

**HAMPSHIRE COUNTY COUNCIL
Decision Report**

Decision Maker:	Regulatory Committee
Date:	29 July 2020
Title:	Development of chalk quarry with reinstatement to agriculture using imported inert materials, together with ancillary development include site office, wheel wash, weighbridge, new access and drying shed at Land adjacent A339, Basingstoke Road, Manor Farm, Monk Sherborne RG26 (EIA) (No. 18/01064/CMA) (Site Ref: BA176)
Report From:	Head of Strategic Planning

Contact name: Judith Smallman

Tel: 01962 847870

Email: judith.smallman@hants.gov.uk

Recommendation

1. That planning permission be **GRANTED** subject to the conditions listed in Appendix A.

Executive Summary

2. The planning application was previously considered by Regulatory Committee on 19 June 2019 with a recommendation for refusal. A decision was taken to defer its determination for a Members site visit which took place on 2 September 2019. As a result of the site visit and officer advice the applicant has submitted a revised access to the development and additional supporting information which has been subject to further consultation. No objections have been received subject to conditions.
3. The planning application is for the development of a chalk quarry followed by reinstatement to agriculture using imported inert material together with ancillary development to include site office, wheel wash, weighbridge, new access and drying shed at land adjacent A339 Basingstoke Road, Manor Farm, Monk Sherborne.
4. Key issues to be considered are; highway safety, landscape and visual impact, and surface water drainage.
5. The application is accompanied by an Environmental Statement and therefore is considered pursuant to the [Town & Country Planning \(Environmental Impact Assessment\) Regulations 2017](#).

6. The proposal is considered acceptable in terms of Policy 12 (Managing traffic) as use of the proposed access (as amended) would not have an adverse impact on highway safety.
7. The proposal is not considered to cause an adverse visual impact and seeks to maintain and enhance the distinctive character of the landscape in accordance with Policies 10 (Protecting public health, safety and amenity) and 13 (High-quality design of mineral and waste development) and the information submitted concludes the development accords with Policy 11 (Flood Risk and prevention).
8. It is therefore considered that the proposal would be in accordance with the relevant policies of the adopted Hampshire Minerals and Waste Local Plan 2013.

The Site

9. The site is located approximately 4.5 kilometres (km) to the north-west of the town of Basingstoke, adjacent and to the north-east side of the A339 Kingsclere Road. The village of Monk Sherborne is approximately 1.6km to the north east of the site.
10. The site is situated within the countryside in a predominantly arable agricultural setting, interspersed with isolated dwellings. Agricultural fields are located to the north and east of the site, with further agricultural land to the south and west of the A339. The field to the immediate east is within the control of the applicant. The land to the immediate north is part of the adjoining holding.
11. The application site measures approximately 6.74 hectares (ha) and comprises undeveloped agricultural land in arable use. The application site lies within an agricultural holding which comprises of 14 main fields.
12. The site sits in an elevated position within a landscape of undulating arable fields. The site's northern and western boundaries are defined by well vegetated field boundaries and the southern boundary is defined by a gappy hedge along the A339. The site's eastern boundary crosses the open field with no defining feature on the ground. The site is located on a local ridge, along which the busy A339 crosses, with land falling away to the south-west and north-east and continuing to rise to the west. The site is located outside of, but adjacent to the North Wessex Downs Area of Outstanding Natural Beauty (AONB) which lies to the west of the site.
13. The nearest residential properties are four dwellings approximately 235 metres north-west of the site. A further residential address lies at Shothanger Works, a commercial property located on the south side of the A339, approximately 240 metres south east of the site. Weybrook Park Golf Club lies 830 metres to the east of the site.

14. The site is not located in an area designated/identified as being at risk of flooding from rivers or surface water.
15. There are no ecological designations within one kilometre of the site. The closest designation is a locally designated Site of Importance for Nature Conservation (SINC) approximately 1.3 km to the north.
16. There is a buried Schedule Ancient Monument (SAM) adjacent to the application boundary. The monument record is described as Keyhole Enclosure SE of Field Barn Farm.
17. There are several footpaths near the site. Footpath Monk Sherborne: 6 is approximately 240 metres north-west of the site in a south-west to north-east alignment. Footpath Rooksdown: 701 is approximately 480 metres south-east of the site in a south-west to north-east alignment. Footpath Sherborne St John: 1 is approximately 500 metres east of the site in a southwest to north-east alignment.
18. The existing Manor Farm chalk quarry is located approximately 980 metres north-east of the site. Access to the existing Manor Farm quarry is via the un-classified road to the south-east of the application site, the U252.

Planning History

19. The application site does not have any planning history.
20. The existing Manor Farm quarry was granted planning permission by Hampshire County Council on 12 August 1987, ref BDB20721. This was time limited which required the site to be worked and restored by 31 December 1991. Condition 4 of the consent was varied on 28 April 1992, which allowed the works to continue until 31 December 2001.
21. The time limit was extended again in 2005, to allow works to continue until 31 December 2011 (BDB52172), and again in September 2012, which permitted works to continue until 31 December 2021. This quarry is now to be completed and restored by December 2021.

The Proposal

22. The proposal is for the development of a chalk quarry with reinstatement to agriculture using imported inert materials, together with ancillary development including site office, wheel wash, weighbridge, new access and drying shed.
23. It is proposed to extract chalk from the proposed working area to provide agricultural lime. The applicant, GB Foot, extract and process chalk from their existing quarry at Manor Farm, Monk Sherborne for this purpose and wish to continue utilising chalk for their needs, as well as to supply other local farms.

24. The applicant states that agricultural lime makes a significant difference to the productive potential of arable and grassland. It provides lime to the soil which improves soil aeration and helps to release soil nutrients. It contains calcium which is essential for plant development. It also restores the pH balance of acidic soils. It is a sustainable option for soil improvement. Specifically, it is natural product that optimises the plants ability to utilise major and trace nutrients more efficiently.
25. The chalk will be worked in accordance with the phasing plan. The plan will involve the following key elements:
 - create buffer areas to protect existing hedgerows;
 - create access, haul road and yard area for office, wheel wash and weighbridge - the internal haul road and yard will be concreted;
 - strip topsoil for the whole working area and stockpile to use for reinstatement; and
 - create temporary bunds using the topsoil.
26. The site will be worked in two phases. Phase 1 will involve extracting chalk from the northern part of the site to create a lower working area. A storage shed will then be positioned in this part of the site to store chalk and to assist with the drying process.
27. The shed will be 18 metres x 30 metres. The height will be 10 metres to the eaves. However, this will be positioned at a lower ground level to reduce the visibility of the structure from distant views.
28. The second phase will involve working the remaining area. The chalk will be stripped in complete phases across the working area.
29. It is proposed to extract chalk in the same manner that is currently undertaken at the existing site. The chalk will be extracted at a rate not exceeding 25,000 tonnes per annum, a throughput similar to the operation at the existing site.
30. The working area is scarified using heavy disc harrows. This loosens and fragments the surface. The material is spread out to dry before being loaded into the hopper of a screener using a wheeled tractor loader. The screener removes the flint and large lumps of chalk and discharges the fine material into a stockpile which will be within the storage barn. The flint will be sold for construction. The fine material will be sold as agricultural lime or used on the farm estate.
31. The optimum conditions for working the chalk will be between May to September. The demand for agricultural lime is also influenced by time, with the period immediately after harvesting, being the ideal time to spread lime, so late July to September/October. There is also an opportunity to spread lime before spring cultivations, i.e. in January and February.

32. The chalk needs to be dry prior to processing and therefore a large working area allows for quicker drying with more exposure to light/heat/wind. The scheme will be one cell but worked in two parts. One part will be used for collecting the prepared chalk to process through the screener whilst the second part would be being prepared with simba discs ready to continue the operation. Working in two parts allows for safe working with loading shovels and tractor and cultivator in different areas. If wet conditions are expected one side will be left (or both if all chalk prepared removed and screened before rain arrives) as an unprepared surface dries out quicker allowing operations to recommence when conditions improve.
33. The proposed items of plant and machinery to be used at the site include:
- tractor with scarifier;
 - tractor with loading bucket;
 - screener; and
 - 360-degree excavator.
34. A new access to the site is proposed from the minor road to the current quarrying operations, the U252, roughly 10m from its junction with the A339. A haul road would cross the field, parallel with the A339, to the site. A temporary office with toilet, will be provided for the duration of the works. This will be a simple portacabin structure. There will be two parking spaces provided. It is anticipated that there will be one staff member in the site office and one member of staff using the machinery. The current operation uses 2-3 staff depending on the time of year. These staff will be transferred to the new site.
35. The proposed operational hours will be 07.30 – 18.00 Monday to Friday and 08.00 – 13.00 Saturday except in the respect of mineral extraction in the months of July, August, September and October, when machinery shall be worked between the hours of 07.00 - 18.00 Monday to Friday and between 08.00-1300 on Saturdays. There will be no working on Sundays or public holidays.
36. Due to the nature of the chalk extraction process and the requirement to dry the chalk, the restoration will be carried out on completion of the chalk extraction. This is consistent with the existing quarry. The restoration will use appropriate materials to infill the excavation and restore the site to agriculture.
37. As with the existing chalk quarry, the restoration will be completed in one phase on completion of the extraction. The proposed restoration will take place from south to north. Suitable restoration materials will be sourced, which may include construction, demolition and excavation wastes. As the site is nearing the final restoration levels, the topsoil stored in perimeter bunds will be replaced as the final cover.
38. The final cover will comprise a minimum of 0.85m chalk topped with 0.15m of topsoil. It is anticipated that based on 60 loads per day, the site could be

restored within two years from completion of the chalk extraction. The aftercare stage will ensure that the field is returned to satisfy the requirements of arable farming.

Development Plan and Guidance

39. The following plans and associated policies are relevant to the proposal:

[National Planning Policy Framework \(2019\) \(NPPF\)](#)

The following paragraphs are relevant to this proposal:

- Paragraphs 8 &11: Presumption in favour of sustainable development;
- Paragraph 80: Support economic growth;
- Paragraphs 102 &103: Sustainable transport;
- Paragraphs 170 &172: Conserving and enhancing the natural environment; and
- Paragraph 203: Facilitating sustainable use of minerals

[National Planning Policy for Waste \(2014\) \(NPPW\)](#)

The following paragraphs are relevant to the proposal:

- Paragraph 1: Delivery of sustainable development and resource efficiency; and
- Paragraph 7: Determining planning applications.

[Planning Practice Guidance \(PPG\)](#)

The following paragraphs are relevant to the proposal:

- Paragraph 0050: (Planning and regulation).

[Hampshire Minerals & Waste Plan \(2013\) \(HMWP\)](#)

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 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 23 (Chalk development);
- Policy 25 (Sustainable waste management);
- Policy 27 (Capacity for waste management development);
- Policy 30 (Construction, demolition and excavation waste development);

[Basingstoke and Deane Local Plan 2011 to 2029 \(2016\)](#)

The following policies are relevant to the proposal:

- SD1 Presumption in favour of sustainable development;
- CN9 Transport;
- EM1 Landscape;
- EM4 Biodiversity, geo diversity and natural conservation;
- EM12 Pollution;
- EP1 Economic growth and investment.

[Area of Outstanding Natural Beauty Management Plans](#)

The North Wessex Downs AONB Management Plan (2014-2019) is relevant to the proposal.

The following paragraphs are relevant to the proposal:

- 3.3 Special qualities: Landscape;
- 4.5 Special qualities Land management;
- 6.2 Historic landscape character;
- 8.0 Development;
- 11.1 Landscape key issues.

Consultations

40. **Councillor Vaughan** was consulted.
41. **Monk Sherborne Parish Council** was consulted.
42. **Basingstoke and Deane Borough Council** was consulted.
43. **Natural England** raises no objection however advises that the relevant AONB Partnership or Conservation Board are consulted. Their knowledge of the site and its wider landscape setting, together with the aims and objectives of the AONB's statutory management plan, will be a valuable contribution to the planning decision.
44. **North Wessex Downs AONB** raised an objection to the original planning application on the basis that the proposed development is in principle unacceptable and would erode the natural qualities of the site and the intrinsic rural character of the wider area, which sits within the setting of the North Wessex Downs AONB. The proposed development therefore fails to comply with Policy 13 of the Hampshire Minerals and Waste Plan 2013.

The Chalk quarry will be visible from local Public Right of Way (PROW) and in some locations for a considerable length of the PROW, which look towards the skyline of the AONB. The proposed bund will introduce an alien feature in this undulating landscape which currently has a sense of openness and space that provides the panoramic views and vistas from local roads and PROW.

The application fails to demonstrate that there are no alternative locations. The geology of the area demonstrates that there would naturally be layers of chalk across the valley towards the existing quarry and towards the golf course bordering the built environment of Basingstoke.

There are also concerns in terms of dark skies (a special quality of the North Wessex Downs AONB) which could be affected by external lighting.

No response has been received to the revised proposals.

45. **Historic England** raises no objection.
46. **Environment Agency** raises no objection
47. **Lead Local Flood Authority** has not yet provided final comments but is in discussion with the applicant to achieve an acceptable solution to current concerns and any permission would be subject to an appropriate condition.
48. **Local Highway Authority** raises no objection subject to conditions. A number of comments have been made which can be addressed at a detailed design stage. The proposed conditions relate to plans and details of proposals for off-site works, surfacing of haul road with details of wheel cleaning facilities, landscape screening along boundary of site an A339 and loaded vehicles to be securely sheeted when leaving the site.
49. **County Landscape Architect** raises no objection to the revised proposal subject to a condition for a Landscape Management Plan detailing planting, maintenance of new habitats created on site and details of site boundary treatment, to ensure screening of the office, weighbridge and wheel-wash.
50. **County Archaeologist** has no objection subject to a condition relating to a final stage of evaluation and subsequent mitigation, if any required, for the small area in the location of the badger sett.
51. **County Ecologist** has no objection in principle subject to conditions relating to works to be carried out in full accordance with the ecological measures, a Badger Updating Survey and prior to each of the first one of seven phases shown on the Phasing Plan, the applicant is required to submit, for approval an updated ecological report to the planning authority detailing the results of an updating ecological walkover survey any mitigation works completed, and (based on the walkover survey findings) any amendments or additions to the mitigation measures proposed.

Representations

52. Hampshire County Council's [Statement of Community Involvement \(2017\)](#) (SCI) sets out the adopted consultation and publicity procedures associated with determining planning applications.
53. 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 properties within the vicinity of the site.
54. Six representations in support to the proposal have been received.

Commentary

Principle of the development

55. Policy 23 (Chalk development) of the Hampshire Minerals and Waste Plan (HMWP) (2013) supports the small-scale (<25,000 tonnes per annum) extraction of chalk for agricultural uses in Hampshire. The applicant proposes the extraction of up to 25,000 tonnes of chalk per annum for agricultural purposes and therefore the development would be in accordance with Policy 23 of the HMWP (2013).
56. The site lies in the open countryside north-west of the town of Basingstoke. Policy 5 (Protection of the countryside) supports mineral development in the open countryside only when it comprises a time-limited mineral extraction, of which this proposal represents. The proposal is therefore considered to be in accordance with Policy 5 of the HMWP.
57. Paragraph 6.110 of the HMWP (2013) recognises that chalk is a plentiful resource in Hampshire and that there are several existing extraction sites across the county. These sites were considered enough to meet Hampshire's current and expected future demand for chalk at the time. The nearby (980 metres north-east) existing Manor Farm chalk quarry (BA054) is a safeguarded site to protect such production capacity. The applicant proposes the commencement of winning and working of mineral from the new site upon exhaustion of reserves at the existing site. This would therefore be in accordance with Policy 23 of the HMWP (2013).
58. Paragraph 6.113 of the HMWP (2013) states that the need for chalk extraction will need to be clearly demonstrated. The applicant has set out in the accompanying planning statement to the planning application, sound justification why the continuation of chalk quarrying is necessary to supply existing local needs. The two safeguarded sites in Hampshire are Manor Farm, Monk Sherborne and Somborne Chalk Quarry near Winchester. The Manor Farm site currently being worked has estimated reserves for 2 years.

Somborne Chalk Quarry near Winchester, which has been worked since 1860 has recently been sold and is currently mothballed for chalk production. Without the proposed site being permitted, existing contractors will have to source chalk from alternative sites, mainly outside the County, which is not necessarily sustainable. The proposal is therefore considered to be in accordance with Policy 23 of the HMWP (2013).

59. Policy 9 (Restoration of minerals and waste developments) requires that temporary mineral development be restored to a beneficial after-use consistent with the development plan. The proposals to restore the site to agriculture would meet with this requirement and therefore the proposal is in accordance with Policy 9 of the HMWP (2013).
60. The principle of subsequent infilling and restoration of the extraction site with inert waste would be supported by Policy 30 (Construction, demolition and excavation waste development) of the HMWP (2013) provided that as far as reasonably practicable all materials capable of producing high-quality recycled aggregates have been removed for recycling.

Visual impact and landscape

61. Policy 13 (High-quality design of minerals and waste development) of the HMWP (2013) requires that waste 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) protects residents from significant adverse visual impact.
62. The site is located directly adjacent to the North Wessex Downs Area of Outstanding Natural Beauty (AONB) boundary in an elevated position. An objection to the proposed development on its visually prominent location has been received from the AONB Partnership. It is concerned about the site's impact on the AONB and local PROW. They state the proposal would be contrary to the aims and objectives of the AONB's statutory Management Plan, Policy 13 of the HMWP and paragraphs 170 and 172 of the NPPF. This objection was to the original planning application, no response has been received to the revised scheme.
63. No objection, subject to conditions, has been received from the County Landscape Group following the submission of revised cross sections and other supporting information. Recommended conditions relate to the submission for approval of detailed drawings for all buildings and site fixtures to ensure their visibility is reduced as much as possible; and for the retention of the buffer areas to north-west and south-west, after the bunds are no longer required, for nature conservation/wildlife.
64. On the basis of the submitted information, the proposal is considered to be in accordance with Policies 10 and 13 of the HMWP (2013) or the NPPF 2019.

Highways impact

65. Policy 12 (Managing traffic) 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 using 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.
66. The application originally proposed vehicular access in the south-west corner of the site, very close to the junction of the A339 with Basingstoke Road. This access point caused issues with visibility and alignment and the Highway Authority raised strong objection. The proposed amended access is preferable to that previously proposed and utilises the U252 which has a safe junction with the A339. The U252 provides access to the existing quarry and the number of vehicle movements is anticipated to remain similar to current numbers (once current operations move to the new site). There will be some short-term increase in HGVs using the junction of the A339 with the U252 while new chalk excavation overlaps with restoration of the existing site, but this will not result in any highway capacity or safety issues.
67. Subject to the submission of further details to be agreed during the design process the Highway Authority is satisfied that this proposal is acceptable and recommend that the works to provide a new site access are undertaken via a S278 Minor Works agreement and conditions. The proposal is therefore considered to be in accordance with Policy 12 (Managing traffic) of the HMWP (2013).

Soils

68. Policy 8 (Protection of soils) 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.
69. Paragraph 170 of the NPPF (2018) states that planning decisions should recognise the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land.
70. The site is graded as Grade 3a agricultural land and therefore constitutes Best & Most Versatile.
71. To safeguard soil resources as part of the overall sustainability of the proposals, it is important that the soil can retain as many of its many important functions and services (ecosystem services) as possible through careful soil management. Consequently, it is advised that if the development proceeds, the developer uses an appropriately experienced soil specialist to advise on and supervise soil handling, including identifying when soils are dry enough to be handled and supported by a Soil Resource Management

Plan to ensure the proposal is in accordance with Policy 8 of the HMWP (2013) and the NPPF (2018).

Cultural and Archaeological Heritage

72. 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. No objection has been received to the proposal on these grounds as the archaeological evaluation did not reveal any substantive archaeological remains within the area where extraction is proposed and to that extent no further ecological field work is required. However, the archaeological evaluation was curtailed in one small part of the site due to the existence of a badger sett. This area will need to be evaluated at some point once the ecological constraint is overcome. However, this is a small-scale intervention unlikely to reveal any overriding archaeological issues and, on that basis, it has been recommended that the final stage of evaluation and subsequent mitigation, if any, could be secured by archaeological conditions attached to any planning permission which might be issued. The proposal is therefore in accordance with Policy 7 of the HMWP (2013).

Ecology

73. Policy 3 (Protection of habitats and species) 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.
74. No impacts to designated sites or priority habitats are anticipated because of the proposals. No objection has been raised by the County Ecologist subject to revised plans being submitted reflecting the Landscape Strategy plan and the retained buffer zone vegetation highlighted within the Final Restoration Levels Plan FIN-01, and proposed conditions relating to works being carried out in full accordance with the ecological measures set out in sections 4.3 and 4.4 of the updated Ecological Impact Assessment (Enims, October 2018), as superseded and updated in part by the letter dated 6 November 2018 (Integrated Skills), and the Avoiding impacts on Dormice and Reptiles at Monk Sherborne Letter dated 30 November (Enims), and the works being carried out in full accordance with the measures set out within the Badger

Updating Survey (Enims, June 2017) as amended by any subsequent licence issued by Natural England. The proposal is therefore in accordance with Policy 3 of the HMWP (2013).

75. To be assured that the proposal meets the relevant requirements of the National Planning Policy Framework (NPPF) and Section 40 of the Natural Environment and Rural Communities Act (2006), it is suggested that the restoration provides for the long-term establishment of wide arable margins that buffer the hedgerows to provide a long-term net gain in biodiversity at the site.

Noise

76. Policy 10 (Protecting public health, safety and amenity) of the HMWP 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. No objection has been received to the proposals relating to noise issues and the proposal is considered to be in accordance with Policy 10 of the HMWP (2013).

Flooding

77. Policy 11 (Flood risk and prevention) 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. An objection has been received from the County Flood and Water Management team on the basis that outstanding information previously requested has not been supplied and therefore insufficient information has been provided to make a proper assessment of the proposal. Subject to the submission and consideration of additional information, a suitable condition could be applied to ensure that the proposal is in accordance with Policy 11 of the HMWP (2013).

Environmental Permit

78. 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)
79. 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. An Environment Agency permit would be required in this case.

Conclusions

80. It is considered that on balance the development proposal is in accordance with the adopted Hampshire Minerals & Waste Plan (HMWP) 2013. The proposal to extract chalk from the proposed working area to provide agricultural lime will provide a continuation of supply to meet the needs of the applicant and local demand once the existing quarry at Manor Farm ceases extraction. It will be the only quarry left in Hampshire that will provide this product which makes a significant contribution to the productive potential of arable and grassland.
81. The proposal, as amended, is considered acceptable in terms of Policy 12 (Managing traffic) as it is unlikely to result in a significant adverse impact on highway safety or capacity.
82. The application has demonstrated that the proposal would not cause an unacceptable adverse visual impact in accordance with Policies 10 (Protecting public health, safety and amenity) and 13 (High-quality design of mineral and waste development).
83. Whilst the information submitted currently is not sufficient to conclude the development accords with Policy 11 (Flood Risk and prevention), this can be met once necessary additional information has been provided, subject to an appropriate condition.
84. It is considered that any issues relating to noise and dust impacts could be adequately addressed through planning conditions and the Environment Agency licensing regime.

Recommendation

85. That planning permission be **GRANTED** subject to the conditions in Appendix A:

Appendices:

Appendix A - Conditions

Appendix B - Location Plan

Appendix C – Application Boundary Plan

Appendix D - Proposed Site Access Plan

Other documents relating to this application:

<https://planning.hants.gov.uk/ApplicationDetails.aspx?RecNo=19053>

REQUIRED CORPORATE AND LEGAL INFORMATION:

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 is an application for planning permission and requires determination by the County Council in its statutory role as the minerals and waste or local 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

18/01064/CMA
BA176

Land adjacent A339, Basingstoke Road, Manor Farm, Monk Sherborne RG26 (EIA)
(Development of chalk quarry with reinstatement to agriculture using imported inert materials, together with ancillary development include site office, wheel wash, weighbridge, new access and drying shed

Location

Hampshire County
Council

EQUALITIES IMPACT ASSESSMENTS:

1. Equality Duty

The County Council has a duty under Section 149 of the Equality Act 2010 ('the Act') to have due regard in the exercise of its functions to the need to:

- Eliminate discrimination, harassment and victimisation and any other conduct prohibited by or under the Act with regard to the protected characteristics as set out in section 4 of the Act (age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation);
- Advance equality of opportunity between persons who share a relevant protected characteristic within section 149(7) of the Act (age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation) and those who do not share it;
- Foster good relations between persons who share a relevant protected characteristic within section 149(7) of the Act (see above) and persons who do not share it.

Due regard in this context involves having due regard in particular to:

- The need to remove or minimise disadvantages suffered by persons sharing a relevant protected characteristic that are connected to that characteristic;
- Take steps to meet the needs of persons sharing a relevant protected characteristic that are different from the needs of persons who do not share it;
- Encourage persons sharing a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.

Officers considered the information provided by the applicant, together with the response from consultees and other parties, and determined that the proposal would have no material impact on individuals or identifiable groups with protected characteristics. Accordingly, no changes to the proposal were required to make it acceptable in this regard.

CONDITIONS

Time Limits

1. The development hereby permitted shall be begun before the expiration of three years from the date on which this planning permission was granted.

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

Duration of Permission

2. Mineral extraction and waste disposal shall cease, and the site be restored in accordance with the scheme approved under condition 21 by no later than 20 years from the date of commencement of the permission, as notified under condition 19 of this permission.

Reason: To secure the satisfactory restoration of the site in accordance with Policy 9 (Restoration of minerals and waste developments) of the Hampshire Minerals & Waste Plan (2013).

Soil Management

3. Prior to the commencement of development, a Soil Management Scheme shall be submitted to and approved in writing by the Mineral and Waste Planning Authority. The scheme shall be produced in accordance with the Department for Environment Food and Rural Affairs (DEFRA) Guidance for Successful Reclamation of Mineral and Waste Sites (2004) and shall be implemented as approved for the duration of the development. There shall be no export of topsoil or subsoil from the site. The scheme shall be implemented as approved for the duration of the permission.

Reason: To ensure the protection of the soil resource in accordance with Policy 8 (Protection of soils) of the Hampshire Minerals and Waste Plan (2013). This is a pre-commencement to ensure that initial top soil stripping is carried out appropriately.

Archaeology

4. No development shall take place until the applicant has secured the implementation of a Programme of archaeological assessment in accordance with a Written Scheme of Investigation that has been submitted to and approved by the Planning Authority. The assessment should take the form of trial trenches located within that part of the site not previously investigated due to the presence of a badger sett to ensure that any archaeological remains encountered within the site are recognised, characterised and recorded. Trial trenching should only commence once the ecological constraint of the badger sett has been overcome.

Reason: To assess the extent, nature and date of any archaeological deposits that might be present and the impact of the development upon these heritage assets. This is a pre-commencement to ensure that archaeological deposits are not destroyed through implementation of development.

5. No development shall take place until the applicant has secured the implementation of a programme of archaeological mitigation of impact, based on the results of the trial trenching, in accordance with a Written Scheme of Investigation that has been submitted to and approved by the Minerals and Waste Planning Authority.

Reason: To mitigate the effect of the works associated with the development upon any heritage assets and to ensure that information regarding these heritage assets is preserved by record for future generations. This is a pre-commencement to ensure that archaeological deposits are not destroyed through implementation of development.

6. Following completion of archaeological fieldwork a report will be produced in accordance with an approved programme submitted by the developer and approved in writing by the Minerals and Waste Planning Authority setting out and securing appropriate post-excavation assessment, specialist analysis and reports, publication and public engagement.

Reason: To contribute to our knowledge and understanding of our past by ensuring that opportunities are taken to capture evidence from the historic environment and to make this publicly available.

Highway

7. Plans and particulars showing the detailed proposals for the offsite highways works that are required in order to make the development acceptable shall be submitted to and approved by the Minerals and Waste Planning Authority in writing before the development commences. The agreed details shall be fully implemented before the use hereby approved is commenced.

Reason: In the interests of highway safety and to ensure the development is in accordance with Policies 10 (Protecting public health, safety and amenity) and 12 (Managing traffic) of the Hampshire Minerals and Waste Plan (2013). This is a pre-commencement condition as essential access details are required to ensure the access is safe prior to commencement of works.

8. No excavation of minerals shall take place until such time as the first 20 metres of the haul road measured from the highway has been surfaced with concrete or tarmacadam and facilities have been provided to clean the wheels of lorries leaving the site. Details of the facilities and the arrangements for drainage from the wheel-cleaning facilities shall be submitted for the approval of the Minerals and Waste Planning Authority in

writing. No lorry shall leave the site unless its wheels have been cleaned sufficiently to prevent mud and spoil being carried on to the highway.

Reason: In the interests of highway safety and to ensure the development is in accordance with Policies 10 (Protecting public health, safety and amenity) and 12 (Managing traffic) of the Hampshire Minerals and Waste Plan (2013). This is a pre-commencement condition as essential access details are required to ensure the access is safe prior to commencement of works.

9. Landscape screening shall be provided along the boundary between the site and the A339 to prevent headlights from quarry vehicles impacting traffic on the A339. Details shall be submitted to and approved in writing by the Minerals and Waste Planning Authority prior to commencement of works and shall be implemented prior to use commencing. Any plants that within a period of five years from the date of planting, die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

Reason: In the interests of highway safety and to ensure the development is in accordance with Policy 10 (Protecting public health, safety and amenity). This is a pre-commencement condition as essential access details are required to ensure the access is safe prior to commencement of works.

10. There shall be no more than 120 vehicle movements per day to and from the site. Records of vehicle movements to and from the site shall be kept and made available for inspection at the request of the Minerals and Waste Planning Authority.

Reason: In the interests of highway safety and to ensure the development is in accordance with Policies 10 (Protecting public health, safety and amenity) and 12 (Managing traffic) of the Hampshire Minerals and Waste Plan (2013).

11. No development hereby permitted shall commence until a Construction Traffic Management Plan, to include details of provision to be made on site for contractor's parking, construction traffic access, the turning of delivery vehicles and lorry routing as well as provisions for removing mud from vehicles and a programme of works has been submitted to and approved in writing by the Minerals and Waste Planning Authority. The approved details shall be implemented before the development hereby permitted is commenced and retained throughout the duration of construction.

Reason: In the interests of highway safety and to ensure the development is in accordance with Policies 10 (Protecting public health, safety and amenity) and 12 (Managing traffic) of the Hampshire Minerals and Waste Plan (2013).

12. All loaded HGVs associated with the development hereby permitted entering or leaving the site shall be securely sheeted.

Reason: In the interest of local amenities and highway safety and to ensure the development is in accordance with Policies 10 (Protecting public health, safety and amenity)

Environmental Health

13. The LAeq,1hr (free-field) for noise emissions arising from the normal operation of the site for which this permission is granted, shall not exceed 53dB at the boundary of the nearest residential property.

Reason: In the interests of residential amenity of the occupiers of nearby residential properties.

14. Dust suppression measures shall be carried out in accordance with paragraph 10.21 of the Environmental Statement, document reference GBF00144445/ES-V2.I.

Reason: To protect the amenities of the occupiers of nearby properties.

Landscape

15. Details of all on site structures (barn, office, weighbridge etc.) to include elevations, sections and levels shall be submitted to and approved in writing by the Minerals and Waste Planning Authority prior to work commencing on any of the structures. The structures shall be implemented in accordance with the approved details.

Reason: To ensure satisfactory external appearance and protection of the landscape 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 and Waste Plan (2013).

16. No development shall take place until a landscape management plan has been submitted to and approved in writing by the Minerals and Waste Planning Authority. The landscape management plan shall be carried out as approved and any subsequent variations shall be agreed in writing by the Minerals and Waste Planning Authority.

The scheme shall include the following elements:

- i) Detail extent and type of new planting (NB planting to be of native species of local provenance) particularly to ensure screening of the office, weighbridge and wheel-wash on site;
- ii) Details of maintenance regimes;
- iii) Details of any new habitat created on site; and
- iv) Details of treatment of site boundaries.

The retained buffer zone vegetation shall be highlighted within the final restoration levels in Plan FIN-01

Reason: To ensure the protection of the landscape and wildlife and the habitat which supports it and secure opportunities for the enhancement of the nature conservation value of the site in accordance with National Planning Policy Framework (2018) paragraph 170 and Policy 11 of the Hampshire Minerals and Waste Local Plan (2013). This is a pre-commencement condition as the landscaping of the site is central to ensuring a satisfactory development due to the sensitive landscape location.

Arboriculture

17. All trees to be retained on site shall be protected during the development. The tree protection barriers shall be installed before any construction work commences on site.

Reason: In the interests of biodiversity, landscape character and visual amenity in accordance with Policies 3 (Protection of habitats and species), 10 (Protecting public health, safety and amenity) and 13 (High-quality design of minerals and waste developments) of the Hampshire Minerals and Waste Plan (2013).

18. Any trees or hedging, except where removed for the creation of the new access, which, within a period of five years from the date of planting, die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

Reason: In the interests of visual 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).

Ecology

19. Works shall be carried out in full accordance with the ecological measures set out in sections 4.3 and 4.4 of the updated Ecological Impact Assessment (Enims, October 2018), as superseded and updated in part by the letter dated 6 November 2018 (Integrated Skills), and the Avoiding impacts on Dormice and Reptiles at Monk Sherborne letter dated 30 November (Enims) unless otherwise approved in writing by the planning authority.

Reason: In order to provide sufficient ecological mitigation and enhancement and avoid impacts to protective species in line with Policy 3 (Protection of habitats and species) of the Minerals and Waste Plan.

20. Works shall be carried out in full accordance with the measures set out within the Badger Updating Survey (Enims, June 2017) as amended by any subsequent licence issued by Natural England. The results of the updated

surveys along with the resulting final mitigation strategy shall be submitted to the planning authority prior to the commencement of any works on site.

Reason: In order to secure sufficient protected species mitigation in accordance with Policy 3 (Protection of habitats and species) of the Hampshire Mineral and Waste Plan (2013).

21. Prior to commencement of work in each of the first one of seven phases shown on the Phasing Plan (Drawing no PH5-01. Issue Final dated 8/10/19), the applicant is required to submit, for approval an updated ecological report to the planning authority detailing the results of an updating ecological walkover survey any mitigation works completed, and (based on the walkover survey findings) any amendments or additions to the mitigation measures proposed.

Reason: To ensure the ecological impacts of the development remain assessed and known at each stage of the development works, and any additional or amended mitigation necessary can be applied and in accordance with Policy 3 (Protection of habitats and species) of the Hampshire Mineral and Waste Plan (2013).

Operational Conditions

22. Written notification of the intention to commence development on the site shall be given to the Mineral & Waste Planning Authority 7 days prior to commencement of development.

Reason: In the interests of monitoring and enforcement of the development and to ensure the development is in accordance with Policy 10 (Protecting public health, safety and amenity) of the Hampshire Minerals and Waste Plan (2013).

Operation noise hours of work

23. No heavy goods vehicles (HGVs are vehicles over 3.5 tonnes gross weight) shall enter or leave the site and no plant or machinery shall be operated except between the following hours: 07.30 - 18.00 Monday to Friday and 08.00 - 13.00 Saturday. There shall be no working on Sundays or recognised Public Holidays.

Reason: In the interests of local amenity in accordance with Policies 10 (Protecting public health, safety and amenity) and 12 (Managing traffic) of the Hampshire Minerals & Waste Plan (2013).

Restoration

24. No development shall take place until a detailed restoration scheme has been submitted to and approved in writing by the County Council. The restoration scheme should include but not be limited to the following:

- i) Up to date details of site levels and longitudinal and latitudinal sections through the site, including existing and proposed ground levels (based on Ordnance Datum), to show how the restoration works shall be set into the ground relative to the volumes of extracted sand and imported material required;
- ii) A progressive restoration phasing plan such that no more than 3 phases are open at any one time;
- iii) the thickness and quality of subsoil and topsoil to be used and the method of soil handling and spreading, including the machinery to be used;
- iv) the ripping of any compacted layers of final cover to ensure adequate drainage and aeration, such ripping to take place before placing of topsoil;
- v) measures to be taken to drain the restored land; and
- vi) details of proposed seeding.

Thereafter, the approved Restoration Method Statement shall be implemented in full within the agreed timetable.

Reason: This condition is necessary to conserve and/or enhance the natural features and character of the site and to both offset the impact on wildlife experienced during the working of the mineral and to maximise the opportunity for securing positive benefits for nature conservation once mineral workings cease and to ensure the protection of water quality water resources, conserve and enhance the natural and local environment by minimising impacts on biodiversity and providing net gains in biodiversity and to prevent flood in accordance with paragraphs 163, 170 and 178 of the National Planning Policy Framework (2018) to ensure the protection of water quality and water resources and prevent flood risk and Policy 3 (Protection of habitats and species) of the Hampshire Minerals and Waste Plan (2013).

25. An aftercare scheme requiring that such steps as may be necessary to bring each phase of the land restored to the required standard for use for agriculture shall be submitted for the approval of the Mineral/Waste Planning Authority not later than two years from the date of this permission. The aftercare scheme should allow provision for an annual meeting to discuss the detailed steps necessary on the restored the land.

Reason: To ensure that the land is satisfactorily restored in accordance with Policy 9 (Restoration of minerals and waste developments) of the Hampshire Minerals & Waste Plan (2013).

Plans

26. The development hereby permitted shall be carried out in accordance with the following approved plans: **GBF-MF-LOC-01, Land Ownership and Alternatives, SUR/05 W1, ELE/01 W3, GBF-MF-ELE-02, ACC/01 W1, FIN-01FINAL, HDG-01, SEC/02, GBF/MF/APP/01A, GBF/MF/LAY/02, PHS-**

**2020 W2, 1707-TF-00-00-DR-L-1001Rev05, F.082/1, F.082/2, F.082/3,
F.082/4, F.082/5, SEC/01 FINAL, SEC/02 FINAL**

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

Notes to Applicants

1. 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.
2. In determining this planning application, the Minerals and Waste Planning Authority has worked with the applicant in a positive and proactive manner in accordance with the requirement in the National Planning Policy Framework (2019), as set out in the Town and Country Planning (Development Management Procedure) (England) Order 2015.
3. The proposed access is likely to slope towards the highway and therefore surface water should be adequately contained before it reaches the highway. Additionally, surface water and mud run-off from the site may need to be suitably mitigated.
4. The backfilling of the chalk pit associated with this development will require an environmental permit required under the Environmental Permitting (England and Wales) Regulations 2010, from the Environment Agency, unless an exemption applies. The applicant is advised to contact the Environment Agency on 03708 506 506 for further advice and to discuss the issues likely to be raised. You should be aware that there is no guarantee that a permit will be granted. Additional Environmental Permitting Guidance can be found at: <https://www.gov.uk/environmental-permit-check-if-you-need-one>.