

Regulatory Committee

Dorset County Council



Date of Meeting	24 January 2019
Local Member - Nick Ireland - County Councillor for Linden Lea, West Dorset Lead Officer – Michael Garrity – Planning and Regulation Manager	
Subject of Report	<p>To consider:</p> <p>(1) Application No. WD/D/18/002145 -Variation to conditions of permission WD/D/14/00839 to enable changes to the restoration details and the removal of redundant conditions relating to mineral extraction (previously permitted by 'Determination of conditions on an Interim Development Order' (IDO permission)); and</p> <p>(2) Application No. WD/D/18/002258 Variation to conditions of permission WD/D/14/000840 to enable changes to the restoration details and the removal of redundant conditions relating to mineral extraction (previously permitted by 'extraction of sands and gravels from areas which have been previously worked; regularisation of areas which have historically been used for the extraction of sands and gravels and further extraction in intervening areas'); and</p> <p>(3) Application No WD/D/18/002259 Variation to conditions of permission WD/D/16/002906 to enable changes to the restoration details and the removal of redundant conditions relating to mineral extraction (previously permitted by 'Consolidation of mineral planning permissions').</p> <p>Applicant : Habitat First Group Location : Warmwell Quarry / Silverlake, Moreton Road, Crossways, Dorchester, Dorset, DT2 8HU</p>

Executive Summary	<p>These applications propose to extend the duration of restoration works by 7 months until 31 July 2019. Now that extraction operations have ceased and a large proportion of the re-profiling works have been completed over this 227ha site the applicant now has more accurate “cut and fill volumes” to inform the final restoration levels. As a result, some minor changes to levels and lake sizes are now proposed. Further monitoring of the ground and surface water levels and flows have also informed some minor changes to the predicted lake water levels.</p> <p>As extraction operations have ceased the redundant conditions relating to these operations are proposed to be removed.</p> <p>The applications are accompanied by an Environmental Statement.</p>
	<p>Use of Evidence: The recommendation has been made after consideration of the applications and supporting documents [(including an Environmental Statement)], the development plan, government policy and guidance, representations and all other material planning considerations as detailed in the main body of the report</p>
	<p>Budget: 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>
Recommendation	<p>That the Mineral Planning Authority resolves to grant planning permissions WD/D/18/002145, WD/D/18/002258, and WD/D/18/002259, in accordance with the conditions set out in paragraph, 8.2, 8.3 and 8.4 of this report.</p>
Reason for Recommendation	<p>The reasons for granting planning permission are set out in paragraphs 6.1- 6.28 of the report.</p>
Appendices	<p>Appendix 1 Location Plan Appendix 2 Master Plan Appendix 3 Proposed Ground levels and water bodies Appendix 4 Proposed Restoration Plan Appendix 5 Existing restoration Plan</p>
Background Papers	<p>Planning Application files – WD/D/18/002145, WD/D/18/002258 & WD/D/18/002259</p>
Report Originator and Contact	<p>Name: Mr Andrew Helmore Tel: (01305) 228647 Email: a.m.helmore@dorsetcc.gov.uk</p>

1. Background

- 1.1 Three applications were received on 14 September 2018 seeking to alter various restoration conditions of the three extant planning permissions at Warmwell Quarry including the timescale for the completion of operations. Extraction at the quarry ceased in May 2017 and restoration works have been ongoing since then. The current restoration conditions for this site were determined October 2014.
- 1.2 Sand and Gravel extraction has taken place at Warmwell Quarry since the 1930s. During WWII the site was used as an airfield but after the war the output and extent of the quarry were significantly increased. The quarry (as defined by the composite planning application site) was the largest in Dorset, extending across an area of approximately 227 hectares. It historically accounted for approximately one third of the County's sand and gravel production, with annual output regularly in excess of 0.5 million tonnes.
- 1.3 The mineral reserves are now exhausted, and permission has been obtained for 'Silverlake', a large holiday complex with approximately 1000 lodges, a hotel, and extensive recreational and leisure facilities, that will be built over an extended period (25 + years). Silverlake was granted consent by West Dorset District Council in 2014. The first phase is now being occupied and the 2nd phase is under construction.
- 1.4 Large areas of the site have already been permanently restored for nature conservation use and there are extensive areas where interim restoration is occurring, also for nature conservation. As the Silverlake development is programmed to be developed over a large number of years it is important that the interim restoration is of a high quality. The permanent and interim restoration works are enforceable through the mineral consents. The restoration and long-term management requirements of the mineral consents are only superseded by the Silverlake consent when each individual phase of the Silverlake reserved matters consent is implemented. Therefore, if for any reason the holiday home development is not fully implemented, the restoration of the areas allotted for future holiday homes but not developed, will be undertaken and completed to a high standard suitable for a permanent nature conservation afteruse.

2 Site Description

- 2.1 The site is located in the Parishes of Crossways and West Knighton.
- 2.2 To the north, the quarry is bounded by the Dorchester to Crossways road (D21322) at the eastern end and the Weymouth to Waterloo railway line at the western end of the northern boundary. At the western end of the northern boundary, there are also five residential properties between the site and the railway line.
- 2.3 To the east, between the site and the edge of Crossways, is a restored domestic landfill site and a restored quarry area.
- 2.4 To the south east, there is an extensive holiday park with recreational facilities (the Warmwell Holiday Park) and to the south lies Warmwell Heath which is an internationally designated heathland (SSSI, SAC, SPA and Ramsar). These designations extend into the southernmost section of the quarry.
- 2.5 To the west is another restored quarry and to the north west, adjacent to the D21320, there are 2 further residential properties that lie between the site and the

railway line.

- 2.6 There is a northern entrance to the site off the D21322, an eastern entrance off the B3390 and a western entrance off the D21320. At present the eastern entrance is used to access the housing development and the northern access used for the construction traffic associated with the restoration works. North of the eastern entrance is Oaklands Park, a development of residential park homes. There is a bridleway from the north west corner of the site that currently provides access to Knighton Heath Wood. Once the restoration works are completed later this year it will connect with new bridleways that in turn link with existing bridleways and footpaths in the south, west and east of the site as well as new permissive paths within the Site of Alternative Natural Greenspace (SANG) area of the site.
- 2.7 Knighton Heath Wood, a distinctive square block of woodland that has not been subject to any mineral extraction, is located within the centre of the western end of the site and is surrounded by the quarry. The wood contains a number of WW2 relics including protective mounds around former Spitfire parking bays, underground shelters in various states of disrepair, and other elements. There is also a Bronze Age Scheduled Monument (Huck Barrow) and a further unscheduled barrow (Knighton Heath Barrow) within the south eastern corner; these survive as earthwork features in the deciduous woodland. Public access to Knighton Heath Wood has been, and will continue to be, maintained via Bridleway S51/7 and connecting routes from the west. Changes have been made to these rights of way in recent years to accommodate mineral extraction. A new east-west bridleway route is to be established, this will link the wood to Bridleway S49/5 on the eastern side of the site.

3.0 **The Proposal**

- 3.1 There are three planning applications which cover different but adjacent areas of the site. The three applications seek the same outcomes which are to change the planning conditions to:
- extend the restoration period from the 31st December 2018 to the 31st July 2019
 - make relatively small amendments to the restoration contours and the size and shape of some of the waterbodies
 - formalise a Landscape and Ecological Management Plan (LEMP)
 - remove the redundant planning conditions that are now no longer relevant as a result of the cessation of mineral extraction.
- 3.2 The earthworks are taking longer than was originally anticipated and a further 7 months is being sought to complete the works. Whilst the dry summer and Autumn during 2018 has enabled a significant amount of work to be completed at the site, these works have had to be suspended over the winter. It is anticipated that the earthworks will now be completed by the end of July 2019.
- 3.3 Since the cessation of extraction in 2017 and subsequent to some of the re-profiling earthworks undertaken during 2017 and 2018 the applicant has reviewed the “cut and fill” calculations and revised the landform to accommodate the material available. Further hydrological monitoring is also providing more confidence in the predicted lake water levels across the site. This has resulted in some relatively minor alterations to site levels and to the shape and size of the lakes. Please refer to Appendices 4 and 5 to compare the existing and proposed restoration plans.

- 3.4 There has been an identified need for a comprehensive Landscape and Ecological Management Plan (LEMP). This plan is intended to fulfil both the restoration and management requirements of the mineral permissions as well as the ongoing requirements of the Silverlake development. The LEMP is intended to be a document common to all consents, this will reduce duplication of work and officer time. The LEMP fulfils three roles:
- Aftercare – this would continue in all areas for 5 years and ensures the establishment of the landform/lakeform, landscaping, planting and seeding;
 - Intermediate management – this would continue within in the areas scheduled for the holiday development until such time as each phase of the holiday development takes over;
 - Permanent management for nature conservation - maintaining the long-term management of; habitats, protected species, historic environment, landscapes and lakes.
- 3.5 The planning conditions need to be revised to incorporate the above changes. It is also appropriate to revise the conditions to remove the redundant conditions that are relevant to the mineral extraction operations and replace them with a condition to ensure that no further winning or working of mineral takes place.

4. Consultations and Representations

- 4.1 The applications were advertised in in the local press, by site notices, and by 55 neighbour notifications. No representations were received. The consultation responses are summarised below.

4.2 West Dorset District Council

Raises no objection but makes the following comments:

- Due to the progression and evolution of the restoration works there is at present a conflict between the restoration schemes approved under the housing scheme and these current proposals. This matter should be addressed to ensure continuity across the applications and to ensure compliance with both consents.
- It is noted that the restoration works already undertaken go a long way to addressing the landscape impact that had previously apparent as a result of the quarrying operations, particularly from distant views.
- The works proposed in the Landscape and Ecological Management Plan are in accordance with the ecological advice and the general principles are considered acceptable.
- The LPA recommends that a detailed landscaping scheme is secured for the undeveloped parts of the site, detailing species, densities, quantities and positioning of any new planting within the restored areas.

4.3 Crossways Parish Council

Resolved that it had no objection/comment.

4.4 Knightsford Parish Council Group

No objections/comments for the three applications.

4.5 Flood Risk Management

DCC's Flood Risk Management team has no objection to these variation applications. It is noted that the original hydrological / water protection / drainage conditions were applied to the development on the advice of the Environment Agency. These conditions will remain unchanged or with only minor revisions.

4.6 **Highway Liaison Engineer**
No objection to the proposals.

4.7 **Historic England**
As the applications to vary the minerals planning conditions do not change anything that would affect the scheduled monuments of Huck Barrow and Knighton Heath Barrow, or the settings of these monuments, or the requirement to conserve, manage and display and interpret the barrows in relation to the future development of the site; HE have no objection to the applications to vary the planning conditions.

4.8 **Landscape Officer**
The Dorset Landscape Character assessment 2009, places the application sites within the Heath/farmland Mosaic area and describes the areas key characteristics.

Referring the proposed Silverlake masterplan, Warmwell Quarry restoration plan and the Landscape Ecological Management Plan, the proposed restoration includes many of the key characteristics which make up the Heath/farmland Mosaic. The proposal includes mixed woodland and broad-leaved woodland planting and restoration, and Heathland/Grassland mosaic restoration. These all integrate with the existing surrounding Heathland/farmland mosaic which form part of the boundary of the existing quarries.

After reviewing the Landscape and Ecological Management Plan, and taking into account WDDC's comments, the landscape officer would like to see the following added to the Management & monitoring tasks in relation the new planting proposals:

- Size of areas for the proposed planting habitats shown on the restoration plan.
- Species proposed for each of the habitat planting mix.
- Density of planting for each of the proposed habitat areas shown on the restoration plan.
- Quantities of planting in each of the proposed planted habitat areas.

Due to the proposed site size and ongoing timing noted in the General Prescriptions this will be considered enough additional information on the proposed landscape plan. The lakes in the restoration are not part of the key characteristics of the landscape character area. However, this is not considered to be a significant issue within the wider landscape context. The general prescription and work plans for the landscape management contained within the LEMP document would be considered suitable, if the additional detail in relation to the planting proposals (as bulleted above) is provided.

4.9 **Environment Agency**
No response received

4.10 **Natural England**
Do not consider that the proposed changes would have a significant impact on any of their interests at the site. They appreciate the need to adjust detail while maintaining the overall thrust of the project which provides significant biodiversity enhancements to the site. On the basis that the changes to the LEMP, suggested by the DCC NET team and with which they agree, are incorporated by the developer, they have no further observations about the applications.

4.11 **Network Rail**

State that they have “*have concerns that the safe operation of railway and/or the integrity of railway infrastructure may be jeopardised by the proposed works*”

However, they then go on to propose a number of conditions limiting extraction operations and other activities associated with mineral extraction along the railway boundary. They also propose a number of conditions or Informatives on: drainage, fencing, plant & machinery, dewatering, level crossing, development close to the railway and restoration.

4.12 **Natural Environment Team (NET)**

No objections to the proposed time extension or to the changes to the restoration works, and comment as follows:

The process of integrating mineral restoration and housing development with high quality ecological and landscape outcomes is sometimes complex and difficult to secure, but in this case the NET are happy that the LEMP (and associated annual review process) provides the necessary link between all the consents and captures the process of managing and restoring high priority heathland and acid grassland habitats at Silverlake. This site has the potential to provide a valuable link between existing heathlands and much additional gain for biodiversity. With the changes to the LEMP adopted, as per my previous response, The NE team confirm that they are satisfied that the LEMP addresses the immediate aftercare requirements, as well as providing a 'live' biodiversity management strategy.

5. **Planning Policy Framework**

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

The Development Plan

- 5.2 For minerals developments the relevant development plan includes the Bournemouth Dorset and Poole Minerals Strategy (adopted May 2014), the remaining saved policies of the Dorset Minerals and Waste Local Plan (originally adopted April 1999) and the policies contained in the - West Dorset, Weymouth & Portland joint Local Plan (adopted October 2015). The most relevant development plan policies from the statutory Development Plan are:

Bournemouth, Dorset and Poole Minerals Strategy (May 2014)

- Policy SSI - Presumption in favour of sustainable development.
- Policy RS1 - Restoration, Aftercare and Afteruse of Minerals Development.
- Policy DM1 - Key Criteria for Sustainable Minerals Development.
- Policy DM2 - Managing Impacts on Amenity.
- Policy DM3 - M Managing Impacts on Surface Water and Ground Water Resources.
- Policy DM4 - Protection and Enhancement of Landscape Character and the Countryside.
- Policy DM5 - Biodiversity and geological interest.
- Policy DM7 – The Historic Environment.

West Dorset, Weymouth & Portland joint Local Plan

- Policy INT 1 Presumption in favour of sustainable development.
- Policy ENV1 Landscape, Seascape and site of geological interest.

- Policy ENV2 Wildlife and Habitats.
- Policy ENV3 Green Infrastructure Network.
- Policy ENV4 Heritage assets.
- Policy ENV5 Flood Risk.
- Policy ENV16 Amenity

Emerging Local Plans

5.3 On 1 December 2017 the Minerals and Waste Planning Authority published the Mineral Sites Plan for pre-submission consultation. The NPPF notes that decision-takers may give weight to relevant policies in emerging plans (unless material circumstances indicate otherwise), having regard to, amongst other things, the stage such plans have reached. This plan has been submitted for examination which was held at the end of September. The plan has therefore reached an advanced stage and provides the most up-to-date expression of policy intent.

5.4 **National Planning Policy**

National Planning Policy Framework, (NPPF) (July 2018)

- Plans and decisions should apply a presumption in favour of sustainable development. For decision making this means approving development that accords with an up to date development plan. Where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, permission should be granted unless:
 - i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
 - ii. Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole. (paragraph 11).
- Local planning authorities may take decisions that depart from an up to date development plan, but only if material considerations in a particular case indicate that a plan should not be followed (paragraph 12).
- Building a strong, competitive economy (paragraphs 80, 81, & 82).
- Supporting a prosperous rural economy: (paragraphs 83 & 84).
- Conserving and enhancing the natural environment (paragraphs 170,171, 172, 173, 174, 175, 176, and 177).
- Facilitating the sustainable use of minerals (paragraphs 203, 204, 205, 206, 207, & 208.).

Planning Practice Guidance (PPG) (March 2014)

- Minerals.
- Natural Environment.
- Water supply, wastewater and water quality.

6. **Planning Assessment**

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

- the acceptability in principle of the proposed development;
- whether there would be unacceptable adverse impacts, and whether these can be adequately mitigated or avoided to acceptable levels in accordance with

policy requirements, in particular having regard to:

- landscape character of the surrounding area;
- ecological impacts on the site, its surrounding area or the nearby Site of Special Scientific Interest (SSSI), Special area of Conservation (SAC), and Special Protection Area SPA;
- amenity of the surrounding area.

Other relevant considerations include:

- highway impacts;
- historic environment;
- the water regime in the surrounding area.

Principle of Development

- 6.2 Policy SS1 (Presumption in favour of Sustainable Development) and RS1 (Restoration, Aftercare and Afteruse of Mineral Development) of the adopted Minerals Strategy are of particular relevance when considering the principle of development. Policy SS1 requires the Mineral Planning Authority to take a positive approach to development that reflects the national presumption in favour of sustainable development, where proposals accord with the local plan. Policy RS1 states that “proposals for minerals development will be permitted where they demonstrate a high quality and appropriate restoration scheme which will enable an appropriate after-use and the long-term maintenance and enhancement of the environment”. The policy goes on to provide more detailed criteria for the restoration aftercare and after-use of mineral sites. I consider that the proposal is compliant with both policies SS1 and RS1 of the Minerals Strategy.
- 6.3 Paragraph 205 e) of the NPPF requires that, “when determining planning applications, minerals planning authorities should provide for restoration and aftercare ... to the highest environmental standards, through the application of appropriate planning conditions”.
- 6.4 The restoration proposals are a combination of permanent establishment of new heathland wetland and woodland areas and high quality interim restoration applicable to the areas where future holiday home development is proposed. The areas of interim restoration also include significant blocks of permanent woodland planting to separate and provide screening for the holiday “villages”. The restoration requirements of the mineral consents will take priority over the new Silverlake proposals until each phase of reserved matters of the holiday development is implemented which may be up to 25 years from now. This ensures that if the holiday development is not fully implemented the restoration of the site will not be prejudiced.
- 6.5 WDDC have noted that, if these revised restoration proposals are permitted they will conflict with the scheme currently permitted in relation to the Silverlake development. The applicant recognises this and intends to apply to WDDC for the appropriate revisions to the Silverlake scheme. WDDC are content with this approach and it is recommended that an informative note highlighting the need to obtain the necessary variation to the permission for the Silverlake is included on any consent granted to ensure that this happens.
- 6.6 It is also proposed to secure long-term management of the permanently restored areas, for nature conservation, for the long term. I consider that the principle of the development accords with national policies, the current development plan, and the emerging Mineral Sites Plan as detailed in 6.2 above.

Impact on Landscape Character

- 6.7 Minerals Strategy Policy DM4 (Protection and Enhancement of Landscape Character and the Countryside), and the joint West Dorset, Weymouth and Portland Local Plan policy ENV1 (Landscape, Seascape and sites of geological Interest) seek to ensure development does not have an unacceptable impact upon landscape character. The Dorset Landscape Character assessment 2009, places the application site within the Heath/farmland Mosaic and describes its key characteristic as:
- Mosaic of mixed farmland, heathland and scrub which creates a patchwork landscape.
 - Generally flat landform, which drains to the adjacent river basins.
 - Heavily influenced and fragmented by urban and urban fringe land uses such as industrial, commercial & leisure uses as well as transport corridors, quarrying, power lines and 'horsiculture'.
 - Some large areas of open heath and small fragmented pockets.
 - Straight roads and lanes often lined with thick hedges.
 - Mixed agriculture with some areas of estate farmland.
 - Woodland and plantations create key features, which helps to integrate development.
 - Winfrith Technology Centre creates an adverse impact.

The proposed landscape and habitats to be created within the application sites include many of the key characteristics which make up the heath/farmland mosaic. The proposal includes mixed woodland and broad-leaved woodland planting and restoration, and heathland/grassland mosaic restoration. These all integrate with the existing surrounding heathland/farmland mosaic adjoining the boundary of the existing quarries.

- 6.8 The lakes in the restoration scheme are not part of the key characteristics of the landscape character area. However, this is not considered to be a significant issue within the wider landscape context. The general prescription and work plans for the landscape management contained within the LEMP document are considered suitable. The future management of the site secured through the LEMP will provide surety that the site will be managed not only while the holiday homes are being developed but will be managed in the long term for the duration of the use of the holiday home development.
- 6.9 The concerns of WDDC in relation to lack of a detailed planting scheme are noted. This has been raised with the applicant who intends to provide the additional detail (as specified by the DCC landscape officer) within a planting scheme. A condition is proposed to ensure that an appropriate scheme is submitted and implemented.
- 6.10 Taking the above into account it is considered that, in relation to landscape, the proposal is in conformity with national policy and policies DM4 of the Minerals Strategy and ENV1 of the joint West Dorset and Weymouth and Portland Local Plan.

Impact on Ecological Interests

- 6.11 Minerals Strategy Policy DM5 (Biodiversity and geological interest) and the joint West Dorset and Weymouth and Portland Local Plan Policy ENV2 (Wildlife and Habitats) seek to protect designated habitats in accordance with their importance. The Minerals Strategy policy DM5 and the joint plan ENV2 also seek enhancement to biodiversity where this is possible.
- 6.12 Both Natural England and the County Ecologist are satisfied that the proposals

would not have a significant effect on the adjacent heathland sites (SAC, SPA, Ramsar & SSSI). They both go further and recognise that “significant biodiversity enhancements” will be achieved as a result of the restoration proposals. It is also recognised that long-term management of the site would both secure these enhancements and enable continued future improvements in the biodiversity of the area.

- 6.13 The mechanism for achieving the long-term goals will be the LEMP which secures management through the mineral planning process, as well as providing a ‘live’ biodiversity management strategy as required under the planning consent for the holiday development. The process of integrating mineral restoration and the holiday development with high quality ecological and landscape outcomes has been complex. It is considered that the LEMP (and associated annual review process) provides the necessary link between all the consents and captures the process of managing and restoring high priority heathland and acid grassland habitats at the restored Warmell Quarry / Silverlake development. This site has the potential to provide a valuable link between existing heathlands and would lead to the consequential additional gain for biodiversity.
- 6.14 Taking into account the above consultation responses it is considered that the proposal accords with the policy DM 5 of the minerals Strategy and policy ENV2 of the joint West Dorset and Weymouth and Portland Local Plan.

Impact on Amenity of the Surrounding Area

- 6.15 Minerals Strategy Policy DM2 (Managing Impacts on Amenity) and the joint West Dorset, Weymouth and Portland Local Plan Policy ENV16 (Amenity) seeks to protect the amenity of the surrounding area and specifically that of any nearby residential property. The proposals secure the cessation of mineral extraction which has continued for at least 80 years. This, in itself, provides amenity improvements, especially in relation to the reduction in HGV’s on the highway network.
- 6.16 The application seeks a relatively short, 7 month, time extension to complete the restoration works. Whilst this creates an additional period of disruption within the site the benefits of securing high quality restoration are considered to outweigh any dis-benefits of this short additional period.
- 6.17 I am satisfied that, subject to the proposed conditions set out at the end of this report, the proposal should not result in any unacceptable adverse impact on the amenities of residents and the development is in conformity with the policies referred to in 6.15 above.

Highway Considerations

- 6.18 Minerals Strategy Policy DM8 (Transport and Minerals Development), and the joint West Dorset and Weymouth and Portland Local Plan Policy COM1 (Creating a Safe and efficient transport network) seek to ensure that the traffic associated with a development can be safely absorbed into the local road network. Historically, the highway impacts of the quarry operations have been the most significant concern of local people. Now that aggregates are no longer extracted and transported on the highway network, this is no longer a concern in relation to the current three applications.

Impact on adjacent Railway

- 6.19 The Waterloo to Weymouth line passes adjacent to the site for a length of

approximately 305m. Whilst Network Rail has expressed concern, that part of the site adjacent to the railway has already been worked and restored in accordance with the requirements of Network Rail. It is therefore considered that their concern is now unfounded. However, the relevant restoration, planting and drainage conditions and additional informative notes, proposed by Network Rail have been attached to the condition schedule for WD/D/18/002259. As there will be no further winning or working of mineral at the site, and there is a condition to that effect recommended, it is considered that this will satisfactorily address concerns that Network Rail have raised.

Historic Environment

- 6.20 The Minerals Strategy policy DM7 (The Historic Environment) and the joint West Dorset and Weymouth & Portland Local plan EN4 (Heritage Assets) seek to conserve and if appropriate enhance the significance of heritage assets.
- 6.21 Knighton Heath wood contains two Bronze Age barrows as well as a number of more recent WWII structures and remains associated with the wartime airfield. Historic England are satisfied that the revised restored landform proposed does not impact on the setting of the scheduled barrows. They are also content that the preservation and interpretation of the artefacts secured through the Silverlake development would not be affected by the approval of the current applications.
- 6.22 I am satisfied that the proposal should not result in any unacceptable adverse impact on the Historic Environment and the development is in conformity with the policies set out in 6.20 above.

Hydrological Issues

- 6.23 Minerals Strategy Policy DM3 (Managing Impacts on Surface Water and Ground Water Resources), and the joint West Dorset and Weymouth and Portland Local Plan policy ENV5 (Flood Risk) seek to ensure that development does not impact adversely upon groundwater, surface water, flooding, or give rise to potential contamination of groundwater supplies.
- 6.24 The EIA includes assessments of the ground water, surface water and flood risk. It concludes that the proposal would have no significant impact on the hydrological regimes. In summary it found that:
- Surface water will continue to be discharged to the pond to the north of the site. The revised restoration scheme would have no significant difference on the surface water flows to the pond and onward surface flows to the downstream designated wet heathland areas.
 - The site is within the lowest risk flood zone 1 and as the surface and groundwater flows are not impacted there is no increase to the flood risk as a result of the development.
- 6.25 The Flood Risk Management team has raised no objection to the proposal. Having regard to all relevant considerations I am therefore satisfied that the proposal is in accordance with the Policy framework set out in Paragraph 6.23 above.

Conclusion

- 6.26 As set out in sections 6.1 - 6.25 of the report the proposed development complies with both National and Development Plan policies. The proposed minor delay in the restoration timescale and proposed changes to the restoration details are not

considered likely to create significant impacts on landscape, ecology, amenity, historic environment, or hydrology/flood risk.

- 6.27 Subject to the condition schedules set out in sections 8.2, 8.3, and 8.4 of this report it is considered that the proposed package of mitigation is sufficient to outweigh any potential harm from the delay to the restoration of the site as a result of the granting of these consents.

7 Human Rights Implications

- 7.1 The provisions of the Human Rights Act and principles contained in the Convention of Human Rights have been taken into account in reaching the recommendation contained in this report. The articles/protocols of particular relevance are:

- (i) Article 8 - Right to respect for private and family life; and
- (ii) The First Protocol, Article 1 - Protection of Property.

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

8 Recommendation

- 8.1 That the Mineral Planning Authority resolves to grant planning permissions in respect of planning applications, WD/D/18/002145, WD/D/18/002258 and WD/D/18/002259, and subject to the conditions set out in the condition schedules found in 8.2, 8.3 and 8.4 respectively below.

8.2 SCHEDULE OF CONDITIONS for WD/D/18/002145

Duration of Operations

1. No further winning and working of mineral shall be undertaken at the site. The site shall be restored to a condition suitable for a nature conservation after-use (excepting those phases that are undergoing (or have undergone) development in accordance with any planning permission approving reserved matters in pursuance of the planning permission for the Silverlake Development (ref 1/D/13/001112 granted by WDDC)) in accordance with the requirements of this consent and these works shall be completed by 31 July 2019.

Reason

To secure the timely restoration of the site, minimise the duration of disturbance of the development and to protect the amenity of the area in accordance with policies DM1, DM2 and DM4 of the Bournemouth Dorset and Poole Minerals Strategy 2014 (BD&PMS).

Approved Plans and Details

2. Unless otherwise specified by the conditions of this permission or otherwise agreed in writing by the Mineral Planning Authority, the development shall not be carried out other than in accordance with the proposal details contained in the addendum to the

Environmental Statement and the LEMP submitted with this application and the following Drawings:

2655 L MP 0 01 rev F	Masterplan	Dated 26/07/2018
2655 L RP 0 01 rev H	Restoration Plan	Dated 23/10/2017
25683/014/010 rev N	Restoration Plan Ground levels and waterbodies	6/7/18
25683/014/011 rev E	Ground levels and waterbodies Section AA	6/7/18
25683/014/012 rev E	Ground levels and waterbodies Section BB (1)	6/7/18
25683/014/013 rev E	Ground levels and waterbodies Section BB (2)	6/7/18
25683/014/014 rev E	Ground levels and waterbodies Section CC	6/7/18
25683/014/015 rev F	Ground levels and waterbodies Section DD	6/7/18
25683/014/016 rev E	Ground levels and waterbodies Section EE	6/7/18
25683/014/018 rev C	Ground levels and waterbodies Section FF	6/7/18
25683/014/019 rev C	Ground levels and waterbodies Section GG	6/7/18
25683/014/031 rev B	Surface Water Management	30/8/18

Reason

For the avoidance of doubt and to ensure proper control of the development in the interests of local amenity having regard to Policies RS1 and DM1 of the adopted Bournemouth, Dorset and Poole Minerals Strategy.

Restoration

3. Unless otherwise agreed in writing by the Mineral Planning Authority, all buildings, plant, machinery, equipment, fencing, hardstandings and haul routes used in connection with the winning and working of minerals and restoration of the site shall be removed and the land shall be fully restored including the final placement of topsoil in accordance with the details contained in the LEMP version 1 dated Dec 2018 and shown on the revised Restoration Plans 2655 L RP 0 01 rev H Restoration Plan dated 23/10/2017 and 25683/014/010 rev N Restoration Plan Ground levels and waterbodies dated 6/7/18 and associated section plans by 31 July 2019.

Reason

To ensure that the land is restored to a condition capable of beneficial afteruse and in the interests of landscape character and visual amenity having regard to Policies RS1, DM1, DM4 and DM5 of the adopted Bournemouth, Dorset and Poole Minerals Strategy.

Hours of Working

4. No operations permitted by this consent shall be carried out other than between:
- 07:00 hours and 18:00 hours Monday to Friday;
 - 07:00 hours and 13:00 hours on Saturdays; and
- No such operations shall take place on Sundays and public holidays.

Reason

To protect the amenities of local residents and having regard to policies DM1, DM2 and DM4 of the adopted Bournemouth, Dorset and Poole Minerals Strategy, May 2014.

Highways

5. For the duration of the development, restoration and aftercare period, the surfacing of the site access roads shall be maintained in an effective state of repair, free from mud and other debris, and with drainage capable of preventing slurry and water flowing onto the public highway. No commercial vehicles leaving the site, in connection with the development hereby approved, shall enter the public highway unless their wheels and chassis are sufficiently clean so as to prevent material being deposited on the public highway.

Reason

In the interests of local amenity and highway safety having regard to Policies DM1, DM2 and DM8 of the adopted Bournemouth, Dorset and Poole Minerals Strategy.

Highways

6. No HGVs shall enter or leave the site except via the Eastern Entrance or the Northern Entrance marked on drawing number 2655 L MP 0 01 rev F Masterplan Dated 26/07/2018

Reason

In the interests of local amenity and highway safety having regard to Policies DM1, DM2 and DM8 of the adopted Bournemouth, Dorset and Poole Minerals Strategy.

Noise

7. Unless otherwise agreed in writing by the MPA, except for temporary operations consisting of: bund construction; soil stripping; removal of spoil heaps and construction of new permanent landforms, noise levels arising from the site shall not exceed the limits at the buildings as specified below.

Location	Noise Limit dB LAeq, 1hour, freefield
Egdon House	55
Higher Barn	55
Knighton Wood Cottage	51
Knighton Heath Barn	51

Freefield noise levels arising from temporary operations specified above, shall not exceed 70 dB LAeq 1 hour, measured at the locations identified above, and such temporary operations shall not take place for more than eight weeks in any calendar year.

Reason

To protect the amenities of local residents having regard to Policies DM1 and DM2 of the adopted Bournemouth, Dorset and Poole Minerals Strategy.

Water Protection

8. No repair, maintenance or refuelling of plant and machinery shall take place within the application site until the MPA has been notified of a designated plant maintenance area within which such activities shall take place. Spill kits and oil absorbent material shall be available at all times and in the event of an unavoidable spillage shall be used to minimise the potential for contamination of surface and groundwaters.

Reason

To prevent pollution of the local water environment having regard to Policies DM1, DM2 and DM3 of the adopted Bournemouth, Dorset and Poole Minerals Strategy.

Water Protection

- 9 Any liquid (other than water) shall be stored in appropriate tanks and containers which shall be housed in an area surrounded by bund walls of sufficient height and construction so it can contain 110% of the total contents of all tanks containers and any associated pipework within it. The floor and walls of the bunded area(s) shall be impervious to both water and oil and pipes shall vent downwards into the bunded area. This facility shall be maintained so as to prevent any egress of fluids.

Reason

To prevent pollution of the local water environment having regard to Policies DM1, DM2 and DM3 of the adopted Bournemouth, Dorset and Poole Minerals Strategy.

Water Protection

10. There shall be no discharge of foul or contaminated drainage or untreated trade effluent from the site into either groundwater or any surface waters, whether direct or via soakaways, unless otherwise agreed in writing by the Mineral Planning Authority.

Reason

To prevent pollution of the local water environment having regard to Policies DM1, DM2 and DM3 of the adopted Bournemouth, Dorset and Poole Minerals Strategy.

Soil Management

11. All topsoil, soil making material and overburden shall be retained on site for subsequent use in restoration.

Reason

To ensure proper restoration of the land having regard to Policies RS1, DM1, DM2, DM4 and DM5 of the adopted Bournemouth, Dorset and Poole Minerals Strategy.

Soil Management

12. All stripping, regrading, subsoiling, spreading and cultivation of soils shall only be carried out when the soils are dry and friable and only between the months of May until September (inclusive), unless otherwise approved in writing by the Mineral Planning Authority and in such a way to avoid excessive damage to the soil structure.

Reason

To prevent damage to soil structure and to ensure proper restoration of the land having regard to Policies RS1, DM1, DM2, DM4 and DM5 of the adopted Bournemouth, Dorset and Poole Minerals Strategy.

Soil Management

13. All topsoil and subsoil shall be handled and stored separately and where necessary stored in bunds which shall not exceed heights of 2 metres for topsoil and 3 metres for subsoil, in locations approved in advance by the Mineral Planning Authority, save for bunds already existing at 30 November 2010.

Reason

To prevent damage to soil structure and to ensure proper restoration of the land having regard to Policies RS1, DM1, DM2, DM4 and DM5 of the adopted Bournemouth, Dorset and Poole Minerals Strategy.

Soil Management

14. All disturbed areas of the site and all topsoil, soil making material and overburden mounds shall be kept free from weeds including thistle, dock, Japanese knotweed, ragwort and Himalayan balsam.

Reason

To prevent a build-up of harmful weed seeds in soils to be used for restoration of the land and in the interests of visual amenity having regard to Policies RS1, DM1, DM2, DM4 and DM5 of the adopted Bournemouth, Dorset and Poole Minerals Strategy.

Landscaping

15. Unless otherwise approved in writing by the Mineral Planning Authority each area of the site shall be planted with trees and shrubs during the first planting season (November to February) following completion of its restoration in accordance with a Planting Scheme submitted to and approved in writing by the Mineral Planning Authority. Any Planting Scheme submitted to the Mineral Planning Authority for approval shall include details for each area of the species to be planted, densities of planting, quantities of each species to be planted, positioning of planting within the restored areas and timescale for implementation.

Reason

To ensure that the approved planting is implemented at the earliest opportunity with the best prospect of establishment in the interests of landscape and visual amenity having regard to Policies RS1, DM1, DM2, DM4 and DM5 of the adopted Bournemouth, Dorset and Poole Minerals Strategy.

Landscaping

- 16 Any tree or shrub planted or to be retained, or any seeding carried out, which dies or becomes diseased or seriously damaged during the course of the development and the aftercare period shall be replaced in the next planting season with another of similar size and species or seed mix unless the Mineral Planning Authority has previously approved otherwise in writing.

Reason

To ensure as far as possible maintenance of the site landscaping in the interests of landscape impact and visual amenity having regard to Policies RS1, DM1, DM2, DM4 and DM5 of the adopted Bournemouth, Dorset and Poole Minerals Strategy.

Aftercare

17. Unless otherwise consented by the Silverlake development, aftercare of all remaining areas of the site shall take place for a period of 5 years following completion of restoration works in that part of the site in accordance with the aftercare proposals contained in the approved Landscape and Ecological Management Plan (LEMP) Version 1- 2018.

During each year of the aftercare period an annual report shall be prepared by the developer which reports on the aftercare works undertaken in that year and identifies works proposed for the following 12 months. The report shall be submitted for approval to the MPA by 31st August each year and, if the MPA requests it, a site visit shall take place during September, following the submission of the report, to consider the following years aftercare works. Aftercare management shall be implemented in full during the following 12 months in accordance with the submitted annual aftercare report subject to any amendments as may be required in writing by the MPA.

Reason

To ensure that the restoration and works to establish nature conservation habitats have the best prospect of establishment in the interests of landscape, ecology and amenity having regard to Policies RS1, DM1, DM2, DM4 and DM5 of the adopted Bournemouth, Dorset and Poole Minerals Strategy.

Interim Management

- 18 Interim Management, for public amenity and nature conservation, shall take place within areas identified for development under the "Silverlake" permissions (identified as "areas for holiday units and lodges" on the Masterplan 2655_L_MP_0_01 Rev F dated 26/07/18, appended to the LEMP) and shall continue for the duration of the holiday use consented by 1/D/13/1112 for the Silverlake development except in any

area where development has commenced in accordance with a consent approving reserved matters pursuant to permission ref 1/D/13/001112. Interim Management shall be undertaken in accordance with the Interim management proposals contained in the Landscape and Ecological Management Plan (LEMP) Version 1- 2018 and any variation thereafter as may be approved in writing by the MPA.

At the end of the aftercare period and every 5 years thereafter, (until the Silverlake development has been fully implemented) a report shall be prepared which details the success or otherwise of the management undertaken in the previous 5 year period and identifies works proposed for the following 5 years. The report shall be submitted to the MPA by 31st August. If the MPA requests it, a site visit shall take place, during September following the submission of the report, to consider and agree the following 5 years of management. Interim management shall be implemented in full during the following 5 years in accordance with the last submitted 5 yearly report subject to any amendments as may be required in writing by the MPA.

Reason

To ensure that the works to establish interim nature conservation habitats have the best prospect of being maintained in the interests of landscape, ecology and amenity having regard to Policies RS1, DM1, DM2, DM4 and DM5 of the adopted Bournemouth, Dorset and Poole Minerals Strategy.

Long-term Management

19 All areas of the site not identified for development under the “Silverlake” permissions (being all areas other than those identified as “areas for holiday units and lodges” on the Masterplan 2655_L_MP_0_01 Rev F dated 26/07/18) shall be managed for the benefit of nature conservation for the duration of the holiday use consented by 1/D/13/1112 for the Silverlake development. Management shall be undertaken in accordance with the long-term management proposals contained in the Landscape and Ecological Management Plan (LEMP) Version 1- 2018 (as may be periodically amended by agreement with the LPA).

At the end of the aftercare period and every 5 years thereafter a 5 yearly habitat management report shall be prepared which details the management undertaken in the previous 5 year period and identifies works proposed for the following 5 years. The report shall be submitted, for approval, to the MPA by 31st August in year. If the MPA requests it, a site visit shall take place, during September following the submission of the report, to consider the following 5 years of Management. Habitat management shall be implemented in full during the following 5 years in accordance with the submitted habitat management plan subject to any amendments as may be required in writing by the MPA

Reason

To ensure that the works to establish the nature conservation habitats have the best prospect of being maintained in the interests of landscape, ecology and amenity having regard to Policies RS1, DM1, DM2, DM4 and DM5 of the adopted Bournemouth, Dorset and Poole Minerals Strategy.

Informative Notes

Silverlake Development

To avoid the potential for conflict with the Silverlake Development permission a revised restoration plan should be submitted to and approved in writing by the LPA in relation to condition 7 of the Silverlake Development permission prior to the implementation of a further phase of that development.

Water Protection

No culverting or any other works that may obstruct a watercourse shall be undertaken unless Land Drainage Consent has first been obtained.

Statement of Positive Involvement

In accordance with paragraphs 186 and 187 of the National Planning Policy Framework, Dorset County Council, as the Mineral 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:

- updating the applicant's agent of issues as they arose in the processing of the application;
- discussing possible solutions to material concerns raised; and
- providing the applicant with the opportunity to address issues so that a positive recommendation to grant permission could be given.

Further details including application documents and Planning Officers report can be viewed at www.dorsetforyou.com/ePlanning/searchPageLoad.do

8.3 SCHEDULE OF CONDITIONS FOR WD/D/18/002258

Duration of Operations

1. No further winning and working of mineral shall be undertaken at the site. The site shall be restored to a condition suitable for a nature conservation after-use (excepting those phases that are undergoing (or have undergone) development in accordance with any planning permission approving reserved matters in pursuance of the planning permission for the Silverlake Development (ref 1/D/13/001112 granted by WDDC)) in accordance with the requirements of this consent and these works shall be completed by 31 July 2019.

Reason

To secure the timely restoration of the site, minimise the duration of Disturbance of the development and to protect the amenity of the area in accordance with policies DM1, DM2 and DM4 of the Bournemouth Dorset and Poole Minerals Strategy 2014 (BD&PMS).

Approved Plans and Details

2. Unless otherwise specified by the conditions of this permission or otherwise agreed in writing by the Mineral Planning Authority, the development shall not be carried out other than in accordance with the proposal details contained in the addendum to the Environmental Statement and the LEMP submitted with this application and the following Drawings:

2655 L MP 0 01 rev F	Masterplan	Dated 26/07/2018
2655 L RP 0 01 rev H	Restoration Plan	Dated 23/10/2017
25683/014/010 rev N	Restoration Plan	Ground levels and waterbodies 6/7/18
25683/014/011 rev E	Ground levels and waterbodies	Section AA 6/7/18
25683/014/012 rev E	Ground levels and waterbodies	Section BB (1) 6/7/18
25683/014/013 rev E	Ground levels and waterbodies	Section BB (2) 6/7/18
25683/014/014 rev E	Ground levels and waterbodies	Section CC 6/7/18
25683/014/015 rev F	Ground levels and waterbodies	Section DD 6/7/18
25683/014/016 rev E	Ground levels and waterbodies	Section EE 6/7/18
25683/014/018 rev C	Ground levels and waterbodies	Section FF 6/7/18
25683/014/019 rev C	Ground levels and waterbodies	Section GG 6/7/18
25683/014/031 rev B	Surface Water Management	30/8/18

Reason

For the avoidance of doubt and to ensure proper control of the development in the interests of local amenity having regard to Policies RS1 and DM1 of the adopted Bournemouth, Dorset and Poole Minerals Strategy.

Restoration

3. Unless otherwise agreed in writing by the Mineral Planning Authority, all buildings, plant, machinery, equipment, fencing, hardstandings and haul routes used in connection with the winning and working of minerals and restoration of the site shall be removed and the land shall be fully restored including the final placement of topsoil in accordance with the details contained in the LEMP version 1 dated Dec 2018 and shown on the revised Restoration Plans 2655 L RP 0 01 rev H Restoration Plan dated 23/10/2017 and 25683/014/010 rev N Restoration Plan Ground levels and waterbodies dated 6/7/18 and associated section plans by 31 July 2019.

Reason

To ensure that the land is restored to a condition capable of beneficial afteruse and in the interests of landscape character and visual amenity having regard to Policies RS1, DM1, DM4 and DM5 of the adopted Bournemouth, Dorset and Poole Minerals Strategy.

Hours of Working

4. No operations permitted by this consent shall be carried out other than between:
- 07:00 hours and 18:00 hours Monday to Friday;
 - 07:00 hours and 13:00 hours on Saturdays; and
- No such operations shall take place on Sundays and public holidays.

Reason

To protect the amenities of local residents and having regard to policies DM1, DM2 and DM4 of the adopted Bournemouth, Dorset and Poole Minerals Strategy, May 2014.

Highways

5. For the duration of the development, restoration and aftercare period, the surfacing of the site access roads shall be maintained in an effective state of repair, free from mud and other debris, and with drainage capable of preventing slurry and water flowing onto the public highway. No commercial vehicles leaving the site, in connection with the development hereby approved, shall enter the public highway unless their wheels and chassis are sufficiently clean so as to prevent material being deposited on the public highway.

Reason

In the interests of local amenity and highway safety having regard to Policies DM1, DM2 and DM8 of the adopted Bournemouth, Dorset and Poole Minerals Strategy.

Highways

6. No HGVs shall enter or leave the site except via the Eastern Entrance or the Northern Entrance marked on drawing number 2655 L MP 0 01 rev F Masterplan Dated 26/07/2018

Reason

In the interests of local amenity and highway safety having regard to Policies DM1, DM2 and DM8 of the adopted Bournemouth, Dorset and Poole Minerals Strategy.

Noise

7. Unless otherwise agreed in writing by the MPA, except for temporary operations consisting of: bund construction; soil stripping; removal of spoil heaps and construction of new permanent landforms, noise levels arising from the site shall not exceed the limits at the buildings as specified below.

Location	Noise Limit dB LAeq,1hour, freefield
Egdon House	55
Higher Barn	55
Knighton Wood Cottage	51
Knighton Heath Barn	51

Freefield noise levels arising from temporary operations specified above, shall not exceed 70 dB LAeq 1 hour, measured at the locations identified above, and such temporary operations shall not take place for more than eight weeks in any calendar year.

Reason

To protect the amenities of local residents having regard to Policies DM1 and DM2 of the adopted Bournemouth, Dorset and Poole Minerals Strategy.

Water Protection

8. No repair, maintenance or refuelling of plant and machinery shall take place within the application site until the MPA has been notified of a designated plant maintenance area within which such activities shall take place. Spill kits and oil absorbent material shall be available at all times and in the event of an unavoidable spillage shall be used to minimise the potential for contamination of surface and groundwaters.

Reason
To prevent pollution of the local water environment having regard to Policies DM1, DM2 and DM3 of the adopted Bournemouth, Dorset and Poole Minerals Strategy.

Water Protection

- 9 Any liquid (other than water) shall be stored in appropriate tanks and containers which shall be housed in an area surrounded by bund walls of sufficient height and construction so it can contain 110% of the total contents of all tanks containers and any associated pipework within it. The floor and walls of the bunded area(s) shall be impervious to both water and oil and pipes shall vent downwards into the bunded area. This facility shall be maintained so as to prevent any egress of fluids.

Reason

To prevent pollution of the local water environment having regard to Policies DM1, DM2 and DM3 of the adopted Bournemouth, Dorset and Poole Minerals Strategy.

Water Protection

10. There shall be no discharge of foul or contaminated drainage or untreated trade effluent from the site into either groundwater or any surface waters, whether direct or via soakaways, unless otherwise agreed in writing by the Mineral Planning Authority.

Reason

To prevent pollution of the local water environment having regard to Policies DM1, DM2 and DM3 of the adopted Bournemouth, Dorset and Poole Minerals Strategy.

Soil Management

11. All topsoil, soil making material and overburden shall be retained on site for subsequent use in restoration.

Reason

To ensure proper restoration of the land having regard to Policies RS1, DM1, DM2, DM4 and DM5 of the adopted Bournemouth, Dorset and Poole Minerals Strategy.

Soil Management

12. All stripping, regrading, subsoiling, spreading and cultivation of soils shall only be carried out when the soils are dry and friable and only between the months of May until September (inclusive), unless otherwise approved in writing by the Mineral Planning Authority and in such a way to avoid excessive damage to the soil structure.

Reason

To prevent damage to soil structure and to ensure proper restoration of the land having regard to Policies RS1, DM1, DM2, DM4 and DM5 of the adopted Bournemouth, Dorset and Poole Minerals Strategy.

Soil Management

13. All topsoil and subsoil shall be handled and stored separately and where necessary stored in bunds which shall not exceed heights of 2 metres for topsoil and 3 metres for subsoil, in locations approved in advance by the Mineral Planning Authority, save for bunds already existing at 30 November 2010.

Reason

To prevent damage to soil structure and to ensure proper restoration of the land having regard to Policies RS1, DM1, DM2, DM4 and DM5 of the adopted Bournemouth, Dorset and Poole Minerals Strategy.

Soil Management

14. All disturbed areas of the site and all topsoil, soil making material and overburden mounds shall be kept free from weeds including thistle, dock, Japanese knotweed, ragwort and Himalayan balsam.

Reason

To prevent a build-up of harmful weed seeds in soils to be used for restoration of the land and in the interests of visual amenity having regard to Policies RS1, DM1, DM2, DM4 and DM5 of the adopted Bournemouth, Dorset and Poole Minerals Strategy.

Landscaping

15. Unless otherwise approved in writing by the Mineral Planning Authority each area of the site shall be planted with trees and shrubs during the first planting season (November to February) following completion of its restoration in accordance with a Planting Scheme submitted to and approved in writing by the Mineral Planning Authority. Any Planting Scheme submitted to the Mineral Planning Authority for approval shall include details for each area of the species to be planted, densities of planting, quantities of each species to be planted, positioning of planting within the restored areas and timescale for implementation.

Reason

To ensure that the approved planting is implemented at the earliest opportunity with the best prospect of establishment in the interests of landscape and visual amenity having regard to Policies RS1, DM1, DM2, DM4 and DM5 of the adopted Bournemouth, Dorset and Poole Minerals Strategy.

Landscaping

- 16 Any tree or shrub planted or to be retained, or any seeding carried out, which dies or becomes diseased or seriously damaged during the course of the development and

the aftercare period shall be replaced in the next planting season with another of similar size and species or seed mix unless the Mineral Planning Authority has previously approved otherwise in writing.

Reason

To ensure as far as possible maintenance of the site landscaping in the interests of landscape impact and visual amenity having regard to Policies RS1, DM1, DM2, DM4 and DM5 of the adopted Bournemouth, Dorset and Poole Minerals Strategy.

Aftercare

17. Unless otherwise consented by the Silverlake development, aftercare of all remaining areas of the site shall take place for a period of 5 years following completion of restoration works in that part of the site in accordance with the aftercare proposals contained in the approved Landscape and Ecological Management Plan (LEMP) Version 1- 2018.

During each year of the aftercare period an annual report shall be prepared by the developer which reports on the aftercare works undertaken in that year and identifies works proposed for the following 12 months. The report shall be submitted for approval to the MPA by 31st August each year and, if the MPA requests it, a site visit shall take place during September, following the submission of the report, to consider the following years aftercare works. Aftercare management shall be implemented in full during the following 12 months in accordance with the submitted annual aftercare report subject to any amendments as may be required in writing by the MPA.

Reason

To ensure that the restoration and works to establish nature conservation habitats have the best prospect of establishment in the interests of landscape, ecology and amenity having regard to Policies RS1, DM1, DM2, DM4 and DM5 of the adopted Bournemouth, Dorset and Poole Minerals Strategy.

Interim Management

- 18 Interim Management, for public amenity and nature conservation, shall take place within areas identified for development under the "Silverlake" permissions (identified as "areas for holiday units and lodges" on the Masterplan 2655_L_MP_0_01 Rev F dated 26/07/18, appended to the LEMP) and shall continue for the duration of the holiday use consented by 1/D/13/1112 for the Silverlake development except in any area where development has commenced in accordance with a consent approving reserved matters pursuant to permission ref 1/D/13/001112. Interim Management shall be undertaken in accordance with the Interim management proposals contained in the Landscape and Ecological Management Plan (LEMP) Version 1- 2018 and any variation thereafter as may be approved in writing by the MPA.

At the end of the aftercare period and every 5 years thereafter, (until the Silverlake development has been fully implemented) a report shall be prepared which details the success or otherwise of the management undertaken in the previous 5 year period and identifies works proposed for the following 5 years. The report shall be submitted to the MPA by 31st August. If the MPA requests it, a site visit shall take place, during September following the submission of the report, to consider and agree the following 5 years of management. Interim management shall be implemented in full during the following 5 years in accordance with the last submitted 5 yearly report subject to any amendments as may be required in writing by the MPA.

Reason

To ensure that the works to establish interim nature conservation habitats have the best prospect of being maintained in the interests of landscape, ecology and amenity

having regard to Policies RS1, DM1, DM2, DM4 and DM5 of the adopted Bournemouth, Dorset and Poole Minerals Strategy.

Long-term Management

19 All areas of the site not identified for development under the “Silverlake” permissions (being all areas other than those identified as “areas for holiday units and lodges” on the Masterplan 2655_L_MP_0_01 Rev F dated 26/07/18) shall be managed for the benefit of nature conservation for the duration of the holiday use consented by 1/D/13/1112 for the Silverlake development. Management shall be undertaken in accordance with the long-term management proposals contained in the Landscape and Ecological Management Plan (LEMP) Version 1- 2018 (as may be periodically amended by agreement with the LPA).

At the end of the aftercare period and every 5 years thereafter a 5 yearly habitat management report shall be prepared which details the management undertaken in the previous 5 year period and identifies works proposed for the following 5 years. The report shall be submitted, for approval, to the MPA by 31st August in year. If the MPA requests it, a site visit shall take place, during September following the submission of the report, to consider the following 5 years of Management. Habitat management shall be implemented in full during the following 5 years in accordance with the submitted habitat management plan subject to any amendments as may be required in writing by the MPA

Reason

To ensure that the works to establish the nature conservation habitats have the best prospect of being maintained in the interests of landscape, ecology and amenity having regard to Policies RS1, DM1, DM2, DM4 and DM5 of the adopted Bournemouth, Dorset and Poole Minerals Strategy.

Informative Notes

Silverlake Development

To avoid the potential for conflict with the Silverlake Development permission a revised restoration plan should be submitted to and approved in writing by the LPA in relation to condition 7 of the Silverlake Development permission prior to the implementation of a further phase of that development.

Water Protection

No culverting or any other works that may obstruct a watercourse shall be undertaken unless Land Drainage Consent has first been obtained.

Statement of Positive Involvement

In accordance with paragraphs 186 and 187 of the National Planning Policy Framework, Dorset County Council, as the Mineral 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:

- updating the applicant’s agent of issues as they arose in the processing of the application;
- discussing possible solutions to material concerns raised; and
- providing the applicant with the opportunity to address issues so that a positive recommendation to grant permission could be given.

Further details including application documents and Planning Officers report can be viewed at www.dorsetforyou.com/ePlanning/searchPageLoad.do

8.4 SCHEDULE OF CONDITIONS FOR WD/D/18/002259

Duration of Operations

1. No further winning and working of mineral shall be undertaken at the site. The site shall be restored to a condition suitable for a nature conservation after-use (excepting those phases that are undergoing (or have undergone) development in accordance with any planning permission approving reserved matters in pursuance of the planning permission for the Silverlake Development (ref 1/D/13/001112 granted by WDDC)) in accordance with the requirements of this consent and these works shall be completed by 31 July 2019.

Reason

To secure the timely restoration of the site, minimise the duration of Disturbance of the development and to protect the amenity of the area in accordance with policies DM1, DM2 and DM4 of the Bournemouth Dorset and Poole Minerals Strategy 2014 (BD&PMS).

Approved Plans and Details

2. Unless otherwise specified by the conditions of this permission or otherwise agreed in writing by the Mineral Planning Authority, the development shall not be carried out other than in accordance with the proposal details contained in the addendum to the Environmental Statement and the LEMP submitted with this application and the following Drawings:

2655 L MP 0 01 rev F	Masterplan		Dated 26/07/2018
2655 L RP 0 01 rev H	Restoration Plan		Dated 23/10/2017
25683/014/010 rev N	Restoration Plan	Ground levels and waterbodies	6/7/18
25683/014/011 rev E	Ground levels and waterbodies	Section AA	6/7/18
25683/014/012 rev E	Ground levels and waterbodies	Section BB (1)	6/7/18
25683/014/013 rev E	Ground levels and waterbodies	Section BB (2)	6/7/18
25683/014/014 rev E	Ground levels and waterbodies	Section CC	6/7/18
25683/014/015 rev F	Ground levels and waterbodies	Section DD	6/7/18
25683/014/016 rev E	Ground levels and waterbodies	Section EE	6/7/18
25683/014/018 rev C	Ground levels and waterbodies	Section FF	6/7/18
25683/014/019 rev C	Ground levels and waterbodies	Section GG	6/7/18
25683/014/031 rev B	Surface Water Management		30/8/18

Reason

For the avoidance of doubt and to ensure proper control of the development in the interests of local amenity having regard to Policies RS1 and DM1 of the adopted Bournemouth, Dorset and Poole Minerals Strategy.

Restoration

3. Unless otherwise agreed in writing by the Mineral Planning Authority, all buildings, plant, machinery, equipment, fencing, hardstandings and haul routes used in connection with the winning and working of minerals and restoration of the site shall be removed and the land shall be fully restored including the final placement of topsoil in accordance with the details contained in the LEMP version 1 dated Dec 2018 and shown on the revised Restoration Plans 2655 L RP 0 01 rev H Restoration Plan dated 23/10/2017 and 25683/014/010 rev N Restoration Plan Ground levels and waterbodies dated 6/7/18 and associated section plans by 31 July 2019.

Reason

To ensure that the land is restored to a condition capable of beneficial afteruse and in the interests of landscape character and visual amenity having regard to Policies

RS1, DM1, DM4 and DM5 of the adopted Bournemouth, Dorset and Poole Minerals Strategy.

Hours of Working

4. No operations permitted by this consent shall be carried out other than between:
- 07:00 hours and 18:00 hours Monday to Friday;
 - 07:00 hours and 13:00 hours on Saturdays; and
- No such operations shall take place on Sundays and public holidays.

Reason

To protect the amenities of local residents and having regard to policies DM1, DM2 and DM4 of the adopted Bournemouth, Dorset and Poole Minerals Strategy, May 2014.

Highways

5. For the duration of the development, restoration and aftercare period, the surfacing of the site access roads shall be maintained in an effective state of repair, free from mud and other debris, and with drainage capable of preventing slurry and water flowing onto the public highway. No commercial vehicles leaving the site, in connection with the development hereby approved, shall enter the public highway unless their wheels and chassis are sufficiently clean so as to prevent material being deposited on the public highway.

Reason

In the interests of local amenity and highway safety having regard to Policies DM1, DM2 and DM8 of the adopted Bournemouth, Dorset and Poole Minerals Strategy.

Highways

6. No HGVs shall enter or leave the site except via the Eastern Entrance or the Northern Entrance marked on drawing number 2655 L MP 0 01 rev F Masterplan Dated 26/07/2018

Reason

In the interests of local amenity and highway safety having regard to Policies DM1, DM2 and DM8 of the adopted Bournemouth, Dorset and Poole Minerals Strategy.

Noise

7. Unless otherwise agreed in writing by the MPA, except for temporary operations consisting of: bund construction; soil stripping; removal of spoil heaps and construction of new permanent landforms, noise levels arising from the site shall not exceed the limits at the buildings as specified below.

Location	Noise Limit dB LAeq,1hour, freefield
Egdon House	55
Higher Barn	55
Knighton Wood Cottage	51
Knighton Heath Barn	51

Freefield noise levels arising from temporary operations specified above, shall not exceed 70 dB LAeq 1 hour, measured at the locations identified above, and such temporary operations shall not take place for more than eight weeks in any calendar year.

Reason

To protect the amenities of local residents having regard to Policies DM1 and DM2 of the adopted Bournemouth, Dorset and Poole Minerals Strategy.

Water Protection

8. No repair, maintenance or refuelling of plant and machinery shall take place within the application site until the MPA has been notified of a designated plant maintenance area within which such activities shall take place. Spill kits and oil absorbent material shall be available at all times and in the event of an unavoidable spillage shall be used to minimise the potential for contamination of surface and groundwaters.

Reason

To prevent pollution of the local water environment having regard to Policies DM1, DM2 and DM3 of the adopted Bournemouth, Dorset and Poole Minerals Strategy.

Water Protection

- 9 Any liquid (other than water) shall be stored in appropriate tanks and containers which shall be housed in an area surrounded by bund walls of sufficient height and construction so it can contain 110% of the total contents of all tanks containers and any associated pipework within it. The floor and walls of the bunded area(s) shall be impervious to both water and oil and pipes shall vent downwards into the bunded area. This facility shall be maintained so as to prevent any egress of fluids.

Reason

To prevent pollution of the local water environment having regard to Policies DM1, DM2 and DM3 of the adopted Bournemouth, Dorset and Poole Minerals Strategy.

Water Protection

10. There shall be no discharge of foul or contaminated drainage or untreated trade effluent from the site into either groundwater or any surface waters, whether direct or via soakaways, unless otherwise agreed in writing by the Mineral Planning Authority.

Reason

To prevent pollution of the local water environment having regard to Policies DM1, DM2 and DM3 of the adopted Bournemouth, Dorset and Poole Minerals Strategy.

Soil Management

11. All topsoil, soil making material and overburden shall be retained on site for subsequent use in restoration.

Reason

To ensure proper restoration of the land having regard to Policies RS1, DM1, DM2, DM4 and DM5 of the adopted Bournemouth, Dorset and Poole Minerals Strategy.

Soil Management

12. All stripping, regrading, subsoiling, spreading and cultivation of soils shall only be carried out when the soils are dry and friable and only between the months of May until September (inclusive), unless otherwise approved in writing by the Mineral Planning Authority and in such a way to avoid excessive damage to the soil structure.

Reason

To prevent damage to soil structure and to ensure proper restoration of the land having regard to Policies RS1, DM1, DM2, DM4 and DM5 of the adopted Bournemouth, Dorset and Poole Minerals Strategy.

Soil Management

13. All topsoil and subsoil shall be handled and stored separately and where necessary stored in bunds which shall not exceed heights of 2 metres for topsoil and 3 metres for subsoil, in locations approved in advance by the Mineral Planning Authority, save for bunds already existing at 30 November 2010.

Reason

To prevent damage to soil structure and to ensure proper restoration of the land having regard to Policies RS1, DM1, DM2, DM4 and DM5 of the adopted Bournemouth, Dorset and Poole Minerals Strategy.

Soil Management

14. All disturbed areas of the site and all topsoil, soil making material and overburden mounds shall be kept free from weeds including thistle, dock, Japanese knotweed, ragwort and Himalayan balsam.

Reason

To prevent a build-up of harmful weed seeds in soils to be used for restoration of the land and in the interests of visual amenity having regard to Policies RS1, DM1, DM2, DM4 and DM5 of the adopted Bournemouth, Dorset and Poole Minerals Strategy.

Landscaping

15. Unless otherwise approved in writing by the Mineral Planning Authority each area of the site shall be planted with trees and shrubs during the first planting season (November to February) following completion of its restoration in accordance with a Planting Scheme submitted to and approved in writing by the Mineral Planning Authority. Any Planting Scheme submitted to the Mineral Planning Authority for approval shall include details for each area of the species to be planted, densities of planting, quantities of each species to be planted, positioning of planting within the restored areas and timescale for implementation.

Reason

To ensure that the approved planting is implemented at the earliest opportunity with the best prospect of establishment in the interests of landscape and visual amenity having regard to Policies RS1, DM1, DM2, DM4 and DM5 of the adopted Bournemouth, Dorset and Poole Minerals Strategy.

Landscaping

- 16 Any tree or shrub planted or to be retained, or any seeding carried out, which dies or becomes diseased or seriously damaged during the course of the development and the aftercare period shall be replaced in the next planting season with another of similar size and species or seed mix unless the Mineral Planning Authority has previously approved otherwise in writing.

Reason

To ensure as far as possible maintenance of the site landscaping in the interests of landscape impact and visual amenity having regard to Policies RS1, DM1, DM2, DM4 and DM5 of the adopted Bournemouth, Dorset and Poole Minerals Strategy.

Aftercare

17. Unless otherwise consented by the Silverlake development, aftercare of all remaining areas of the site shall take place for a period of 5 years following completion of restoration works in that part of the site in accordance with the aftercare proposals contained in the approved Landscape and Ecological Management Plan (LEMP) Version 1- 2018.

During each year of the aftercare period an annual report shall be prepared by the developer which reports on the aftercare works undertaken in that year and identifies works proposed for the following 12 months. The report shall be submitted for approval to the MPA by 31st August each year and, if the MPA requests it, a site visit shall take place during September, following the submission of the report, to consider the following years aftercare works. Aftercare management shall be implemented in full during the following 12 months in accordance with the submitted annual aftercare report subject to any amendments as may be required in writing by the MPA.

Reason

To ensure that the restoration and works to establish nature conservation habitats have the best prospect of establishment in the interests of landscape, ecology and amenity having regard to Policies RS1, DM1, DM2, DM4 and DM5 of the adopted Bournemouth, Dorset and Poole Minerals Strategy.

Interim Management

- 18 Interim Management, for public amenity and nature conservation, shall take place within areas identified for development under the "Silverlake" permissions (identified as "areas for holiday units and lodges" on the Masterplan 2655_L_MP_0_01 Rev F dated 26/07/18, appended to the LEMP) and shall continue for the duration of the holiday use consented by 1/D/13/1112 for the Silverlake development except in any area where development has commenced in accordance with a consent approving reserved matters pursuant to permission ref 1/D/13/001112. Interim Management shall be undertaken in accordance with the Interim management proposals contained in the Landscape and Ecological Management Plan (LEMP) Version 1- 2018 and any variation thereafter as may be approved in writing by the MPA.

At the end of the aftercare period and every 5 years thereafter, (until the Silverlake development has been fully implemented) a report shall be prepared which details the success or otherwise of the management undertaken in the previous 5 year period and identifies works proposed for the following 5 years. The report shall be submitted to the MPA by 31st August. If the MPA requests it, a site visit shall take place, during September following the submission of the report, to consider and agree the following 5 years of management. Interim management shall be implemented in full during the following 5 years in accordance with the last submitted 5 yearly report subject to any amendments as may be required in writing by the MPA.

Reason

To ensure that the works to establish interim nature conservation habitats have the best prospect of being maintained in the interests of landscape, ecology and amenity having regard to Policies RS1, DM1, DM2, DM4 and DM5 of the adopted Bournemouth, Dorset and Poole Minerals Strategy.

Long-term Management

- 19 All areas of the site not identified for development under the "Silverlake" permissions (being all areas other than those identified as "areas for holiday units and lodges" on the Masterplan 2655_L_MP_0_01 Rev F dated 26/07/18) shall be managed for the benefit of nature conservation for the duration of the holiday use consented by 1/D/13/1112 for the Silverlake development. Management shall be undertaken in accordance with the long-term management proposals contained in the Landscape

and Ecological Management Plan (LEMP) Version 1- 2018 (as may be periodically amended by agreement with the LPA).

At the end of the aftercare period and every 5 years thereafter a 5 yearly habitat management report shall be prepared which details the management undertaken in the previous 5 year period and identifies works proposed for the following 5 years. The report shall be submitted, for approval, to the MPA by 31st August in year. If the MPA requests it, a site visit shall take place, during September following the submission of the report, to consider the following 5 years of Management. Habitat management shall be implemented in full during the following 5 years in accordance with the submitted habitat management plan subject to any amendments as may be required in writing by the MPA

Reason

To ensure that the works to establish the nature conservation habitats have the best prospect of being maintained in the interests of landscape, ecology and amenity having regard to Policies RS1, DM1, DM2, DM4 and DM5 of the adopted Bournemouth, Dorset and Poole Minerals Strategy.

Drainage

20 As a result of the development hereby approved no soakaways or lagoons shall be constructed within 10m of the railway boundary or at any location that would adversely affect the stability of Network Rail infrastructure. Storm or surface water shall not be discharged onto or towards Network Rail property;

Reason

To maintain the integrity of the existing drainage systems and to prevent flooding of railway infrastructure land, in accordance with policy DM3 of the adopted Bournemouth, Dorset and Poole Minerals Strategy.

Plant and Machinery

21 No cranes or jibbed machines shall be used in such a position as to allow any suspended load closer than 3m to the boundary of the Network Rail property. No mobile plant or machinery shall be positioned or used that would make accidental entry onto railway property possible.

Reason

To maintain the safety of railway operations.

Tree Planting

22 No tree shall be planted at a distance closer to the boundary of the Network Rail property than the anticipated mature height of the tree.

Reason

To prevent access onto railway property and to eliminate the possibility of trees falling onto rail tracks.

Informative Notes

Silverlake Development

To avoid the potential for conflict with the Silverlake Development permission a revised restoration plan should be submitted to and approved in writing by the LPA in relation to condition 7 of the Silverlake Development permission prior to the implementation of a further phase of that development.

Water Protection

As a result of the development hereby approved there must be:

- no reduction in the effectiveness of any drain or watercourse belonging to Network Rail;
- no interference with the drainage rights of Network Rail;
- no increase in flowrates in culverts beneath the railway without the prior approval of Network Rail;
- no culverting or any other works that may obstruct a watercourse shall be undertaken unless Land Drainage Consent has first been obtained.

Level Crossing

Level Crossings should not be used for the passage plant and machinery, wheeled or tracked, without prior confirmation from Network Rail that it is safe to do so.

Litter

All appropriate measures shall be employed to ensure that litter from the site does not enter Network Rail property.

Tree species

It would be preferable to avoid planting trees that have heavy leaf fall, such as oak, close to the railway, as shedding foliage can cause operational difficulties.

Statement of Positive Involvement

In accordance with paragraphs 186 and 187 of the National Planning Policy Framework, Dorset County Council, as the Mineral 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:

- updating the applicant-s agent of issues as they arose in the processing of the application;
- discussing possible solutions to material concerns raised; and
- providing the applicant with the opportunity to address issues so that a positive recommendation to grant permission could be given.

Further details including application documents and Planning Officers report can be viewed at www.dorsetforyou.com/ePlanning/searchPageLoad.do