



Strategic and Technical Planning Committee

Date: Wednesday, 6 May 2026
Time: 10.00 am
Venue: Council Chamber, County Hall, Dorchester, DT1 1XJ

Members (Quorum 6)

Duncan Sowry-House (Chair), Belinda Bawden, Matt Bell, Toni Coombs, Richard Crabb, Spencer Flower, Craig Monks, Belinda Ridout, Pete Roper, David Taylor and David Tooke

Chief Executive: Catherine Howe, County Hall, Dorchester, Dorset DT1 1XJ

For more information about this agenda please contact Democratic & Governance Services Meeting Contact 01305 224709 - megan.r.rochester@dorsetcouncil.gov.uk

Members of the public are welcome to attend this meeting, apart from any items listed in the exempt part of this agenda. If you would like to attend this meeting and have any specific requirements please contact the Democratic Services Officer named above.

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Agenda

Item		Pages
1.	APOLOGIES To receive any apologies for absence.	
2.	MINUTES To confirm the minutes of the meeting held on Tuesday 24 th March 2026.	3 - 8
3.	DECLARATIONS OF INTEREST To disclose any pecuniary, other registrable or non-registrable interests as set out in the adopted Code of Conduct. In making their disclosure councillors are asked to state the agenda item, the nature of the	

interest and any action they propose to take as part of their declaration.

If required, further advice should be sought from the Monitoring Officer in advance of the meeting.

4. REGISTRATION FOR PUBLIC SPEAKING AND STATEMENTS

Members of the public wishing to speak to the Committee on a planning application should notify the Democratic Services Officer listed on the front of this agenda. This must be done no later than two clear working days before the meeting. Please refer to the Guide to Public Speaking at Planning Committee. [Guide to Public Speaking at Planning Committee](#)

The deadline for notifying a request to speak is 8.30am on Friday 1st May 2026.

5. P/FUL/2022/01447 - OFF GRANGE HILL, STEEPLE, WAREHAM, DORSET

9 - 68

Continued extraction of ball clay and proposed extraction of sand and ball clay from Povington Pit, Creech, Wareham to cease by 30th September 2036 with final restoration of the whole site to take place before 30th September 2037.

6. URGENT ITEMS

To consider any items of business which the Chairman has had prior notification and considers to be urgent pursuant to section 100B (4) b) of the Local Government Act 1972. The reason for the urgency shall be recorded in the minutes.

7. EXEMPT BUSINESS

To move the exclusion of the press and the public for the following item in view of the likely disclosure of exempt information within the meaning of paragraph 3 of schedule 12 A to the Local Government Act 1972 (as amended). The public and the press will be asked to leave the meeting whilst the item of business is considered.

There are no exempt items scheduled for this meeting.



STRATEGIC AND TECHNICAL PLANNING COMMITTEE

MINUTES OF MEETING HELD ON TUESDAY 24 MARCH 2026

Present: Cllrs Duncan Sowry-House (Chair), Belinda Bawden, Matt Bell, Richard Crabb, Scott Florek, Spencer Flower, Craig Monks, Pete Roper, David Taylor and David Tooke

Apologies: Cllrs Toni Coombs and Belinda Ridout

Officers present (for all or part of the meeting):

Philip Crowther (Legal Business Partner - Regulatory), Eleanor Godesar (Senior Planning Officer), Felicity Hart (Minerals and Waste Planning Manager), Antony Nash (Senior Democratic & Governance Services Officer), Martin Peacock (Senior Landscape Architect) and Megan Rochester (Senior Democratic & Governance Services Officer)

37. Minutes

The minutes of the meeting held on Tuesday 25th November 2025 were confirmed and signed.

38. Declarations of Interest

No declarations of disclosable pecuniary interests were made at the meeting.

39. Registration for public speaking and statements

Representations by the public to the Committee on individual planning applications are detailed below. There were no questions, petitions or deputations received on other items on this occasion.

40. P/FUL/2025/04692 – Wessex Farm, Sherborne Causeway, Shaftesbury, SP7 9PX

The Case Officer presented the application with a visual presentation, including site plans and aerial photographs, identifying the location and summarising the proposal and relevant planning policies. Members were informed that Wessex Farm and the main operational area were situated north of the A30, and that a new access road was proposed to the west of the existing access to avoid residential dwellings and the farm complex.

Key planning constraints were outlined, noting that the site was near several listed buildings, with the Motcombe Conservation Area located to the north. An explanation of the proposed anaerobic digester facility was provided, accompanied by site photographs from multiple viewpoints and illustrations of the site layout,

elevations, and feedstock building. A breakdown of the proposed feedstock and predicted annual energy production was presented. Landscape considerations were summarised, with visualisations showing that while initial landscape and visual harm was expected, this would not be significant by year 15 due to robust proposed planting. In relation to heritage, seven nearby listed buildings were identified, and members were advised of predicted impacts and mitigation through landscaping.

Highways matters were addressed, with the new access expected to generate 32 daily vehicle movements, increasing to 69 during the harvest period. The development would result in no more than a 1.31% increase in vehicle movements (calculated on increase to the existing AM peak hour traffic) on the A30 Sherborne Causeway, and the widened entrance and passing places were considered to improve highway safety for residents and Wessex Farm. The ecological assessment confirmed the site had no designations and consisted of arable land. Impacts on neighbouring amenity were outlined, and members were advised that the proposal would be carbon neutral and aligned with Dorset Council's climate and ecological emergency objectives. Protection of trees would be secured through an Arboricultural Method Statement. The recommendation was to grant planning permission subject to conditions set out in Section 16 of the officer's report.

Public Participation

Cllr A Hollingshead spoke in objection, noting the Town Council's opposition and concerns about the site's position on the slope of Shaftesbury. He highlighted the lack of an acoustic barrier, raised issues with the Transport Plan, and expressed concern about visual impacts from Castle Hill, stating that the development would detract from the landscape. While acknowledging supporting documents and officer advice, he maintained that a large industrial facility would harm community infrastructure and residents' quality of life, urging the Committee to refuse the application if any doubt remained.

Mrs K Tippins explained that she lived at Long Cross beside the A30, close to the proposed site. She asked Members to refuse the application, stating that it represented a 6-hectare industrial-scale waste facility rather than farm diversification. She considered the applicant's assumptions on existing HGV movements to be unsupported and said the development would introduce new heavy traffic onto a hazardous section of the A30. She also raised concerns about odour, noting that anaerobic digestion was inherently odorous and that no evidence had been provided to show nearby homes would not be affected. She stated that the proposal would cause industrial-scale harm to the rural landscape, including views from Castle Hill, and that mitigation through future planting was insufficient. She further noted that no Environmental Impact Assessment had been required despite the site's proximity to watercourses and an SSSI. Mrs Tippins concluded that key impacts on highway safety, residential amenity, landscape character and environmental risk had not been properly assessed or shown to be acceptable, and she respectfully asked the Committee to refuse.

Mr T Pope spoke on behalf of the applicant, stating that the proposal provided a safe agricultural use supporting renewable energy, carbon capture and net-zero

aims. He confirmed that environmental protection and impacts on neighbouring facilities had been fully assessed and noted that the site lay outside national landscape designations. He advised that access was safe and suitable, aligned with the strategic road network, with continuous GPS tracking in place. He highlighted proposed hedgerow and tree enhancements to reduce visual intrusion and protect views and heritage assets, alongside biodiversity net gains, and stated that enforceable planning conditions would secure acceptable land use.

Cllr P Mouncey spoke on behalf of Motcombe Parish Council in opposition to the application, stating that it conflicted with the Neighbourhood Plan and would harm the character and tranquillity of the countryside, including views across the Blackmore Vale. He raised concerns regarding biodiversity, environmental impacts and existing flooding issues, noting that increased traffic could worsen surface-water flooding and affect local watercourses. He reported that neighbouring residents shared concerns about air quality, light pollution and reduced privacy. He also highlighted highway safety issues, explaining that the A30 was served by narrow country lanes with difficult junctions, limited visibility and a history of accidents, and therefore was not safe for all road users. He urged that the application be refused.

Cllr V Potheary, the local ward member, noted the recent opening of an anaerobic digestion facility in Wincanton, nine miles from the site, and questioned whether this had been accounted for in the applicant's business plan. While supporting green energy initiatives, she stated that the proposal would have an unacceptable landscape impact and did not meet the North Dorset Local Plan requirement for development to enhance its surroundings. She emphasised the need to give proper weight to heritage assets, noting that eleven designated assets appeared to have been overlooked, and raised concerns regarding biodiversity. She urged the Committee to refuse the application and support the community's view.

Members questions and comments

- Members asked what work had been undertaken to accommodate HGV movements associated with the proposal, and how visibility for all road users had been assessed and assured
- sought clarification on what odour-mitigation measures had been put in place, noting that the applicant had stated feedstocks would be transported in enclosed HGVs.
- concerns expressed regarding both traffic impacts and potential odour issues arising from the proposed operations.
- Members queried the origin of the large vehicles serving the site and requested clarification on the routing assessment, given that the impact extended beyond the A30 and affected smaller rural roads and country lanes.
- Sought clarification on how officers apply the quantitative planning balance in assessing planning applications and whether it had been undertaken for the proposal
- What proportion of HGV movements had been calculated as a percentage of overall traffic rather than HGVs alone

- Over how many days during the harvest period had traffic movements been anticipated
- What mitigation measures had been proposed to prevent pollution of nearby watercourses
- Requested a breakdown of vehicle types, particularly the percentage of tractor movements and whether those loads would be sealed
- Queried the periodical review of the management of the site to ensure it was being managed and operated appropriately
- Clarification was sought on whether the site lay within the designated dark skies area.
- Hours of operation
- What capacity existed for any materials to be stored on site
- Members requested clarification of Condition 24, particularly why no restriction had been applied to the delivery of feedstock during the harvest period.
- How surrounding parishes would be engaged, and whether a requirement could be included for the applicant to participate in an annual liaison committee to review transport, road impacts and related operational matters.
- Cllr Matt Bell noted that Dorset was a rural county and highlighted how the proposal supported the agricultural network and delivered public benefit, recognising that while the rural landscape needed to be maintained, such facilities were widely used within the farming community and helped to reduce risks to watercourses by ensuring that slurry was managed appropriately.
- Cllr Belinda Bawden commented that the proposal reflected modern recycling practice by converting a waste product into a useful fertiliser, noting that fertiliser costs had been significant and that the process offered both economic benefit and a reduction in pollution risk.
- Members sought clarity on the effect of the proposed review mechanism and whether it would allow parish councils to comment on any issues arising during the operation of the site.

Having had the opportunity to discuss the merits of the application and an understanding of all this entailed; having considered the officer's report and presentation; the written representatives; and what they had heard at the meeting, a motion to **APPROVE** the officer's recommendation to GRANT, was proposed by Cllr Duncan Sowry-House, and seconded by Cllr Matt Bell, subject to conditions set out in Section 16 of the officer's report and an additional condition requiring liaison every six months with surrounding parish councils within a 15-mile radius.

Decision: To grant for the reasons set out in Section 16 of the officer's report and an additional condition requiring liaison every six months with surrounding parish councils within a 15-mile radius. The final wording of the additional condition be delegated to officers.

41. **Urgent items**

There were no urgent items.

42. **Exempt Business**

There was no exempt business.

Decision Sheet

Duration of meeting: 10.03 - 11.41 am

Chairman

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Officer Report

Application Number:	P/FUL/2022/01447		
Proposal:	Continued extraction of ball clay and proposed extraction of sand and ball clay from Povington Pit, Creech, Wareham to cease by 30 th September 2036 with final restoration of the whole site to take place before 30 th September 2037.		
Site address:	Off Grange Hill, Steeple, Wareham, Dorset		
Applicant name:	Imerys		
Case Officer:	Tony Cosgrove		
Ward Member(s):	Cllr Ben Wilson		
Publicity expiry date:	8 March 2024	Officer site visit date:	03/09/2025; 21/01/2026
Decision due date:	31 Jan 2026	Ext(s) of time:	31 st March 2026
No of Site Notices:	Two - 10th August 2022		

1. Reason application is going to committee:

This is an application, with a recommendation for approval, for mineral extraction and quarry restoration which has the potential to cause harm to important natural and cultural resources, including the Dorset National Landscape in the area.

2. Summary

Grant Planning Permission subject to:

- 1) the conditions set out at the end of this report; and,
- 2) a S106 Agreement requiring a Landscape Enhancement Fund and a Landscape and Environmental Management plan (LEMP).

3. Key planning issues

Issue	Conclusion
Principle of development	This extension would facilitate the supply of Ball Clay (and also sand). This would ensure the continued supply of ball clay as a strategically significant mineral and make use of existing infrastructure and resources. The sand that occurs as over and inter-burden to this Ball Clay can be used and would make a positive contribution to the supply of sand.
Impact on landscape of the Dorset National Landscape (formerly AONB)	Dorset National Landscape team and Dorset Council's Landscape team advise that even with mitigation and phasing the development would have an adverse impact on this highly protected landscape. The Dorset National Landscape and Dorset Council Landscape teams have recommended that compensation through a Landscape Enhancement Fund, secured via a s106, would make the development acceptable.
Amenity	The proposal would not result in an unacceptable loss of amenity. There would be an impact to the amenity of residents and visitors to this area because of 66 HGV movements per day along the road network but the level of impact and the time that it would take place over is not considered to result in an unacceptable amenity impact.
Biodiversity	An Appropriate Assessment was undertaken by Dorset Council and approved by Natural England. The built-in mitigation and management procedures has helped ensure there will be no adverse impact on the integrity of the European interest features here. Away from the European interest features, there are important on and offsite interventions which will be conditioned to ensure the proposal is acceptable and leads to significant long-term improvements.
Highways	Although this proposal would result in an increased number of HGV movements (26 to 66 HGV movements per day) compared to the original extraction of ball clay at Povington, it is concluded that the proposal

	does not present a material harm to the transport network or to highway safety. Other conditions make the HGV movements acceptable in terms of road mud, dust and hours of working.
Flood Risk	With the proposed management procedures there are no material implications on the surface water drainage or flood regime in the area. Water management conditions make the development acceptable in water terms.
Economy	Proposal would allow for continued economic output and employment. Ball Clay is a strategically important component in a range of products including for renewable energy facilities.
Restoration	There is a comprehensive restoration plan which covers the existing site and this lateral extension. It will create and enhance valuable habitats including wetlands, heath and woodland. The aftercare and use will be secured through a 30-year management plan.
Archaeology	There will be some harm, less than substantial, to designated archaeology in the vicinity. Historic England does not object to the application. The County archaeologist does not object, subject to certain conditions relating to archaeological management of an un-designated area of interest within the site being attached.
Heritage	There would also be 'less than substantial harm' to heritage assets including a Grade II* Registered Park and Garden and the Grade 1 Listed Creech Grange manor house, both of which would be impacted by the transport route. Guided by Para 215 of NPPF and having weighed the public benefits (including the importance of the material to be extracted) against this less than substantial harm to the heritage assets the officer conclusion is the development should proceed.

4. Description of site

- 4.1 The application site (Fig 1) is located in a rural area east of East Lulworth bounded by agricultural land, heath and woodland. The site is located within the Lulworth MOD Ranges, with extensive heathland crossed by tracks to the west.
- 4.2 To the south, the landscape is largely agricultural, with the exception of a linear block of woodland on the northern flanks of the Purbeck Hills; a narrow linear ridge that runs east to west to the south of the site. To the east are areas of woodland and the registered park and garden associated with Creech Grange manor. Finally, to the north the site is bounded by agricultural land, interspersed with small areas of woodland, which gives way to heathland and areas of coniferous plantation.
- 4.3 The nearest residential properties are Keepers Lodge and Oak Cottage (approximately 450m and 550m east of the application site), and Creech Grange (approximately 1,200m from the application site).



Figure 1: Location of the application site (shown in red). The site is within the MoD danger area, marked by the red triangles.

5. Description of development

5.1 The application forms two parts;

- 1) retrospective permission for continued extraction of ball clay at the existing quarry along with a proposed extension to the existing extraction in a north-easterly direction to extract Ball Clay and sand, and on and offsite ecological and landscape interventions, and,
- 2) a new overall comprehensive restoration plan to cover both the current site and the new extension area, and 30-year management measures to secure their aftercare.

5.2 The proposed development would lead to the extraction of around 40,000 tonnes of ball clay and 60,000 tonnes of sand annually in four distinct phases (Fig 2). This sand is encountered as discrete bands within the Ball Clay.



Figure 2: General map with the Povington application site boundary shown as a solid red line. The four extractive phases of the proposal are shown by the yellow arrows; generally moving from north to south (Phase 1-4) over time. Concurrent to the extraction, an extensive programme of ecological interventions and restoration will take place. These are described in more detail in Section 13 below.

- 5.3 Ball Clay and sand would both be extracted using a hydraulic extractor and be loaded into HGVs for transport to the market via the road network. In total there would be no more than 66 HGV movements per day (33in, 33out); 26 would be lorries taking Ball Clay to Furzebrook and 40 would take sand to the wider market north along Grange Road.
- 5.4 As well as this extraction, the application also seeks permission for a new restoration programme for the whole site (i.e. the wider site *and* the proposed extension area). Mineral waste materials (overburden and interburden) would be used to progressively backfill the workings and the land would be shaped to create wetland, woodland and other important habitat areas.
- 5.5 Imerys (and before that ECC Ball Clays) is a long-established employer and extractor of Ball Clay in this part of Dorset. Along with its processing yard in Furzebrook and its associated extraction sites, Imerys employs around 35 people and supports the employment of other associated contractors and support staff.
- 5.6 Dorset ball clay is a scarce, high-quality material essential for the ceramics industry. Used in products like fine china, tiles and sanitary ware, its plasticity and low iron content make it ideal for blending with other clays to achieve strength and durability. Today, ball clay is more important than ever as it is used in components for renewable energy technologies, such as wind turbines and advanced ceramic insulators for solar systems thereby assisting in the transition to a greener economy.
- 5.7 Ball Clay a strategically important mineral has limited distribution. It is found in three areas in the UK - the Wareham Basin in Dorset and the Bovey and Petrockstow Basins in Devon. Although ball clay is available in these other localities, the grades and types of ball clay available from Povington are unique and are required for blending with other grades of clay to provide the various specifications of clay the market needs. The grade of ball clay found within the National Landscape at Povington is generally of a higher quality than that found outside the National Landscape. Great weight is attached to the continued sourcing of this unique material from this area.
- 5.8 Although there are no allocated sites for Ball Clay in the Minerals Strategy, the application site is within the Ball Clay consultation area as defined by the adopted Minerals Strategy 2014. That strategy requires the minerals planning authority to provide up to 2.5m tonnes of ball clay during the plan period from the Ball Clay Consultation Area. This application would make an important contribution to that target.
- 5.9 The current worked area, around 21ha, is in the west and centre of this application site. A series of low faces and narrow benches have been formed by extraction and tipped material in the western part.

- 5.10 If permission is granted, topsoil and overburden would be temporarily stored in mounds proposed to be no greater than 3m and 5m in height respectively, within the existing quarry site. The overburden would be used for progressive restoration of the previously worked areas of the quarry during the lifetime of the quarry.
- 5.11 The proposed north-east extension would work through the existing lagoons and consequently new lagoons will need to be established in the southwest of the current site. Ground and surface water would be pumped from the quarry floor into these lagoons. Suspended solids settle naturally so there are fewer suspended solids in the discharge water. This water is then discharged into the nearby watercourse as per the current discharge consent. The proposed lagoons to the west of the quarry will perform the same function and discharge treated water at the current location.
- 5.12 A series of ecological on and off-site interventions are also planned to enhance habitats and improve biodiversity in and around the site. These will proceed concurrent to extraction over the coming five years.
- 5.13 Restoration of the site would create a varied suite of habitats including mires, ephemeral wetland, standing water, woodland and watercourses. These are proposed be managed for 30 years as part of a management agreement through a S106 agreement. The phased nature of the proposed works means much of the restoration can occur concurrently with extraction. The Haul Road would be retained post-restoration to facilitate access for monitoring, agricultural and MoD needs. There would be no enhanced public access post restoration (this is discussed further below).
- 5.14 The applicant is seeking planning permission to allow quarrying and associated operations to take place until 30th September 2036, with final restoration to be completed by 30th September 2037. There is extraction currently occurring here (Fig 3) although that permission (6/2011/0523) has lapsed, meaning extraction should have ceased by 30 September 2024 and the restoration should have been completed by 30 September 2025.
- 5.15 The applicant submitted this application in 2022 to ensure there was an extant permission in place ahead of the deadline imposed by 6/2011/0523 - extraction to have ceased by 30 September 2024 and the restoration completed by 30 September 2025. However, complications with the planning process means progress on this application has been delayed so extraction has been occurring since 2024 without an extant permission.

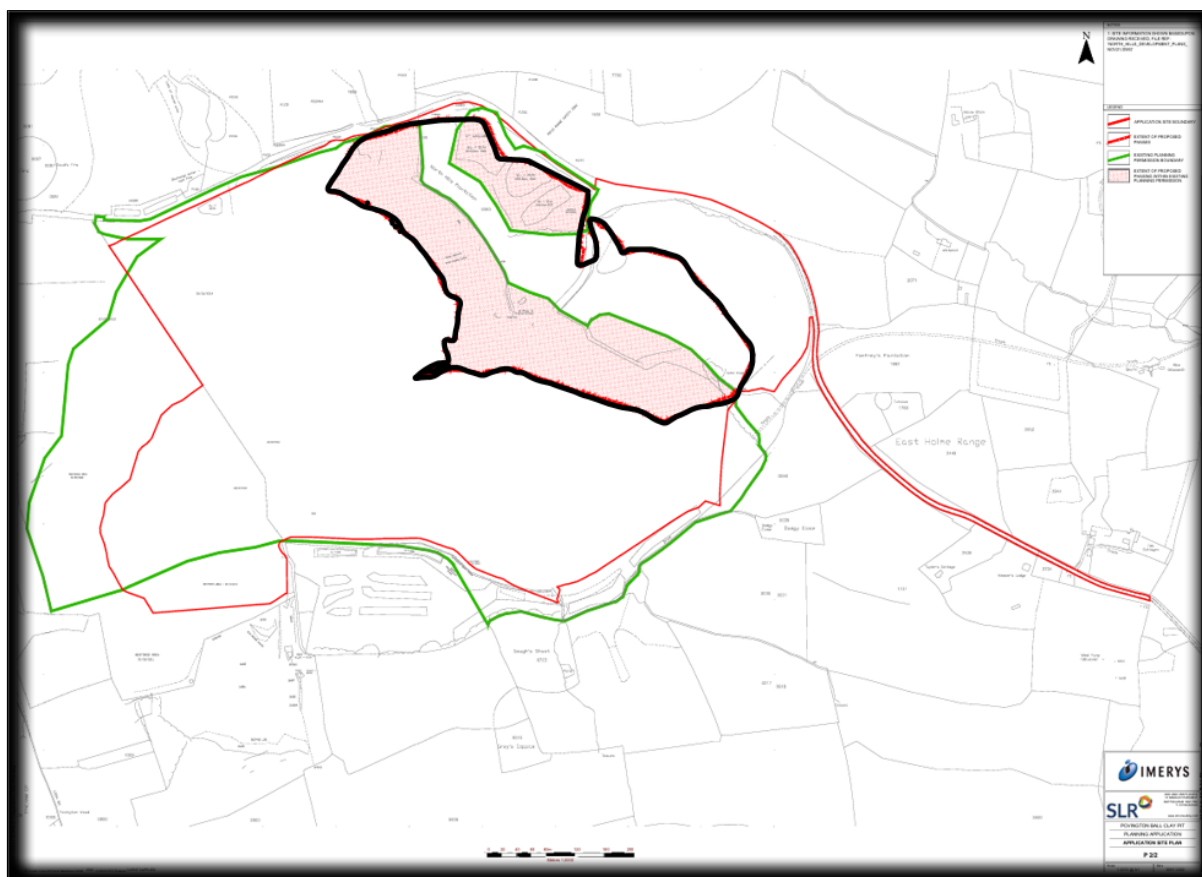


Figure 3: The red line boundary shows the application area. The black line shows the extent of the proposed extraction for this application. The salmon area is the proposed extraction area which lies within both this application and the now out-of-date 6/2011/0523 permission (shown by the green line). Extraction has been happening in parts of the salmon area, especially in the south and west of this salmon area, for around 18 months.

- 5.16 As a result, the application is partly retrospective, insofar as it seeks to regularise the extraction that has already occurred since 6/2011/0523 lapsed *and* provide permission for extraction out to 30th September 2036, with final restoration by 30th September 2037.
- 5.17 While the extraction since the lapsing of 6/2011/0523 is regrettable, the Monitoring and Enforcement reports produced by Dorset Council Monitoring colleagues provide no evidence of harm arising from the works. The current application provides an appropriate mechanism to bring the development back within planning control, and its determination, if successful, would ensure future operations here, extraction and restoration, proceed in a regulated manner.

6. Planning History

Date	Reference	Description
22/11/2013	N/A	Modification order to the earlier Permission 6/1997/0390
24/07/2012	6/2011/0523	An easterly extension to Povington Pit to develop land, to the east of West Creech Farm, for the purposes of the winning and working of ball clay and ancillary operations, including amendments to the approved restoration details for areas within the existing Povington Ball Clay Works
15/08/2002	6/2002/413	Extend ball clay working
19/12/2001	6/2002/026	ROMP Application
01/02/2000	6/99/620	Extend extraction area and install lagoons.
30/08/1997	6/1997/0390	Modification of conditions
14/05/1996	6/95/147	Modify shape of existing western overburden tip to allow sufficient working space in main Povington pit.
13/05/1996	6/1995/0148	Relocation of existing lagoon system serving Povington ball clay works
02/10/1985	6/81/413	Winning and working of ball clay
08/09/1978	6/77/325	Winning and working of ball clay as an extension to the existing works on land adjoining Povington ball clay works.
05/02/1974	317908	Extraction of ball clay.

7. Constraints

- 7.1 The application site is located wholly within the Dorset National Landscape. It is part of the Dorset Heaths National Character Areas. The South Purbeck National Character Area is immediately to the south and is impacted by the application.
- 7.2 There are no designated heritage assets such as Listed Buildings or Registered Park and Gardens in the application site. However, there are important listed heritage assets nearby and along the haul route, including a Grade II* Registered Park and Garden, listed archaeology assets and listed buildings, including a Grade I listed building, which will be negatively impacted by the proposed development.
- 7.3 There are two rights of way within the vicinity of the site, Bridleway SE21.2 and SE21.3; there are no national cycle routes close to the site.
- 7.4 The site is close to, and in some cases abuts, international, national and locally designated sites of nature conservation importance as listed below:
- Ramsar Site: DT/A003 - Dorset Heathlands.
 - SAC: DT/A012 - Dorset Heaths.

- SPA: DT/A007 - Dorset Heathlands.
- SSSI: SY88/004 – Povington and Grange Heaths.
- SNCI - SY88/044 West Creech;
- SNCI - SY88/047 Whitehall; and
- SNCI - SY88/050 West Creech Farm.

7.5 The implication of these designated sites are discussed in more detail in Section 16.

7.6 As the site is wholly within a National Landscape, section 85 of the Countryside and Rights of Way Act (2000) requires Local Planning Authorities to seek to further the purposes of conserving and enhancing the natural beauty of National Landscapes (formerly known as Areas of Outstanding Natural Beauty)

7.7 The strengthened duty to seek to further the purposes of National Landscapes came into force on 26 December 2023 and requires relevant authorities to actively consider how their functions can further the conservation and enhancement of natural beauty in designated landscapes. This duty is not discretionary and must be considered in parallel with other statutory duties.

8 Representations

8.1 All consultee responses can be viewed in full on the website. Consultee responses are summarised below; no other comments were received from the Parish Council or members of the public.

Cllr Brooks

- No objection if works are completed as per application.

Dorset County Archaeologist

- There are potentially important archaeological assets within the application site.
- These include the potential remains of a Romano-British village or settlement in the east of the proposed extension area (Phase 4 of any proposed extraction).
- An evaluation of this part of the proposed development site should be made before any extraction for an informed planning decision to be made.
- Such evaluations on sites of this size generally consist of a geophysical survey followed by the excavation of trial trenches ahead of any extraction.
- There is no objection if a condition requiring pre-extraction trenching and an archaeological management plan is added for Phase 4 prior to any permission.

Dorset Council Conservation Officer

- The Conservation Team assessed the proposal against: Creech Grange (Grade I, 1304916) / Chapel of St John the Evangelist (Grade II*, 1323359) / The Court (Grade II, 1122187) / Stables at Creech Grange (Grade II, 1120461) / Barn 30m N of Creech Grange (Grade II, 1152198) / Garden Walls, Gates and Gate Piers at Creech Grange (Grade II, 1323358) / Canteen Cottage (Grade II, 1120462) and Creech Grange Registered Park & Garden; the listed heritage assets adjacent to the application area.
- The increase in frequency of HGVs is considered to amount to a perceptible change; the character of the road would begin to be perceived as a 'haulage' road, associated with the activities of the quarry.
- There would also be a resultant increase in noise, disturbance, dust & vibrations to Creech Grange Registered Park & Garden, and to Creech Grange Manor House.
- However, the increase in vehicle numbers would not impact on the ability to understand and appreciate this wider setting, including the contrast between formal gardens, heathland, and the mature trees around the edges of the Registered Park & Garden.
- There would be no direct impacts to the overall designed landscape, the designed relationship of the parkland to the main Manor House is retained.
- The Group Value of the Creech Grange Group would not be significantly impacted by the increase in frequency of vehicle movements and resultant noise, dust & disturbance, their strong group value providing the setting for the Grade I listed mansion would remain.
- The nature of the quarrying will mean some days would be more intensive than others when there would be no vehicle movements. In addition, the operations are finite, so would eventually cease.
- Consequently, these changes would result in some less than substantial harm to the setting of these assets.
- The Conservation team therefore defer the justification and public benefits assessment under para 213 & 215 of the NPPF to the Minerals Planning Authority.

Dorset Council Environmental Protection

- No objection if noise conditions referred to in the Noise section of the ES are added to any permission to mitigate harm

Dorset Council Flood Risk Management Team

- Given the previous consents, EA permits for discharge rates, and the generally low risk of flooding from quarry sites (due to management of surface water within) flood or surface water drainage conditions are not required.

Dorset Council Highways

- No objection, subject to certain conditions, as there is no significant impact on road network.
- However, a traffic management plan is required via condition to make the development acceptable. The development needs to be carried out in accordance with the approved Traffic Management Plan.
- That plan should include, inter alia, vehicle cleaning protocols, regular inspection of the highway and a route plan.

Dorset Council Landscape Team

- The site is highly prominent in the panoramic views that are experienced from various vantage points along the Purbeck Ridge.
- Close up, surrounding ground level, views into the site are not available due to the presence of areas of small woodlands and plantations, and the fact that the site lies within the Lulworth firing range with limited or no public access and rights of way.
- There are more distant and very elevated views of the site from several points along the Purbeck Ridge to the south. These viewpoints have commanding views across the site and the wider AONB landscape beyond.
- From these elevated viewpoints the existing quarry is a conspicuous feature. It appears as a raw industrial element within the large expanse of gently undulating open heathland and woodland landscape. To the east this low-lying landscape stretches out to reach of Poole Harbour, which itself forms the first large expanse of water that is visible in this direction.
- To the west the heathland and woodland/plantation landscape continues, with some evidence of military activity apparent on the open heathland areas. It is the combination of these expansive elevated views over this part of the largely undeveloped AONB landscape and the scale, and conspicuous nature of these proposals that cause the greatest concern.
- The scheme design has some strategically located areas of new woodland planting. These will help soften the landscape and visual impacts of these proposals from the sensitive visual receptors to the south. These factors will help to alleviate many of the landscape concerns that were associated with the previous restoration scheme design (which included a large, uncharacteristic water body).
- The improved restoration plan which reduces the size and visual impact of the residual water bodies is also an important feature in making the impacts of the development acceptable.
- Phased restoration is an important mitigation which helps offset some of the adverse landscape impacts arising from the in restoration in comparison with the baseline situation.
- The indicated habitat types and way the overall site is indicatively shown makes the restoration scheme, in landscape terms, acceptable.
- Notwithstanding these positives there remains some residual landscape harm which requires further work to make the application acceptable.

- Although there would be harmful loss of characteristic features such as woodland there is no objection subject to a Landscape Enhancement Fund to compensate for landscape Impacts.

Dorset Council Minerals and Waste Policy

- No objection to the proposal on policy grounds.
- The provision of sales figures for Ball Clay helps guide proper decision making and it would be helpful if the applicant could do so in the future.
- The removal and use of sand is permitted through the Minerals Strategy but Policy BC3 should be used to guide that decision.
- Potential for delayed restoration of the current site should be addressed with the applicant.
- Restoration should be consistent with Policy RS1 of the Minerals Strategy.

Dorset Council Tree Officer

- No Objection, subject to conditions and a compensatory scheme to protect the veteran trees and important woodland on site.
- The three veteran trees identified for potential removal to facilitate the scheme (V2, V3 & V5) along with six other trees are important and have notable lichen communities.
- An increase in dust and accidental damage from vehicle movement are potential impacts on assets in the area.
- Acceptable mitigation of dust management has been outlined within the report and detailed in chapter 9 – Air Quality of the Environmental Statement.
- The compensatory strategy is acceptable. Any veteran features which are moved will be allowed to decay naturally, translocation of soils will retain seed bank and fungi, the veteranizing of nine suitable trees within site and enhancement measures undertaken on offsite woodland east of site are all positives. There is also a long-term management plan for veteran tree, lichens and wider habitats and annual inspection of each tree, three-yearly re-surveys for lichens, saproxylics and other associated species for a period of 10 years.
- In the opinion of the Tree Officer a tree protection condition requiring a plan and arboricultural method statement would ensure the veteran trees and woodland identified for retention are suitably protected from the identified risks (dust and damage from vehicle movement).

Dorset Council Natural Environment Team

- Numerous, constructive conversations about the important designated sites and ecological interest here but subject to the s106 and the works being completed as per the application they have no objection.
- The application has passed an Appropriate Assessment, so the integrity of the European Sites are guaranteed.
- There are 14 species of bat which use this area including some of the rarest UK bats such as Barbastelle and Greater Horseshoe. Loss of foraging habitat, commuting routes and roosts will all negatively impact these populations.

- Compensatory habitat is required to adequately offset the potential negative impacts on bats, birds and other species here. The bespoke compensation package (on and offsite) within this proposal is considered adequate to make the application acceptable.
- The on and off-site mitigation and their continued management over 30 years are another significant benefit.
- The Construction Environment Management Plan (CEMP) and the LEMP controls how the development is delivered and are an important part of the necessary mitigation plan which makes the application acceptable.
- The original restoration with its large water body created a habitat which was not diverse enough. It would have negatively impacted the ecology here, but the current restoration plan delivers a mosaic of grassland, heath, wood and aquatic habitats and is to be welcomed.
- There are concerns over the veteran trees in this area. NET originally required transplantation of the veteran trees to make the proposal acceptable.
- However, this is now no longer the case and accept that it is technically not possible to successfully translocate these trees. The current plan of making an assessment closer to the removal time and if translocation is not possible of retaining the deadwood on site for their lichen and invertebrate interest is acceptable.
- Overall, there are no nature conservation reasons why the proposal should not proceed.

Dorset Council Rights of Way

- No objection, however, the development will have an impact on the views and ambience of the bridleways.
- This impact would be reduced from the earlier application as the new proposed restoration removes the large water body and creates a more characteristic mosaic of characteristic heath and woodland habitats.
- The safe free passage of the public on all rights of way must not be obstructed at any time. If the public are unlikely to be able to exercise their public rights on the above path, then a Temporary Path Closure Order must be obtained.
- Any damage to the surface of the bridleway attributable to the development must be repaired to Dorset Council's specification, in accordance with Section 59 of the Highways Act 1980.

Dorset National Landscape Team

- The development is within the Dorset National Landscape area. This is clearly a highly protected landscape deserving of the highest protection.
- The development would lead to the loss of characteristic elements of the landscape; individual trees and wider woodland and would result in a temporary major, significant adverse effect.
- There would be an increase in visual effects in four locations where receptors may experience a partial view of the application site. Creech Barrow, Steeple Hill/Ridgeway Hill), Povington Hill and the footpath between Povington Hill and

Flowers Barrow would all experience a temporary major and major/moderate and significant landscape effect

- The revised restoration plans from a landscape and visual perspective are acceptable.
- Despite planting, landscaping and other works there remain unacceptable, harmful, residual landscape impacts.
- As approving the development would result in significant negative implications for the character and appearance of this part of Dorset National Landscape it would therefore require strong justification.
- Should the Minerals Planning Authority identify such a justification it may be appropriate for consideration to be given to a compensation package, such as the creation of an off-site landscape enhancement fund, to offset the extended operations and delayed restoration of the current site.

Environment Agency

- The Environment Agency have no objection to the proposal if two conditions (water monitoring and restoration – both covered here in this application) are added.
- They also ask for groundwater monitoring to ensure there is no deviation from expected effects on the movement of water in this area.

Historic England

- There are no designated heritage assets within the application site. However, the proposed development may have archaeological implications for buried archaeological within the site.
- The proposed development could, potentially, significantly impact upon the setting and significance of several highly designated heritage assets nearby; Bowl barrow in Pomfrey's Plantation and Creech Grange Grade: II* Registered Park and Garden.
- Prehistoric barrows are a key feature of the local landscape here and are highly sensitive to impacts of new development on their settings.
- The proposal to extend the quarry workings closer to the barrow will not significantly affect the setting of the barrow.
- Historic England also advise that the proposals will result in a negative impact to the Barrow in Pomfrey's Plantation which sits immediately to the east of the clay pit because of the increased length of operation, additional noise from extraction, processing and transportation.
- Historic England say although this harm would be less than substantial it would be at the higher end of the less than substantial harm scale.
- The visual effects experienced by the individual barrows, as well as cumulative and group impacts were assessed in the ES, concluding that the impact from the proposal will be minor to moderate at most and not significant. HE agree with this conclusion.
- Although they do not object, Historic England point out the development would lead to noise and transportation impacts. They assess these would cause less than substantial harm to archaeological and listed heritage assets here,

including Grade II* Registered Park and Garden at Creech and the Grade 1 Listed Creech Grange manor house

- They say it is for the Minerals Planning Authority to weigh this less than substantial harm against other benefits which may accrue from the development.

The Gardens Trust

- The Gardens Trust are a Statutory Consultee as the proposal may have a material impact on the significance of Creech Grange, a Grade II* registered park and garden (RPGs).
- The Gardens Trust liaised with colleagues in the Dorset Gardens Trust to garner their local knowledge on this area.
- They advise the increase in HGV traffic from the current 26 HGV movements per day to 66 HGV movements per day would lead to increased noise, vibration and disturbance in and around the RPG.
- The Gardens Trust raise 'strong concerns regarding the substantial impact of the increased traffic movements resulting in noise, vibration and disturbance which will have a detrimental impact on the RPG'.
- They advise the impact has the 'potential to lead to less than substantial harm'.

Natural England

- Following numerous, constructive conversations about the designated sites here and subject to the s106 and the relevant conditions Natural England have no objection to make.
- There are a large number of protected sites and the interest features are vulnerable to adverse impacts from this development.
- However, the mitigation and ecological enhancements which have been secured such as the offsite works to the east, the onsite works, the restoration and the Construction Environmental Management Plan which ensures there will be no adverse constructional impacts on the protected species and habitats mean Natural England have no objection to the proposal.
- As there was a likely significant effect on the interest features of a European Protected Site, as the Competent Authority Dorset Council has conducted a Habitats Regulation Appropriate Assessment. It concluded there was no adverse effect on the integrity of the site. Natural England concurred with this conclusion.

9. Planning Obligations

9.1 To make this application acceptable in planning terms a Section 106 Agreement will be required. The s106 is proposed to deliver two things:

- The applicant shall implement and comply with a Landscape and Environment Management Plan (LEMP) to be submitted within six months of approval of any permission related to this application. The LEMP will accord with an outline LEMP which has been agreed with the MPA, Natural England and Dorset Council Natural Environment Team which sets out a range of proposed environmental and ecological interventions in this area, on and offsite, which are to be undertaken before and concurrent to extraction. This would ensure that the various ecological interventions occur (such as rhododendron removal, habitat creation and wetland management) and provide an agreed, enforceable phasing are secured. These are explained in more detail below in Section 17.8.

9.2 A s106 obligation, rather than just a planning condition, is required to ensure these important works are delivered. Some of these works are both outside the redline and require long-term (as much as 30 years) maintenance and upkeep. As such both the applicant and the Minerals Planning Authority agree a s106 is the correct mechanism to secure these offsite works and their associated benefits over the long-term.

9.3 The applicant shall establish and fund a Landscape Contribution to fund

- projects to conserve, enhance, recreate and manage characteristic landscape features in accordance with the Dorset AONB Landscape Character Assessment and associated Landscape Management Guidance;
- projects to improve rights of way in the Purbecks;
- geodiversity projects in the Purbecks
- projects to mitigate any impacts on transport and/or the tranquillity of the area.

9.4 A panel will be established to consider bids for projects and to recommend to the Council whether those projects should receive funding (see 17.63).

10. Policy

10.1 Planning applications must be determined in accordance with the development plan unless material circumstances indicate otherwise; s38(6) of the Planning and Compulsory Purchase Act 2004. Relevant policies are set out below.

10.2 Development Plan

Purbeck Local Plan

E1 – Landscape
E2 – Historic Environment
E4 - Assessing flood risk
E7 - Conservation of protected sites
E8 - Dorset Heathlands
E10 - Biodiversity and geodiversity
EE2 - Planning for employment

Bournemouth, Dorset and Poole Minerals Strategy

SS1 - Presumption in Favour of Sustainable Development
CC1 – Preparation of Climate Change Assessments
BC1 – Provision of Ball Clay
BC2 – Ball Clay transportation
BC3 – Extraction of sand and gravel in association with Ball Clay within the AONB
RS1 – Restoration, Aftercare and Afteruse of Minerals Development Policy
RS3 - Local liaison group
DM1 – Key Criteria for Sustainable Minerals Development Policy
DM2 – Managing Impacts on Amenity Policy
DM3 – Managing the Impact on Surface Water and Ground Water Resources Policy
DM4 – Protection and Enhancement of Landscape Character and the Countryside
DM5 - Biodiversity and Geological Interest Policy
DM7 – The Historic Environment Policy
DM8 – Transport and Minerals Development
DM10 – Planning Obligations

Other Material Considerations

10.3 Paragraph 48 of the NPPF requires that local planning authorities should give weight to relevant policies in emerging plans according to:

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

10.4 The Dorset Council Local Plan Options Consultation took place between August and October 2025, following earlier consultation on a draft plan in 2021. Being

at an early stage of preparation, the relevant policies in the Draft Dorset Council Local Plan should be accorded limited weight in decision making.

10.5 Paragraph 11 of the National Planning Policy Framework 2024 (as amended February 2025) sets out the presumption in favour of sustainable development. Where the development plan is absent, silent, or relevant policies are out-of-date then permission should be granted unless any adverse impacts of approval would significantly and demonstrably outweigh the benefits when assessed against the NPPF or specific policies in the NPPF indicate development should be restricted. Although the Bournemouth, Dorset and Poole Minerals Strategy is more than 5 years old it still acts as the extant minerals strategy for this area.

10.6 Other relevant NPPF sections include:

- Section 4 Decision taking (paragraphs 39, 48 – 50)
- Section 6 Building a strong, competitive economy (paragraph 85) and supporting a prosperous rural economy (paragraphs 88 and 89)
- Section 9 Promoting sustainable transport (paragraph 115)
- Section 11 Making effective use of land (paragraph 124)
- Section 14 Meeting the challenges of climate change, flooding and coastal change (paragraph 172)
- Section 15 Conserving and enhancing the natural environment – Habitats and biodiversity (paragraphs 187, 192 - 195 set out how biodiversity is to be protected and encourage net gains for biodiversity), National Landscapes (paragraph 190) and Ground conditions and pollution (paragraphs 198 and 201)
- Section 16 Conserving and enhancing the historic environment (paragraphs 207 – 216)

10.7 There are other plans which influence decision making in this sensitive area. These include:

- Dorset National Landscape Management Plan 2026-2031
- Dorset County Council Landscape Character Assessment (Open Chalk Downland)
- Dorset Council Interim Guidance and Position Statement Appendix B: Adopted Local Plan policies and objectives relating to climate change, renewable energy, and sustainable design and construction. December 2023.

11. Human Rights

11.1 The recommendation here is based on adopted development plan policies, the application of which does not prejudice the human rights of the applicant or any third party. These include Article 1 - protection of property; Article 6 - right to a fair trial; and Article 8 - right to respect for private and family life and home.

12. Public Sector Equality Duty

12.1 As set out in the Equalities Act 2010, all public bodies, in discharging their functions must have “due regard” to three key equality aims when carrying out their functions. These are:

- Eliminate unlawful discrimination
- Advance equality of opportunity
- Foster good relations between different groups

12.2 Whilst there is no absolute requirement to fully remove any disadvantage, the Duty is to have “regard to” and remove or minimise disadvantage and in considering the merits of this planning application the planning authority has taken into consideration the requirements of the Public Sector Equalities Duty (PSED). This current application is not considered to have any impact upon those with a protected characteristic.

13. Public Benefits

13.1 Imerys employs about 35 people in connection with this site and other local sites, and there are other jobs in the supply chain, such as plant hire, consultants and local spend by visiting Imerys colleagues and contractors. These are an important financial feature of this application which should be acknowledged.

14. Environment

14.1 Turning to climate change, at a national level the Government aims to reduce carbon emissions by 80% (compared to 1990 levels) by 2050 and fully decarbonise the electricity grid by 2035. The Government aims to achieve these targets in several ways, including through development of up to 50GW of offshore wind by 2030 and a fivefold increase in solar by 2035 (Powering Up Britain, 2023).

14.2 In May 2019 Dorset Council declared a Climate Emergency and there is a heightened expectation that the planning process will secure carbon footprint reductions in new developments. The ball clay extracted from this site is used to construct vital components in the renewable energy industry including ceramics and wind turbines.

14.3 As this application for planning permission was made before 12 February 2024 it will not require a biodiversity net gain (BNG) plan.

15. EIA Development

15.1 This proposal is EIA Development and has been assessed under the terms of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017. An Environmental Statement (ES) has been submitted as part of the application, and any likely significant effects of the development on the local environment have been assessed.

15.2 The ES examined:

- Site Description
- The Development and Alternatives
- Approach to EIA
- Planning Policy
- Landscape and Visual
- Cultural Heritage
- Ecology
- Air Quality
- Noise
- Water Environment
- Transport
- Cumulative Effects

15.3 These are discussed in the Planning Assessment section below.

16. Habitats Regulations

16.1 A Habitats Regulations Appropriate Assessment is also required for this proposal because the development has the potential to result in likely significant effects on designated European sites.

16.2 In accordance with the Conservation of Habitats and Species Regulations, the assessment considers whether the project, alone or in combination with other plans or developments, would adversely affect the integrity of these protected habitats.

16.3 The Appropriate Assessment, which must be undertaken by Dorset Council as the decision maker, must conclude no adverse effect the integrity of the interest features of these sites before it can be consented.

16.4 An Appropriate Assessment has been undertaken by Dorset Council and it has concluded that there would be no adverse effect on the integrity of the interest features of these sites.

16.5 Natural England, as the statutory advisor on nature conservation, have concurred with the assessment of that Appropriate Assessment.

17. Planning Assessment

17.1 The application has been considered within the context of the plan-led system with reference to the various policies and considerations outlined in Section 10. The ball clay that is extracted in the Povington area is considered to be an important mineral, with its unique physical properties and scarcity, and there has been a long-standing tradition of ball clay extraction in this part of the Purbecks. Although there are no allocated sites for Ball Clay extraction in any part of Dorset, this proposed site is part of the existing ball clay pit at Povington. It is also within the ball clay consultation zone designed to prevent sterilisation of this resource. Furthermore, the Minerals Strategy 2014 (para 8.44) accepts that open cast extraction is the only viable way of sourcing this material. Within this framework, the officer conclusion is that the principle of development for a further opencast ball clay quarry has been established in this area, meaning that the proposed mineral extraction and the proposed overall restoration is considered to be acceptable in land-use terms. As such, the assessment now focuses on the detailed technical and environmental matters relevant to delivering the development in accordance with policy. The main issues relating to this application are as follows:

- Ecological Designations and the Environment
- Veteran trees
- Restoration and aftercare
- Landscape
- Amenity (Air quality)
- Amenity (Noise)
- Traffic and highway safety
- Water environment (groundwater, flooding)
- Archeology
- Heritage
- Cumulative impacts
- Afteruse
- Conclusion

Ecological Designations and the Environment

17.2 The area around the application site is a highly designated area with several sites of nature conservation importance (Fig 4) so a full assessment of the impacts is key. The sites are:

- Dorset Heaths SAC with its heaths, fens, woodlands
- Dorset Heaths and Studland Dunes SAC
- Dorset Heathlands SPA (Dartford warbler, hen harrier, merlin, nightjar and woodlark)

- Dorset Heathlands Ramsar (wet heath and associated invertebrate and plant species)
- Povington & Grange Heaths SSSI
- Stoborough & Creech Heaths SSSI
- Purbeck Ridge (West) SSSI

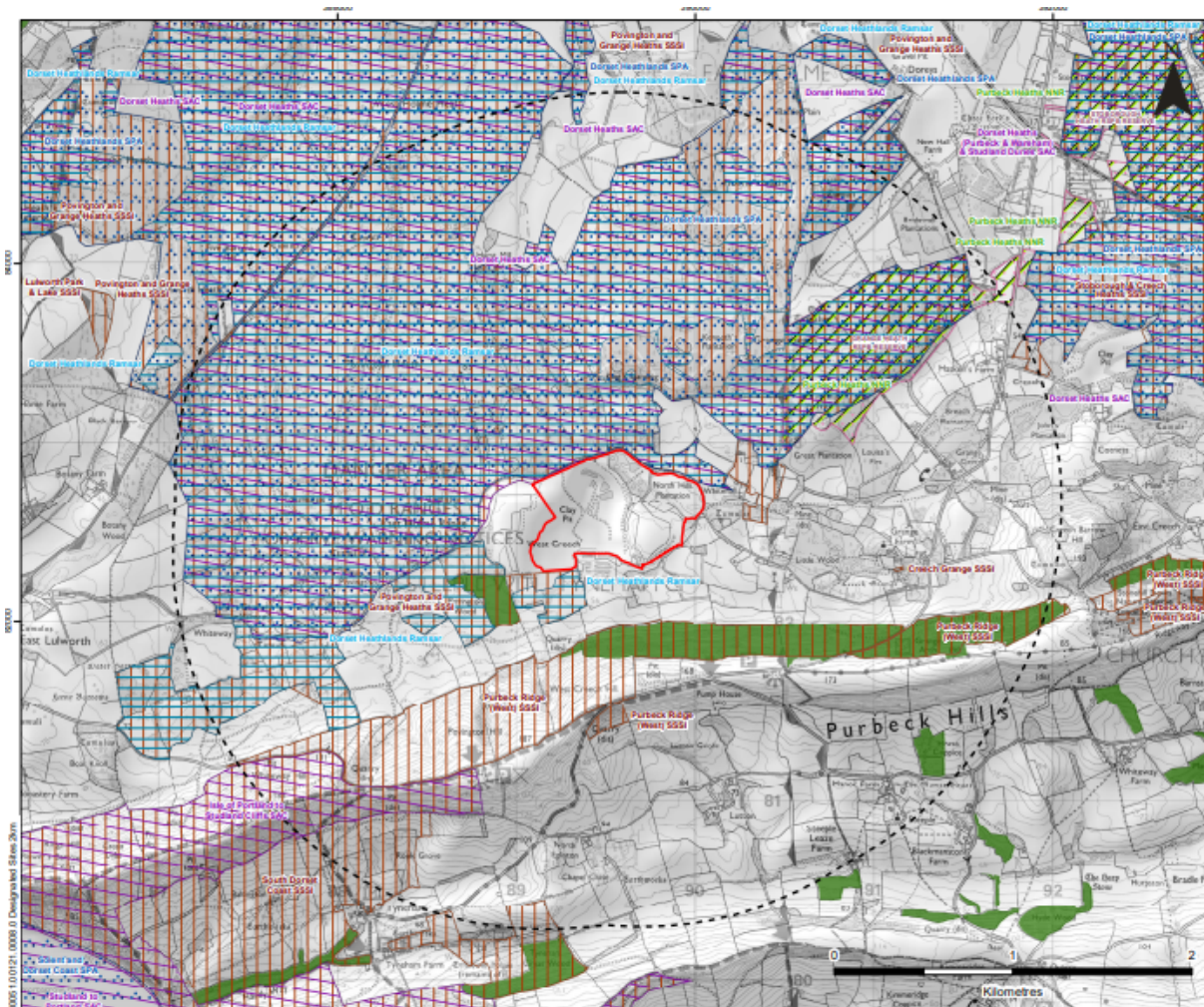


Figure 4: The complex arrangement of designated sites around the application area (in red). A number of locations, particularly in the north, are SAC, SPA, Ramsar and SSSI. There is a linear E-W area of ancient woodland to the southwest in green. The whole area is part of the Dorset National Landscape Area.

- 17.3 There are ten Statutory Wildlife sites within 2km of the site (NLA, SAC, SPA, Ramsar and various SSSI), and 12 non-statutory sites and two areas of ancient woodland within 1 km of the site. Policy DM5 of the Minerals Strategy and other national policies and legislation protect these European and Ramsar sites.
- 17.4 Although there will be no direct landtake from the European sites, the proposed extension to the quarry does have the potential to harm them through dust, changes to hydrology (surface and ground water), light, noise and loss of supporting habitat.

- 17.5 The continued movement of HGV traffic on and off the site could also lead to adverse effects upon the interest features of these designated sites close to the haul road away from the application site.
- 17.6 One of the most important ecological assets here is the suite of bat populations and although no bat roosts have been found on-site in any buildings or trees, the ecological survey found the area to be nationally important for barbastelle bats. However, there is a suitable roosting habitat here and bats, such as barbastelles, are known to switch roosts over time. The area is also known to be a bat commuting route and the proposed development would result in loss of habitat and create a more fragmented site making commuting more challenging for bats. The loss of foraging habitat is considered significant as it would be a long-term reduction in resource which will lead to longer commuting routes, an increased use of energy by bats with potentially harmful consequences.
- 17.7 The proposal would result in vegetation clearance of broadleaved woodlands, grasslands and hedgerows from the proposed extension area. A reduction in habitat size can cause deleterious edge effects (the changes which occur along the edge of a habitat are relatively more pronounced in smaller habitat blocks) with the potential to harm important wildlife populations in the area. Terrestrial invertebrate habitats such as woodland and grassland will also be lost if the proposal is granted planning permission and implemented, which could negatively impact important bird populations in the area. These include a number of species specifically protected by retained EU law and UK law including woodlark, skylark and barn owl, Dartford warbler and little ringed plover. This is in addition to the bat impacts set out above.
- 17.8 Suitable habitat interventions on and off site will therefore be required to make this development acceptable from an ecological perspective. They must create and/or enhance the woodland, pasture and wetland habitats that the diverse range of protected birds and bats in this area use. Options include the removal of invasive non-native species, the veteranisation of trees and ongoing management of areas to improve habitat and its functionality.
- 17.9 To improve the quality of bat foraging and commuting habitat, and to create improved nightjar, warbler and woodlark habitat, it is proposed that some 20ha of overgrown pine, rhododendron and cherry laurel around 600m from the site (see Fig 5) will be managed. Any broadleaved woodland here will be conserved, and edges will be scalloped to create a natural, varied boundary.

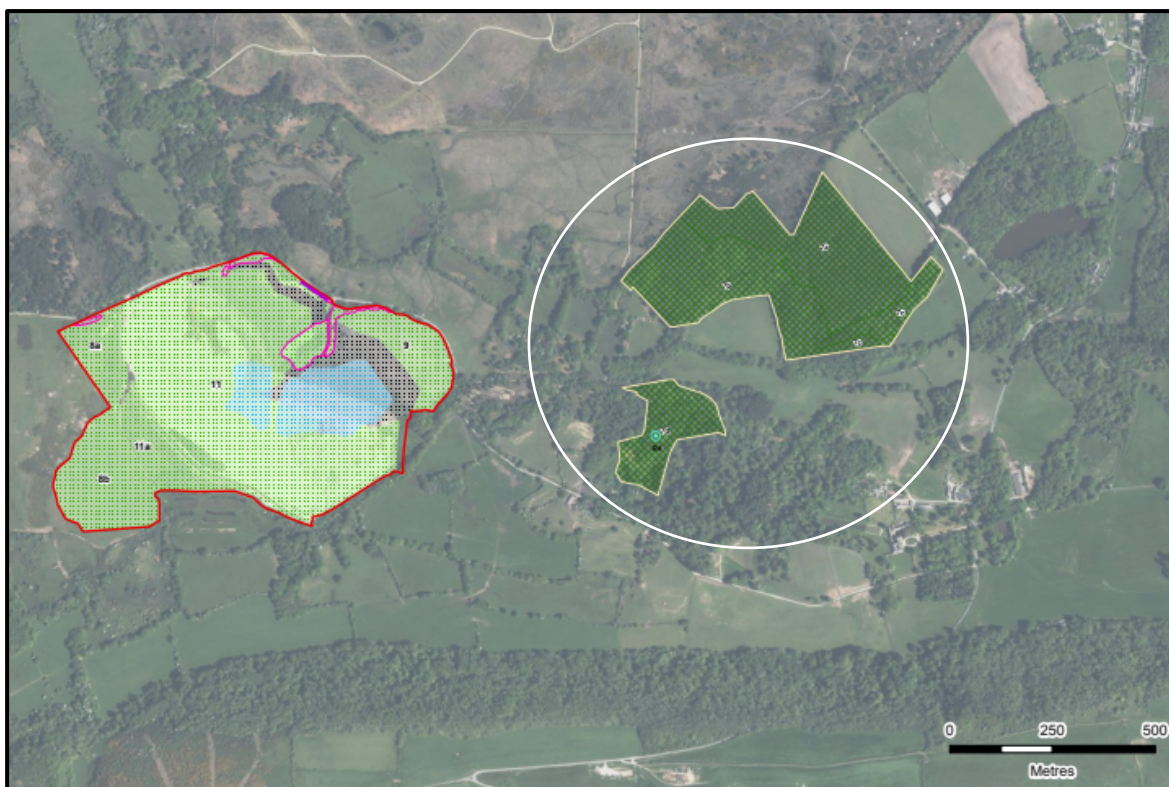


Figure 5: Relationship between Povington pit and the two offsite intervention areas in white to the east. Once complete the restoration of the quarry and the improved offsite enhancements will create a much improved, connected habitat for birds and bats.

- 17.10 This work would take place on a phased basis over five years and is proposed to be located offsite in the areas known as Nathan's Coppice (part of), The Belt, Little Wood (part of), Great Plantation and Louisa's Firs (the green shaded areas outlined white in Fig 5). These areas are currently in a poor ecological condition with a cluttered, low biodiversity understory. Pine will be cleared and invasive non-native species such as rhododendron removed from 20 ha of land to create a higher quality broadleaved and heathland mosaic. This will create roost and feeding areas and a much-improved functioning ecosystem for bat and bird communities. This work is expected to be completed within five years of commencement of extraction of the extension area, and these off-site areas will then be managed by Imerys for a further 30 years.
- 17.11 An appropriate assessment has been undertaken for this proposed development. It found that there would be no adverse effect on the integrity of the interest features of the European Sites, as long as the various mitigations identified are implemented. These include the on and offsite habitat enhancements and the restoration of the site. Natural England and the Dorset Council Natural Environment Team have no objections on nature conservation grounds subject to the implementation of these ecological interventions.

- 17.12 An outline Landscape and Environmental Management Plan (oLEMP) has been submitted by the applicant which sets out the proposed environmental and ecological works here. The applicant has committed to implementing a LEMP based on that oLEMP through an obligation in a S106 Agreement. Again, NE and NET have been fully involved in that process.
- 17.13 Both Natural England and Dorset Council's Natural Environment team (NET) have found these proposals to be acceptable and consider they would deliver the high-quality, varied restoration and aftercare expected of sites in this area. As part of the oLEMP there is a 30-year management plan proposed, which will ensure both the on and offsite interventions are maintained to a high standard and continue to deliver the required ecological services.
- 17.14 Taken as a whole, due to mitigation, the minimisation of negative impacts and the creation of a more coherent ecological network, it is considered that there would be no unacceptable adverse impacts on the designated ecological sites as a result of this proposal. The Appropriate Assessment has demonstrated that the integrity of the Europea and Ramsar features are not adversely affected. These issues have been assessed against the following policies. SS1 – Presumption in Favour of Sustainable Development, DM5 – Biodiversity and Geological Interest of the 2014 Minerals Strategy and E7 – Conservation of Protected Sites, E8 – Dorset Heathlands and E10 Biodiversity and Geodiversity of the Purbeck Plan and Paras 187 and Para.224 of the NPPF. It is therefore considered that, from an ecological point of view, that the proposal is acceptable.

Veteran trees

- 17.15 Six veteran oak trees have been identified on-site (highlighted yellow on Fig 6) with exceptionally valuable lichens. Three of these trees (Trees 2, 3 and 5) are located within the extraction area. Veteran trees can sometimes be translocated, and the Applicant engaged a specialist veteran tree ecologist to assess this case with regard to the options for the management of these trees. That report (submitted as part of the application) found translocation of these veteran trees to be unlikely to be successful given their age, form and condition. Preparing trees for translocation requires extensive advance works such as canopy reduction and root ball trenching which could adversely affect their veteran character and features. Tree 2 has 90% live growth but has a trunk which has naturally grown at a 45-degree angle. Leaning trunks are exceptionally difficult to translocate due to the likely imbalance in the root ball. The Veteran Tree and Lichen Mitigation report submitted by the Applicant found the likelihood of successfully keeping the tree stable and alive during translocation to be very low to negligible. Tree 3 has 70% live growth however the tree is approximately 13m tall and the trunk is predominately hollow. The report found the likelihood of successfully keeping the tree stable and alive during translocation to be very low to negligible. Tree 5 is already dead

standing wood therefore has potential to be moved and 'replanted' and retained as dead standing wood. However, the report found the advanced state of decay may mean that the trunk effectively shatters if translocation is attempted. Dorset Council's Tree Officer considers that translocation of the trees is unlikely to be successful, however as the works to remove the trees would not need to take place for several years, they advise that a suitable condition requiring a survey to identify best options for the trees.

17.16 If translocation is not possible, then retention or felling would be other options. If the trees were to be retained a large non-extraction cordon would have to be placed around the trees to protect their roots. This would be so large as to make the quarry extension not viable. Felling would then be the only remaining option. However, standing advice from Natural England and Forestry Commission and Para 186c of the NPPF says that development resulting in the loss of or deterioration of irreplaceable habitat, such as veteran trees, should be refused unless both of the following apply:

- there are wholly exceptional reasons (for example infrastructure projects etc. where the public benefit would clearly outweigh the loss or deterioration of habitat).

And,

- there is a suitable compensation strategy in place

17.17 As extraction is phased not all vegetation clearance works would begin immediately. Some works maybe a number of years away and it is at that point the final decision on felling some of trees might be made. Between now and then improved technology means there might be a possibility that the trees could be translocated. Before a final decision is made on the best option for these veteran trees, it is considered that another arboricultural survey should be undertaken to see if translocation could be possible. If not, they would need to be felled and moved to the site boundary, adjacent to the other standing veteran trees where they would still provide an important ecological resource. This is secured via a condition.

17.18 Even if the veteran trees were non-living specimens, felling and re-location on site would allow these trees to provide an important, ongoing dead wood resource for invertebrates and other animals and fungi whilst they naturally decompose.

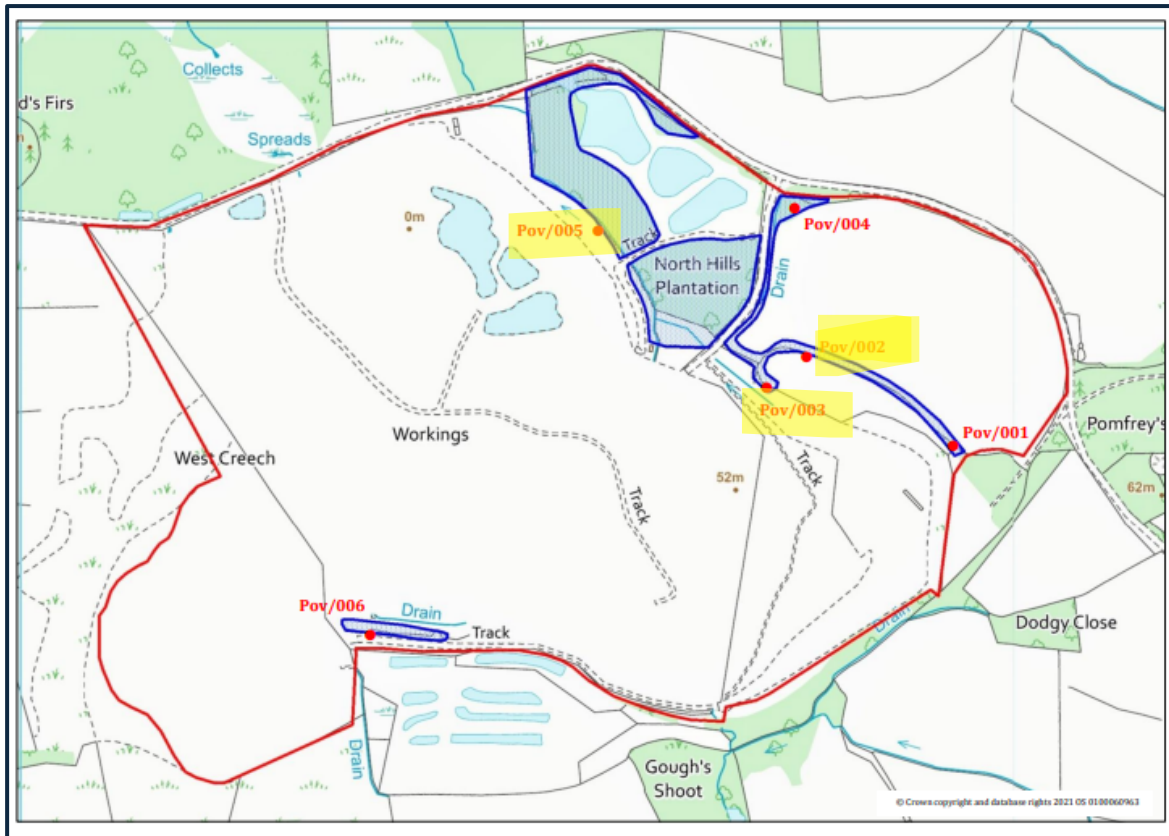


Figure 6: Location of veteran trees within the Povington application area. Trees 002, 003 and 005, highlighted in yellow, are in the extraction area and are likely to be lost.

- 17.19 In addition to this, as part of a compensatory programme, some existing trees along the northern boundary and in the offsite area will go through a process of veteranisation. On a 3:1 basis (for each veteran tree lost, three trees would be subject to veteranisation) trees in the area will be deliberately damaged to encourage the development of veteran features. This process is carried out by experienced professionals; it does not reduce the trees' long-term survival and the success or otherwise is monitored over the long-term to ensure it is delivering what is required.
- 17.20 It is considered there are wholly exceptional reasons (the importance and scarcity of the Ball Clay which is proposed to be extracted, which is a mineral of national importance and cannot be sourced elsewhere) for the loss of these veteran trees. The compensation package proposed would comprise a mixture of the re-location of the felled trees and the veteranisation of existing trees in a 3:1 ratio, which is considered sufficient. Assessed against SS1 – Presumption in Favour of Sustainable Development, DM5 – Biodiversity and Geological Interest of the 2014 Minerals Strategy and E7 – Conservation of Protected Sites, E8 – Dorset Heathlands and E10 Biodiversity and Geodiversity of the Purbeck Plan and Paras 187 and 224 of the NPPF this proposal is considered acceptable.

Onsite interventions

- 17.21 A series of onsite ecological interventions are also proposed, to enhance biodiversity and create a natural functioning system. These onsite works (along with the offsite interventions, the restoration and aftercare) have a detailed scheme of work and an agreed timeline in the outline LEMP.
- 17.22 Onsite, mainly in the east and north of the site, (Fig 7) areas of lowland heath and grassland are proposed to be managed with less gorse and a more varied age profile. These will provide suitable habitat for foraging birds and song posts for woodlark. They will also provide commuting routes and feeding areas for the important bat populations in this area.
- 17.23 East of the extended pit, a field currently classified as 'Poor' (in the east and shown in orange in Fig 7) because of over-grazing and poaching is proposed to be enhanced through overseeding and sympathetic management (low density grazing, cutting and management of arisings and scarification) over 1-3 years.

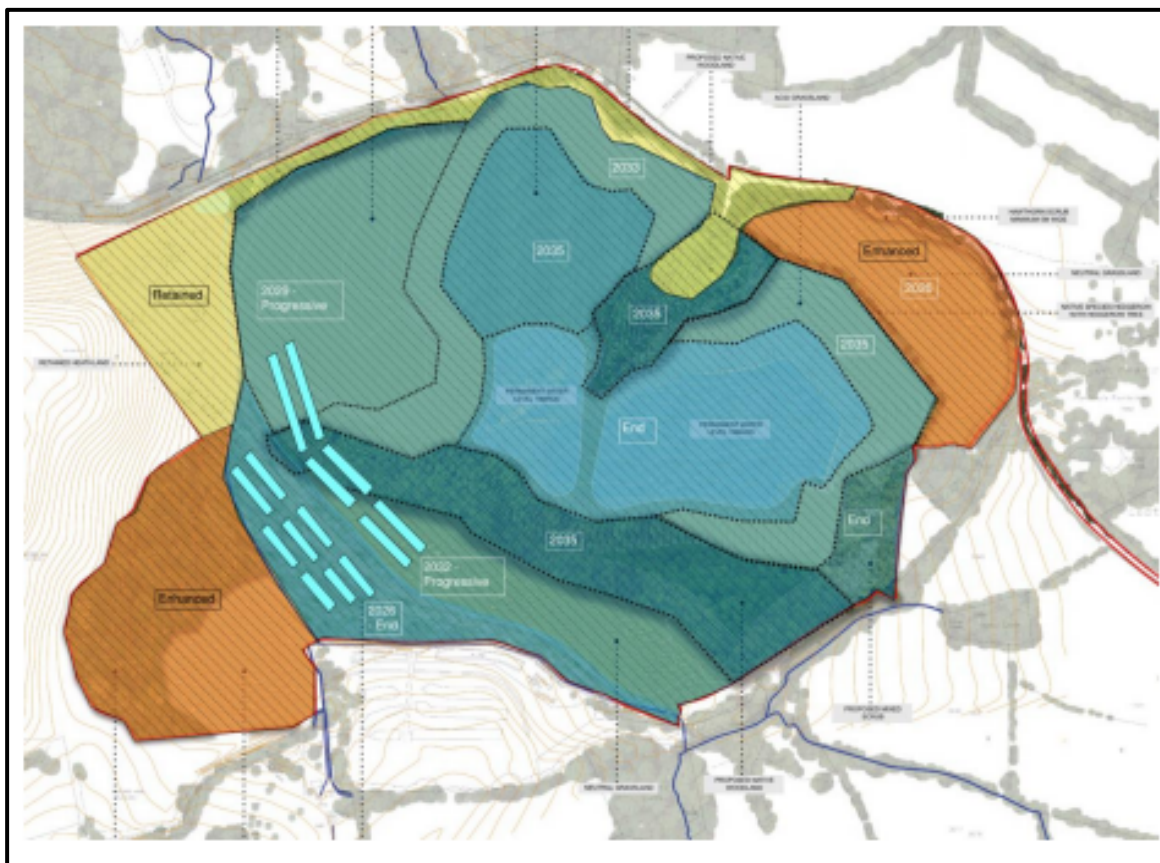


Figure 7: Thematic map showing on-site ecological interventions at Povington.

- 17.24 An important new hedgerow, around 340m long, is proposed to be planted along the southern edge of this field, and its northern edge will be strengthened with gaps planted and in-filled. English oak, beech and other

hedgerow trees are also proposed to be included here as well as occasional piles of deadwood located in varying microclimates in Year 1.

- 17.25 In the west (also in orange in Fig 7) gorse scrub is currently encroaching. To prevent the area from being dominated by dense gorse and to maintain a matrix of areas of open grassland, low intensity individual beech and oak planting is proposed to be undertaken in years 1-3 post extraction.
- 17.26 To the north, an area (in yellow) would be retained with very little intervention in this mosaic of lowland acid grassland and woodland. Occasional tree planting is proposed to take place here in year 1. These will be monitored and managed over time to ensure deer predation does not adversely impact them.
- 17.27 Although these are non-designated areas they support the interest features of European and Ramsar sites and important bat, bird and plant populations. Their enhancement and long-term management (they will be managed for 30 years) improves local and regional ecological coherence and uses this proposed development as an opportunity to build a coherent, resilient ecological network. Assessed against DM1 Key Criteria for Sustainable Minerals Development and DM 5 – Biodiversity and geological interest of the Minerals Strategy 2014 and Policies and E7 – Conservation of Protected Sites, E8 – Dorset Heathlands and E10 Biodiversity and Geodiversity of the Purbeck Plan and Paras 187 and 224 of the NPPF Officers consider this part of the proposal to be acceptable.

Restoration

- 17.28 As extraction is phased there is proposed to be a continuous, concurrent programme of re-profiling and restoration during the four extraction phases. Over time as this re-profiling takes place, the restoration works will deliver a combination of grassland, marsh, native woodland, bare ground, marginal habitat and standing water (Fig 8). Most of this ecological work is scheduled for the post-extractive phase preceded with a programme of reprofiling and engineering [known as the Landform Reprofiling Phase (LRP) in the LEMP] to prepare the ground. The first LRP will occur concurrently with the extraction of phase 1. It will address the western flank of the existing quarry. LRP 2, 3 and 4 will address the northern and southern parts and will occur concurrently with the extraction of Phases 2, 3 and 4. LRP 5 will be the final phase and will take place across the south and southwest of the site.
- 17.29 An area of acid and neutral grassland is proposed to naturally develop here over 3-5 years. The natural seedbank and adjacent areas should provide ample seed and create a new grassed area. During the initial 3-5 years, intervention will be limited to allow as natural as possible colonisation to occur. However, it will be monitored and the presence of agreed, adverse indicators will trigger intervention.

drier 'hillocks and wet depressions. Some plug planting of Sphagnum from suitable local donor sites may be used to kick-start the habitat evolution here.

- 17.33 As well as these shallow depressions, a shallow channel from the permanent waterbodies would allow water to gently flow from the permanent waterbodies into the mire helping to keep the area wet for most of the year. Two small and slightly deeper pools would also be formed adjacent to the channel allowing water to collect into shallow semi-permanent pools.
- 17.34 East of here, in Yellow on Fig 8, is an area of drier grassland would be created that would complement this wetter habitat.
- 17.35 The restored area would retain some bare ground sites, circled black on Fig 8, created during extraction. These are an important and often over-looked habitat. It is proposed that they would be allowed to regenerate naturally and would be engineered in a suite of 2:1 and 1:1 gradient providing sand martin nesting habitat.
- 17.36 There are also a number of water resources which would be protected and enhanced as part of the restoration. A 1.25 km channel in the south, circled red on Fig 8, is in a poor condition currently due to the presence of a plastic liner and another shorter section is also in a poor condition due to eroding banks. During the final restoration these would both be enhanced with the liner removed and the banks stabilised using logs and boulders. In the SW of the site, a set of balancing ponds which would act as settlement lagoons would be created and be retained on completion of the extraction works. By then it is likely that important vegetation will have established there which would be retained and a set of connecting channels may be installed to assist with the creation of a mosaic of wetland habitats. As with other areas, natural colonisation is preferred but if monitoring indicates seeding is required it would be carried out.
- 17.37 All these timelines and the sequencing are set out in the outline Landscape and Ecological Management Plan (oLEMP) which is proposed to be delivered in detail as a LEMP via a s106. The work is phased to help ensure it happens in a timely way and will happen concurrent to extraction.
- 17.38 The effective restoration of minerals sites and their aftercare is an important part of any application. As this area is within a highly designated landscape and has important ecological interest features within and adjacent to it restoration is particularly important. The proposed restoration package aims to create a functioning biodiverse ecosystem which will be created in a phased way while extraction occurs and then is proposed to be managed for 30 years. These issues have been assessed against the following policies of the Minerals Strategy 2014 SS1 - Presumption in Favour of Sustainable Development, RS1 – Restoration, Aftercare and Afteruse of Minerals Development, Policy DM1 – Key Criteria for Sustainable Minerals

Development Policy, DM2 – Managing Impacts on Amenity Policy, DM3 Managing impacts on water, and against Paras 187, 192 and 193 of the NPPF It is therefore considered that the restoration proposals are considered to be acceptable.

Landscape

- 17.39 Ball Clay extraction creates a landscape of hillocks and pools which are long-lasting and have visible landscape impact. However, post restoration, quarrying can provide opportunities for re-creating heathland habitats and the re-connection of fragmented habitats with a more co-ordinated, functional land-management style. However, the nature of the extraction means there is an unavoidable and often harmful landscape impact.
- 17.40 Paragraph 187 of the NPPF requires that planning decisions should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes and sites of biodiversity, recognising the intrinsic character and beauty of the countryside, minimising impacts on and providing net gains for biodiversity. The application site is wholly within the Dorset National Landscape.
- 17.41 NPPF Paragraph 189 states that “Great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and National Landscapes which have the highest status of protection in relation to these issues. The conservation and enhancement of wildlife and cultural heritage are also important considerations in these areas. The scale and extent of development within all these designated areas should be limited, while development within their setting should be sensitively located and designed to avoid or minimise adverse impacts on the designated areas”.
- 17.42 Paragraph 190 in the NPPF indicates that in the National Landscape, planning permission should only be granted in exceptional circumstances for major development ‘where it can be demonstrated that the development is in the public interest’. For the purposes of paragraph 190, whether a proposal is major development is a matter for the decision maker taking into account its nature, scale, setting, and whether it could have a significant adverse impact on the purposes for which the area has been designated or defined. Officers consider this application as major development for the purposes of paragraph 190.
- 17.43 Policy DM4 of the Minerals Strategy and Policy E1 of the Purbeck Local Plan require proposals to protect and enhance the landscape character of the area. If adverse impacts, including cumulative impacts, cannot be avoided or adequately mitigated, compensation will be needed to offset the residual impacts.
- 17.44 A thorough understanding of the potential effects of the proposal on the National Landscape is a first step in this process. A Landscape and Visual Impact Assessment (LVIA) was submitted by the applicant as part of the

planning application to assess the potential landscape and visual effects of the proposed development.

- 17.45 The landscape in and around Povington is generally low relief with larger areas of heath, mire, woodland and agricultural land. Previous ball clay extraction sites and former sites in the area have left a legacy of hillocks and small pools in the area. The restricted access onto MoD land here also means that disturbance from dog walking, fires and offroad bikes is limited, contributing to important ecological assemblages.

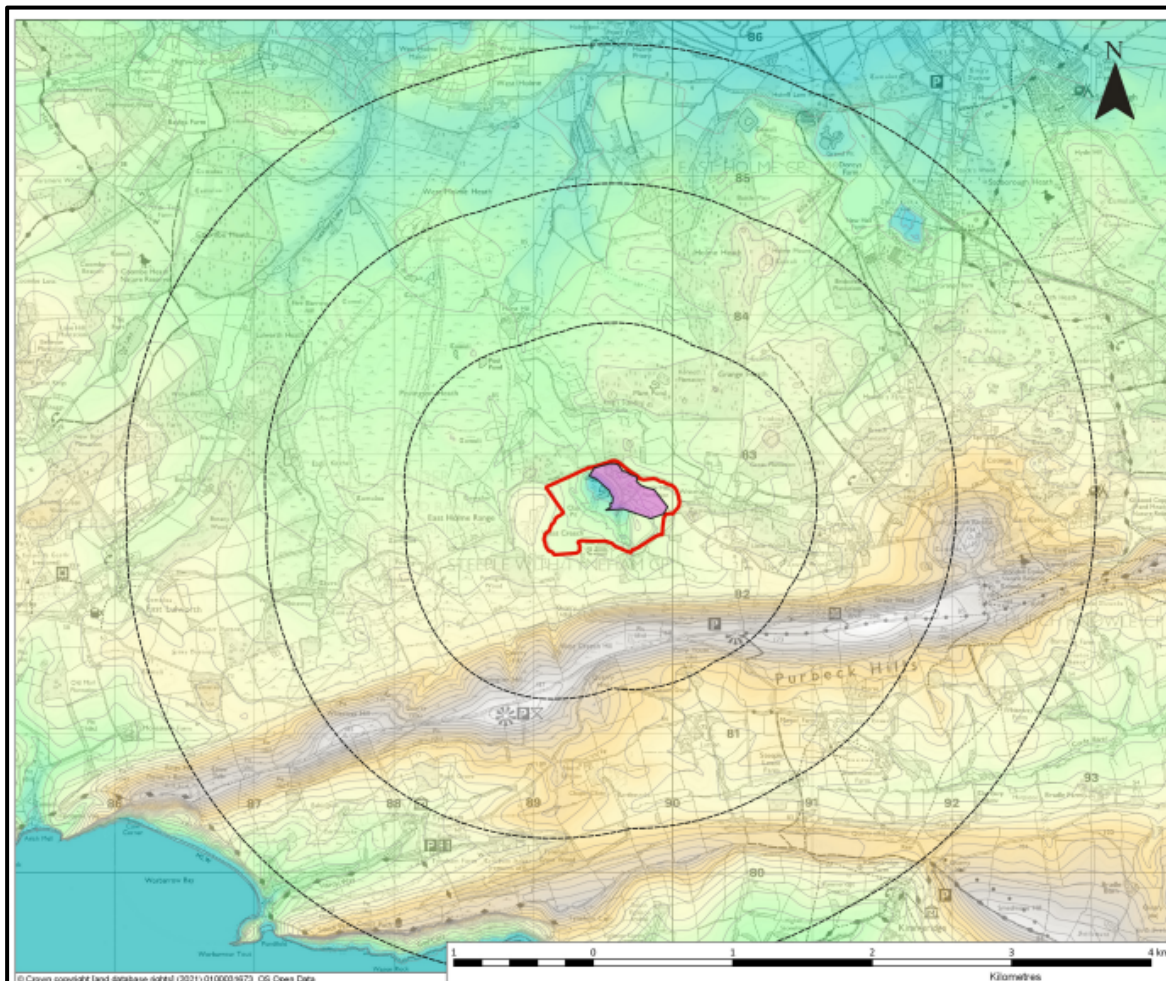


Figure 9: Topographical map showing the relationship between the NE-SW ridge (indicated by white colours) south of the application site and the flatter, more open countryside to the north; the circles are 1Km apart. The existing pit and extension (in purple) will be an obvious and visible feature in this important part of the Purbeck landscape.

- 17.46 Another important part of the landscape in this area is an elevated east-west ridge, the Purbeck Hills, situated around 600m south of the application site (Fig 9). Although public footpaths and rights of way are not common in this area, there is open access land which borders the application in the north and south. The Purbeck Ridge provides some public car parking, access and views down onto the site.

- 17.47 This steep sided chalk ridge offers panoramic views north towards the proposed extension area juxtaposing any extended pit into this important landscape asset and making effective mitigation measures difficult.
- 17.48 These extensive views provide an opportunity to appreciate the setting and variety of the landscape north of and including the Povington area.
- 17.49 The original LVIA submitted with this application did not produce a broadly accepted conclusion as to the severity of impacts or locations of those impacts. Although there were many shared points it did, in some areas, seem to underassess the negative elements of the extraction.
- 17.50 However, following a discussion of the issues, a revised restoration plan has now been submitted by the applicant which delivers what is considered to be a significantly improved restoration proposal. The landscape impacts have been assessed against the following policies; E1 Landscape, E7 Conservation of Protected Sites of the Purbeck Local Plan, SS1 - Presumption in Favour of Sustainable Development, RS1 – Restoration, Aftercare and Afteruse of Minerals Development, Policy DM1 – Key Criteria for Sustainable Minerals Development Policy, DM2 – Managing Impacts on Amenity Policy, DM3 Managing impacts on water, DM4 – Protection and Enhancement of Landscape Character and the Countryside of the 2014 Minerals Strategy and Paras 187(a), 189 and 193 of the NPPF. Taking into account the requirements of these policies, it is considered that the proposed restoration is now considered acceptable in landscape terms.
- 17.51 However, partly because of the nature of the development (a relatively large quarry), within a valued landscape with a steep sided ridge offering excellent views, the extraction method and the routeing of HGVs through the National Landscape, an adverse residual impact will remain during extraction which will be impossible to mitigate.
- 17.52 Paragraph 190 in the NPPF requires that applications for major development in the National Landscapes be refused, other than in exceptional circumstances, and where it can be demonstrated that the development is in the public interest. Such applications need to also include an assessment of the need for the development, including any national considerations and the impact of permitting it, or refusing it, on the local economy. Also, whether there is scope for developing outside the designated area and any detrimental effect on the environment, the landscape, recreational opportunities and the extent to which that can be moderated.
- 17.53 The application proposal is classed as major development in the National Landscape and forms continued Ball Clay extraction together with a ball clay and sand quarry extension, which is estimated, as a whole, to be operating for another 11 years (including restoration). Therefore, para. 190 of the NPPF is relevant. There is no national guideline for provision of Ball Clay. Ball Clay is identified in the NPPF 2024 (Annex 2: Glossary) as a “mineral resource of local and national importance...necessary to meet society’s needs”. The need

for this mineral comes from the demand for it and its status as a nationally important mineral, with value to the local, national and international economy.

- 17.54 In considering this proposal, it is accepted that Ball Clay is an important finite resource which needs to be extracted where the mineral occurs. In Dorset, Ball Clay extraction is restricted to the Wareham Basin of Dorset, with the best clays located generally south and west of Wareham, within the National Landscape. The submitted application has put forward an assessment of the need for the development to continue the supply of ball clay and therefore the need for an extension to the existing Ball Clay quarry. Therefore, in relation to Para 190 of the NPPF, it is accepted that there is a need for the mineral and the limited geographical distribution of Ball Clay is noted.
- 17.55 With regard to the final requirement of Para 190, the effects on the environment and landscape have been assessed. The opportunity for any mitigation measures (other than standard practices) that would reduce the potential visibility of the quarry in the wider landscape have also been considered. It has been concluded that there is no or little new mitigation that could take place due to the elevated areas which overlook the site and the nature of the proposed lateral extension.
- 17.56 The NPPF, including Para 7, requires decision makers to deliver sustainable development including economic development, the protection and enhancement of skilled local job opportunities and the positive economic impact of this operation on the wider area, alongside the protection and enhancement of our natural environment. The Minerals Strategy 2014 (SS1) also requires the Mineral Planning Authority to take a positive approach to find solutions to allow proposals to progress if at all possible.
- 17.57 Policy BC1 in the Minerals Strategy 2014 recognises the importance of the continued supply of ball clay, a mineral of international importance whilst safeguarding and enhancing the landscape and ecology as a key issue. Generally, Ball Clay only occurs in a small number of areas which are also often nationally and/or internationally important landscape and ecological designations, so options are limited. In addition to this the Povington clays are unique and found nowhere else. This has required taking a strategic approach and a willingness to create innovative solutions.
- 17.58 This mineral is considered important, particularly as our society transitions to a lower carbon economy, making its extraction of national and probably international importance. Taking into account these important issues, and with no other location to extract this mineral, Policy DM4 (Protection and Enhancement of Landscape Character and the Countryside) of the Minerals Strategy is relevant and states that where “Development which affects the landscape will only be permitted if it can be demonstrated that any adverse impacts can be, i) avoided, ii) where an adverse impact cannot be avoided, the impact will be adequately mitigated, or, iii) where adverse impacts cannot be avoided or adequately mitigated, compensatory environmental enhancements will be made to offset the residual landscape and visual

impacts. As, in this proposal the impacts can neither be avoided or adequately avoided, then iii) is applicable. As such a compensatory package has been put forward by the applicant. This compensatory package would need to be delivered through a S106 Agreement. Policy DM10 of the Bournemouth, Dorset and Poole Minerals Strategy (May 2014) covers the situations when planning obligations may be appropriate; this includes situations like this one where measures are required to mitigate the impacts of winning materials that are outside the scope of normal conditions that could be attached to any planning permission.

17.59 Legislation states a S106 agreement can only be taken into account in determining a planning application where it meets all of the following tests:

- (1) necessary to make the development acceptable in planning terms – the proposed s106 directly addresses the principle negative impact (landscape harm)
- (2) directly related to the development – the fund the proposed s106 agreement would deliver will be used on projects to enhance the landscape of the Purbecks; the feature negatively impacted by the development
- (3) fairly and reasonably related in scale and kind to the development – the size of the proposed fund (see below) is felt to be proportional to the harm and the duration of impact

17.60 Following discussions with the applicant regarding harm that would occur as a result of the development, the principles for a S106 agreement have been agreed. The size of the fund is a function of: 1) the area impacted by the quarry; 2) the length of time that impact occurs and 3) the landscape in this location. The fund would cover a Total Impact Area of 642 Ha (577ha surrounding area + 65ha transport corridor). A 34 Ha deduction would be made for enhanced onsite areas (there are 34 Ha of land within this zone which Imerys are already committed to enhancing; these have been removed from the equation to avoid double accounting), leaving a total net impact area of 608 Ha. The agreed cost per hectare per annum is £28.89 so this would result in a total annual contribution of £17,565.12. Over 12 years this would comprise a total fund, not allowing for inflation, of £ 210,781.44

17.61 Using these factors the fund for the Landscape contribution would comprise the following:

1. £96,959.46 to be paid on commencement of extraction – this up-front payment comprises 46% of the total fund and will allow major capital works to be undertaken
2. Remaining balance of £113,821.98 to be paid in 10 equal payments after a two year 'payment holiday' - recognition of the value of the earlier upfront payment
3. If restoration is delayed then £17,565.12 (total fund in £ divided by 12 years) is to be paid annually thereafter

- 17.62 This adjusted for inflation fund would be used to fund projects to conserve, enhance, recreate and manage characteristic landscape features in accordance with the Dorset National Landscape Character Assessment and associated Landscape Management Guidance; to improve rights of way; to mitigate any impacts on transport and/or the tranquillity of the area; and/or to promote geodiversity projects in the Purbecks
- 17.63 As part of the proposed s106 it is proposed a Panel [to include; two representatives nominated by the Council, the ward councillor for the area, representation from the Parish Councils, from Natural England, from the Dorset AONB Partnership or any successor body] would consider funding bids for projects meeting the aims set out in paragraph. The Panel will assess applications for awards of monies from the Landscape Contribution and make recommendations to the Council following such assessment for the allocation and distribution of monies from the Landscape Contribution so that the funds so awarded are used effectively to achieve the aims of the LEF set out above. Awards of funds would be made having regard to the recommendations of the Panel.
- 17.64 Subject to the acceptance of the s106, it is considered that the landscape impacts of this application are deemed acceptable in terms of the following policies. E1 Landscape, E7 Conservation of Protected Sites of the Purbeck Local Plan, SS1 - Presumption in Favour of Sustainable Development, RS1 – Restoration, Aftercare and Afteruse of Minerals Development Policy, DM1 – Key Criteria for Sustainable Minerals Development Policy, DM2 – Managing Impacts on Amenity Policy, DM4 – Protection and Enhancement of Landscape Character and the Countryside of the 2014 Minerals Strategy and Paras 187(a) 189 and 190 of the NPPF. Overall, it is considered that the proposed development is now acceptable in landscape terms. The Dorset Landscape Team and the National Landscape team both agree and raise no objection to the development.

Air Quality

- 17.65 An air quality assessment was undertaken by the applicant, using the Institute of Air Quality Management Guidance on the Assessment of Mineral Dust Impacts for Planning. There were a number of conclusions including that the effect on amenity is considered to be 'not significant'; there were no residual effects (effects which could not be mitigated to an acceptable levels); the effect on PM10 concentrations (for the protection of human health) at human receptors is considered 'not significant'; and the effect from dust on ecologically sensitive receptors is considered to be 'not significant'.
- 17.66 The proposed integral, designed-in mitigation measures together with the operational measures (these include water suppression, correct soil management and maintenance of the haulage routes) are considered to be appropriate to mitigate the potential impacts on air quality. The report also concluded there were no significant cumulative effects with other developments.

17.67 Overall, it is therefore considered that the potential impacts from dust and particulate matter arising from extraction of both Ball Clay and sand do not present a material constraint to the development proposals when considered in relation to the following policies. DM1 – Key Criteria for Sustainable Minerals Development Policy, DM2 – Managing Impacts on Amenity Policy, DM3 – Protection and Enhancement of Landscape Character of the 2014 Minerals Strategy and E1 Landscape, E2 Historic Environment and E7 Conservation of Protected Sites and Paras 223 and 224(c) of the NPPF. and there are no policy or material reasons why this proposal cannot progress.

Amenity (Noise)

- 17.68 Policy DM2 of the Minerals Strategy 2014 requires applications to avoid or adequately mitigate noise impacts from quarries. To better understand these potential impacts, a noise assessment for the potential for noise from the proposed north-east extension to impact the nearest Noise Sensitive Receptors (NSRs) was conducted as part of the Environmental Statement submitted with the planning application. It was completed in accordance with the Guidelines for Environmental Noise Impact Assessment produced by the Institute of Environmental Management and Assessment (IEMA), and published in October 2014, British Standard 5228-1:2009+A1:2014 (Code of practice for noise and vibration control on construction and open sites – Part 1: Noise) and the NPPG.
- 17.69 The study examined the nearest residential properties, Keepers Lodge and Oak Cottage (approximately 450m and 550m east of the application site), and Creech Grange (approximately 1,200m from the application site) which is also a residential property. Standard mitigation such as limiting operational hours (07.00-18.00) for HGVs, maximisation of loads to reduce the frequency of part-loads, sheeting of loads and correct maintenance of vehicles have been applied. Using the IEMA methodology, the applicant's assessment of impact on each of the Noise Sensitive Receptors concluded that the proposal would have no potential significant environmental effects.
- 17.70 However, there are residential properties located along the haul route which would have increased HGV movements going past them to and from the site. There would clearly be an increase in noise, dust and vibration from the maximum of 66 HGV movements per day compared to the current 26. These impacts would be short lived, but frequent. On balance, these impacts can be considered acceptable partly because the mineral that is being accessed is so important and there is no alternative route, together with the fact that the impacts are modest and are finite, in that any permission is time limited with extraction to cease by 2036. The proposal therefore complies with DM1 – Key Criteria for Sustainable Minerals Development Policy, DM2 – Managing Impacts on Amenity Policy, DM3 – Protection and Enhancement of Landscape Character of the 2014 Minerals Strategy and E1 Landscape, E2 Historic Environment and E7 Conservation of Protected Sites and Paras 223 and

224(c) of NPPF and there are no policy or material reasons why this proposal cannot progress on noise grounds.

Traffic and Highway Safety

- 17.71 The continued extraction of Ball Clay at Povington and the extraction of sand will require the use of HGVs to and from the site using the road network in and around Povington and Furzebrook. Policy DM2 of the Minerals Strategy 2014 requires any negative site related traffic impacts to be avoided or adequately impacted. NPPF Para 116 requires that permission should only be refused on highway grounds if there are unacceptable safety concerns or a development would result in severe impact on the road network.
- 17.72 HGVs from Povington would transport ball clay from the quarry to the processing plant at Furzebrook, with vehicles travelling in an easterly direction along a haul road away from the quarry that becomes a narrow lane through the Creech Grange Registered Park and Garden to the junction with Grange Road. All HGVs would turn left at that junction and those containing ball clay would turn right further along Grange Road to travel across to Furzebrook works via the dedicated haul road. All HGV movements containing ball clay would continue to follow the same route if this planning permission is granted. As part of this proposal would also involve the extraction and removal of sand from the site, there would be separate HGVs for that function and the lorries transporting sand are also proposed to travel the same route to the Grange Road junction, from where they would travel north and onto the wider main road network. (See Fig. 10 Ball clay route shown in blue and sand route shown in pink).

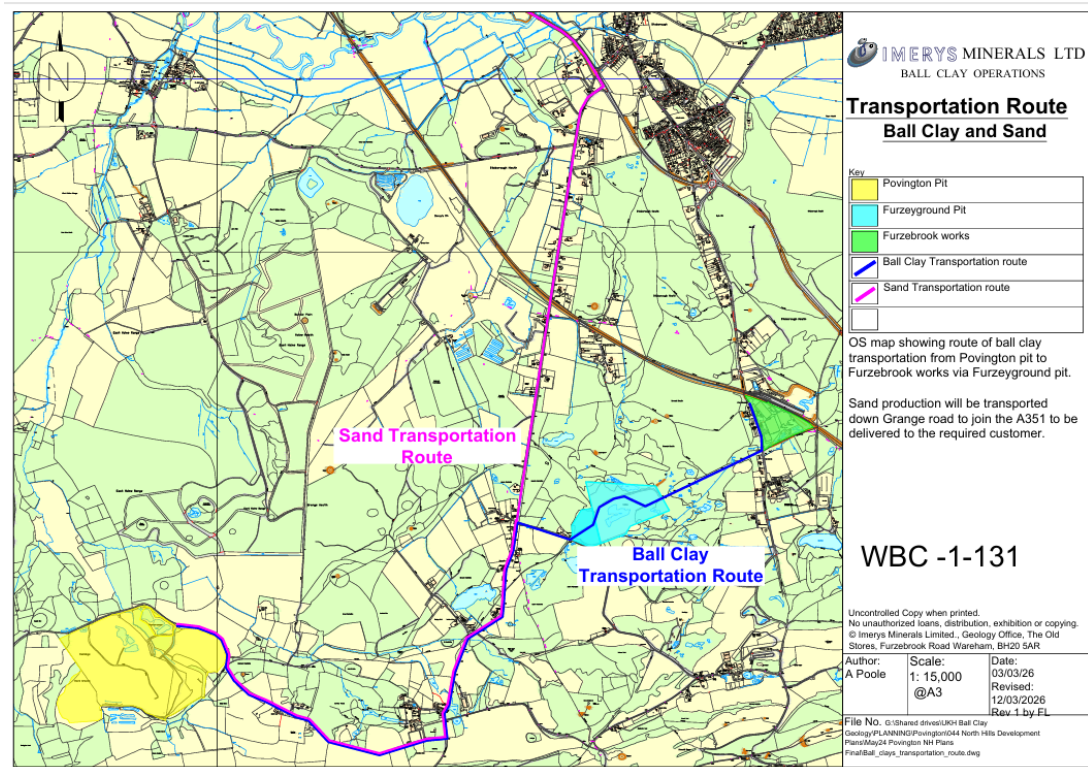


Figure 10: Transportation HGV routes for Ball Clay (blue) and sand (pink). Povington Pit is in yellow and Furzebrook works (the destination for Ball Clay) are marked green.

- 17.73 The NPPF, including paragraphs 109-118, set out expectations for transport analysis and mitigation as these impacts can be significant.
- 17.74 A thorough assessment of potential transport impacts are particularly important in a relatively tranquil area such as a National Landscape and even more so here with various cultural and ecological assets.
- 17.75 To understand the transport implications of the proposal an assessment of the proposed development and has been undertaken by the applicant in accordance with the Institute of Environmental Assessment (IEA, now IEMA) guidance document 'Guidance Note Number 1: Guidelines on the Environmental Assessment of Road Traffic' (now IEMA Guidelines, 1993).
- 17.76 If permitted, the development would be limited to 66 HGV movements per day (33 in/33 out) carrying sand and ball clay away from the quarry for processing. This is compared to current movements of around 26 HGV movements per day (13 in/13 out).
- 17.77 The Environmental Statement has examined the expected level of impact generated by the proposed development traffic and concludes that it would lead to an insignificant adverse effect in driver severance (loss of route continuity or vehicular access caused by changes to the road network, resulting in drivers being unable to travel directly or conveniently between locations) or delay, road safety, noise disruption or dirt on roads subject to the conditions suggested for this application.

- 17.78 Having examined the potential for harm to any harm that could occur to bridges and structures, height restrictions and reviewing the application the Dorset Council Highway Team does not object to the application if a Traffic Management Plan condition is attached to any permission. This condition would cover the number of vehicle movements, a framework for managing any abnormal loads and highway inspection and wheel cleaning to protect the roads from excessive debris and dust.
- 17.79 With regard to local and national policies, and the advice from Dorset Council Highways team, it is considered that there are no policy or material reasons why this proposal cannot progress on transport grounds so long as a condition is attached managing HGV vehicle numbers.

Water

- 17.80 Policy DM3 aims to ensure that proposals which may impact surface and/or groundwater are adequately assessed. DM3 requires developments protect and where possible enhance local water environment. Policies E1 Landscape, E4 Assessing Flood Risk and E7 Conservation of Protected Sites from the Purbeck Local Plan are also relevant here. Para 182 of NPPF requires developments to facilitate improvements in water quality. This is in addition to the Environment Agency designated Source Protection Zones (SPZs) which protect groundwater sources used for public drinking water supply. These SPZs are designed to protect the groundwater from pollution, ensuring safe drinking water. No part of the application site is part of a SPZ.
- 17.81 The geology of this area is dominated by clay and sandstones. The beds are vertically and laterally discontinuous and varied. This combination of impermeable, varied, limited beds means water does not flow freely through them, so they are not important aquifers or groundwater resource. There are however some perched aquifers, strata which contain water, but which are above the main water table. These are thin, localised and do not contain important or significant amounts of water.
- 17.82 Water does collect in the quarry void of the current site and is pumped from the base of the current void to a series of settlement lagoons. These lagoons allow suspended solids to settle from the water so the water can then flow into the local stream network. The existing lagoons would be redeveloped as part of this application and new lagoons constructed to the southwest of the site, but these would perform the same role as the current ones.
- 17.83 The application area is located in a low-risk flood zone. There is less than a 0.1% (1:1000) chance of flooding. However, the site will still require ongoing active management and the pumping of excess water which is expected to accumulate in the void from time to time. There are Environment Agency permits in place to permit, regularise and facilitate this water management. Policy E4 of the Purbeck Plan and DM3 of the Minerals Strategy do not require a Flood Risk Assessment in these circumstances.

- 17.84 There are a series of ecologically important mires and heathland habitats in and around the Povington Site. Water levels and water quality are an important part of their overall health. However, there is no discernible hydrological connection between these sites and the application area. The varied geology and its stratified nature means there is no connectivity and therefore no negative impact from operations on these important natural resources.
- 17.85 The Environment Agency have asked for a condition to control the monitoring of ground water levels and discharge flows from the site to be attached, if permission is granted. This will ensure the risk of effects arising from changes in groundwater levels are understood and there is early warning in place of any potential impacts.
- 17.86 As part of the proposed works a series of small watercourses would be diverted. These are small, local, undesignated watercourses which have limited value. The ecological and hydrological assessment concludes a “negligible-minor” impact during the operational phase. Once completed restoration would restore and vastly improve the health and functionality of these watercourses through the installation of more natural features and allowing a more varied and natural fauna and flora to flourish. Any short-lived deleterious impact is deemed acceptable to deliver a longer term much improved state.
- 17.87 Post-restoration, the water table is expected to rebound in the quarry area. As there is no connectivity between this area and the nearby important habitats this rebound is not expected to cause any negative impacts. The Environment Agency has asked for another condition relating to the aquatic element of any restoration be attached to this permission, if granted. A Restoration Plan for aquatic habitats would need to be submitted to and approved in writing by the Minerals Planning Authority to show the arrangement of surface water features, including flow control structures and details of how they will be operated post restoration to maintain flows to the sensitive habitats in the adjacent Povington and Grange Heath
- 17.88 The protection and enhancement of the site, via restoration of the important water resources in this area means, when assessed against the various policies and guidance listed above, and because of the suggested conditions to be attached to any permission, that it is considered that there is no reason why the application cannot progress because of water resource issues.

Archaeology

- 17.89 Although there are no designated heritage assets within the red line itself, there are designated archaeological features adjacent to the application area. These were assessed as part of the Environmental Statement submitted with the planning application. They include five Scheduled Monuments. The closest receptor (circled white on Fig 11), a Scheduled Bowl Barrow located in Pomfrey’s Plantation, is around 180m east of the proposed extraction site. This low, C.1m, Late Neolithic/Late Bronze Age funerary monument, is surrounded by woodland which screens it from the road and the site.

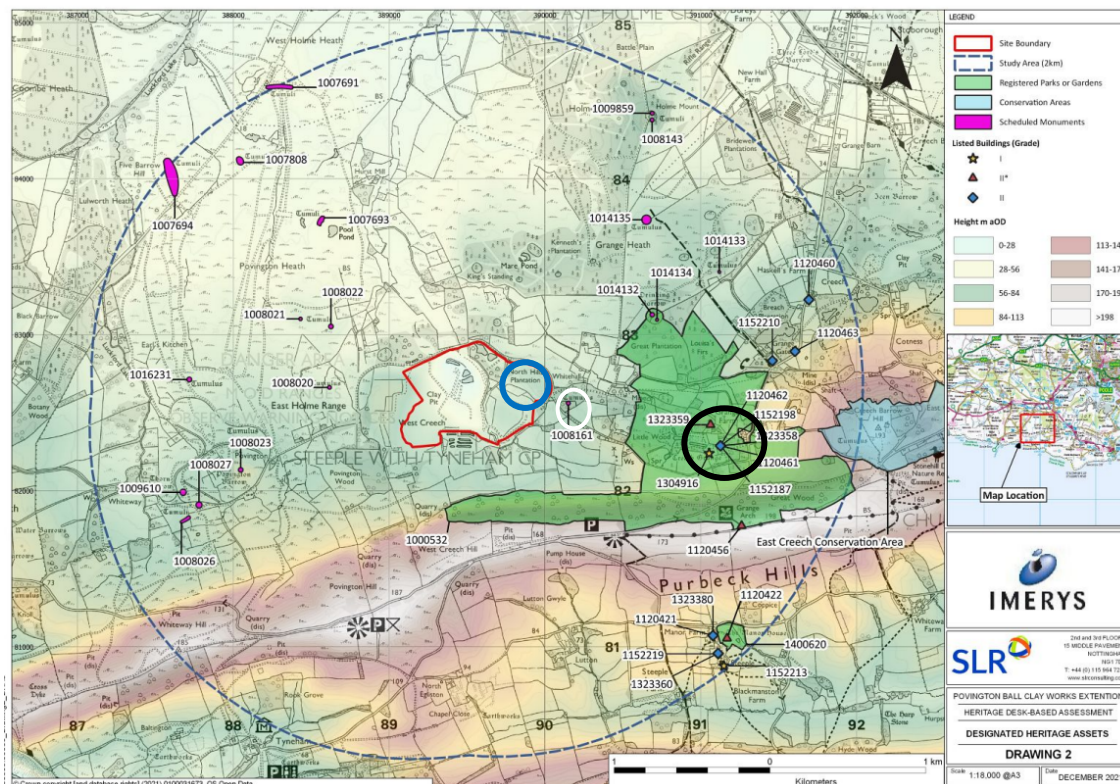


Figure 11: Designated heritage assets near Povington application area (outlined in red). The dotted blue line is 2km from the application area. Circled in white is Bowl Barrow a late Neolithic/late Bronze Age funerary monument. The area in blue (within the red line) is where there is potentially evidence of a prehistoric/Romano-British settlement.

- 17.90 The Environmental Statement assesses the potential harm in relation to these archaeological features, with the most obvious potential harm being the increase in traffic flows from the proposed extension.
- 17.91 Historic England (HE) underlines the importance of this barrow, and the negative impact continued extraction have will have on it. HE advises that the increased length of quarry operation and resulting transportation and noise will result in a negative impact on the Scheduled Monument that is the Bowl Barrow in Pomfrey's Plantation. It says the amount of harm is less than substantial but that it is 'at the higher end' of that scale. HE also underlines that while it does not wish to object it encourages the minerals planning authority to balance this less than substantial harm against any other public benefits which flow from this application.
- 17.92 There are four other, more remote barrows/groups of barrows in the area which have also been assessed. Grange Heath has five barrows around 780m from the site; there are three barrows east of the site on the MoD firing ranges; Rookery Cottage barrows 600m west of the site; Povington barrows are around 1km southwest of the site; and there are three barrows on Povington Heath also 1km from the site. The ES concluded the impact on all these sites (including the Pomfrey's Plantation discussed above) to be neutral and the

significance of impact to be nil. HE assessed the alone, cumulative and group impacts on these sites and concluded the impact from the proposal will be minor to moderate at most and not significant. Again HE did not wish to object and has encouraged the Mineral Planning Authority to balance this less than substantial harm against the public benefits of the proposal.

- 17.93 Bringing together the advice from Dorset Council Conservation Team, who advised there would be 'no harm' to these Scheduled Monuments (including the Barrow in Pomfrey's Plantation), and the HE response (less than substantial harm) the officer view is precautionary and concludes the higher level of harm (less than substantial) is the correct one to use.
- 17.94 As this is less than substantial harm to a designated heritage asset, guided by NPPF 215, this leads to an assessment against the public benefits of the proposal. The officer view is that this harm is acceptable as it is modest, short-lived (to 2036) and necessary to access the important Ball Clay reserves in this area.
- 17.95 There is also un-designated archaeological evidence of a settlement within the application site (outlined in blue in Fig 11). The County Archaeologist has asked for a programme of trenching to be undertaken ahead of any extraction or groundworks here (it is part of the planned Phase 4). If the application is permitted, this will allow the preparation of this part of the site through the removal of vegetation but prevent groundworks or extraction which may harm any archaeology in the proposed extension area. A programme of archaeological recording would allow for the proper, accurate curation of any features found. This will be secured by condition. Once complete the information will be incorporated into an archaeological report and plan (to be agreed by the minerals planning authority and Council's Archaeologist) which will guide the next archaeological steps.
- 17.96 As these archaeological assets are not designated Para 216 of the NPPF, is particularly relevant. This requires a balanced judgement having regard to the scale of loss and significance of the asset (archaeological evidence of a settlement).
- 17.97 Officers (Planning and Archaeological)-consider the evaluation and recording of the area within the red line ahead of any extraction to be a proportionate, balanced and, in policy terms, acceptable way forward.

Heritage

- 17.98 There also seven Listed Buildings in the area including a Grade I Listed Building at Creech Grange which is particularly highly protected. These were assessed in the Environmental Statement as a group because of their proximity to each other. They form a small cluster, around 200m from each other, around 1.2km from the site, circled black on Fig 11.
- 17.99 Para 213 (a and b) of the NPPF and DM7 of the Minerals Strategy underline the importance of Listed Buildings, their protection from unjustified harm and

the need for conservation in line with their significance. The ES concluded the impact of the application to be neutral on these Listed Buildings and the significance of any impact to be nil. HE had no objection to make on the basis of impact to these listed assets, but it advises less than substantial harm caused by ongoing extraction, transportation and noise. The Dorset Council Conservation Team similarly concluded 'less than substantial harm' to these heritage assets.

- 17.100 Nearby Creech Grange Registered Park and Garden (RPG) (in green on Fig 11) is a Grade II* heritage asset and is a designated asset of the highest significance. There is no visibility of the application site because of distance, woodland and topography but part of the HGV haul route (which is planned to take 66 HGV trips per day) does go through the RPG.
- 17.101 The Environmental Statement concluded that the impact of the proposal would be neutral on the Registered Park and Garden and the significance of any impact here to be nil. However, the Dorset Council Conservation Team concluded that 'less than substantial harm' would occur to the assets. Both Historic England and The Gardens Trust commented that increased noise, vibration and disturbance to nature within an otherwise extremely peaceful, pastoral setting would cause 'less than substantial harm'.
- 17.102 Para 215 of the NPPF requires that where 'less than substantial harm' would occur to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal.
- 17.103 Although it is acknowledged that some harm would occur and that harm carries significant weight in the decision making process, taking into account the importance of the material extracted and the time limited nature of the proposal (extraction would cease by 2036), the officer view is the public benefits of the scheme demonstrably and significantly outweigh the less than substantial harm that would occur to the Grade II* Registered Park and Garden. It is therefore considered that the application accords with DM1, DM7 of the Minerals Strategy, Purbeck Local Plan Policy E2 and Para 215 of the NPPF.

Cumulative effects

- 17.104 Cumulative impacts are those impacts caused by the sum of the projects' impacts on the environment combined with the impacts of past, present or future projects. In high sensitivity areas, such as in or around European and International nature conservation sites, a National Landscape or in areas with a history of extraction, all of which apply here, they can be an important factor and under Policies DM2 Managing Impacts on Amenity, DM4 Protection of the Countryside and Para 223 of the NPPF. The Environmental Statement submitted with this application does assess cumulative impacts.

- 17.105 The closest other quarry site to the extraction area is Dorey's South which is 2.5km north-east of the site. There is no discernible pathway to create a cumulative impact on ecological, landscape or other features examined here with that operation.
- 17.106 The site lies immediately adjacent to the MoD firing ranges. This is a large area of military training land which frequently hosts tanks, heavy armour and often significant noise activity. The movement of these heavy vehicles can, particularly when the land is dry and the soil friable which is common in these areas, give rise to dust. Both noise and dust are generated by quarrying so they are worthy of consideration as a potential cumulative effect.
- 17.107 However the MoD tracks are over 600m from the application site so cumulative dust effects are not considered likely. The quarrying at Povington is not noisy so it contributes very little to the background noise of the area. This is particularly true when compared with the significant, occasional military noise from nearby.
- 17.108 As this site is within a National Landscape there are very few similar developments which occur even when viewed over the 12-year window of this development which it could interact act with and create a potential cumulative impact. There is a current application for an extension to Doreys Quarry, about 1.5km northwest of Povington. This application (Doreys) should be able to ensure it is sufficiently screened, well managed and conditioned so as not to create a cumulative impact with Povington.
- 17.109 It is considered that when assessed against the various relevant policies, that there would be no negative cumulative effects that would occur that would need to be taken into account in the evaluation of this application.

Alternatives

- 17.110 The submitted Environmental Statement did consider alternatives to this proposal as per Environmental Impact Assessment (2017) regulations. These regulations help applicants consider if another design or location or process was reasonable or feasible.
- 17.111 The clay at Povington is unique. It is not found anywhere else and as minerals can only be worked where they are found the development cannot be located elsewhere.
- 17.112 A 'do nothing approach' would mean the supply of this important material would cease within a few years with loss of jobs and an interruption of a nationally important supply chain.

- 17.113 This interruption of supply would be contrary to the Minerals Strategy 2014 which also requires the minerals planning authority to maintain supply of 2.5 million tonnes of ball clay.
- 17.114 On the larger scale, the NPPF also reminds decision makers that a sufficient supply of minerals to meet the countries needs are important (Para 222). Para 224 requires MPAs to attach great weight to the benefits of extraction, including to the economy and requires 'as far as is practical for MPAs to provide for the maintenance of landbanks of non-energy minerals from outside National Landscapes' such as the Dorset National Landscape.
- 17.115 There is no alternative site which can provide this material. Nor is the ending of the supply of this internationally important material desirable. As such the officer view is that there are no reasonable, practicable alternatives to the proposed development.

Afteruse

- 17.116 Policy RS1 of the Minerals Strategy requires the afteruse of the site to be considered as part of the application and for that afteruse to be compatible with the wider context of the site. This consideration of afteruse should incorporate information from the Landscape Character Assessment, the Historic Landscape Character and the existing land uses of the area.
- 17.117 The restoration of the site, alongside its proposed 30-year management and the management of the offsite areas to the east for biodiversity and landscape benefits, are an important and valuable public afteruse which will be delivered via this application supported by the s106.
- 17.118 Afteruse also often provides an opportunity to improve public access to an area. The land in this area is owned by the MoD and is currently used as a live firing range, often for heavy armour and tanks.
- 17.119 Conversations between Imerys, the minerals planning authority and MoD have revealed that while there is a presumption in favour of public access on Defence lands there is no possibility for improving the network here as part of Imerys' application.
- 17.120 The MoD who ultimately control the use of the land, consider that improved public access would not be compatible with the military training use of this area and the knock-on implications for public safety and security.
- 17.121 The haul road would be retained to facilitate access for monitoring, agriculture, ongoing management and MoD access.

18. Conclusions

- 18.1 There are no other reasonable options other than open cast quarrying to extract Ball Clay and no other reasonable mechanism to remove the material other than HGV; both with inherent negative impacts on the visual landscape or archaeological and cultural assets in the area. As there are no other known localities where the mineral is present, it creates the potential for temporary significant, adverse impact from the proposal upon the ecology of the area the nationally important landscape, archaeology, heritage and local residents.
- 18.2 Without the various ecological and environmental enhancements, on and offsite, it is unlikely the proposal would have met all the requirements of DM5 of the Minerals Strategy or E7 or E8 or E10 of the Purbeck Local Plan. However, those various interventions have allowed the proposal to pass an Appropriate Assessment and, via the LEMP which is to be secured through a s106 legal agreement, deliver the required mitigation and compensation to move forward. These have been fully designed into the application and will create a much improved, on-going, functioning ecological resource for a range of important species with a minimum of 30 years ecological management from Imerys.
- 18.3 For the veteran trees, a highly valued, unique feature, harm cannot be mitigated. However, there is an exceptional element to the application (the need for the Ball Clay) and a suitable compensation package which means they may progress. The arboricultural survey will allow the correct decision on translocation or felling of these veteran trees to be made at the correct time.
- 18.4 Having considered the accompanying Landscape and Visual Appraisal (LVIA), together with input and advice from Dorset Council's Landscape Officer and Dorset's National Landscape officers, it is concluded that the visual impacts of the development would have adverse impacts with very limited potential for mitigation.
- 18.5 These landscape impacts are well understood and relatively short-lived. Policies DM4 and DM10 of the 2014 Minerals Strategy allows for compensatory enhancements to offset residual landscape and visual enhancements such as these which allow the application to progress. The Landscape Enhancement Fund delivered via the s106 acts as the required compensatory enhancement and makes the application acceptable from a landscape perspective.
- 18.6 Imerys have agreed to an upfront payment of 46% (£96,959.46) to allow for spending on major capital projects to be followed by a 3 year 'payment holiday' and then annual payments of around £11,400. Additional payments will be made if restoration takes longer than planned.
- 18.7 This fund would be used to fund projects to conserve, enhance, recreate and manage characteristic landscape features in accordance with the Dorset AONB Landscape Character Assessment and associated Landscape Management Guidance; to improve rights of way; to mitigate any impacts on transport and/or the tranquillity of the area; and/or to promote geodiversity projects in the Purbeck

area and acts as an appropriate compensatory measure for the residual landscape harm.

- 18.8 As well as Ball Clay, the discrete bands of sand which occur between the layers of Ball Clay have an economic value. The various tests of Policy BC3 of the Bournemouth, Dorset and Poole Minerals Strategy (May 2014) are met: the material is overburden and interburden, the development is of a reasonable scale, landscape impacts are satisfactorily managed, restoration is not compromised, the road network is not adversely impacted, and ecological impacts are adequately mitigated. This allows sand extraction to occur, and the material will make a welcome contribution to the supply of aggregate in the area.
- 18.9 There is some archaeological harm, but it is less than substantial and on balance the mitigation and interventions offered, combined with the exceptional importance of the material to be extracted is sufficient to allow the application to progress as any harm is at an acceptable level. The necessary management measures and conditions are in place to mitigate this less than substantial harm and make the proposal acceptable under Para 215 of NPPF and DM7 of the Minerals Strategy.
- 18.10 There are also highly protected heritage assets including Grade I listed buildings and Grade II* Registered Parks and Gardens. The assessment (from Historic England, The Gardens Trust and Dorset Council Conservation) is these will experience less than substantial harm. This allows an officer judgement of whether they may progress on the basis of a clear and convincing justification required by Para 213 of the NPPF. The officer view is that clear and convincing justification is there; less than substantial harm *and* the public benefits of the material being extracted, so the proposal can, under policy, to progress.
- 18.11 This is a sparsely populated area. The principal potential impacts of quarrying noise, dust and vibration are not assessed as being significant or harmful on residents here. However, road transport is an issue. Safety and disruption are not assessed as being harmful but there is a risk of harm from vibration, noise and dust from the 66 HGV movements per day.
- 18.12 Bringing all these elements together, subject to a s106 which would deliver a Landscape Enhancement Fund and the Landscape & Environment Management Plan, and to a series of Planning Conditions which control the impacts, the application complies with the development plan as a whole, with Paras 222, 223 and 224 of the NPPF and the officer view is that there are no material considerations indicating otherwise.

19.0 Recommendation

19.1 Recommendation: **GRANT PLANNING PERMISSION**, subject to the proposed conditions below and to the prior completion of a Section 106 agreement in a form to be agreed by the legal services manager to secure the following obligations:

- The applicant shall submit for approval a Landscape and Environment Management Plan
- The applicant shall comply with the requirements of the approved Landscape and Environment Management Plan
- The applicant shall establish and fund a Landscape Contribution as set out in the Fourth Schedule of the draft s106 and in accordance with the additional detail set out earlier in this report.

If the s106 agreement is not completed within six months of the date of the resolution to grant permission (unless a longer date is agreed by the Corporate Director for Planning) then permission will be refused.

Proposed conditions

1. Time Limit

Extraction of minerals shall cease by 30 September 2036 and restoration of the whole site shall be completed by 31 December 2037 in accordance with the restoration plans approved in Condition 3 of this permission.

Reason

To ensure the development and associated impacts are temporary and that the site is restored in a timely manner and in accordance with Policy DM1 of the Bournemouth, Dorset & Poole Minerals Strategy (2014).

2. Notification of Commencement of Phases

Within seven days of the commencement of each further phase of the development (Phase 2, 3 & 4), written notice shall be given to the Mineral Planning Authority of the date of the commencement of each phase of the development.

Reason

To assist with the monitoring of other planning conditions which explicitly refer to the commencement of individual phases of the development and in accordance with Policies DM1 of the Bournemouth, Dorset & Poole Minerals Strategy (2014).

3. Approved Plans and Documents

The development hereby permitted shall be carried out in accordance with the following approved plans and documents:

Planning Statement (February 2022)

Drawing PP 2/1 (May 2022) – Site Location

Drawing PP 2/2 (May 2022) – Application Site Plan

Drawing PP 2/3 (May 2022) – Existing Topographic Survey

Drawing P3/3 Rev A - Quarry Phasing

Drawing P 3/4 Rev A – Quarry Backfilling

Drawing WBC-1-131 Transportation Route

Environmental Statement (December 2021)

Regulation 25 Response Report (22 May 2024)

Figures 5/1 and 5/2 (Appendix R5/1)

Construction Environment Management Plan (CEMP)

OnMS – 1 Final - On-site Maintenance Schedule

OfMS – 1 Final – Off-site Maintenance Schedule

AMS – 1 Final - Aftercare Maintenance Schedule

4. Submission of Landscape and Environmental Management Plan (LEMP)

A Landscape and Environmental Management Plan (LEMP) shall be submitted to the MPA for approval within six months of the date of this permission. It should include: delivery of the LEMP, surface and groundwater management and monitoring, site preparation and general guidelines, on-site restoration, on-site habitat management and aftercare off-site habitat enhancement, off-site management and aftercare, and a summary of maintenance operations. All works shall be undertaken in accordance with the LEMP.

Reason

To enable the Mineral Planning Authority to adequately control the development and limit the impact of operations on the local community and the National Landscape, having regard to Policies DM1 (Key Criteria for Sustainable Minerals Development) and RS1 - (Restoration, Aftercare and Afteruse of Minerals Development) of the adopted Bournemouth, Dorset and Poole Minerals Strategy.

5. Hours of Working

Except in emergencies to maintain safe quarry working (which shall be notified to the MPA as soon as practicable):

(a) No operations, other than water pumping, servicing, environmental monitoring, maintenance and testing of plant shall be carried out at the site except between 0600 hours and 1800 hours Monday to Saturdays.

(b) No servicing, maintenance and testing of plant shall be carried out at the site after 1900 hours or before 0600 hours on any day or at any time on Sundays, public or bank holidays.

(c) No operations other than environmental monitoring and water pumping at the site shall take place on Sundays, public or bank holidays.

Reason

To enable the Mineral Planning Authority to adequately control the development and limit the negative impact of operations on the local community and their amenity.

6. HGV Movements

No HGVs will enter or leave the site except between the hours of 0700 and 1800 hours Monday to Friday and 0700 to 1300 on a Saturday or at any time on Sundays, public or bank holidays.

If, due to the operational needs of the MoD on the adjacent firing ranges, operations on site have been significantly disrupted, or if the operator reasonably expects them to be significantly disrupted, HGVs may also enter and leave the site between 0600 and 0700 Monday to Saturday provided that the Operator has obtained written approval from the MPA in advance for the use of this additional hour and the duration of its use in advance where practicable and where not practicable within 5 working days of the first use on each occasion of this additional hour.

All HGVs entering and leaving the site shall only utilise the routes shown on drawing WBC-1-131 dated 12/03/2026.

Reason

To limit disturbance from the development hereby permitted having regard to Policies DM1 and DM2 of the Minerals Strategy 2014.

7. HGV numbers

In total no more than 66 HGVs shall enter or leave the site per working day.

Reason

To ensure the development is as described in the Environmental Statement and having regard to Policies DM1 and DM2 of the 1024 Minerals Strategy.

8. Vehicle Cleaning

No HGVs 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 highway safety and the amenity of the area and in accordance with Policies DM1, DM2 and DM8 of the Bournemouth, Dorset & Poole Minerals Strategy (2014).

9. Environmental Protection

All construction works shall be undertaken in accordance with the approved Construction Environmental Management Plan (CEMP).

Reason

In the interests of visual amenity and biodiversity and in accordance with Policies DM1, DM4 and DM5 of the Bournemouth, Dorset & Poole Minerals Strategy (2014).

10. Noise

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 nearby residents and visitors and in accordance with Policies DM1 and DM2 of the Bournemouth, Dorset & Poole Minerals Strategy (2014).

11. Water Monitoring

Within six months of the granting of this permission details of arrangements for the monitoring of ground water levels, discharge flows from the site, and lake levels (the lakes within the restored site after any pumping operations have ceased), shall be submitted for approval in writing by the MPA. These details shall include the locations of monitoring points, frequency of monitoring, recording and annual reporting to the MPA, for the duration of the working and aftercare of the site, until it can be demonstrated that the levels have reached a natural equilibrium. Once approved the monitoring programme shall be undertaken in accordance with the approved scheme until the MPA is satisfied that final levels have been reached and approves in writing the cessation of such monitoring.

Reason

To enable the MPA to assess the risk of effects arising from changes in groundwater levels, surface water flows and to confirm the predicted water situation after the pumps have been switched off. To ensure that the development protects and enhances the natural environment in line with paragraph 180 of the National Planning Policy Framework.

12. Watercourse Restoration

Within six months of the granting of this permission a Watercourse Restoration Plan should be submitted to and approved by the MPA. The plan shall show the arrangement of surface water features, including flow control structures and details of how they will be operated post restoration to maintain flows to the sensitive habitats in the adjacent Povington and Grange Heath. Prior to the cessation of pumping at the site the flow control structure(s) shall be installed in accordance with the design details that shall have first been approved in writing by the MPA. The design of the flow control structure(s) should be informed by the monitoring undertaken under the requirements of the Water Monitoring Plan condition. The details that are approved in writing by the MPA shall be implemented in full and maintained in accordance with the approved scheme.

Reason

To ensure that the development protects and enhances the natural environment in line with paragraph 180 of the National Planning Policy Framework.

13 Management of water

Prior to the cessation of pumping at the site design details for flow structures shall be submitted the MPA for approval. The flow control structure(s) shall then be installed in accordance with those designs. These details shall be implemented in full and maintained in accordance with the approved scheme.

Reason

To ensure that the development protects and enhances the natural environment in line with paragraph 174 of the National Planning Policy Framework.

14. Weeds

All disturbed areas of the site and topsoil, overburden mounds, and restored grassland and heathland for the duration of the aftercare period, shall be kept free from pernicious weeds.

Reason

To secure ecological mitigation and long-term biodiversity benefits and in accordance with Policies DM1 and DM5 of the Bournemouth, Dorset & Poole Minerals Strategy (2014).

15. Soil Stripping and Storage

Topsoil, subsoil and soil making material shall only be stripped when they are in a dry and friable condition.

Reason

To ensure the appropriate handling and preservation of soil resources for use in restoration and in accordance with Policies RS1, DM1 and DM4 of the Bournemouth, Dorset & Poole Minerals Strategy (2014).

16. Cessation

If, prior to the achievement of the completion of the approved development defined in this permission, which in the opinion of the MPA constitutes a permanent cessation within the terms of paragraph 3 of Schedule 9 of the Town and Country Planning Act 1990 (as amended), a revised Landscape and Environmental Management Plan, to include details of restoration and aftercare, shall be submitted in writing for approval to the Mineral Planning Authority, within 12 months of the cessation of winning and working of clay and sand. The approved revised scheme shall be fully implemented within two years of the written approval.

Reason

To secure long-term nature conservation and amenity benefits and in accordance with Policies RS1 and DM1 of the Bournemouth, Dorset & Poole Minerals Strategy (2014).

17. Archaeology

Prior to commencement of any groundworks (but permitting vegetation removal) in Phase 4 and before the extraction of any sand or ball clay in Phase 4, a plan for a programme of archaeological recording shall be submitted to and approved in writing by the Mineral Planning Authority. The plan shall include, but not be limited to, a plan for the excavation of trial trenches in the application area and a timetable for carrying out the works. The plan shall be carried out as approved.

Reason

To ensure the proper locating, recording and preservation of features of archaeological merit and interest in accordance with Policies DM1 and DM7 of the Bournemouth, Christchurch, Poole and Dorset Minerals Strategy.

18. Trees

Prior to the commencement of Phase 2 and all other phases hereby approved (including all preparatory work), a scheme for the protection of trees, in accordance with BS 5837:2012 (or updated standards at that time), including phase specific tree protection plan(s) (TPP) and a phase-detailed Arboricultural Method Statement (AMS) shall be submitted to and approved in writing by the Mineral Planning Authority. The development shall be carried out in accordance with the approved scheme for each phase.

Reason

To secure ecological mitigation and long-term biodiversity benefits and in accordance with Policies DM1, DM4 and DM5 of the Bournemouth, Dorset & Poole Minerals Strategy (2014).

19 Transport

Within six months of the granting of this permission a Transport Management Plan shall be submitted to and approved in writing by the Minerals Planning Authority. In relation to the routes shown on Drawing WBC-1-131 (Transportation Route) the plan shall include details of abnormal load management, route designations for any low bridges and/or weight restrictions, a highway inspection plan for highways serving the site and a programme to control dirt and dust levels on the highway.

Reason

To ensure that the development protects and enhances the natural environment in line with paragraph 174 of the National Planning Policy Framework and DM8 of the 2014 Minerals Strategy.

20 Annual Monitoring Statement

No later than 12 months from the date of the approval of the development hereby approved and at least every 12 months thereafter, the Operator shall submit an 'Annual Monitoring Statement' to the Mineral Planning Authority for approval. Based on the LEMP and other documents set out in Condition 3, it shall set out the progress of the previous year's restoration, enhancement and aftercare, and the priorities for the following 12 months.

Reason

To ensure the necessary ecological, landscape and environmental works are completed and can be easily monitored as per policy RS1 of the Minerals Strategy 2014.

21 Restoration

The phasing of on-site enhancements and restoration described in the LEMP shall be carried out strictly in accordance with OnMS – 1 Final, the On-site Maintenance Schedule.

Reason

To ensure the site is restored to an appropriate standard and in a manner that delivers the approved afteruse, as per the requirements of RS1 and DM1 of the Minerals Strategy 2014.

22 Aftercare

The aftercare described in the LEMP (see Condition 4) shall be carried out strictly in accordance with the timings in AMS-1 Final, the Aftercare Maintenance Schedule.

Reason

To ensure the site is restored to an appropriate standard and in a manner that delivers the approved afteruse, as per the requirements of RS1 and DM1 of the Minerals Strategy 2014.

23 Offsite enhancements

The phasing of offsite enhancement works described in the LEMP shall be carried out strictly in accordance with OfMS-1 Final, the Off-site Maintenance Schedule.

Reason

To ensure the work delivers the necessary ecological and landscape enhancements as per the requirements of policy DM 1 and Policy DM4 of the Minerals Strategy 2014.

Informatives:

National Planning Policy Framework Statement

In accordance with paragraph 39 of the NPPF the council, as local planning authority, takes a positive approach to development proposals and is focused on providing sustainable development.

The council works with applicants/agents in a positive and proactive manner by:

- offering a pre-application advice service, and
- as appropriate updating applicants/agents of any issues that may arise in the processing of their application and where possible suggesting solutions.

In this case:

The applicant/agent was updated of any issues and provided with the opportunity to address issues identified by the case officer.

Statutory Exemptions and Transitional Arrangements in respect of the Biodiversity Gain Plan

The application for planning permission was made before 12 February 2024.

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