

HAMPSHIRE COUNTY COUNCIL

Regulatory Committee Meeting 21 October 2020

Update Report from Head of Strategic Planning

Item No: 7

Variation of condition 1 of Planning Permission 30633/034 to extend the time period of extraction to 31 December 2022 and completion of restoration within a further period of 2 years at Grundon Sand and Gravel Ltd Frith End Sand Quarry, Frith End, Bordon GU35 0QR (Application No. 30633/038 Site Ref. EH121)

1) Amendments to the report and clarification:

County Ecology Consultation Response

County Ecology have responded to consultation on the application. This was received on 16 October 2020. The response is available on the application's page on the Hampshire County Council Website, at the below link:

<https://planning.hants.gov.uk/ApplicationDetails.aspx?RecNo=21325>

County Ecology raise no objection. They highlight that '*Great crested newts (European protected species) are present at the site and a mitigation scheme as regulated through European Protected species licencing is in place. The changes being agreed through this submission will need to be reflected within a similar modification to the extant mitigation licence, but I am confident that it is not unlikely that Natural England will issue a modified licence for the extension of time.*'

Environment Agency [EA] Flood Risk Activity Permit update

Grundon Ltd confirmed that they had the necessary Flood Risk Activity Permit from the EA which is required to carry out any repair works due to the flood. This confirmation was sent to the MWPA as well as the Liaison Panel. The applicant is currently meeting with its contractor to agree a programme of works to start as soon as possible. It should be noted that:

- If the river level rises due to the weather, the operation could be suspended and delayed until spring /summer 2021 (until the winter months and fish spawning periods have ended);
- No mineral working or restoration can be carried out in the flooded void, until the water is pumped out from the flooded area back to the river via the site's siltation system and the surface allowed to dry so that machinery can operate; and

- Pumping is likely to take 3-4 weeks and a further 2-3 weeks for the surface to dry which is weather dependent. The pumping is similarly restricted in that it will not be allowed by the EA if the river level is too high.

2) Representations:

An additional representation was received from Norman Taylor on 19 October 2020. Norman Taylor is a resident of Great Holt and the Old Convent and Director of the Great Holt Management Company. These dwellings are located approximately 500m north-east of the site.

His further representation has been added the application's page on the Hampshire County Council Website, at the below link:

<https://planning.hants.gov.uk/ApplicationDetails.aspx?RecNo=21325>

Should this not be viewable on the website in time for the Committee Meeting, a redacted copy is included as Appendix A of this update report. In response to the issues raised:

- Concerns about developmental creep are noted. This application is to just consider an extension of time for existing approved development in order to allow the operator to repair damage that has occurred from a river flood event. The English planning system sets out that material considerations should determine how appropriate a proposed develop is. Future possible applications are not a material consideration for this application. Any future development at the site will need to seek any required planning permission and then that will be the opportunity to consider those developments on their own merits;
- Cumulative impacts from the extension of an existing, temporary development over an increased period of time is a material consideration. This has therefore been included in the case's Committee Report.
- The County Council, in this case acting as the Minerals and Waste Planning Authority, does have a duty of care to the local residents and the environment. In this case, the MWPA has carried out this duty by following relevant planning legislation, regulation and guidance, set at both national and local level. This includes following application and determination processes as laid out in the Development Management Charter and Statement of Community Involvement [SCI]. These documents can be found at the below link:

<https://www.hants.gov.uk/landplanningandenvironment/strategic-planning/apply-for-planning-permission>

END

Appendix A: Redacted further response from Norman Taylor.

Dear Mr Millard

I note the public response to the two year time extension asked for by Grundon with regard to the Frith End Quarry , as reported to the meeting of the Liaison Committee .

I also note that Grundon is intending to seek a new consent to extract sand from The Ranks Hill area . This supposes a further time extension to December 2024 .

In my mind this raises once more some fundamental inherent issues , that arise with regard to the planning process .

This incremental process of one fresh application after another leads to an indefinite change of landscape use . How many decades are required to establish a de-facto permanent industrialisation that was never enshrined in an original planning consent ?

It would seem to me that the County has a duty of care to local residents and the environment not to allow a powerful company to finesse the process whereby an original time limited approval extends into a saga of never ending and inventive proposals . The legacy of applications based on Frith End Quarry reveals one such litany .

One would hope that the Councils Regulatory Committee would take account of the interests of a nearby residential community such as ours , comprising some 26 families , based on a great edwardian mansion an apartment block and associated houses , viz Great Holt and the Old Convent , also that the committee would be made aware of the legacy of applications that have been endured by us . It should not be necessary to mount public campaigns in order to bring these issues to the attention of the Authority .

Yours Sincerely
Professor Norman Taylor OBE FRSA

Director Great Holt Management Company

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