of inert waste material will restore the landform to close to it's natural landform. It is considered that to be extremely desirable especially within the Green Belt and that this constitutes a very special circumstance which outweighs the harm to the green belt and the other harm identified in this report. Accordingly the proposal accords with the NPPF and Policy KS 3 of the C&EDLP The proposal is seen to accord with policy KS 3 of the Christchurch and East Dorset Local Plan.

6.47 Ecology

The existing site includes potentially suitable habitats for reptiles and birds, in particular Sand Martin, owing to the existing exposed quarry faces. The proposal has the potential to adversely impact upon the ecological interests of the locality through the removal of habitat and disturbance from quarrying activities. Horton Common SSSI, also designated Dorset Heaths SAC, is located 350 metres to the east of the site. The infilling of the quarry void with inert waste has the potential to impact upon the designation through changes in the pH of groundwater.

- 6.48 Policies DM1 of the BDPMS state that minerals development must demonstrate the protection and, where possible, the enhancement of biodiversity including nationally and internationally designated sites. Policy DM 5 of the BDPMS states that proposals for minerals development must not adversely affect the integrity of European or Ramsar or other internationally designated sites either alone or in combination with other plans and projects, unless the tests set out under Article 6 (4) of the Habitats Directive are met. In addition, Policy 18 of the emerging BDPWP states that proposals for waste management facilities which do not adversely affect the integrity of European or Ramsar sites or other internationally designated sites will only be permitted where adverse impacts on biodiversity and/or geodiversity will be:

- i. avoided; or
- ii. where an adverse impact cannot be avoided, the impact will be adequately mitigated; or
- iii. where adverse impacts cannot be avoided or adequately mitigated, compensation will result in the maintenance or enhancement of biodiversity / geodiversity.

Wherever practicable, proposals should enhance biodiversity and geological interest.

- 6.49 Having regard to the proximity of the application site to the adjacent nature conservation designation, the application included the submission of a hydrogeological report. The report concludes that a groundwater linkage between the application site

Page 18 - Planning application 3/17/0967/DCC for the extraction of sand, the backfilling of the void with inert waste and the restoration of the site to low grade agricultural land at Redman's Quarry, Horton Road, Three Legged Cross

and sensitive receptors is unlikely. It is considered that only a proportion of the water coming from any restored tip would be likely to reach the wetlands at Horton Common and there will be significant dilution from water from elsewhere in the catchment. It is considered that the composition material to be deposited at the site can also be adequately controlled and monitored through the imposition of a planning condition that specifies a range of appropriate pH values for infill material. Having regard to submitted hydrogeological report and the conditions to be secured on the grant of planning permission, it is considered the proposed infilling of mineral void with inert waste will not be detrimental to Horton Common SSSI and Dorset Heaths SAC designation.

- 6.50 The applicant has previously submitted a Landscape and Ecological Management Plan (LEMP) to DCC's Natural Environment Team. The LEMP has subsequently been approved and includes a number of mitigation measures relevant to the ecological interest of the site. These include the restoration of the site to acid grassland and the retention of an existing Sand Martin face, both during the operational life of site and as part of restoration proposals. The approved plan also recommends the avoidance of quarry works within certain areas of the site until measures have been taken to ensure the appropriate displacement of reptiles. The full mitigation proposals within the submitted LEMP are secured within the conditions within paragraph 9 of this report.
- 6.51 With appropriate measures secured by condition to mitigate the impacts of the proposal, it is considered that the ecological interests of the locality will not be affected to an unacceptable degree by the proposed quarry and landfilling operations. The proposal is seen to be in accordance with policy DM1 of the BDPMS and DM5 of the BDPMS and policy 18 of the emerging BDPWP.
- 6.52 Historic and Cultural Environment
A number of scheduled monuments are situated within proximity of the applications site. These include tumuli located approximately 180 metres to the north east and a further group of tumuli and earthworks situated 430 metres to the east. An historic sand pit is situated 600 metres to the west. Monmouth's Ash, which is of cultural importance, is located approximately 900 metres west of the site.
- 6.53 Policy DM7 of the BDPMS and policy 19 of the emerging BDPWP state that proposals for minerals and waste development in Bournemouth, Dorset and Poole will only be permitted where it can be demonstrated through an authoritative process of assessment and evaluation that heritage assets and their settings will be conserved in a manner appropriate to their significance. Adverse impacts should be avoided or mitigated to an acceptable level.
- 6.54 The Scheduled Monuments and sites of cultural significance are all located at some distance from the application site, the closest being the tumuli and earthworks to the east of the site. It is noted that an extensive solar farm is situated between these monuments and the site. In addition, it is considered that there is limited visual connection with those features to the west.
- 6.55 Having regard to the proximity of the sites of historic and cultural interest to the proposed quarry, and taking into account the scale, nature and duration of the

Page 19 - Planning application 3/17/0967/DCC for the extraction of sand, the backfilling of the void with inert waste and the restoration of the site to low grade agricultural land at Redman's Quarry, Horton Road, Three Legged Cross

proposed operations, it is considered the proposal will not harm the setting of these interests or their historic or cultural significance. The proposal is therefore seen to accord with policy DM7 of the BDPMS and policy 19 of the emerging BDPWP.

6.56 Dust

The proposal has the potential to impact upon the amenity of the area through the generation of dust, both from within the quarry itself and by HGV traffic using the surrounding gravel tracks. Policy 13 of the emerging BDPWP and policy DM2 of the BDPMS state that proposals for waste management facilities and mineral development will be permitted where it is demonstrated that any potential adverse dust impacts on amenity arising from the operation of the facility and any associated transport can be satisfactorily avoided or mitigated to an acceptable level.

6.57 It is considered that the likelihood of significant dust emissions from the quarry itself are unlikely having regard to the nature of the material being quarried and the limited physical processing of material taking place. The greatest potential for dust emissions is likely to occur from HGVs travelling along the proposed unbound haul road.

6.58 The application recognises the potential for HGV movements to result in dust emissions and states that a water bowser will be kept on site for use when deemed necessary due to haul road conditions. It is considered that the impacts associated with dust emissions can be adequately controlled through a planning condition requiring the submission of a dust management plan. The dust management plan would also detail procedures to be put in in the event of complaint being received.

6.59 Taking into consideration the measures secured by conditions detailed in paragraph 9 of this report, together with the limited number of HGV's that would access the site on a daily basis, it is considered that the proposal will not adversely impact upon the amenity of the area by way of dust emission. The proposal is therefore seen to accord with policy 13 of the emerging BDPWP and Policy DM2 of the BDPMS.

6.60 Conclusion

Having regard to the development plan, all representations received, the mitigation measures proposed by the applicant, and all other relevant material considerations I am satisfied that the proposal is in accordance with the development plan. Whist the mitigation measures proposed have not entirely overcome the objections to the proposal, I consider that the measures alleviate any residual impacts to an acceptable level for what is a relatively modest quarry with backfilling of inert waste and for a limited duration. On balance, I therefore consider that proposal is acceptable, subject to the conditions detailed in paragraph 9 of this report.

7.0 Human Rights Implications:

7.1 The provisions of the Human Rights Act and the 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.

Page 20 - Planning application 3/17/0967/DCC for the extraction of sand, the backfilling of the void with inert waste and the restoration of the site to low grade agricultural land at Redman's Quarry, Horton Road, Three Legged Cross

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

8. Statement of Positive Involvement

8.1 In accordance with Chapter 4 of the NPPF, the Council, as local planning authority, takes a positive and proactive approach to development proposals focused on solutions. The Council worked with the applicant/agent in a positive and proactive manner by:

- i. providing a pre-application advice service;
- ii. updating the applicant's agent of issues as they arose in the processing of the application;
- iii. discussing possible solutions to potential planning issues; and
- iv. providing the applicant with the opportunity to address issues so that a positive recommendation to grant permission could be given.

9. Recommendation

9.1 That planning permission be granted subject to the conditions set out below:-

SCHEDULE OF CONDITIONS

Time Limit - Commencement

1. The development hereby permitted shall be begun not later than the expiration of 3 years beginning from the date of this permission.

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

Development in Accordance with Submitted Details

2. Unless otherwise approved in writing by the Mineral Planning Authority, or otherwise required by these conditions, the development shall be implemented in strict accordance with the submitted application details, drawing numbers and submitted correspondence.

Reason: To define the development having regard to the sensitivities of the locality in accordance with policies AS1, DM2 and DM4 of the BDPMS and policies 12, 13, 14 and 21 of the BDPWP.

Duration of the development permitted

3. This permission shall expire on 31 December 2021. By 31 December 2021 extraction and landfill operations shall have ceased and the site shall have been restored in accordance with a detailed restoration scheme approved under condition 4.

Reason: To ensure that the site is reclaimed in an orderly manner to a condition capable of beneficial afteruse and in the interests of the visual amenity and nature conservation interests of the locality in accordance with Policies AS1, DM3, DM4 and DM5 of the BDPMS and Policies 13, 14 and 23 of the BDPWP.

Page 21 - Planning application 3/17/0967/DCC for the extraction of sand, the backfilling of the void with inert waste and the restoration of the site to low grade agricultural land at Redman's Quarry, Horton Road, Three Legged Cross

Restoration

4. Within 6 months of the date of this permission a detailed restoration scheme shall be submitted to the Mineral Planning Authority for its approval in writing by the Mineral Planning Authority. The scheme shall include:

- i) a plan detailing the timing, phasing, final levels and intended after uses of each area of the application site;
- ii) soil depths and characteristics to be used within each area of the application site;
- iii) Method of working.

The restoration of the site shall then be undertaken in accordance with the approved details and timetable.

Reason: To ensure that the site is reclaimed in an orderly manner to a condition capable of beneficial afteruse and in the interests of the visual amenity and nature conservation interests of the locality in accordance with Policies AS1, DM3, DM4 and DM5 of the BDPMS and Policies 13, 14 and 23 of the BDPWP.

Aftercare

5. Not later than 6 months from the date of this permission an aftercare scheme for the restored areas detailed under the conditions attached to this permission shall be submitted to the Mineral Planning Authority for its approval in writing. The approved scheme shall be fully implemented unless otherwise agreed in writing with the Mineral Planning Authority. The scheme shall be for a period of not less than 5 years and shall set out the steps to be taken in order to bring the land to a reasonable standard for its intended afteruse as acid grassland habitat.

It shall include as appropriate:-

- (i) details of soil treatment and cultivation techniques;
- (ii) seeds mixtures and rates of application;
- (iii) tree and shrub planting including species, sizes, method and density planting;
- (iv) proposals for the maintenance of tree and shrub planting;
- (v) such other matters as may be appropriate.

Reason: To ensure the land is correctly restored and managed on completion in accordance with Policies AS1, DM3, DM4 and DM5 of the BDPMS and Policy 23 of the BDPWP.

Landscaping

6. No development shall be commenced until a landscape scheme has been submitted to and approved in writing by the Mineral Planning Authority. This scheme shall include details of the trees and vegetation to be retained and a planting specification to include numbers, density, size, species and positions of all new trees and shrubs and a programme of implementation and maintenance throughout the life of the development. The landscaping works shall then be undertaken in accordance with the approved scheme. Reason: To minimise the visual impact of the development on the

Page 22 - Planning application 3/17/0967/DCC for the extraction of sand, the backfilling of the void with inert waste and the restoration of the site to low grade agricultural land at Redman's Quarry, Horton Road, Three Legged Cross

local landscape in the interest of the amenities of the area in accordance with Policies DM2 and DM4 of the BDPMS and Policies 13 and 14 of the BDPWP.

Landscaping

7. Any trees or plants indicated on the approved scheme which within a period of five years from the date of the development being completed die are removed or become seriously damaged or diseased shall be replaced during the next planting season with other trees or plants of a species and size to be first approved in writing by the Mineral Planning Authority.

Reason: To minimise the visual impact of the development on the local landscape in the interest of the amenities of the area in accordance with Policies DM2 and DM4 of the BDPMS and Policies 13 and 14 of the BDPWP.

Ecological Management Plan

8. No development shall be commenced until an ecological management plan has been submitted to and approved in writing by the Mineral Planning Authority. The submitted Ecological Management Plan shall detail procedures for the implementation and timing of those mitigation measures as set out within the approved Landscape and Ecology Management Plan for the site. The mitigation measures shall then be carried out in accordance with these approved details.

Reason: To mitigate the impacts of the proposal having regard to the ecological sensitivities of the area in accordance with Policies DM1, DM3 and DM5 of the BDPMS, Policy 13 of the BDPWLP and Policies 18 of the BDPWP.

Restriction of Permitted Development Rights

9. Notwithstanding the provisions of parts 19 and 21 of schedule 2 of the Town and Country Planning (General Permitted Development) Order, 1995 as amended (or any Order amending, replacing or re-enacting that Order) no fixed plant or machinery, buildings, structures and erections, or private ways shall be erected, extended, installed, rearranged, replaced, repaired or altered at the quarry, without prior planning permission from the Mineral Planning Authority.

Reason: To minimise the visual impact of the development on the local landscape in the interest of the amenities of the area in accordance with Policies DM2 and DM4 of the BDPMS and Policies 13 and 14 of the BDPWP.

Processing Limitation

10. No mineral or waste material shall be imported onto site for processing during the duration of the development permitted.

Reason: In order to meet the specific need of the applicant and in the interests of the amenity of residents and visitors to the area in accordance with Policies DM1, DM2 and DM8 of the BDPMS.

Processing Duration

11. The screening of sand on site with mobile plant shall be limited to no longer than 15 days in any calendar year.

Page 23 - Planning application 3/17/0967/DCC for the extraction of sand, the backfilling of the void with inert waste and the restoration of the site to low grade agricultural land at Redman's Quarry, Horton Road, Three Legged Cross

Reason: In order to meet the specific need of the applicant and in the interests of the amenity of residents and visitors to the area in accordance with Policies DM1, DM2 and DM8 of the BDPMS.

Depth of extraction

12. No extraction shall take place below 8 metres when measured from original ground level directly adjacent to the existing excavations.

Reason: In order to meet the specific need of the applicant and in the interests of the amenity of residents and visitors to the area in accordance with Policies DM1, DM2 and DM8 of the BDPMS.

Hours of operation – Quarry and Inert Landfill

13. Unless otherwise agreed in writing by the Mineral Planning Authority no operations shall take place within the quarry site except between 08:00 hours and 17:00 hours Monday to Friday. No operations shall take place at the site on Saturdays, Sundays or Public Holidays.

Reason: In the interests of the amenity of residents and visitors to the area in accordance with Policies AS1, DM 1 and DM2 of the BDPMS and policies 12, 13 and 14 of the BDPWP.

Hours of operation – Access and Haul Road

14. Unless otherwise agreed in writing by the Mineral Planning Authority no vehicles taking material to and from the site shall use the proposed haul road except between 08:00 hours and 13:00 hours Monday to Friday. Except for essential maintenance, no vehicle movements associated with the quarry shall take place on Saturdays, Sundays or Public Holidays. All vehicles accessing and leaving the site shall do so by the dedicated haul road.

Reason: In the interests of the amenity of residents and visitors to the area in accordance with Policies AS1, DM 1 and DM2 of the BDPMS and policies 12, 13 and 14 of the BDPWP.

Traffic Generation

15. No more than 14 HGV movements (one movement being either in or out of the site) per working day shall take place at the entrance of the site with Horton Road Road in association with the development the subject of this permission.

Reason: In the interests of highway safety and the amenity of the area in accordance with policy DM8 of the BDPMS and policies 12, 13 and 14 of the BDPWP.

Traffic Generation

16. Records of all quarry traffic visiting the site in connection with development hereby approved shall be maintained by the operator who shall upon request make available within 10 working days to the Mineral Planning Authority copies of these records. All such records shall be kept for at least two years.

Reason: In order that the Mineral Planning Authority can monitor compliance and traffic generation of the site in accordance with policy DM8 of the BDPMS.

Page 24 - Planning application 3/17/0967/DCC for the extraction of sand, the backfilling of the void with inert waste and the restoration of the site to low grade agricultural land at Redman's Quarry, Horton Road, Three Legged Cross

Provision of Temporary Permissive Path

17. Prior to the commencement of development a scheme detailing the provision of a temporary permissive path for to the north west of bridleway E46/32 shall be submitted to and approved in writing by the Mineral Planning Authority. The scheme shall include specification of surfacing, width, precise routing, gate details and the proposed management and maintenance regime if deemed to be required by the Mineral Planning Authority. The temporary permissive path shall be constructed in accordance with the approved details. The temporary permissive path shall remain in place and accessible for the duration of this permission.

Reason: To ensure the adequate provision of an alternative to the existing Public Right of Way in accordance with Policy DM 2 of the BDPMS, Policy 15 of the BDPWLP and Polciy13 of the BDPWP.

Signage

18. Prior to the commencement of any works or operations at the quarry, warning signs shall be erected to warn both the users of the public right of way of the potential for noise from quarrying operations and the possibility that quarry plant would be passing along the Right of Way and to warn the users of the quarry haul road of the right of way. Signs shall also be erected detailing the presence of an alternative permissive path. The proposed wording, size, locations, and type of sign shall be first submitted to and approved in writing by the Mineral Planning Authority prior their erection. Once erected the approved signs shall be maintained throughout the life of the development.

Reason: In the interests of the amenity of residents and visitors to the area in accordance with Policies AS1, DM 1 and DM2 of the BDPMS and policies 12, 13 and 14 of the BDPWP.

Dust

19. Prior to the commencement of any works or operations at the quarry a scheme detailing suppression measures for the control of dust generated by site operations, permissible levels, monitoring procedures and procedures in the event of complaint shall be submitted to and approved in writing by the Mineral Planning Authority. Site operations shall be undertaken in accordance with the approved details.

Reason: In the interests of the amenity of residents and visitors to the area in accordance with Policies AS1, DM 1 and DM2 of the BDPMS and policies 12, 13 and 14 of the BDPWP.

Siting and Appearance of Office and Welfare Facilities

20. Prior to the commencement of any works or operations at the quarry precise details as to the appearance and siting of the proposed site office and welfare facilities shall be submitted and approved in writing by the Mineral Planning Authority. The development shall then be carried out in accordance with the approved details.

Reason: To minimise the visual impact of the development on the local landscape in the interest of the amenities of the area in accordance with Policies DM2 and DM4 of the BDPMS and Policies 13 and 14 of the BDPWP.

Page 25 - Planning application 3/17/0967/DCC for the extraction of sand, the backfilling of the void with inert waste and the restoration of the site to low grade agricultural land at Redman's Quarry, Horton Road, Three Legged Cross

Siting and Height of Topsoil Storage

21. Prior to the commencement of any works or operations at the quarry precise details as to location of the proposed topsoil storage bund shall be submitted to and approved in writing by the Mineral Planning Authority. The works shall then be carried out in accordance with the approved details. Topsoil storage bunds shall not exceed 4 metres in height.

Reason: To minimise the visual impact of the development on the local landscape in the interest of the amenities of the area in accordance with Policies DM2 and DM4 of the BDPMS and Policies 13 and 14 of the BDPWP.

Stockpile Heights and Location

22. No mineral or waste material shall be stockpiled on site except on the base of the quarry floor. Stockpiles shall not exceed 2 metres in height measured from original ground level directly adjacent to the existing excavations.

Reason: To minimise the visual impact of the development on the local landscape in the interest of the amenities of the area in accordance with Policies DM2 and DM4 of the BDPMS and Policies 13 and 14 of the BDPWP.

Lighting

23. There shall be no artificial lighting of the site.

Reason: In the interest of the environment and amenity in accordance with policies DM2 and DM4 of the BDPMS and policies 13 and 14 of the BDPWP.

Location of Screen Plant

24. The processing and screening of sand extracted from the quarry shall only take place on the floor of the quarry void.

Reason: To minimise the visual impact of the development on the local landscape in the interest of the amenities of the area in accordance with Policies DM2 and DM4 of the BDPMS and Policies 13 and 14 of the BDPWP.

Noise - General Operations

25. Unless otherwise agreed in writing by the Mineral Planning Authority and with the exception of essential temporary operations of bund formation/removal and soil stripping/placement as set out in condition 26 below, noise levels arising from mineral extraction operations shall not exceed 45 dB(LAeq) 1 hour freefield when measured at the façade of the nearest noise sensitive properties.

Reason: In the interests of the amenity of residents and visitors to the area in accordance with Policies AS1, DM 1 and DM2 of the BDPMS and policy 13 of the BDPWP.

Noise – Temporary Operations

26. Unless otherwise agreed in writing by the Mineral Planning Authority Noise emitted as a result of essential temporary operations of bund formation/removal and soil stripping/placement shall not exceed 70dB(A) LAeq 1h (freefield) for a period of no more than 8 weeks in a year when measured at façade of the nearest noise sensitive properties.

Page 26 - Planning application 3/17/0967/DCC for the extraction of sand, the backfilling of the void with inert waste and the restoration of the site to low grade agricultural land at Redman's Quarry, Horton Road, Three Legged Cross

Reason: In the interests of the amenity of residents and visitors to the area in accordance with Policies AS1, DM 1 and DM2 of the BDPMS and policy 13 of the BDPWP.

Noise Monitoring

27. Prior to the commencement of any works or operations at the quarry details for noise monitoring and procedures to be followed in the event of a complaint shall be submitted to and approved in writing by the Mineral Planning Authority. Noise monitoring and complaint procedures shall thereafter be carried out in accordance with the approved details.

Reason: In the interests of the amenity of residents and visitors to the area in accordance with Policies AS1, DM 1 and DM2 of the BDPMS and policy 13 of the BDPWP.

Noise from Plant

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

Reason: In the interests of the amenity of residents and visitors to the area in accordance with Policies AS1, DM 1 and DM2 of the BDPMS and policy 13 of the BDPWP.

Reversing Warning Noise

29. Measures shall be taken at all times to ensure that reversing vehicles do not emit warning noise that would have an adverse impact upon residential amenity. Should noise from reversing vehicles be deemed by the Mineral Planning Authority to be impacting on the residential or rural amenity to an unacceptable degree the operator shall submit, at the request of the Mineral Planning Authority, a scheme for the replacement of reversing beepers or their modification. Any revised arrangements that are approved in writing by the Mineral Planning Authority shall be implemented in full within 1 month of approval, or such longer time that may be agreed in writing by the Mineral Planning Authority, and maintained throughout the life of the development.

Reason: In the interests of the amenity of residents and visitors to the area in accordance with Policies AS1, DM 1 and DM2 of the BDPMS and policy 13 of the BDPWP.

Imported Material Testing

30. Prior to commencement of any works or operations a scheme shall be submitted to and approved in writing by the Mineral Planning Authority detailing the submission of a regime for the pH testing of inert waste where such loads have derived from calcareous ground. The submission shall detail the pH limits of waste to be brought to site, methods of testing and procedures for the recording results. Test results shall be made available to the Mineral Planning Authority within 7 days of a request for such records. The development shall be carried out in accordance with the approved testing details.

Page 27 - Planning application 3/17/0967/DCC for the extraction of sand, the backfilling of the void with inert waste and the restoration of the site to low grade agricultural land at Redman's Quarry, Horton Road, Three Legged Cross

Reason: To mitigate the impacts of the proposal having regard to the ecological sensitivities of the area in accordance with Polies DM1, DM3 and DM5 of the BDPMS, Policy 13 of the BDPWLP and Policies 18 of the BDPWP.

Records of Imported Material

31. A record shall be maintained of all material brought into the site for landfilling. The record shall include the date of delivery, the nature and quantity of material imported, the source of the material and the registration number of the vehicle used to bring the material to the site. The record shall be made available for inspection by the Waste Planning Authority within 7 days of a written request. Records shall be retained for at least 2 years.

Reason: In order to meet the specific need of the applicant and in the interests of the amenity of residents and visitors to the area in accordance with Policies DM1, DM2 and DM8 of the BDPMS.

Bird Management Plan

32. No development shall commence until a Bird Management Plan (BMP) has been submitted to and approved in writing by the Mineral Planning Authority after consultation with Bournemouth Airport. The Bird Management Plan is to encompass all construction, operational, restoration and aftercare phases. The Bird Management Plan shall to be implemented as approved for the duration of the development.

Reason:

To reduce the attractiveness of potential feeding, nesting, breeding and roosting opportunities for hazardous bird species in the vicinity of the Airport in order to avoid the interception of bird and aircraft flight lines in the interest of aviation safety.

9.2 ADDITIONAL INFORMATION FOR INCLUSION IN DECISION NOTICE

- I. A statement explaining how the Council worked with the applicant in a positive and proactive way as set out in paragraph 8.1 above.
- II. Note to Applicant:
Contact with the County Highway Authority should be made in connection with the above conditions with Ian Madgwick of the Transport Development Team.

Maxine Bodell
Head of Planning