

HAMPSHIRE COUNTY COUNCIL

Decision Report

Decision Maker:	Regulatory Committee
Date:	18 April 2018
Title:	Extension of Downton Manor Farm Quarry to extract sand and gravel and for restoration back to agriculture at Downton Manor Farm Quarry, Downton, Milford on Sea (Application No. 17/11406) Variation of condition 2, 20 and 29 of Permission No. 16/10641 (to adopt revised development, restoration plans and revised end dates to incorporate an extension to the quarry) (Application No. 17/11392) At Downton Manor Farm Quarry, Downton, Milford on Sea (Site Ref: NF177)
Report From:	Head of Strategic Planning

Contact name: Philip Millard

Tel: 01962 846496

Email: Philip.millard@hants.gov.uk

1. Recommendation

- 1.1 It is recommended that planning permission be granted for both planning application 17/11406 and 17/11392, subject to a Section 106 [S106] agreement for the provision of a permissive footpath and the conditions listed in integral Appendix B (17/11392) and integral Appendix C (17/11406).

2. Executive Summary

- 2.1 Two applications have been submitted. One application seeks an extension to the extraction area of the existing sand and gravel quarry. The second application seeks associated variation of conditions of the current planning permission (16/10641) for the quarry to enable the extension:
- 17/11406 – Seeks permission for an 18.4 ha extension to the west of the existing extraction area at Downton Manor Farm Quarry. This is for the extraction of sand and gravel and for the restoration of the extension site back to agriculture. This is an EIA application.
 - 17/11392 – Seeks variation of conditions 2, 20 and 29 of Planning Permission 16/10641 to adopt revised phasing for extraction and restoration and to extend the dates for the completion of extraction and

restoration to accommodate the proposed extension sought in application 17/11406.

- 2.2 A committee site visit took place on 9 April 2018.
- 2.3 These applications are each dependent on the other. They are being considered by the Regulatory Committee as application 17/11406 is a major extension of an existing minerals site which is an Environmental Impact Assessment [EIA] development.
- 2.4 Key issues raised are:
- Provision of sand and gravel;
 - Ecological impact;
 - Drainage and flooding;
 - Amenity impacts of noise and dust; and
 - Restoration.
- 2.5 The proposed development is an Environmental Impact Assessment development under the Town & Country Planning (Environmental Impact Assessment) Regulations 2017.
- 2.6 It is considered that the proposal would be in accordance with the relevant policies of the adopted Hampshire Minerals and Waste Plan (2013) [HMWP]. It is considered that the benefits of the proposed development outweigh the impacts to amenity and the surrounding countryside landscape. The development provides an additional 760,000 tonnes of sand and gravel mineral resources. The method of extraction, the number of Heavy Goods Vehicle [HGV] movements and the mitigation of impacts such as noise and dust are consistent with the existing quarry development.
- 2.7 It is considered that the proposed extension to the extraction area of the site would not have significant detrimental impacts on its neighbours when considered with the proposed mitigation. The environmental impacts identified for the proposals have been addressed in the Environmental Statement and the applications. The proposed revised restoration plan for the entire site is considered satisfactory with benefits to ecology, flood management and public access.
- 2.8 The proposals do include for a significant extension in the lifespan of the quarry site, for an additional 15 years from the date of permission (2033). Therefore the main impact of these proposals is due to the change in the lifespan of the quarry.
- 2.9 Recommendation for Planning Application 17/11406:

That subject to the granting of Planning Application 17/11392 to GRANT permission subject to the conditions listed in integral appendix C.

2.10 Recommendation for Planning Application 17/11392:

That subject to the granting of Planning Application 17/11406 and subject to all parties entering into a Section 106 Agreement with the County Council by 18 October 2018 to secure the provision of the proposed permissive footpath for a period of 20 years as part of the phase 1 restoration scheme the Director of Economy, Transport and Environment be authorised to GRANT permission subject to the conditions listed in integral appendix B. In the event that a satisfactory Section 106 Agreement is not entered into by all parties by 18 October 2018 then planning permission may be refused under the adopted scheme of delegation.

3. The Site

- 3.1 For the purposes of this report; 'quarry site' refers to the entire Downton Manor Farm Quarry land ownership, approximately 56 hectares [ha]. The 'site' refers to the proposed extraction extension area within the quarry site, which is approximately 18.7 ha. The 'existing extraction area' is that area permitted for minerals extraction by existing Planning Permission 16/10641.
- 3.2 Downton Manor Farm Quarry is a safeguarded minerals site through Policies 16 (Safeguarding: minerals infrastructure) and 20 (Local land-won aggregate) of the HMWP (2013). The mineral resources in the proposed extension area are also safeguarded through Policy 15 (Safeguarding – mineral resources) of the plan.
- 3.3 The site is located to the south of the A337 Christchurch road, 1.3 kilometres [km] west of Everton and 2km east of New Milton. The quarry site occupies 56 hectares [ha] with permission to extract sand and gravel in an 18.7 ha area through phased extraction until June 2018. The site will then be restored to lakes, woodland and agriculture by June 2019.
- 3.4 The Quarry was given planning permission by appeal APP/Q1770/A/06/2014823 in 2009. The appeal decision is now superseded by Planning Permission 16/10641. This is for the extraction of 810,000 tonnes of sand and gravel over a 6 year period from commencement of extraction. The application states that there is approximately 450,000 tonnes of minerals still to be extracted from the existing extraction area. Extraction commenced in 2012 and phase 2 is currently being extracted and the restoration of phase 1 is close to completion.
- 3.5 The extension area comprises existing agricultural land that is regarded as a greenfield site as it is not previously developed land in the countryside. The extension area is also located within the South West Hampshire Green Belt. The whole quarry is relatively level with a ground fall towards the south and southeast corner of the site. The site is bounded by a mature woodland strip to its entire perimeter that provides screening and as such is not subject to significant overlooking. The site has mature hedgerows forming the

boundaries between agricultural fields around the existing extraction areas. The fields on the site are currently used by the operator to grow elephant grass.

- 3.6 To the north of the site is the site's offices and Downton Manor Farm, which consists of residential buildings owned by the operator and an agricultural soil blending operation. The site is adjacent to agricultural land to the east, residential properties along Downton Lane to the north-west and Blackbush Road to the south. Shorefield Holiday and Caravan Park is to the west.
- 3.7 The quarry site has the following key environmental constraints:
- Blackbush Copse Site for Importance of Nature Conservation [SINC] lies to the south and east perimeter of the quarry site boundary;
 - Hordle Copse and Pleasure Grounds SINC are 380m to the south;
 - Newlands Wood SINC is 360m to the east;
 - Breakhill Copse SINC is 700m to the north;
 - The coast line Site of Special Scientific Interest [SSSI], Highcliffe to Milford Cliffs is 700m to the south west;
 - Milford on Sea Local Nature Reserve is 700m to the south west;
 - The site sits within the South West Hampshire Green Belt;
 - The site is approximately 2.3 km from the border of the New Forest National Park;
 - Proposed extension is within an Area Susceptible to Ground Water flooding;
 - Danes Stream runs 190m to the south, controlled water (B07) runs along eastern edge of the quarry site;
 - The quarry site consists of agricultural land of North West is Grade 2 (very good– best and most versatile) in the north west, Grade 3a (good – best and most versatile) in the west and Grade 3b (moderate) in the south of the site;
 - There is a historic landfill known as 'The Squeak' located between phases 6 and 7 of the proposed extraction area to the south-west corner of the quarry site;
 - New Milton: 717 Public Right of Way [PROW] footpath lies 110m to the west;
 - A permissive path is to be installed as part of the approved restoration plan in phase 1, between Sorefield Lane/Blackbush Road (south) and Christchurch Road (north).
- 3.8 The nearest residential properties to the site are:
- On site, including Downton Manor Farm and other properties – at the north end of the quarry site;
 - Along Downton Lane, 25m to the west;
 - Along Christchurch Road, 50-200m to the north and north east;
 - Along Blackbush Lane, 50m to the south of the quarry site.

- 3.9 The excavation extension site has potential to impact the survival of un-designated buried archaeological remains of regional value. Approximately 40m north of the site, to the north side of Christchurch Road are 3 grade II listed buildings; Downton Fields Cottage, Lea Green Cottage and Orchard Cottage.
- 3.10 The quarry site is located approximately 200m north of the extent of land covered by the Milford-on-sea Village Design Statement.
- 3.11 The site currently has permission for 100 HGV movements per day. Minerals extracted on the site are exported via the private haulage road onto the A337 Christchurch Road for washing at either the operator's site at Caird Avenue (New Milton, 3km west) or Manor Farm (Pennington, 4.6km east). The site's operating times are 0700-1800 Monday to Friday with no working on Saturdays, Sundays or recognised Public Holidays.

4. Planning History

- 4.1 The planning history of the site is as follows:

Application no.	Determination	Location	Proposal	Date issued
16/11116	Granted by NFDC	Downton Manor Farm Quarry, Milford on Sea	New service road through Downton Manor Farm Quarry to Shorefield Country Park : Alterations and extension to access road; gates; bund	12.04.17
SCO/2016/0816	EIA Scoping report issued	Downton Manor Farm Quarry, Downton, Milford on Sea SO41 0LB	Scoping Opinion extend Downton Manor Farm Quarry and a Section 73 Planning Application which seeks the variation of planning conditions to incorporate the extension area and minor changes to the restoration scheme around the ponds	27.01.17
16/11370	Prior approval refused by NFDC	Downton Manor Farm Quarry, Milford on Sea	Use of barn as 3 residential units; associated works (Prior Approval Application)	30.11.16
16/10641	Granted	Downton Manor Farm Quarry, Milford on Sea	Variation of condition 7 of Permission No. APP/Q1770/A/06/2014823 (to increase daily lorry movements)	29.09.16

16/10826	Prior approval refused by NFDC	Downton Manor Farm Quarry, Milford on Sea	Use of barn as 3 residential units; associated alterations (Prior Approval Application)	11.08.16
16/10774	Granted by NFDC	Land rear of DOWNTON MANOR FARM COTTAGES, CHRISTCHURCH ROAD, DOWNTON, MILFORD ON SEA SO41 0LB	Use of agricultural barn for horticultural processing, production, mixing, bagging, storage and distribution; infill open sides of barn with cladding	27.07.16
APP/Q1770/A.06/2014823	Appeal granted	Downton Manor Farm Quarry, Milford on Sea	Re-application for sand and gravel extraction, construction of a vehicular access and environmental banks, restoration to lakes woodland and small fields. Appeal decision superseded by 16/10641.	27.10.09
06/87884	Refused	Downton Manor Farm Quarry, Milford on Sea	Re-application for sand and gravel extraction, construction of a vehicular access and environmental banks, restoration to lakes woodland and small fields	11.08.06
82483	Refused	Downton Manor Farm Quarry, Milford on Sea	Extraction of Sand and Gravel, Constructing a Vehicle Access and Environmental Banks, Restoration to Lakes, Woodland and Agricultural Fields	03.12.03
79324	Withdrawn	Downton Manor Farm Quarry, Milford on Sea	Change of use of agricultural buildings to a waste recycling facility and formation of an access	27.10.03
050554M	Withdrawn	Downton Manor Farm Quarry, Milford on Sea	Sand and gravel extraction, gravel processing and batching plant & ancillary facilities, landscaping	10.08.92

4.2 The minerals extraction operation at the site was initially permitted by the appeal decision of the planning inspectorate in 2009 in planning permission [APP/Q1770/A.06/2014823](#). This was the appeal to application 06/87884

which was refused by the Minerals Planning Authority [MPA] in 2006. Subsequent permissions have superseded the appeal decision.

- 4.3 The site is identified in the adopted HMWP (2013) as a safeguarded site for the extraction of sand and gravel through policies 16 (Safeguarding: minerals infrastructure) and 20 (Local land-won aggregate).

5. The Proposal

- 5.1 Planning Application 17/11406 seeks to extend the extraction area of the quarry site by 18.4 ha to the west of the existing extraction area. This is for the extraction of sand and gravel and for the restoration of the extension area back to agriculture.
- 5.2 Planning Application 17/11392 seeks a variation of conditions to the current Planning Permission 16/10641 for the site. That application would allow for the variations required to allow for the extension proposed in application 17/11406. Of particular note is that it seeks a time extension to the quarry from the existing deadline of 9 June 2018 to 15 years from the date of permission.
- 5.3 The developments would comprise of the following:
- A physical extension to the extraction area at the site by 18.4 ha to provide an additional 760,000 tonnes of sand and gravel, at an extraction rate of between 70,000 – 150,000 tonnes per year;
 - A revised phasing scheme which proposes a change in the order in which each area of extraction is carried out. This seeks to extract from areas closest to the boundaries of the site first (the proposed extension) and then to work back into the centre. This is in line with current best practice. Only one phase will be extracted at a time. As extraction of each phase is completed, restoration and aftercare will commence sequentially;
 - A revised restoration plan for the entire quarry. Each phases' restoration to be completed 1 year from the end of its extraction. This retains the ecological area in phase 1, and seeks to restore the rest of the site back to agriculture, in line with the existing restoration plan. This would include the importation of inert material to the site to maintain original ground levels to the new extraction area;
 - A revised flood water management scheme for the entire quarry site wide to accommodate the proposed extraction and restoration of the extension;
 - A revised route for the permissive footpath to be provided in the restoration of phase 1. This is to include a new S106 legal agreement to secure public access for 20 years;
 - The use of straw bale walls to increase visual and noise mitigation to the new extraction areas;
 - Revised site management plans for noise and dust; and

- An extension of time for the Quarry from the existing deadline of 9 June 2018, by varying Condition 2 of Planning Permission 16/10641; to 15 years from the date of permission (approximately 2033).
- 5.4 The existing site and the existing permitted extraction area can be seen on the Existing Site Layout drawing 26G-01-02 rev A.
- 5.5 The proposed extraction plan and phasing of extraction can be seen on the Proposed Extraction Phasing/Geological Plan drawing 26G-01-04 rev A.
- 5.6 The proposed stages of phased extraction and restoration can be seen on the Working and Restoration Scheme drawings 26G-01-05 rev A to 26G-01-14 rev A. The final proposed restoration can be seen on the Revised Restoration Plan drawing 26G-01-15 rev B.
- 5.7 The proposal includes no change to the current permitted:
- Number of HGV (defined as vehicles over 3.5 tonne un-laden) movements to and from the quarry; 100 per day;
 - Site access via the private haulage road onto the A337 Christchurch Road; and
 - The operating times of the quarry; 0700-1800 Monday to Friday with no working on Saturdays, Sundays or recognised public holidays.
- 5.8 Following consultation, the following additions have been made to the proposal by the applicant:
- For the proposed operating hours in Phases 3 to 8 to be 0800 to 1800 Monday to Friday, with no working on Saturdays, Sundays and Public Holidays. The remainder of the site work keep the existing operation times of 0700-1800.
- 5.9 The proposed development has been assessed under [Town & Country Planning \(Environmental Impact Assessment\) Regulations 2017](#). The development is classified as a Schedule 2 development as it falls within Category 13 (Changes and extensions), section (a) (i), as the proposed development is an extension of a development listed in Schedule 1 and exceeds the size threshold. An Environmental Statement has been supplied by the applicant and has been considered alongside the application documents.

6. Development Plan and Guidance

- 6.1 The following plans and associated policies are considered to be relevant to the proposal:

[National Planning Policy Framework \(2012\) \[NPPF\]](#)

- 6.2 The following paragraphs are relevant to this proposal:
- Paragraph 11: Determination in accordance with the development plan;

- Paragraph 14: Presumption in favour of sustainable development;
- Paragraph 17: Set of core land-use planning principles which should underpin decision-taking;
- Paragraph 19: Support of sustainable economic growth;
- Paragraph 28: Support economic growth in rural areas;
- Paragraph 75: Enhance public rights of way and access;
- Paragraph 90: Developments not inappropriate in the Green Belt;
- Paragraph 112: Soils;
- Paragraph 118: Conserving and enhancing the natural environment;
- Paragraph 142: Supply of minerals;
- Paragraph 144: Determining mineral planning applications; and
- Paragraph 145: Planning for a steady and adequate supply of aggregates

[National Planning Practice Guidance \(Live\) \[NPPG\]](#)

6.3 In particular the section on [Minerals](#). The following paragraphs are relevant to the proposal:

- What are mineral resources and why is planning permission required? (Paragraph: 001 Reference ID: 27-001-20140306 - Revision date: 06 03 2014);
- Under what circumstances would it be preferable to focus on extensions to existing sites rather than plan for new sites? (Paragraph: 010 Reference ID: 27-010-20140306 - Revision date: 06 03 2014);
- How and when are the details of any significant environmental impacts best addressed? (Paragraph: 011 Reference ID: 27-011-20140306 - Revision date: 06 03 2014);
- What is the relationship between planning and other regulatory regimes? (Paragraph: 012 Reference ID: 27-012-20140306 - Revision date: 06 03 2014);
- How should mineral operators seek to minimise the impact of development upon properties and the local environment in close proximity to mineral workings? (Paragraph: 015 Reference ID: 27-015-20140306 - Revision date: 06 03 2014);
- How should minerals operators seek to control noise emissions? (Paragraph: 019 Reference ID: 27-019-20140306 - Revision date: 06 03 2014);
- How should mineral planning authorities determine the impact of noise? (Paragraph: 020 Reference ID: 27-020-20140306 - Revision date: 06 03 2014);
- What are the appropriate noise standards for mineral operators for normal operations? (Paragraph: 021 Reference ID: 27-021-20140306 - Revision date: 06 03 2014);
- What type of operations may give rise to particularly noisy short-term activities and what noise limits may be appropriate? (Paragraph: 022 Reference ID: 27-022-20140306 - Revision date: 06 03 2014);

- How should mineral operators seek to minimise dust emissions? (Paragraph: 023 Reference ID: 27-023-20140306 - Revision date: 06 03 2014);
- How much detail on restoration and aftercare should be provided with the planning application? (Paragraph: 040 Reference ID: 27-040-20140306- Revision date: 06 03 2014);
- What is the relationship between planning and other regulatory regimes? (Paragraph: 050 Reference ID: 28-050-20141016, Revision date: 16 10 2014); and
- Is a landbank above the minimum level justification to refuse planning permission? (Paragraph: 084 Reference ID: 27-084-20140306 - Revision date: 06 03 2014).

Hampshire Minerals & Waste Plan (2013) (HMWP)

6.4 The following policies are relevant to the proposal:

- Policy 1 (Sustainable minerals and waste development);
- Policy 2 (Climate change – mitigation and adaptation);
- Policy 3 (Protection of habitats and species);
- Policy 4 (Protection of the designated landscape);
- Policy 5 (Protection of the countryside);
- Policy 6 (South West Hampshire Green Belt);
- Policy 7 (Conserving the historic environment and heritage assets);
- Policy 8 (Protection of soils);
- Policy 9 (Restoration of quarries and waste developments);
- Policy 10 (Protecting public health, safety and amenity);
- Policy 11 (Flood risk and prevention);
- Policy 12 (Managing traffic);
- Policy 13 (High-quality design of minerals and waste development);
- Policy 14 (Community benefits);
- Policy 15 (Safeguarding - mineral resources);
- Policy 16 (Safeguarding - minerals infrastructure);
- Policy 17 (Aggregate supply – capacity and source); and
- Policy 20 (Local land-won aggregates).

New Forest Core Strategy (2009) (part 1) [NFCS]

New Forest Local Plan Section 2: Development Management Policies (2014) [NFLPS2]

6.5 The relevant policies are as follows - New Forest Core Strategy (2009) (part 1):

- Policy CS3 (Protecting and enhancing our special environment (Heritage and Nature Conservation)); and
- Policy CS5 (Safe and healthy communities).

6.6 The relevant policies are as follows - New Forest Local Plan Section 2: Development Management Policies (Adopted: 2014):

- Policy DM2 (Nature conservation, biodiversity and geodiversity); and
- Policy DM26 (Development generating significant freight movements).

6.7 The quarry site is located approximately 200m north of the extent of land covered by the [Milford-on-sea Village Design Statement](#).

7. Consultations and Equalities

7.1 Consultation was carried out in accordance with the [Statement of Community Involvement](#). The proposals were subsequently re-publicised on two occasions in order to allow for the consultation and public consideration of further information submitted by the applicant. Set out below are the final consultation responses of the consultees. The responses for both applications have been combined for each consultee.

7.2 **County Councillor Carpenter:** Has no objection with concern about residential amenity, dust and noise and the entrance to the proposed footpath on Shorefield Lane leading from Blackbush Road.

7.3 **County Councillor Kendal:** Was notified of the proposal.

7.4 **Lead Local Flood Authority (LLFA):** The final consultation response was no objection with condition that the site drainage and water flow is managed as per the information submitted.

7.5 **Planning Policy (Hampshire County Council):** Provided information on the Hampshire Minerals and Waste Plan (2013).

7.6 **Environment Agency:** Has no objection.

7.7 **Local Highway Authority:** Has no objection subject to retention of all previous highways conditions.

7.8 **County Ecology (Hampshire County Council):** The final consultation response was no objection with conditions to ensure the following:

- The inclusion of a grass strip to act as a buffer and foraging/commuting habitat for reptiles;
- The inclusion of additional foraging and commuting bat installations to mitigate against impact on bats during the works;
- Measures to ensure that the maintenance and removal of the proposed balel walls will not result in the killing/injury of protected and notable species;
- A precautionary hedgerow clearance method to be adopted to mitigate impact on dormice and other herpetofauna and small mammals; and
- A detailed strategy for planting and management of the proposed restoration to provide site-wide biodiversity enhancement features.

- 7.9 **County Archaeology (Hampshire County Council):** Has no objection with condition to secure the existing archaeological provision for evaluation and mitigation is extended into the area proposed for new extraction.
- 7.10 **County Landscape Architect (Hampshire County Council):** Has no objection following submission of the Revised Restoration Plan.
- 7.11 **New Forest District Council, Environmental Health Officer (Pollution):** Has no objection with conditions listed with respect to noise, and to submit and have approved an updated dust management and mitigation scheme.
- 7.12 **New Forest District Council, Environmental Health Officer (Protection):** Has no objection with conditions listed with respect to an updated dust management and mitigation scheme, and the retention of the existing condition limited daily HGV movements to and from the site.
- 7.13 **New Forest District Council:** Has no objection.
- 7.14 **Lymington & Pennington Town Council:** Was notified of the proposal.
- 7.15 **Milford on Sea Parish Council:** Was notified of the proposal.
- 7.16 **New Forest National Park Authority:** No objection with concerns as listed in its response.
- 7.17 **Conservation Officer - New Forest District Council:** Was notified of the proposal.
- 7.18 **Rights of Way Manager (Hampshire County Council):** Welcome the creation of the proposed permitted footpath but request that the route be constructed to Countryside Service Design Standards and dedicated as a public footpath under common law.
- 7.19 **Natural England:** Was notified of the proposal. Any comments will be included in the Regulatory Committee meeting presentation.

8. Representations

- 8.1 Hampshire County Council's [Statement of Community Involvement \(2017\)](#) (SCI) sets out the adopted consultation and publicity procedures associated with determining planning applications.
- 8.2 In complying with the requirements of the SCI, Hampshire County Council:
- Published a notice of the application in the [Hampshire Independent](#);
 - Placed notices of the application at the application site and local area, extending the period of neighbour consultation;
 - Consulted all statutory and non-statutory consultees in accordance with [The Town and Country Planning \(Development Management Procedure\) \(England\) Order 2015](#); and

- Notified by letter all residential properties within 100 metres of the boundary of the site.

8.3 As of 29 March 2018, a total of 4 representations to the proposed applications have been received. All 4 object to the proposal. This included a review of the Noise Impact Assessment from the neighbouring caravan park. The main areas of concern raised in the objections relate to the following areas:

- Highway safety, in particular on the A337 Christchurch Road;
- The need for the minerals;
- Impact on wildlife;
- Amenity impact from noise, vibration and dust including questions on the integrity of the proposed noise mitigation; and
- Restoration.

8.4 The above issues will be addressed within the following commentary.

9. Commentary

Development Plan/Policy context/Principle of the development

9.1 Application 17/11406 for the extension of the extraction area of the quarry is an Environmental Impact Assessment (EIA) development. An Environmental Statement [ES] was submitted as part of the application. This was based upon the Scoping Opinion (SCO/2016/0816) issued by the Minerals Planning Authority in January 2017.

9.2 In general, it is considered that the ES satisfactorily covers the potential environmental impacts of the proposed development. A number of consultation responses raised the need for further clarification, in particular, for ecological and flooding issues.

9.3 The Downton Manor Farm Quarry site is safeguarded in the HMWP (2013) as an existing sharp sand and gravel quarry through Policies 15 (Safeguarding – mineral resources), 16 (Safeguarding – mineral infrastructure) and 20 (Local land-won aggregate) of the Plan.

9.4 Current permissions give an existing target restoration completion date of June 2018.

Demonstration of need for mineral resource

9.5 Paragraph 142 of the NPPF (2012) highlights the importance of minerals in supporting sustainable economic growth and our quality of life. It also highlights how important it is to ensure that there is a sufficient supply of material to provide the infrastructure, buildings, energy and goods that the country needs.

- 9.6 Minerals are a finite natural resource, and can only be worked where they are found. The proposed extended extraction would contribute to the County's aggregate supply in accordance with Policy 17 (Aggregate supply – capacity and source). The [Local Aggregate Assessment \(2017\)](#) states that Hampshire currently has a 5.31 year landbank for sharp sand and gravel (see table 3). This is below the minimum 7 years land bank required by paragraph 145 of the NPPF (2012). There is therefore a need for further extraction of sharp sand and gravel to help the county meet its apportionment.
- 9.7 Policy 20 (Local land-won aggregates) lists the site for extraction of remaining reserves to contribute to the County's landbank and provide an adequate and steady supply of sand and gravel. Downton Manor Quarry is listed as one of the sites in part 1 of the policy. The quarry or the extension area are not identified in parts 2 or 3 of the policy which consider extensions of existing sites and new sites respectively. Any further extension of the quarry would therefore need to meet part 4 of the policy which considers Proposals for new sites outside the sites identified in Policy 20.
- 9.8 The proposals meet point 4.a. of the Policy in that they maximise the use of existing plant and infrastructure and available mineral resources at an existing associated quarry. In addition, the supporting statement for planning application 17/11406 states that this increase in minerals extraction is to address local demand.
- 9.9 Public representations raise concerns about the level of supply deficiency within the immediate local area to the site rather than Hampshire as a whole. The south-west Hampshire area has traditionally supplied sand and gravel to the west Hampshire, Bournemouth and Poole market areas. The County Council and its partners have a duty to plan for aggregate for the whole of the plan area. This means that the demand for aggregate and supply in the county area is calculated at a county level through the HMWP (2013) and the Local Aggregate Assessment and not in more localised areas. Whilst the supply of aggregates for the rest of Hampshire has decreased, the LAA (2017) shows that production in south-west Hampshire has increased. The proposal would provide an important contribution to meeting the demand for aggregates in the local market area, as well as contributing to Hampshire meeting its apportionment.
- 9.10 It is considered that the proposed extension to the extraction area at the site would secure additional sand and gravel supply for Hampshire and therefore would be in accordance with Policy 17 (Aggregate supply – capacity and source) of the HMWP 2013. The proposed development also enhances capacity for minerals supply at the site, ensuring the sterilisation of the minerals resources does not occur and does not cause a hindrance to mineral development at the site. The proposal is therefore also considered to be in accordance with Policies 15 (Safeguarding - mineral resources) 16 (Safeguarding - minerals infrastructure) and 20 (Local land-won aggregate) of the HMWP 2013.

Impact on the National Park, countryside and Green Belt

- 9.11 The site is located approximately 2.3 km from the boundary of the New Forest National Park. The Consultation response from the National Park Authority highlights concern over the potentially significant impacts on the National Park from HGV movements associated with the proposed extension, especially as any movements to and from the site leaving the local area will be required to travel through the Park. The planning application states that all HGV to and from the site will travel to processing sites in the local area and will not travel into the National Park. The proposals are therefore considered to not have a significant detrimental increase in impact to the New Forest National Park and so is not in conflict with Policy 4 (Protection of the designated landscape) of the HMWP 2013.
- 9.12 The extension site is located on undeveloped land in the open countryside. The proposed development is a time limited minerals extraction that is considered to meet the highest standards of design, operation and restoration. The proposed restoration scheme will provide equivalent or better agricultural land than existing, as well as improved biodiversity and public access. Therefore the proposals are in accordance with Policy 5 (Protection of the countryside) of the HMWP 2013.
- 9.13 The extension site is also located within the South West Hampshire Green Belt. Paragraph 90 of the NPPF (2012) makes it clear that mineral extraction is a form of development not considered to be inappropriate in Green Belt provided that it preserves the openness of the Green Belt and does not conflict with the purposes of including land in Green Belt. This is reflected in Policy 6 (South West Hampshire Green Belt) which states that minerals developments will be approved within the South West Hampshire Green Belt provided they are not inappropriate. As far as possible, minerals development should enhance the beneficial use of the Green Belt and the highest standards of development, operation and restoration will be required.
- 9.14 The proposal is for a temporary minerals development. The ES and the application documents demonstrate that the restoration of the site would be of a high standard and would provide beneficial use of the land through the restoration of agricultural land, ensuring managed post restoration drainage, biodiversity improvements and a permitted footpath to provide temporary public access. Therefore it is considered that the proposals are in accordance with Paragraph 90 of the NPPF (2012) and Policy 6 (South West Hampshire Green Belt) of the HMWP 2013.

Visual impact, design and landscape

- 9.15 Policy 13 (High-quality design of minerals and waste development) of the HMWP (2013) requires that minerals development should not cause an unacceptable adverse visual impact and should maintain and enhance the distinctive character of the landscape. Policy 10 (Protecting public health,

safety and amenity) of the HMWP (2013) protects residents from significant adverse visual impact.

- 9.16 Policy CS3 (Protecting and enhancing our special environment (heritage and nature conservation) of the New Forest Core Strategy [NFCS] (2009) states new developments should maintain local distinctiveness and where possible enhance the character of identified features. Measures shall be taken, working with other partners, to secure the enhancement, restoration and creation of biodiversity.
- 9.17 The consultation response from County Landscape is no objection in principle, as the final landscape restoration plan and phased working appears to respect both the surrounding landscape and prior land use with reasonable sensitivity to the landscape, adjacent land users and community during extraction operations.
- 9.18 County Landscape state their no objection is subject to the following issues being satisfied:
- ensuring compliance with the Arboricultural Method Statement;
 - ensuring that the County Ecologist and Flood and Water Management Team are satisfied with the ecological and drainage issues on the site;
 - the provision and approval of fully detailed planting plans, planting specification and a 5-10 year Maintenance, Management and Establishment plan;
 - The provision of fully detailed construction and maintenance plans for the temporary straw bale bunds.
- 9.19 Conditions have been recommended to require the submission of an Arboricultural Method Statement, planting plans and ecological and drainage mitigation. The applicant has submitted additional information in the form of a Bale Wall Management Statement and Bale Wall Design drawing which address the construction and maintenance of the bail bunds.
- 9.20 County Landscape also requested an increase in proposed woodland planting around the main entrance in order to better screen views into the site. The applicant has provided this as identified as P17 on the Revised Restoration Plan (26G-01-15 Rev B) submitted in February 2018.
- 9.21 Therefore the proposals are in accordance with Policies 13 (High-quality design of minerals and waste development) and 10 (Protecting public health, safety and amenity) with respect to landscape. It is considered that the proposals are in accordance with NFCS (2009) Policy CS3 (Protecting and enhancing our special environment (heritage and nature conservation) with respect to a restoration scheme that shall maintain local distinctiveness and enhance the visual character of the site.

Flooding

- 9.22 Policy 11 (Flood risk and prevention) of the HMWP (2013) relates to minerals and waste development in flood risk areas and sets criteria which developments should be consistent with relating to flood risk offsite, flood protection, flood resilience and resistance measures, design of drainage, net surface water run-off and Sustainable Drainage Systems.
- 9.23 The initial Lead Local Flood Authority [LLFA] consultation response requested further information in the form of full calculations and hydrological assessment to support the information provided in chapter 8 of the ES. This was required to demonstrate the impact to water flow and drainage provision during extraction and post restoration.
- 9.24 The applicant provided this information and the final consultation response from the LLFA is for no objection subject to a condition that the site drainage and water flow is managed as per the information submitted. The information provided has demonstrated that the proposals for surface water drainage meet the current standards/best practice in relation to surface water drainage. This includes for an additional water storage lake in the phase 8 area of the site. The lake is shown on the Revised Restoration Plan (26G-01-15 Rev B) submitted in February 2018. Therefore the proposal is considered in accordance with Policy 11 (Flood risk and prevention) of the HMWP 2013.

Ecology

- 9.25 Policy 3 (Protection of habitats and species) of the HMWP (2013) sets out a requirement for minerals and waste development to not have a significant adverse effect on, and where possible, should enhance, restore or create designated or important habitats and species. The policy sets out a list of sites, habitats and species which will be protected in accordance with the level of their relative importance. The policy states that development which is likely to have a significant adverse impact upon the identified sites, habitats and species will only be permitted where it is judged that the merits of the development outweigh any likely environmental damage. The policy also sets out a requirement for appropriate mitigation and compensation measures where development would cause harm to biodiversity interests.
- 9.26 Policy DM2 (Nature conservation, biodiversity and geodiversity) of the New Forest Local Plan Section 2: Development Management Policies [NFLPS2] (2014) expect development proposals to incorporate features to encourage biodiversity and retain and, where possible, enhance existing features of nature conservation value within the site. Where development is permitted, the planning authority will use conditions and/or planning obligations to minimise the damage, provide mitigation and site management measures and, where appropriate, compensatory and enhancement measures.

9.27 The initial response received from the County Ecologist raised some concerns about the potential impact on protected species. Further information was requested on the potential impact on protected species and the proposed hay bales. Additional information was provided by the applicant and the Ecologist raises no objection subject to conditions to ensure the following:

- The inclusion of a strip of a minimum of 1 metre wide of grass retained and maintained undisturbed between the hedgerows along the site boundaries and the route for machinery to maintain the external face of the bunds and bale walls. This would act as a buffer and foraging/commuting habitat for reptiles;
- The inclusion of additional foraging and commuting bat installations, such as bat boxes to mitigate against impact on bats during the works. These would be installed prior to commencement to enhance the habitats for bats in the short term until restoration is established;
- Measures to ensure that the maintenance and removal of the proposed bail acoustic mitigation walls will not result in the killing/injury of protected and notable species;
- A precautionary hedgerow clearance method should be adopted being phased and under the supervision of a licenced/dormouse ecologist searching for dormouse summer/winter nests and checking the base of the hedge to be removed and other affected suitable areas for herpetofauna and small mammals; and
- A detailed strategy for planting and management of the proposed restoration to provide site-wide biodiversity enhancement features to be submitted and approved by the Minerals Planning Authority.

9.28 These are reflected in conditions in integral appendices B and C of this report. Therefore the proposals are considered to be in accordance with Policy 3 (Protection of habitats and species) of the HMWP 2013 and NFLPS2 (2014) Policy DM2 (Nature conservation, biodiversity and geodiversity).

Restoration

9.29 Policy 9 (Restoration of minerals and waste developments) of the HMWP (2013) states that temporary minerals development should be restored to beneficial after-uses consistent with the development plan. The restoration should be in keeping with the character and setting of the local area, and should contribute to the delivery of local objectives for habitats, biodiversity or community use. The restoration should be phased throughout the life of the development.

9.30 The proposal includes a revised restoration plan. This is a phased plan that states each phase of extraction will be restored within a year of completion of extraction. Each phase will therefore be restored in order and will commence a 5 year aftercare period upon each completion. Only one phase will be extracted at a time. The first phase is currently being restored for ecological habitat. This includes water features for the drainage and flood

mitigation for the site and a permissive footpath. The other phases are to all be restored back to agricultural use of equal or better quality than that existing before extraction with restored hedgerows as show on the Revised Restoration Plan (26G-01-15 Rev B), submitted in February 2018.

- 9.31 The revised restoration scheme is considered to have additional benefits over the existing restoration plan as it includes an improved route for the permissive footpath and a Section 106 legal agreement for public access to the footpath for 20 years from the completion of phase 1 restoration. The proposed conditions in integral appendix B and C also include the requirement to submit and have approved additional biodiversity enhancements.
- 9.32 Public representation raised concern about the sourcing of the inert waste material to be imported to the site for the restoration. The applicant runs the Manor Farm waste recycling facility, Pennington, 4.6km east of Downton Manor Farm Quarry. This is likely to be a key source of this material. The MPA is satisfied that the proposed restoration scheme is achievable.
- 9.33 Therefore it is considered that the restoration plan proposed is in accordance with Policy 9 (Restoration of minerals and waste developments) of the HMWP.

Public access

- 9.34 Policies 5 (Protection of the countryside) and 9 (Restoration of minerals and waste developments) of the HMWP (2013) support enhancements to the rights of way network. In addition, Paragraph 75 of the National Planning Policy Framework [NPPF], the Corporate Priorities within the Hampshire Walking Strategy, and the priorities within the Hampshire Countryside Access Plan also all support enhancements to the rights of way network.
- 9.35 The proposed Revised Restoration Plan (26G-01-15 Rev B), submitted in February 2018, shows for a permissive footpath around the phase 1 area of the site. The supporting statements of the applications state this would be delivered and opened for use by the public with the completion of the phase 1 restoration. Phase 1 is due for completion of its restoration, in 2018.
- 9.36 Discussions between the Minerals Planning Authority [MPA], Hampshire Rights of Way and the applicant have secured a permissive footpath to be maintained and kept open for public use for 20 years, commencing upon completion of the phase 1 restoration. This will be secured by a Section 106 agreement. The route was revised to that shown on the Revised Restoration Plan (26G-01-15 Rev B) to allow for a circular route around the ecologically restored area of the site with access from Shorefield Lane to the south and Christchurch Road to the north.
- 9.37 Councillor Carpenter's consultation response highlights concern over access for the footpath on Shorefield Lane with respect to users parking vehicles at

this entrance to the footpath. Shorefield Lane is a private road owned by the applicant, which leads onto the adopted (public) Blackbush Road. The parking of vehicles is an issue of driving law and highway and driving safety and rules, rather than a consideration for these planning applications. On balance, it is considered that the proposed footpath provides the community benefit of a linear permissive footpath with the best integration into the existing rights of way network and has best accessibility for the local population of Milford on Sea located south east of the site.

Impact on amenity and health

9.38 Policy 10 (Protecting public health, safety and amenity) of the HMWP (2013) requires that any development should not cause adverse public health and safety impacts, and unacceptable adverse amenity impacts. Also, any proposal should not cause an unacceptable cumulative impact arising from the interactions between waste developments and other forms of development. The National Planning Policy Guidance [NPPG] (Minerals) includes paragraphs 20, 21 and 22 which address how planning authorities should determine the impact of noise and what are appropriate noise standards for normal operations and short term activities; the MPA should consider whether or not noise from the proposed operations would:

- Give rise to a significant adverse effect;
- Give rise to an adverse effect; and
- Enable a good standard of amenity to be achieved.

9.39 Policy CS5 (Safe and healthy communities) of the NFCS (2009) states developments should not result in pollution or hazards which prejudice the health and safety of communities and their environments, including nature conservation interests and the water environment and that appropriate mitigation measures may be required to enable development.

9.40 The application proposes that the new development and running of the quarry site would continue with the same approach to working practice and amenity impact, with continued control by use of conditions, as the existing development permitted under planning permission 16/10641.

9.41 The proposal includes the use of a bale wall to provide noise and visual mitigation for the local residential sensitive receptors to the west of the proposed extraction extension area. Additional information was provided by the applicant to show the design and management of the bale walls in order to ensure they maintain their noise and visual properties and mitigate their potential impact to biodiversity and safety. Of particular note is Shorefield Caravan Park that shares the majority of the boundary with the extension area. The quarry site has a deep screen of trees and vegetation along its perimeter. This significantly limits the views into the quarry, although there are some points along the perimeter where there are limited views in. The bale wall is proposed to be 3 metres high, and would block those views and provide noise mitigation.

9.42 The Noise Assessment submitted as part of the ES is based upon paragraphs 20-22 of the NPPG. It takes into account the mitigation provided by the bale wall for both temporary and normal works. The report contains the following:

- It is based upon the same 4 noise measuring positions as those used for the original quarry application. These reflect the sensitive receptors surrounding the site;
- The assessment states that no accumulative impact is predicted;
- Temporary works noise levels, for less than 8 weeks per year, are identified in the worst case scenario to be 64.8dB during phase 7 at position C (south caravan site). This is below the 70dB temporary daytime noise limit referred to as being regarded as the normal maximum in paragraph 22 of the NPPG; and
- Normal operations noise levels are identified in the worst case scenario to be 51.6dB during phase 7 at position C (south caravan site).

9.43 [Paragraph 21 of the NPPG](#) states that a MPA should aim to establish a noise limit at noise-sensitive property that does not exceed the background noise level by more than 10dB during normal working hours (0700-1900). Where it would be difficult not to exceed the background level by more than 10dB without imposing unreasonable burdens on the mineral operator, the limit set should be as near as practical and in any event, the total noise from operations should not exceed 55dB.

9.44 The noise assessment states the following:

Noise receptor position	Background noise level (dB)	Target +10dB above background or 55dB maximum (dB)	Calculated operational noise level (dB)
A (Downton Manor Farm cottages)	47	55	51.2
B (north caravan park)	45	55	50.5
C (south caravan park)	41	51	51.6

Values taken from Noise Assessment Report, June 2017

9.45 The maximum calculated normal operation noise at positions A, B and D are all identified as not having a significant increase above the background noise. The maximum calculated at position C is 10.6dB above the background level. This would occur during works in phase 7.

9.46 The ES includes a noise assessment that demonstrates the bale wall is sufficient to reduce noise at the sensitive receptors to an acceptable level. The report proposes conditions to any permission granted that would limit noise at the nearest residential properties to stated levels.

9.47 The application also includes for noise management by compliance with the existing, conditioned site working hours, maintenance of plant in accordance with manufacturer recommendations and the use of low tonal/white noise reversing beepers. The application also proposed a condition to submit and have approved a revised noise monitoring scheme to that required by condition 11 of PP 16/10641. The consultation response from the Environmental Health Officer agrees with the noise assessment and states that noise limits should be conditioned to 55 dB at the noise receptor positions for normal operations and to 70dB for works to facilitate site preparation, restoration and construction.

9.48 In order to address air quality and dust, the proposal includes an air quality assessment in the ES that states:

- The proposed working shall have progressive extraction and restoration to minimise the areas of exposed ground to reduce dust being whipped up by the wind;
- The use of a 3m high bale wall;
- The storage of soil and overburden continuing the on site practice of 3-5m high profiled bunds which are seeded immediately and maintained; and
- Recognition of the existing Dust Management and Mitigation Scheme required by condition 10 of the planning permission 16/10641.

9.49 The application proposes to extend the practices of the existing Dust Management and Mitigation Scheme to cover the proposed extension to the excavation area.

9.50 The consultation responses from New Forest District Council Environmental Health Officers [EHOs] for pollution and protection are both for no objection with the following conditions:

- To submit and have approved an updated dust management and mitigation scheme to reflect the extension to the extract area including the locating of dust monitoring equipment closer to residential properties;
- To retain the existing condition of PP 16/10641 for the limit of 100 daily HGV movements to and from the quarry site to limit health impacts of the vehicles;
- To continue of the limits to operating times at the site;
- To limit noise emitted from the site operations with stated limits as per the noise impact assessment, to not exceed 55 dB LAeq 1 hour at the boundary of noise sensitive premises;
- To limit the noise of works to facilitate site preparation, restoration and construction to not exceed 70 dB LAeq 1 hour at the boundary of noise sensitive premises with a time limit of 8 weeks in any one calendar year;
- The fitting of all vehicles working on the site with 'white noise; type low tonal reversing alarms; and
- To ensure that all vehicles, plant and machinery operated on the site shall be maintained and operated in accordance with the manufacturers' specifications at all times, and be fitted with and use effective silencers.

- 9.51 The public representations raise the issue of amenity impact on local residents from noise, dust and vibration. This included a review of the Noise Assessment that raised concerns about the methodology of the assessment including a request for additional mitigation measures for the sensitive receptor at position C.
- 9.52 In response to the public representation, the applicant submitted comments from their noise consultant. Generally, this clarifies the questions raised by the review and confirms the approach used is adequate. It states that the BS 4142:2014 noise assessment standard is not appropriate in this case for a quarry noise assessment. The applicant confirms increasing the thickness of the noise mitigation bale wall from 1m will not improve its acoustic attenuation. In this submitted additional information, the applicant offered to amend the working hours for the proposed extraction extension area (phases 3-8) to 0800-1800 Monday to Friday, reducing the start time by 1 hour. It is proposed that the existing quarry site would still retain the conditioned 0700-1800 Monday to Friday operating times.
- 9.53 The public representation Review of the Noise Assessment and the applicant's comments have been forwarded to the EHO should they wish to make any further comments in addition to their consultation response. No further comments have been received to date.
- 9.54 Due to the nature of the works and the distance from neighbouring properties, it is not considered that the proposal would cause any issues due to vibration.
- 9.55 The proposal does not include for any fixed lighting and condition 8 of the existing planning permission states no lighting is to be erected on the site. There have been no reports of odour issues have been recorded throughout the operation of the existing quarry site.
- 9.56 It is considered that the proposed development, including the noise and visual mitigation bale wall installed in accordance with the design drawing and management plan, has sufficiently demonstrated it will not have a significant detrimental impact on noise and visual amenity when considered with the proposed conditions. There is no information to suggest the proposals would cause noticeable vibrations at neighbouring premises. Therefore it is considered that proposals are in accordance with Policy 10 (Protecting public health, safety and amenity) of the HMWP and Policy CS5 (Safe and healthy communities of the NFCS (2009)).

Cultural and Archaeological Heritage

- 9.57 Policy 7 (Conserving the historic environment and heritage assets) of the HMWP (2013) requires minerals and waste development to protect and, wherever possible, enhance Hampshire's historic environment and heritage assets (designated and non-designated), including their settings unless it is

demonstrated that the need for and benefits of the development decisively outweigh these interests.

9.58 Planning permission 16/10641 includes condition 12 (Archaeology) to ensure implementation of the archaeological investigation and scheme. The County Archaeologist's consultation response states no objection subject to the inclusion of a condition that this practice is continued for the proposed new areas of extraction. Therefore the proposal is in accordance with Policy 7 (Conserving the historic environment and heritage assets) of the HMWP 2013.

Highways impact

9.59 Policy 12 (Managing traffic) of the HMWP (2013) requires minerals and waste development to have a safe and suitable access to the highway network and where possible minimise the impact of its generated traffic through the use of alternative methods of transportation. It also requires highway improvements to mitigate any significant adverse effects on highway safety, pedestrian safety, highway capacity and environment and amenity.

9.60 Policy DM26 (Development generating significant freight movements) of the NFLPS2 (2014) require development that generates significant freight movements within the District should normally be located close to the main road network.

9.61 The proposal states that the daily number of HGV movements to and from the site will not increase and the existing haulage road and site access will continue to be used. The Highways Authority's consultation response states no objection subject to the inclusion of conditions limiting daily HGV movements (condition 5) and conditions from the planning permission 16/10641 being carried over any new permission. Public representation raised objection over the impact to highway safety the proposed would have on the A337 Christchurch Road.

9.62 Although it is recognised that the time period over which the quarry is operational will increase, the number of daily HGV movements would not change. Taking this into consideration, it is considered that the proposed development would not have a significant detrimental impact to highway safety. Therefore the proposal is in accordance with Policy 12 (Managing traffic) of the HMWP 2013 and Policy DM26 (Development generating significant freight movements) of the NFLPS2 (2014).

Soil Protection

9.63 Paragraph 112 of the NPPF (2012) states local planning authorities should take into account the economic and other benefits of the best and most versatile agricultural land. Policy 8 (Protection of soils) of the HMWP (2013) requires minerals and waste development to protect and, wherever possible,

enhance soils. It also states that development should not result in the net loss of best and most versatile agricultural land and gives provisions for the protection of soils during construction. The Agricultural Land Classification [ALC] system classifies land into five grades, with Grade 3 subdivided into Subgrades 3a and 3b. The best and most versatile land is defined as Grades 1, 2 and 3a.

- 9.64 It is noted that the current use of the land is for grazing and arable crop production. The proposed extraction site consists Grade 2 (very good– best and most versatile) (in the North West), Grade 3a (good – best and most versatile) (in the west) and Grade 3b (moderate) in the south of the site.
- 9.65 The restoration plan proposes the stripping of top soil, storage and reuse in the restoration of land back to agricultural use. The ground level of the restoration is to match the existing. Conditions would be added to any permission to ensure the protection of stripped top soil and to have assurance that the areas of agricultural restoration are done to a classification grade equal or better to the existing. The proposal is considered as acceptable and in accordance with Policy 8 (Protection of soils) of the HMWP as well as paragraph 112 of the NPPF.

Potential pollution associated with the development

- 9.66 National Planning Practice Guidance states that Planning Authorities should assume that other regulatory regimes will operate effectively rather than seek to control any processes, health and safety issues or emissions themselves where these are subject to approval under other regimes ([Paragraph 050 Reference ID: 28-050-20141016](#))
- 9.67 Planning and permitting decisions are separate but closely linked. Planning permission determines if a development is an acceptable use of the land. Permitting determines if an operation can be managed on an ongoing basis to prevent or minimise pollution.

Community benefits

- 9.68 A frequent concern of communities that host, or might host minerals and waste development is that there are no immediate benefits to ‘compensate’ for the inconvenience that occurs.
- 9.69 As previously discussed, the applicant has agreed to enter into a Section 106 legal agreement to secure a permissive footpath to be maintained and kept open for public use for 20 years, commencing upon completion of the phase 1 restoration.
- 9.70 In addition to the above, paragraph 5.59 of the HMWP (2013) states that there is an expectation that all ‘major’ minerals and waste development will be accompanied by a site Liaison Panel. The site has an existing liaison panel. This has not sat for some time. Appendices B and C includes

informatives supporting the re-establishment of a liaison panel if permission for the extension area were to be granted.

Conclusion

- 9.71 It is considered that the benefits of the proposed development outweigh the impacts to amenity and the surrounding countryside landscape. The development provides an additional 760,000 tonnes of sand and gravel mineral resources. The method of extraction, the number of HGV movements and the mitigation of impacts such as noise and dust are consistent with the existing quarry development.
- 9.72 It is considered that the proposed extension to the extraction area of the site would not have significant detrimental impacts on its neighbours when considered with the proposed mitigation. The environmental impacts identified for the proposals have been addressed in the Environmental Statement and the applications. The proposed revised restoration plan for the entire site is considered satisfactory with benefits to ecology, flood management and public access.
- 9.73 The proposals include a significant extension in the lifespan of the quarry site, for an additional 15 years until June 2033. Therefore the main impact of these proposals is due to the change in the lifespan of the quarry.
- 9.74 It is therefore considered that the proposals would be in accordance with the relevant policies of the adopted Hampshire Minerals and Waste Plan (2013) when considered with the recommended conditions proposed in integral appendices B and C of this report.

Appendices:

Integral Appendix A – Corporate or Legal Information

Integral Appendix B – Conditions for 17/11392

Integral Appendix C – Conditions for 17/11406

Appendix D – Location Plan

Appendix E – Existing site plan 26G-01-02 rev A

Appendix F – Proposed site plan 26G-01-04 rev A

Appendix G – Proposed restoration plan 26G-01-15 rev B

Links to the Strategic Plan

Hampshire maintains strong and sustainable economic growth and prosperity:	No
People in Hampshire live safe, healthy and independent lives:	No
People in Hampshire enjoy a rich and diverse environment:	No
People in Hampshire enjoy being part of strong, inclusive communities:	No

OR

This proposal does not link to the Strategic Plan but, nevertheless, requires a decision because:

The proposal does not link to the Corporate Strategy but, nevertheless, requires a decision because the proposal is an application for planning permission and requires determination by the County Council in its statutory role as the minerals and waste planning authority.

Section 100 D - Local Government Act 1972 - background documents

The following documents discuss facts or matters on which this report, or an important part of it, is based and have been relied upon to a material extent in the preparation of this report. (NB: the list excludes published works and any documents which disclose exempt or confidential information as defined in the Act.)

Document

Location

17/11406

Hampshire County Council

NF177

Downton Manor Farm Quarry, Downton,
Milford on Sea
(Extension of Downton Manor Farm Quarry
to extract sand and gravel and for
restoration back to agriculture

Integral Appendix B – Conditions for 17/11392

Timescale

1. The extraction of sand and gravel shall cease fifteen years from the date of this permission hereby granted. The site shall be restored one year from ceasing extraction, in accordance with the restoration scheme approved under condition 19 (Restoration).

Reason: In accordance with Policies 5 (Protection of the countryside), 6 (South West Hampshire Green Belt) and 9 (Restoration of minerals and waste developments) of the Hampshire Minerals and Waste Plan (2013).

Operating Times

2. No Heavy Goods Vehicles shall enter or leave the site, nor shall any plant or machinery be operated on the site, except between the hours 0700 and 1800, Monday to Friday inclusive. There shall be no working on the site on Saturdays, Sundays or recognised Public Holidays.

Reason: In the interest of public amenity in accordance with Policy 10 (Protecting public health, safety and amenity) of the Hampshire Minerals and Waste Plan (2013).

Footpath

3. The permissive footpath, as shown on the Revised Restoration Plan, drawing 26G-01-15 Rev B, shall be constructed and open for public use prior to completion of the restoration of phase 1. The public access is to be maintained for a minimum of 20 years from the completion of the phase 1 restoration in accordance with the Section 106 agreement.

Reason: In the interest of public amenity in accordance with Policies 6 (South West Hampshire Green Belt), 9 (Restoration of quarries and waste developments) and 14 (Community benefits) of the Hampshire Minerals and Waste Plan (2013).

Highways

4. The concrete or bituminous surface of the first 100 metres of the haul road, measured from the public highway, is to be maintained in good condition for the duration of the development. The operator shall install equipment to ensure that no vehicle leaves the site unless it is sufficiently clean to prevent mud being carried on to the highway.

Reason: In the interest of highway safety in accordance with Policy 12 (Managing traffic) of the Hampshire Minerals and Waste Plan (2013).

5. Heavy Good Vehicle (HGV) movements to and from the site shall be restricted to 100 per day, with arrival at the site and departure from it counted as separate movements. A daily record of HGV movements shall be kept and made available to the Mineral Planning Authority within seven days of a written request.

Reason: In the interest of public amenity and highway safety in accordance with Hampshire Minerals and Waste Plan (2013) Policy 12 (Managing traffic).

6. The site access shall be maintained, including surface water drainage, in accordance with the approved drawings 6940-04E, 6940-08 A, 5636-02 C, 5636-03 D (approved 02 February 2012).

Reason: In the interest of controlling emissions to water and highway safety in accordance with Policies 10 (Protecting public health, safety and amenity) and 12 (Managing traffic) of the Hampshire Minerals and Waste Plan (2013).

7. The operator shall keep the visibility splays of 4.5 metres by 120 metres, of the site access, free of obstacles for the duration of the development.

Reason: In the interest of highway safety in accordance with Policy 12 (Managing traffic) of the Hampshire Minerals and Waste Plan (2013).

Lighting

8. There shall be no lighting erected on the site.

Reason: In the interest of light pollution for public amenity and ecological impact in accordance with (2013) Policies 3 (Protection of habitats and species) and 10 (Protecting public health, safety and amenity) of the Hampshire Minerals and Waste Plan (2013).

Noise

9. All vehicles, plant and machinery operated on the site shall be maintained in accordance with the manufacturers specifications at all times, and shall be fitted with and use effective silencers. All vehicles shall be fitted with white noise type low tonal reversing alarms.

Reason: In the interest of public amenity in accordance with Policy 10 (Protecting public health, safety and amenity) of the Hampshire Minerals and Waste Plan (2013).

10. The noise emitted from normal mineral extraction operations shall not exceed the daytime noise limits specified as dB LAeq 1 hour (free field) at the boundary of the specified noise sensitive premises specified in table 16 on page 20 of the noise impact assessment dated 08 June 2017- document

ref: BS/v1.0. At all other locations daytime noise limits shall not exceed 55dB(A) LAeq,1h (free field) at the boundary of any noise sensitive premises.

Reason: In the interest of public amenity in accordance with Policy 10 (Protecting public health, safety and amenity) of the Hampshire Minerals and Waste Plan (2013).

11. The noise level from work such to facilitate essential site preparation, restoration and construction of baffle mounds shall not exceed 70 dB LAeq 1 hour (free field) at the boundary of noise sensitive premises for a period of up to eight weeks in one calendar year. A log of all temporary works shall be recorded in an environmental logbook which shall be kept at the site office. All records shall be kept for a period of 2 years and shall show the dates and duration of these works and shall be available to the mineral planning authority for inspection upon request.

Reason: In the interest of public amenity in accordance with Policy 10 (Protecting public health, safety and amenity) of the Hampshire Minerals and Waste Plan (2013).

12. Prior to commencement of the soil stripping of phase 3, as shown on the Proposed Extraction Phasing Plan, drawing 26-G-01-04 Rev A, a revised Noise Monitoring and Attenuation Scheme shall be submitted to and approved in writing by the Minerals Planning Authority. This shall cover the development hereby approved and incorporate the Noise Monitoring and Attenuation Scheme submitted and approved in writing by the Mineral Planning Authority on 26 July 2010. The approved scheme shall be implemented and adhered to at all times thereafter and maintained until all approved restoration works have been completed.

Reason: In the interest of public amenity in accordance with Policy 10 (Protecting public health, safety and amenity) of the Hampshire Minerals and Waste Plan (2013). This is a prior commencement condition to ensure public health and amenity.

Dust

13. Prior to commencement of the soil stripping of phase 3, as shown on the Proposed Extraction Phasing Plan, drawing 26-G-01-04 Rev A, a revised Dust Management and Mitigation Scheme shall be submitted to and approved in writing by the Minerals Planning Authority. The scheme shall consider all aspects of the works being undertaken on site and will supersede the Dust Mitigation Scheme submitted and approved in writing by the Mineral Planning Authority on 26 July 2010. The approved scheme shall be implemented and adhered to at all times thereafter and maintained until all approved restoration works have been completed.

Reason: In the interest of public amenity in accordance with Policy 10 (Protecting public health, safety and amenity) of the Hampshire Minerals and

Waste Plan (2013). This is a prior commencement condition to ensure public health and amenity.

Archaeology

14. The archaeological investigation and scheme, comprising Thames Valley Archaeological Services, Project Specification for Downton Manor Farm, dated December 2004, approved in writing by the Mineral Planning Authority on 26 July 2010, shall have its implementation extended to cover the entire site, including all phased extraction areas, as shown on the Proposed Extraction Phasing Plan, drawing 26-G-01-04 Rev A, shall be implemented by a suitably qualified contractor as approved.

Reason: In the interest of public amenity in accordance with Policy 7 (Conserving the historic environment and heritage assets) of the Hampshire Minerals and Waste Plan (2013).

Landscape

15. The approved bund scheme, comprising of section 5 of the Land & Mineral Management Ltd submission, drawings 908 PL1, 908 PL2, 908 PL3 and Discharge of Condition 16 - Bunding And Planting report, dated January 2010 (approved by the Mineral Planning Authority - 26 July 2010), shall be implemented as agreed. The appearance of the temporary bunds are to be maintained in accordance with the approved details until they are removed as part of the approved site restoration works, as shown on the Revised Restoration Plan, drawing 26G-01-15 Rev B.

Reason: In the interest of public amenity in accordance with Policies 10 (Protecting public health, safety and amenity) and 13 (High-quality design of minerals and waste development) of the Hampshire Minerals and Waste Plan (2013).

16. The bund planting and tree screen planting scheme, comprising of section 5 of the Land & Mineral Management Ltd submission, drawings 908 PL1, 908 PL2, 908 PL3 and Discharge of Condition 16 - Bunding and Planting report, dated January 2010 (approved by the Mineral Planning Authority - 26 July 2010), shall be implemented and maintained as agreed.

Reason: In the interest of public amenity in accordance with Policies 10 (Protecting public health, safety and amenity) and 13 (High-quality design of minerals and waste development) of the Hampshire Minerals and Waste Plan (2013).

Extraction Phasing

17. The site shall be worked in accordance with the approved Phasing/Working Plans, drawing numbers 26G-01-04 Rev A to 26G-01-14 Rev A. Minerals Extraction shall be carried out sequentially in phase number order as shown

on the Proposed Extraction Phasing Plan, drawing 26-G-01-04 Rev A. There shall only be extraction in one phase area at any one time. There shall not be more than two phases unrestored at any one time.

Reason: In the interest of the satisfactory working and public amenity in accordance with Policies 6 (South West Hampshire Green Belt), 8 (Protection of soils) and 9 (Restoration of minerals and waste developments) of the Hampshire Minerals and Waste Plan (2013).

Restoration

18. Each phase shall be restored within 1 year of completion of extraction in accordance with the Revised Restoration Plan, drawing 26G-01-15 Rev B, and the revised Restoration and Management Scheme as approved under condition 19 (Restoration).

Reason: In the interest of the satisfactory working and restoration of the site in accordance with Policies 6 (South West Hampshire Green Belt) and 9 (Restoration of minerals and waste developments) of the Hampshire Minerals and Waste Plan (2013).

19. Prior to commencement of the restoration of phase 3, a revised detailed Restoration and Management Scheme shall be submitted to and approved in writing by the Minerals Planning Authority. Phase 1 shall be restored to ecological habitat and flood attenuation. Phases 2-11 are to be restored to agricultural use with woodland and hedgerows. All restoration and aftercare shall be in accordance with the Restoration and Management Scheme, the Revised Restoration Plan, drawing 26G-01-15 Rev B, and documents submitted and approved under condition 20 (Restoration planting).

Reason: In the interest of the satisfactory working and restoration of the site in accordance with Policies 6 (South West Hampshire Green Belt) and 9 (Restoration of minerals and waste developments) of the Hampshire Minerals and Waste Plan (2013).

20. Prior to commencement of the restoration of phase 3, fully detailed planting plans, planting specification and 5 year maintenance, management and establishment plan shall be submitted to and approved in writing by the Minerals Planning Authority. This scheme shall demonstrate satisfactory provision of site-wide biodiversity enhancement features. All planting and aftercare of the site shall be carried out in accordance with the approved scheme.

Reason: In the interest of the satisfactory working and restoration of the site in accordance with Policies 3 (Protection of habitats and species), 6 (South West Hampshire Green Belt) and 9 (Restoration of minerals and waste developments) of the Hampshire Minerals and Waste Plan (2013).

Importation of Waste

21. No waste shall be imported to the site other than inert waste to restore the site in accordance with schemes that have been approved under condition 19 (Restoration).

Reason: In the interest of the satisfactory working and restoration of the site in accordance with Policies 6 (South West Hampshire Green Belt), 8 (Protection of soils) and 9 (Restoration of minerals and waste developments) of the Hampshire Minerals and Waste Plan (2013).

Groundwater

22. Operational flood water management shall be installed and maintained in accordance with the submitted scheme set out in the Environmental Statement, Chapter 8 – Hydrology, Hydrogeology and Flood Risk report.

Reason: To prevent flooding in accordance with Policies 10 (Protecting public health, safety and amenity) and 11 (Flood risk and prevention) of the Hampshire Minerals and Waste Plan (2013).

23. Restoration site drainage shall be installed and maintained in accordance with the submitted scheme set out in the Environmental Statement, Chapter 8 – Hydrology, Hydrogeology and Flood Risk report and revisions stated in the Post Restoration Site Drainage Provision Technical Note and Drainage System Maintenance Schedule (dated February 2018).

Reason: To address) Policies 9 (Restoration of minerals and waste developments), 10 (Protecting public health, safety and amenity) and 11 (Flood risk and prevention) of the Hampshire Minerals and Waste Plan (2013).

24. The SINC protection and pH monitoring scheme, comprising section 12 of the Land & Mineral Management Ltd submission pH and stream flow monitoring report and 0001-DV53403-01, dated March 2010 (approved by the Mineral Planning Authority - 26 July 2010), shall be implemented and maintained as agreed.

Reason: To address Policies 4 (Protection of the designated landscape), 8 (Protection of soils) and 10 (Protecting public health, safety and amenity) of the Hampshire Minerals and Waste Plan (2013).

Aftercare

25. The site aftercare scheme, comprising updated Section 11 of the submission titled Aftercare – Pursuant to Condition 23, dated May 2010 (approved by the Mineral Planning Authority - 25 August 2012), shall be implemented as agreed and be carried out for a period of 5 years from completion of restoration.

Reason: In the interest of the satisfactory working, restoration and aftercare of the site in accordance with Policies 6 (South West Hampshire Green Belt) and 9 (Restoration of minerals and waste developments) of the Hampshire Minerals and Waste Plan (2013).

Removal of Permitted Development

26. Notwithstanding the provisions of Parts 4, 7 and 16 Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that order):
- (i) fixed or mobile plant or machinery, buildings, structures and erections or private ways shall not be erected, extended, installed or replaced at the site without the prior agreement of the Waste Planning Authority in writing; and
 - (ii) no telecommunications antenna shall be installed or erected without the prior agreement of the Waste Planning Authority in writing.

Reason: In the interest of the protection of the amenities of the area in accordance with Policies 10 (Protecting public health, safety and amenity) and 13 (High-quality design of minerals and waste developments) of the Hampshire Minerals & Waste Plan (2013).

Chemical Storage

27. Any storage of oils, fuels or chemicals on the site shall be in bunded tanks or in other tanks sited on impervious bases and surrounded by impervious bund walls. The bund capacity shall give 110% of the total volume of the capacity of all tanks included within the bund walls. All filling points, vents, gauges, sight glasses and overflow pipes shall be within the bund. Associated pipe work shall be located above ground level and protected from accidental damage.

Reason: To prevent pollution of the environment in accordance Policies 8 (Protection of soils) and 10 (Protecting public health, safety and amenity) of the Hampshire Minerals and Waste Plan (2013).

Ecology

28. The protection and mitigation for badger setts scheme, comprising Section 6 of the submission titled NF177 Badgers email (dated Sept 2010), drawing 689SK4 G and Aluco Ecology report (dated July 2010), approved in writing by the Mineral Planning Authority on 25 August 2012, shall be implemented as agreed and continue to be implemented at the site as defined in the scheme. Any necessary mitigation shall be carried out in accordance with the scheme.

Reason: To ensure the welfare of protected species in accordance with the Wildlife and Countryside Act 1981 (as amended) and the Conservation of

Habitats and Species Regulations 2010 (as amended) and in accordance with Policy 3 (Protection of habitats and species) of the Hampshire Minerals and Waste Plan (2013).

29. Prior to commencement of the soil stripping of phase 3, as shown on the Proposed Extraction Phasing Plan, drawing 26-G-01-04 Rev A, a scheme considering the entire site for additional foraging and commuting bat installations, such as bat boxes, to mitigate against impact on bats during the works, shall be submitted to and approved in writing by the Minerals Planning Authority. These shall be installed, in accordance with the scheme and qualified ecological guidance, prior to commencement of the soil stripping of phases of the development to provide biodiversity enhancements to the habitats for bats in the short term until restoration is established.

Reason: To ensure the welfare of protected species in accordance with the Wildlife and Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulations 2010 (as amended) and in accordance with Policy 3 (Protection of habitats and species) of the Hampshire Minerals and Waste Plan (2013). This is a prior commencement condition to ensure protection of biodiversity.

30. A precautionary hedgerow clearance method shall be adopted for all hedgerows to be removed. This method shall be phased and carried out under the supervision of a licenced/dormouse ecologist searching for dormouse summer/winter nests and checking the base of the hedge to be removed and other affected suitable areas for herpetofauna and small mammals prior to removal.

Reason: To ensure the welfare of protected species in accordance with the Wildlife and Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulations 2010 (as amended) and in accordance with Policy 3 (Protection of habitats and species) of the Hampshire Minerals and Waste Plan (2013).

Topsoil

31. All topsoil and subsoil shall be stripped, moved, handled, stored and reused in accordance with the approved scheme, comprising revised section 7 of the Land & Mineral Management Ltd submission titled Methods of soil handling & operation timing report and Letter D5 JS 9 12.05.10, submitted May 2010 (approved by the Mineral Planning Authority - 26 July 2010).

Reason: To ensure the management of soils and to ensure the land is satisfactorily restored in accordance with Policies 5 (Protection of the countryside) and 8 (Protection of soils) of the Hampshire Minerals and Waste Plan (2013).

Arboriculture

32. Any clearance of trees or shrubs on the site shall be undertaken only during time periods previously approved in writing by the Mineral Planning Authority.

Reason: In the interests of biodiversity, landscape character and visual amenity in accordance with Policies 5 (Protection of the countryside) and 10 (Protecting public health, safety and amenity) of the Hampshire Minerals and Waste Plan (2013).

33. All existing trees and shrubs not within the extraction area or access road, including those previously planted around the perimeter of the site, shall be retained in a healthy condition and protected from damage for the duration of the development hereby approved. Any trees or shrubs which die, or are removed without permission or become seriously damaged or diseased shall be replaced in the next planting season with other of similar species and appropriate size as agreed in writing by the Mineral Planning Authority.

Reason: In the interests of biodiversity, landscape character and visual amenity in accordance with Policies 3 (Protection of habitats and species) and 5 (Protection of the countryside) of the Hampshire Minerals and Waste Plan (2013).

Foul Water Scheme

34. The disposal of foul water scheme for the site, comprising section 8 of the Land & Mineral Management Ltd submission Scheme for the disposal of foul water, dated March 2010 (approved by the Mineral Planning Authority - 26 July 2010), shall be implemented and maintained as approved.

Reason: To prevent pollution of the environment in accordance WITH Policies 5 (Protection of the countryside) and 8 (Protection of soils) of the Hampshire Minerals and Waste Plan (2013).

Plans

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

347/B, 26G-01-04 RevA, 26G-01-05 RevA, 26G-01-06 RevA, 26G-01-07 RevA, 26G-01-08 RevA, 26G-01-09 RevA, 26G-01-10 RevA, 26G-01-11 RevA, 26G-01-12 RevA, 26G-01-13 RevA, 26G-01-14 RevA, 26G-01-15 RevB, 26G-01-20 Rev0, 435-3, 689-SK6B, 689-SK15B, 6940-04 E, 6940-08 A, 5636-02 C, 5636-03 D, 908 PL1, 908 PL2, 908 PL3, 0001-DV53403-01, 689SK4 G.

Reason: For the avoidance of doubt and in the interests of proper planning.

Notes to Applicant

1. For the purposes of matters relating to this decision Heavy Goods Vehicles (HGVs) are defined as vehicles over 3.5 tonnes un-laden.
2. In determining this planning application, the Mineral Planning Authority has worked with the applicant in a positive and proactive manner in accordance with the requirement in the National Planning Policy Framework (2012), as set out in the Town and Country Planning (Development Management Procedure) (England) Order 2015.
3. This decision does not purport or convey any approval or consent which may be required under the Building Regulations or any other Acts, including Byelaws, orders or Regulations made under such acts.
4. The County Council supports the re-establishment of the Liaison Panel between the site operator, Minerals Planning Authority and community representatives at a suitable frequency to facilitate effective engagement with stakeholders in the interests of promoting communication between the site operator and local community. Guidance on the establishment of liaison panels is available: <http://documents.hants.gov.uk/planning-strategic/LiaisonPanelProtocolforHCCsites-November2016.pdf>

Integral Appendix C – Conditions for 17/11406

Ancillary Development

1. The development hereby approved shall only be used for purposes ancillary to Planning Permission 17-11392, or any subsequent primary planning permission that supersedes 17-11392 on the site, and shall be implemented and operated in accordance with all the conditions applying to such permission for the duration of the development.

Reason: To ensure that the development is consistent with the use of the land as approved by the permission above.

Operating Times

2. In exception to condition 2 (Operating times) of Planning Permission 17-11392, or any subsequent primary planning permission that supersedes 17-11392 on the site, no Heavy Goods Vehicles shall enter or leave the new extraction site, identified as phases 3-8 on the Proposed Extraction Phasing/Geological Plan drawing, 26G-01-04 rev A, nor shall any plant or machinery be operated on the new extraction site, except between the hours 0800 and 1800, Monday to Friday inclusive. There shall be no working on the site on Saturdays, Sundays or recognised Bank Holidays.

Reason: In the interest of public amenity in accordance Policy 10 (Protecting public health, safety and amenity) of the Hampshire Minerals and Waste Plan (2013).

Noise mitigation

3. All noise mitigation bale walls as shown on the Working and Restoration Scheme drawings, 26G-01-05 rev A to 26G-01-14 rev A, and those required by conditions 4 and 5 (Noise mitigation), shall be fully installed before commencement of soil stripping prior to extraction of the relevant phase and shall be retained until completion of placing top soil for the restoration of that phase. The bale walls shall be constructed, maintained and removed in accordance with the Noise Mitigation Bale Wall Design Statement and the Noise Mitigation Bale Wall Design drawing and condition 7 (Bale wall ecology).

Reason: In the interest of public amenity in accordance with Policy 10 (Protecting public health, safety and amenity) of the Hampshire Minerals and Waste Plan (2013).

4. Prior to commencement of the stripping of phase 7 and the restoration of phase 6, additional noise mitigation bale walling in accordance with condition 3 (Bale walls) shall be added to provide a continuous wall for noise mitigation along the western perimeter of phases 6 and 7. This will border with the internal perimeter of the area known as 'The Squeak' historic landfill and is in addition to that shown on the Working and Restoration Scheme drawings 26G-01-10 rev A and 26G-01-11 rev A. The bale wall in this area shall be retained until the completion of the restoration of phase 7.

Reason: In the interest of public amenity in accordance Policy 10 (Protecting public health, safety and amenity) of the Hampshire Minerals and Waste Plan (2013).

5. It shall be ensured that the existing soil bund to the southern perimeter of phase 3 shall be a minimum height of 3 metres above local ground level prior to commencement of soil stripping of phase 3 and shall be retained as such until its removal as part of the restoration of phase 3.

Reason: In the interest of public amenity in accordance Policy 10 (Protecting public health, safety and amenity) of the Hampshire Minerals and Waste Plan (2013).

6. Additional noise mitigation bale walling in accordance with condition 3 (Bale walls) shall be added to provide a continuous wall for noise mitigation along the location of the previous existing soil bund to the southern perimeter of phase 3 for the duration of the period between the removal of the existing soil bund in this location and the completion of the phase 3 restoration as shown on the Working and Restoration Scheme drawing 26G-01-07 rev A. Removal of the bund and the installation of the replacement bale wall shall be in steps along its length to ensure a minimal gap in distance and time in the noise mitigation barrier in order to maintain the required level of noise mitigation.

Reason: In the interest of public amenity in accordance Policy 10 (Protecting public health, safety and amenity) of the Hampshire Minerals and Waste Plan (2013).

Ecology

7. Prior to commencement of the installation of any noise mitigation bale walls, the applicant shall submit to and have approved in writing by the Minerals Planning Authority a noise mitigation bale wall maintenance and removal scheme that will propose procedures that will not result in the harm to protected and notable species.

Reason: To ensure that no harm comes to protected species in accordance with the Wildlife and Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulations 2010 (as amended) and

in accordance with Policy 3 (Protection of habitats and species) of the Hampshire Minerals and Waste Plan (2013). This is a pre-commencement requirement to the construction of the bale walls to ensure appropriate protection is in place before any work commences.

8. The development hereby permitted shall allow for a 9 metre wide buffer zone between the edge of mineral extraction and the site boundary woodland and hedgerows and shown on the Working and Restoration Scheme drawings, 26G-01-05 rev A to 26G-01-14 rev A, and the Noise Mitigation Bale Wall Design drawing. The buffer zone shall include a retained grass strip a minimum of 1 metre wide adjacent to the edge of the site boundary woodland and hedgerows. This grass strip shall be maintained as undisturbed grass and the access route for vehicles and machinery for the construction and maintenance of bunds and bale walls shall not encroach into it.

Reason: To provide a buffer zone and foraging/commuting habitat for reptiles in accordance with the Wildlife and Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulations 2010 (as amended) and in accordance with Policy 3 (Protection of habitats and species) of the Hampshire Minerals and Waste Plan (2013).

Ground Contamination

9. Prior to the commencement of the stripping of phase 6, the applicant shall submit to and have approved in writing by the Minerals Planning Authority a ground contamination assessment and method statement to demonstrate the existing contamination conditions and proposed approach to extraction, including a buffer zone as required, around the historic landfill known as 'The Squeak' to the southern boundary of the phase 6 area.

Reason: to ensure the development hereby approved does not effect the containment of ground contamination at the historic landfill in accordance with Policies 6 (South West Hampshire Green Belt) and 10 (Protecting public health, safety and amenity) of the Hampshire Minerals and Waste Plan (2013).

Plans

10. The development hereby permitted shall be carried out in accordance with the following approved plans: **26G-01-01 RevA, 26G-01-02 RevA, 26G-01-03 RevA, 26G-01-04 RevA, 26G-01-05 RevA, 26G-01-06 RevA, 26G-01-07 RevA, 26G-01-08 RevA, 26G-01-09 RevA, 26G-01-10 RevA, 26G-01-11 RevA, 26G-01-12 RevA, 26G-01-13 RevA, 26G-01-14 RevA, 26G-01-15 RevB, 26G-01-16 RevA, 26G-01-17 RevA, 26G-01-18 RevA, 26G-01-20 Rev0, Bale Wall Design.**

Reason: For the avoidance of doubt and in the interests of proper planning.

Notes to Applicant

1. For the purposes of matters relating to this decision Heavy Goods Vehicles (HGVs) are defined as vehicles over 3.5 tonnes un-laden.
2. In determining this planning application, the Mineral Planning Authority has worked with the applicant in a positive and proactive manner in accordance with the requirement in the National Planning Policy Framework (2012), as set out in the Town and Country Planning (Development Management Procedure) (England) Order 2015.
3. This decision does not purport or convey any approval or consent which may be required under the Building Regulations or any other Acts, including Byelaws, orders or Regulations made under such acts.
4. The County Council supports the re-establishment of the Liaison Panel between the site operator, Minerals Planning Authority and community representatives at a suitable frequency to facilitate effective engagement with stakeholders in the interests of promoting communication between the site operator and local community. Guidance on the establishment of liaison panels is available: <http://documents.hants.gov.uk/planning-strategic/LiaisonPanelProtocolforHCCsites-November2016.pdf>