

**HAMPSHIRE COUNTY COUNCIL****Decision Report**

<b>Decision Maker:</b>	Regulatory Committee
<b>Date:</b>	24 November 2010
<b>Title:</b>	Western Extension to Eversley Quarry with Progressive Restoration to Heathland, Mire and Commercial Forestry, Extraction of Mineral Beneath Bridleway No. 11 Within Eversley Quarry (Phase 5); Variation of condition 1 for consent no. 98/00134/CMA for the retention of mineral processing plant, silt lagoons and mineral stockpiles; Variation of condition 1 for consent no 04/00717/CMA for the retention of ready mixed concrete plant at Eversley Quarry, Coopers Hill, Eversley Common, Eversley, Hampshire RG27 0QA (Application Nos: 10/1971/CMA, 10/02021/CMA, 10/01974/CMA and 10/01977/CMA) (Site Ref: HR040)
<b>Reference:</b>	2327
<b>Report From:</b>	Head of Planning and Development

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## 1. Executive Summary

1.1. The proposal to extract mineral from the area known as 'Busta triangle' and also from the Welsh Drive within the existing Eversley Quarry site. In addition it is proposed to retain the existing processing plant and ancillary concrete operation.

1.2. This proposal is submitted as four separate planning applications and are as follows:

(a) Application 10/01971/CMA  
 Site Reference:HR040  
 Location: Eversley Quarry, Coopers Hill, Eversley Common, Eversley, Hampshire RG27 0QA  
 Proposal: Western Extension to Eversley Quarry with progressive restoration to heathland, mire and commercial forestry';

(b) Application no.10/02021/CMA  
 Site Reference: HR040  
 Location: Eversley Quarry, Coopers Hill, Eversley Common,

Eversley, Hampshire RG27 0QA  
Proposal: Extraction of Mineral Beneath Bridleway No. 11 Within  
Eversley Quarry (Phase 5);

- (c) Application no 10/01974/CMA  
Site Reference: HR040  
Location: Eversley Quarry, Coopers Hill, Eversley Common,  
Eversley, Hampshire RG27 0QA  
Proposal: Variation of condition 1 for consent no. 98/00134/CMA for  
the retention of mineral processing plant, silt lagoons and mineral  
stockpiles;
  - (d) Application no 10/01977/CMA  
Site Reference: HR040  
Location: Eversley Quarry, Coopers Hill, Eversley Common,  
Eversley, Hampshire RG27 0QA  
Proposal: Variation of condition 1 for consent no 04/00717/CMA for  
the retention of ready mixed concrete plant.
- 1.3. The main issues of this proposal are the need for sand and gravel, the impacts on landscape and the bridleway, surface water management as result of the extraction, the potential impact on the amenity of the neighbouring resident, highway safety and nature conservation as the site is within the Thames Basin Heath Special Protection Area (SPA) and Site of Special Scientific Interest (SSSI).
- 1.4. In respect of nature conservation a section 106 legal agreement is proposed to secure conservation management of heathland and mire habitat for a period of 25 years following aftercare, attached to application 10/01971/CMA and with reference to 10/02021/CMA, 10/01974/CMA and 10/01977/CMA.
- 1.5. It is considered that the proposal would be in accordance with the development plan (summary attached) as it provides a contribution towards a mineral supply as required by Minerals Policy Statement (MPS) 1: Planning and Minerals (2006) and Hampshire Minerals and Waste Core Strategy (HMWCS) Development Planning Document (DPD) 2007: Policy S8 - Sand and Gravel and DC15 - Sand and Gravel. The proposal involves a small-scale extension to an active sand and gravel extraction site and contributes towards the local supply of aggregate of North East Hampshire and helps maintain a landbank of at least seven years of planning permissions.
- 1.6. The short term visual and environmental impacts are acceptable under HMWCS Policies DC3 - Impact on Landscape and Townscape and DC10 - Water Resources and Policies; RUR 2 and 3 - Policies for Development in the Countryside from Hart District Local Plan (Replacement) adopted 23 December 2002 as the proposal uses existing infrastructure as recommended under Policy S17 - Co-location, Systems and Infrastructure

and DC22 - Additional Plant, Buildings and Minor Development of the HMWCS.

- 1.7. The amenity of the local residents and users of bridleway No. 11 and footpath No. 27 will be protected as advised by the MPS 2: Controlling and Mitigating the Environmental Effects of Mineral Extraction in England (2005) and Policies DC4 - Historic Heritage and DC8 - Pollution, Health, Quality of Life and Amenity of the HMWCS.
- 1.8. The proposal would be acceptable in terms of highway safety and convenience in accordance with HMWCS Policy DC6 - Highways.
- 1.9. The sensitivity of Thames Basin Heath SPA, SSSI and SINCS has been taken into account in accordance with Planning Policy Statement 9: Biodiversity and Geological Conservation (2005); Key principles and sites of biodiversity and geological conservation value. The long term benefits of the restoration offer biodiversity enhancements and accord with HMWCS Policy DC2 - Sites with International and National Designations, Policy DC7 - Biodiversity and DC12 - Restoration and Aftercare (a, c and e).

## **2. Planning History**

- 2.1. A previous application for mineral extraction at Busta Triangle (Application number 06/01130/CMA) and an application for the retention of the associated processing plant and concrete operations (06/01839/CMA) were refused at the Regulatory Committee meeting on 8 December 2006. This was refused because "the development is contrary to Policy and MW2 of the Hampshire County Structure Plan 1996 - 2011 (Review) and Policies 19 and 20 of the Hampshire, Portsmouth and Southampton Minerals and Waste Local Plan 1998 in that it would involve extraction in an area of land not identified as a Preferred Area in the Plan and it has not been demonstrated to the satisfaction of the Mineral Planning Authority that the site could be worked in a way that would be equally acceptable to working within a Preferred Area due to adverse landscape and amenity impacts."
- 2.2. The decision was subsequently appealed by the applicant on the grounds that "there is no policy conflict and that no material harm will result from the proposal to extract approximately 420,000 tonnes of sand and gravel with the site reinstated to a beneficial after use having full regard to the ecological status of the site and its environs". This appeal was dismissed by the Secretary of State on 14 January 2008. In the appeal decision the above development plan was no longer the relevant policy as none of the policies were saved except policy 19 (preferred areas for sand and gravel extraction). The Inspector considered the replacement policies from the Hampshire Minerals and Waste Core Strategy (HMWCS), which included landscape and amenity. The Inspector disagreed with the Council's interpretation of these issues and considered that 'in the light of a need to continue to identify sites for land and gravel extraction, the amenity and landscape objections raised by the County Council are not of such significance and weight as to warrant refusal of a suitably conditioned

planning permission. In regard to the principle of mineral extraction he stated that 'I do not consider that the proposals for mineral extraction, in themselves, would give rise to significant adverse effects'. Notwithstanding the dismissal of the amenity and landscape objection, the overall conclusion of the inspector was that "the Busta Triangle proposals brought before me have not had sufficient regard to the status of the site as a SSSI and more particularly as a part of the Thames Basin Heaths SPA. While in this case SPA status is not necessarily a bar to mineral extraction, the significance of the site for nature conservation has not been addressed appropriately in relation to proposals for restoration and after use".

- 2.3. The applicant is currently challenging the decision of the Planning Inspector by Judicial Review. This is due to be heard in on 11 February 2011 and it is contended by the applicant that the decision to dismiss the appeal was unlawful. This is between the applicant and the Secretary of State, Hampshire County Council are only an interested party.
- 2.4. The Busta Triangle site was promoted as a mineral extraction site during the Hampshire, Portsmouth and Southampton Minerals and Waste Local Plan Inquiry in the mid-1990s. The County Council had omitted the site as part of the Bramshill 'preferred area' because the margins and screening would reduce the working area so significantly that the site yield would not justify the disturbance that would be caused by the mineral extraction. However, the Inspector concluded that screening of the Busta Triangle was not insurmountable and that appropriate protection measures could safeguard the amenity of local residents and the users of the Rights of Way. The Inspector accordingly recommended the site be included as part of the preferred area. Notwithstanding the advice the County Council still omitted it from the Plan.

### **3 Site and proposal**

- 3.1. The site, as shown on the attached plan, as a whole comprises approximately 26 hectares and is an area of forestry situated between Warren Heath Bramshill Quarry to the west and Blackbushe Airport to the east. The active Eversley Quarry is accessed from Coopers Hill Road and has had various permissions for mineral extraction. Extraction at the site is coming to an end and it is in part restored with heathland and forestry.
- 3.2. The nearest dwelling is Hill House, the house itself is approximately 60 metres from the application site, the Oaks is approximately 200 metres to the north east of the site and Hawkers Lodge approximately 140 metres to the south.
- 3.3. The site is within the Thames Basin Heath SPA and Castle Bottom to Hawley and Yateley Common SSSI and is located due west of the Castle Bottom National Nature Reserve.

- 3.4. The Busta application (site a) comprises 14.9 hectares of relatively flat predominantly commercial pine woodland, interspersed on its boundaries with some broad-leafed trees and regenerating heathland. The site is shaped like an inverted triangle and is bordered to the west by the A327, beyond which lies the entrance to Warren Heath Bramshill Quarry. The eastern boundary is the B3016 Coopers Hill Road. Both the A327 and the B3016 converge at the southern point of the Busta Triangle site with the A30.
- 3.5. A public footpath (No. 27) and a strip of deciduous woodland run east-west just beyond the northern site boundary. The Welsh Drive bridleway No. 11, runs east-west through the centre of the Busta site, across Coopers Hill Road then runs through Eversley Quarry. The land either side of the bridleway in the Quarry has been excavated and restored to a lower level, so this section of the bridleway is a raised embankment. The proposal is to extract the mineral from beneath this section of bridleway (site b), an area of 1.05 hectares.
- 3.6. A mineral processing plant, silt lagoons and mineral stockpiles (site c) and a ready mixed concrete plant (site d) are still in operation within the quarry and cover an area of approximately 9.4 hectares, the proposals are to retain these for the duration of the additional mineral extraction.
- 3.7. The area is within a ground water vulnerability zone and lies on a minor/secondary aquifer.

#### **4. Detailed Proposals**

- 4.1. The principle application is to recover mineral from Busta triangle (site a). It is proposed to extract 435,000 tonnes of sand and gravel over a three year period. Reptile translocation, clear felling of timber and soil stripping will occur prior to extraction works commencing. A low mound will be constructed to the south of footpath No. 27 to act as a visual and acoustic barrier and a temporary permissive right of way would be provided along the western margin of Busta Triangle to link pathways Nos. 11 and 27. Supplementary planting will be provided around the perimeter of the site to provide further screening into the site and mitigate the impact of the bunds.
- 4.2. Articulated dump truck vehicles will transport this mineral across Coopers Hill Road to Eversley Quarry to be processed at the plant site (site c). This will be carried out in five week campaigns, excavating an appropriate volume of mineral in a single operation by use of hydraulic excavators, up to three times a year. Around 120 lorry movements a day would take place at these times. The lorry traffic from Eversley Quarry would also remain at current levels which are approximately 112 heavy vehicle movements per day:
  - (i) 60 movements or 30 loads of aggregate;
  - (ii) 50 movements or 25 loads of ready mixed concrete; and

- (iii) 2 movements or 1 delivery of cement/PFA.
- 4.3. All lorries accessing the site would continue to turn left out of the site towards the A327. A signpost is erected on site to this effect.
- 4.4. The geology of the Busta Triangle and main Eversley Quarry are essentially the same and the restored substrate will consist of identical peaty soils in both areas. The water resources will be managed and protected during extraction by utilising the system in the existing quarry. A proportion of surface water will soakaway within the Busta Triangle, however during periods of excessive rainfall the culvert identified on the submitted plans would drain water through a limited diameter pipe eastwards towards the "mire" system. Any water accumulated as a result of the mineral workings will be pumped into the Eversley Quarry surface water management system, which is controlled by consents from the Environment Agency. The restoration of the whole proposal would offer improved long term surface water management due to new wetland and a modified mire system, which would both attenuate and filter flows. This would delay the flow rate of the surface water run-off into the adjacent Castle Bottom SSSI/National Nature Reserve, to ecological benefit.

The water supply pipe to Hill House follows footpath No. 27 along the northern periphery of the site which will be retained in-situ and an appropriate stand off provided. Accordingly there will be no impact on the supply pipe.

- 4.5. Within the Busta Triangle site, Phase 1 and 2 would be worked and fully restored within an 18 month period, the mineral underlying bridleway No. 11 would be removed and the right of way reinstated within less than a month. The working will progressively be restored using on-site overburden.
- 4.6. It is also proposed to lower the profile of the bridleway No. 11 (site b) by 3-4 metres and recover up to 35,000 tonnes of sand and gravel. This operation and reinstatement will be within a three month period. An alternative temporary route for the bridleway during this period would be provided.
- 4.7. It is proposed that mineral extraction would take place at Busta Triangle and bridleway No. 11 between 0730-1800 hours Monday-Friday and 0730-1300 hours on Saturday, with no working on Sundays or Bank Holidays. The hours would also apply to the existing Eversley Quarry processing plant and concrete plant. However, working within 200 metres of Hill House (Busta Triangle Phases 1 and 2) would be restricted to ensure that no activity takes place before 0800 hours on any day. In addition, there would be a standoff area of 120 metres from Hill House, where the woodland would be retained.

- 4.8. The applicant states most of the mineral extraction will not be visible from outside the proposal area as the Busta Triangle site has dense vegetation screening around the boundaries and this will be enhanced prior to works commencing by way of additional planting. Phases 1 and 2 in the north would benefit from the southern area of forestry maintaining a screen and bunds to the east and west would be erected prior to work commencing. The north views to the site are from a private property and footpath No. 27. These views would be protected by a 1.5 metre bund to the south of the footpath and the retention of the trees to the north east corner. Then, once the trees to the south west of Hill House were felled, a three metre high bund will be erected beyond the stand-off area and the remaining extraction would be completed within 18 months near to Hill House, leaving the site ready to be restored. The sand and gravel to be won from under the bridleway in the Eversley Quarry would be where limited views of the site are possible, any adverse visual would only be temporary.
- 4.9. Regarding Bridleway No.11, a temporary permissive route would be provided around the western, northern and north-eastern periphery during Phases 1 and 2 of extraction in the Busta Triangle site. Although throughout this period the Welsh Drive right of way would also remain open and available for use. Once the mineral is recovered from beneath the bridleway, estimated to take three weeks, the Permissive Right of Way (PROW) would be closed. In addition, a temporary PROW would be provided along the western margin of Phase 2, adjacent to the A327, to provide a link between bridleway No. 11 and footpath No. 27. Within Eversley Quarry Bridleway No. 11 is currently on a raised embankment, due to the extraction works either side, and appears an alien and engineered corridor feature in the landscape.
- 4.10. Dust suppression measures are proposed under a Dust Action Plan. These include:
- (i) water bowsers to spray operations during dry weather conditions to suppress dust arising from internal haul roads;
  - (ii) all earthmoving equipment will be fitted with upward facing exhaust systems;
  - (iii) any vehicles leaving the site laden with processed mineral will be sheeted to restrict any potential dust emissions on the highway; and
  - (iv) special precautions will be taken whilst working within 300 metres of Hill House and Hawkers Lodge.
- 4.11. In addition, directional dust monitoring stations would be established at Hill House.
- 4.12. The minerals processing, stockpiles, lagoons, concrete operations and access at Eversley Quarry are required to be removed upon the completion of the previously permitted extraction. The proposals include retaining

these operations to process minerals from Busta Triangle and under the bridleway.

- 4.13. Upon completion of the extraction from Busta triangle and the bridleway, all of the stockpiles, lagoons and plant will be removed and the site will be restored and managed in accordance with a 25 year Conservation Management Plan that includes other land within the applicant's control (see drawing E13/PL10/01 and E13/PL10/04).
- 4.14. Busta Triangle would be restored to rotational coniferous woodland plantation with wet heathland habitat and wide heathland rides. The minerals processing, stockpiles, lagoons, concrete operations and access at Eversley Quarry are to be returned to rotational coniferous woodland plantation, dry heathland, mire and wet heathland habitat and wide heathland rides. The bridleway No. 11 would be reinstated at the lower level.
- 4.15. The Busta triangle part of the development site does not currently support Annex I birds, and its heathland habitat is in poor condition. The Eversley Quarry parts of the development site are currently regarded as unfavourable, due to existing development.
- 4.16. This applicant states this proposal would offer ecological improvements to the current scheme. The flow rate of the drain that is currently permitted to flow into the mire system on the NNR will be decreased, with subsequent improvements to the NNR. The improved drainage mire system, will increase good quality connectivity between the existing restored areas within the wider Eversley site and through to the Busta Triangle part of the development site, as well as developing an overall increased area and diversity of heathland habitats.
- 4.17. The improved wider rides, managed in the long term, within Busta Triangle ensure that the connectivity continues through to the Bramshill SSSI to the west of the development site, as well as providing a better source of seed for any developing open heath during forestry rotations. This reflects the measures that are put in place across the SPA within the control of the Forestry Commission, to ensure these corridors are not linear and are sufficiently wide and well maintained to offer suitable bird habitat. Experience has shown that Annex 1 birds are resilient to disturbance on corridors of this nature within a wooded landscape. The Welsh Drive is lightly used by walkers and riders and so minimal disturbance is anticipated.
- 4.18. The area available for heathland restoration would be increased (with Phase C being converted to heathland not forestry) creating a large block directly adjacent to the existing open heathland on the NNR. Concentrating the heathland creation to the east of the development site is also beneficial due to lower levels of disturbance from traffic noise and would act as a buffer to protect and enhance the existing heathland NNR of Castle

Bottom. It would also increase the connectivity with the wider landscape of Eversley Common and will create a cohesive and sustainable heathland block. The establishment of open heathland at Busta Triangle would produce a sub-optimal habitat for Annex 1 species, due to its small size, separation by busy roads, isolation from other areas of heathland and increased potential for disturbance. The mechanism for the improvements and mitigation of impacts on the SPA is long term management via a legal agreement as it ensures a high level of certainty for the biodiversity enhancements, and will continue the trend of the SSSI condition towards favourable status.

- 4.19. In summary the main benefits of the proposal when compared to the existing situation at Eversley Quarry and the previous Busta Triangle application are given by the applicant as:
- (i) the establishment of a Conservation Management Plan, which partially replaces the existing heathland management plan. This offers a greater degree of certainty over establishment techniques required to achieve the desired heathland and associated bog and mire habitats. This Conservation Management Plan will extend for a 25 year period after the statutory five year aftercare for the Conservation area (Figure 1 of s106 legal agreement);
  - (ii) modifications to the previously approved restoration plan for Eversley Quarry under the Conservation Management Plan will provide greater connectivity between habitats and improved areas of rotational and open heathland habitat;
  - (iii) the modified mire system will introduce a sustainable water management control mechanism to provide a long term benefit to the adjacent Castle Bottom SSSI/National Nature Reserve as it will delay the flow rate of the surface water run-off;
  - (iv) there would be a greater stand-off area from the nearest house (Hill House) to the mineral extraction area and a greater limitation of working hours whilst working in the vicinity of the house to protect the amenity of the residents; and
  - (v) this proposal (excluding the Elvetham Estate land) includes 16.55 hectares of heathland habitat made up of 12.55 hectares of heathland and 4 hectares of wide rides with heathland margins. The "heathland" within the revised scheme includes approximately 3.7ha of wet heath and mire. This is a net gain of 9.85 hectares of habitat to be conserved for SPA nature objectives.

## Environmental Impact Assessment (EIA)

4.20. The proposal is an EIA Development under the Environmental Impact Assessment Regulations 1999 and an environmental statement has been submitted. This concludes:

- (i) ecology – whilst there is a minor impact to existing flora and fauna, the revised scheme of working and restoration would not adversely affect the coherence of the SPA's ecological structure and function of the habitats or populations. The proposed operational phases will have no significant adverse effect and the restoration proposals could benefit local wildlife and the objectives of the SPA or SSSIs in the medium to long term with more suitable and managed habitat. It has concluded that the integrity of the European site will not be adversely affected;
- (ii) landscape and visual amenity – the working and restoration schemes follow a number of landscape design objectives to minimise any short term impacts schemes and improve the areas in the long term. The impacts of the working phases are short lived and temporary in nature and would have a negligible impact on the landscape character of surrounding areas;
- (iii) noise - the continued extraction of sand and gravel can be carried out at noise levels below the criteria identified in the current MPS 2 (MPS2 - 'Controlling and mitigating the Environmental Effects of Mineral Extraction in England') and in line with current good practice guidance;
- (iv) traffic - there would be no road safety or highway capacity issues associated with the scheme on Coopers Hill or the adjacent highway network. A road crossing to transport material to Eversley Quarry has been approved in principle by the Highway Authority;
- (v) dust - implementation dust suppression measures in line with good practice guidance and agreed with Environmental Heath will ensure that operations will not cause unacceptable impacts due to airborne dust emissions at any property close to the site;
- (vi) hydrology and hydrogeology - with appropriate mitigation there will be no negative impacts on water resources within or adjacent to the proposed extraction areas;
- (vii) archaeology - the site is located within an area of potential local archaeological interest. The most effective proposal concluded that a 'Strip, Map and Sample' investigation should be undertaken during any overburden/soil moving operations and to deal with any identified archaeology appropriately at that time; and

- (viii) alternative site and methods of working - the Busta Triangle Reserve is the only feasible reserve in close proximity to the existing Eversley Quarry remaining to be worked as a logical extension using the existing infrastructure. The working method has been chosen to minimise potential disturbance to Hill House and the rate of mineral extraction has been selected to allow appropriate phasing of ecological works, mineral extraction and restoration, thereby minimising potential amenity environmental impacts.

### **Habitat Regulations**

- 4.21. As the sites are within the Thames Basin Heaths SPA, Regulation 61 (1) of the Conservation of Habitat and Species Regulations 2010 requires that the Competent Authority (in this case the County Council), prior to consenting permission for a project (Regulation 68 (1)) will carry out appropriate assessment of the implications for any European designated sites in view of those sites Conservation Objectives. Annex I of the EU Birds directive (under which the SPA is designated) lists the birds that are of international conservation concern (the key species in this area are woodlark, Dartford warbler and nightjar) and the principle conservation objectives of the SPA are to maintain and enhance habitats that support Annex I birds.
- 4.22. Having considered that the plan or project would be likely to have a significant effect on the Thames Basin Heaths Special Area of Conservation and that the plan or project was not directly connected with or necessary to the management of the site, an appropriate assessment has been undertaken of the implications of the proposal in view of the site's conservation objectives. Hampshire County Council has carried out a stage one Habitat Regulations Assessment of the proposal and has concluded that the proposal, alone or in combination with other plans or projects, will not have a significant effect on the integrity of the Thames Basin Heaths Special Protection Area.

### **Policy context**

- 4.23. The Busta Triangle site and Eversley Quarry is considered to lie within the North East Hampshire sub areas in the context of the Hampshire Minerals and Waste Core Strategy (2007) (HMWCS). The HMWCS sets out a spatial vision for future minerals and waste planning in Hampshire and includes policies to guide minerals development in Hampshire. Policy S8 (Sand and Gravel) states that "The Mineral Planning Authorities will endeavour to maintain a landbank of at least seven years of planning permissions for the extraction of sand and gravel. In the event that the South East Plan apportionment for Hampshire is modified the sand and gravel production and local apportionment will be adjusted accordingly." This policy is key when discussing prematurity and the landbank reserve, as the requirement is for the Mineral Planning Authority to maintain a

minimum of seven years mineral reserves and does not rely on the adoption of a further Mineral site allocation plan. As Policy DC15 of the adopted HMWCS states that sand and gravel extraction would be permitted if Hampshire's landbank indicates there is a need for sand and gravel which cannot reasonably be met from identified sites and locations and it can be shown that working such land would be equally acceptable to working within an identified site or location. Hampshire's estimated permitted reserves are 13,493,384 tonnes (calculated 5 October 2010). Based on this, Hampshire's current landbank (based on a 2.63 million tonnes per annum apportionment in the South East Plan) is below the landbank minimum at 5.13 years. However in the light of the Governments intention to revoke regional spatial strategies and consequently the abolition of regional targets, the South East Plan will have less weight and the County Council will in future be able to make a local decision on its provision of land won aggregates.

- 4.24. In the explanatory text of Policy DC15 (Sand and Gravel) paragraph 26.52 states "it is anticipated that, with the exception of small-scale extensions or proposals linked to other planned development, sand and gravel extraction will not take place outside areas identified in the Hampshire Minerals Plan." This allows for the interpretation of the Busta Triangle as an extension of the permitted Eversley Quarry site, as it is linked by way of locality and the proposed use of the processing plant and concrete operation.
- 4.25. Notwithstanding this interpretation, the policy goes on to explain that "other proposals, within the Mineral Resource Area shown on the Key Diagram, will be examined in terms of the Development Control and other policies in the Strategy." This also allows for windfall sites to be determined against policy and material considerations and can be applied to this Busta Triangle proposal.
- 4.26. A draft Minerals Plan (HMP) was approved by the County Council in July 2008. This included Eversley Quarry as a site where sand and gravel extraction would be supported (area 1 of policy M1). It is intended that the draft HMP will be withdrawn by the County Council (to be considered by full Council on 25 November 2010) to support the further development of the Hampshire Minerals and Waste Plan (HMWP). The evidence base prepared for the draft HMP, in particular with regards to site selection, will be carried forward and updated as appropriate to support the development of the HMWP and any areas/strategic sites which might be identified within the new DPD.
- 4.27. It is the County Council's intention to develop a new DPD (HMWP) which will review and update the adopted HMWCS, replacing it within the HMWDF once adopted. This will include new policies on sand and gravel extraction and development. It is intended that the new DPD will include strategic areas or sites for minerals development, replacing the need for a separate site DPD. The development of the new DPD is subject to Members approval, with this issue being considered by Members at

Cabinet and full Council meetings scheduled for October and November 2010.

**5. Development plan and other policy**

5.1. The following policies are relevant:

- (i) MPS 1: Planning and Minerals (13 November 2006);
  - (a) 14 - Protection of Heritage and Countryside;
  - (b) 15 – Supply;
  - (c) 17 - Environmental Protection; and
  - (d) 19 – Restoration.
- (ii) MPS 2: Controlling and Mitigating the Environmental Effects of Mineral Extraction in England (23 March 2005);
  - (a) 8 - Environmental Impact Assessment;
  - (b) 17 - Consideration of Applications;
  - (c) 19 - Planning Conditions;
  - (d) 24 - Proximity of Mineral Workings to Communities;
- (iii) Planning Policy Statement 9: Biodiversity and Geological Conservation (16 August 2005); Key principles and sites of biodiversity and geological conservation value;
- (iv) Hampshire Minerals and Waste Core Strategy( 2007);
  - (a) S8 - Sand and Gravel
  - (b) S17 - Co-location, Systems and Infrastructure;
  - (c) DC2 - Sites with International and National Designations;
  - (d) DC3 - Impact on Landscape and Townscape;
  - (e) DC4 - Historic Heritage;
  - (f) DC6 – Highways;
  - (g) DC7 – Biodiversity;
  - (h) DC8 - Pollution, health, quality of life and amenity;
  - (i) DC10 - Water Resources;

- (j) DC12 - Restoration and Aftercare (a, c and e);
- (k) DC15 - Sand and Gravel;
- (l) DC22 - Additional Plant, Buildings and Minor Development.
- (v) Hart District Local Plan (Replacement) adopted 23 December 2002;
  - (a) RUR 2 and 3 - Policies for Development in the Countryside.

## 6 Consultations

- 6.1. **Councillor Simpson** “notes this has been turned down before but needs to see the report in committee before making a final decision on whether this one overcomes the previous objections of the committee.”
- 6.2. **Environment Agency** has no objections to the proposal as submitted.
- 6.3. **Natural England** raises no objection, but would like to see more open heathland restoration for Annex 1 birds and BAP priority objectives. Queries the SPA benefits of rotational coniferous plantation forestry as part of the Forest Design Plan restoration strategy and seeks clarification on impacts of the screening bunds and potential nitrogen deposition from traffic.
- 6.4. **Hart District Council** has no objection.
- 6.5. **Environmental Health Officer Hart District Council** has no objection.
- 6.6. **Highway Authority** has no objection subject to four highway safety conditions.
- 6.7. **Rights of Way Manager** has no objection subject to a formal temporary closure of Eversley Bridleway No. 11 throughout the period of the mineral extraction and preparatory works to be carried out. As a condition we would wish to see suitable plans submitted showing the proposed alternative route along with details of the warning and information signs that the applicant will be providing on site.
- 6.8. **The Forestry Commission** as the land owner, supports the application as both the minerals and forestry industries are of strategic importance for the national economy and deliver wider social, economic and biodiversity benefits. The proposal provides sustainable forest management and enables the Forestry Commission to deliver robust and improving numbers of Annex 1 birds within the Thames Basin SPA..
- 6.9. **Defence Estates Safeguarding** - has no objection subject to the water management plans not being attractive to birds which are considered to be hazardous to aircraft (birdstrike).

- 6.10. **TAG Aviation UK Limited - Farnborough Airport** has been informed but has not responded.
- 6.11. **Eversley Parish Council** objects as the proposal (10/01971/CMA) is premature and “in order to maintain phasing of supply through the Hampshire Minerals Plan this site should not be contemplated.”
- 6.12. **Hartley Wintney Parish Council** has no objection, but “would ask that whilst works are carried out along the bridleway, a suitable alternative route is made available for horse riders.”
- 6.13. **Yateley Town Council** has been informed but not responded.
- 6.14. **Blackbushe Airport** has been informed but not responded.
- 6.15. **The British Horse Society** has objected on the following reasons:
- (i) no width shown for definitive route, mitigation works or bunding. No traffic control for ‘at grade’ crossing;
  - (ii) dangers for equestrian and disabled users;
  - (iii) expect Highways Authority to make similar objections;
  - (iv) reduction in the surface level of the bridleway with seasonal wetland either side will result in problems for the bridleway and stability of land, with costs to Hampshire County Council;
  - (v) ancient historical route, work of this nature will detract from the ambiance and historic legacy of Welsh Drive;
  - (vi) do not agree with ‘extension’ interpretation because it is not connected physically and not defined as existing site in Plan;
  - (vii) what is revised timetable for restoration of Welsh Drive that is subject to a temporary/permissive diversion at the moment?

## **7. Representations**

- 7.1. As at 2 November 2010, there have been two letters of objection from local residents.
- 7.2. The Oaks object on the grounds of prematurity, damage to the purpose of the SPA, dust and traffic.
- 7.3. Hill House has written in primarily to object on the grounds of adverse impact to the amenity of their property. The procedural elements of the application and Environment Impact Assessment requirements have been questioned and the restoration and enhancement schemes criticised.

## **8. Site Visit**

- 8.1. Twelve Members of the Committee, Councillors Allgood, Beagley, Broadhurst, Carter, Cooper, Gurden, Hockley, Joy, Pearce, Price and West, with Councillor McIntosh in the Chair, undertook a site visit to Eversley Quarry on 11 October 2010.
- 8.2. Members noted the locations of four separate applications, which consisted of Busta triangle, the bridleway (Welsh Drive), the processing plant and, concrete batching area. These all related to the extraction and processing of the final 500,000 tonnes of sand and gravel available to the mineral operator at the Quarry. Restoration would be to forestry with nature conservation features.
- 8.3. Members viewed all areas relating to the applications, including an additional proposed entrance to the site whilst extraction took place. This consisted of a short dump truck path across Cooper Hill linking two parts of the Quarry together. The extraction would only take place in four to five week blocks three or four times a year.
- 8.4. Members were also able to witness the retained trees and the areas in which the extraction would take place, along with distances to the nearby house. It was confirmed that Footpath no. 27 that ran along past the house would remain. Members were shown the areas of trees that would be kept to buffer the site from the house. A bund and additional planting would provide additional screening whilst the works took place
- 8.5. It was confirmed that timber removed during the process would be sold, for timber products, animal bedding material and possibly biomass. Some linked areas of woodland would remain to help preserve the habitats of birds and insects.

## **9. Commentary**

- 9.1. Eversley Parish and a local resident have objected on the grounds that the application is premature as the Hampshire Minerals Plan has not been adopted and there are other potential mineral sites available that have been identified as preferred sites. Defining, maintaining and securing mineral supplies with regard to the environment and amenity are requirements of MPS 1: Planning and Minerals (13 November 2006) and MPS 2: Controlling and Mitigating the Environmental Effects of Mineral Extraction in England (23 March 2005). However, as explained earlier in the document, the most relevant policy document is the Hampshire Mineral and Waste Core Strategy (HMWCS). This does not prescribe sites but predicts mineral demand and makes allowances for sites that are not identified as preferred areas (as saved from the Hampshire Minerals and Waste Local Plan 1998). The apportionment of mineral supply for the Hampshire area could change, but currently the total permitted reserves fall under the seven year landbank desired.

- 9.2. In light of this, it is considered that the proposal would provide a contribution towards the sand and gravel supply of the North Hampshire area, as listed in Policy S8 of the HMWCS, as it is an area within the Mineral Resource Area. The landbank is a minimum figure of desired supply and so any new site should be considered against the supply and development control policies of the HMWCS. It is also an acceptable site for mineral supply as defined in policy DC15, as it meets all the requirements set out for proposals that involve a small-scale extension to an active sand and gravel extraction site (Eversley Quarry), as there are currently no identified sites and locations that could add to the landbank. Taking into account these circumstances, the proposal is not considered to be premature.
- 9.3. The HMWCS also offers support for the extension of permitted extraction as the proposal seeks to use existing infrastructure (processing plant and concrete operation) as recommended under policy S17 - Co-location, Systems and Infrastructure and DC22 - Additional Plant, Buildings and Minor Development of the HMWCS.
- 9.4. The procedural elements of the application have been questioned, with particular reference to the biodiversity enhancement works and water management system. These works were not included in the red line development area of the Busta Triangle planning application, but can be accommodated under the planning regulations (under S.72 on land the applicant "control" if the MPA consider they are expedient of the purposes of or in connection with the development specified by the planning permission), as they fall under the application red line of associated planning application 10/01974/CMA, as well as the blue line (areas within applicant's control) and all four applications being considered under one Environmental Impact Assessment. In addition, all the restoration and water enhancement areas are identified in the proposed section 106 legal agreement, which would secure 25 years management after the statutory five year after care period.
- 9.5. The earlier planning application at Busta Triangle (06/01130/CMA) was refused on adverse landscape and amenity impacts, however the inspector in his appeal decision stated 'the amenity and landscape objections raised by the County Council are not of such significance and weight as to warrant refusal of a suitably conditioned planning permission'. Notwithstanding the Inspectors comments the applicant the phasing and working has also been amended to retain additional woodland and reduce the amenity impact.
- 9.6. The Busta Triangle site following restoration would be mainly returned to forestry. Eversley Quarry is being restored to forestry and heathland and as such there would be no adverse long term landscape impact following restoration of the site (DC3 - Impact on Landscape and Townscape and RUR 2 and 3- Policies for Development in the Countryside from Hart District Local Plan (Replacement) adopted 23rd December 2002).

- 9.7. It is noted that the site lies within a ground water vulnerability zone and lies on a minor/secondary aquifer, however, no objection has been received on this issue. Overall, the proposals include measures to manage and protect water resources as required in policy DC10 - Water Resources.
- 9.8. Concern was raised by the Defence Estates Safeguarding over potential for birdstrike, however, this is not considered to be the case with this proposal.
- 9.9. The British Horse Society has raised several objections, centred on the development on the bridleway No. 11 (b). Whilst these concerns are noted, the Rights of Way Manager has no objection to the proposal, subject to a formal temporary closure of Eversley Bridleway No. 11 throughout the period of the mineral extraction and appropriate preparatory works to be carried out. This can be secured by a condition to have details of proposed alternative route, along with details of the warning and information signs that the applicant will be providing. Bridleway No.11 in Eversley Quarry (site b) would only be closed for approximately 12 weeks. During this time the alternative route to the north of the site can be used as an alternative.
- 9.10. In light of the above provisions, and the visual barrier to be placed for footpath No. 27, it is not considered that the proposal would cause an adverse impact to the users of these rights of ways. There will be no loss of enjoyment of the ancient route (DC4- Historic Heritage) either, as the bridleway will be reinstated, but just to a lower level contemporary with the surrounding landform.
- 9.11. The potential amenity impact for neighbouring residents has been raised as an objection The proposal to limit operations within 200 metres of Hill House until 8:00 am was based on advice from the acoustic consultant as a means to reduce potential impact upon the residents of Hill House, although noise emission levels within that zone are still within MPS 2 criteria levels prior to that time of day. The proposal also retains a section of forestry at the boundary of Hill House and a stand-off area of 120 metres to afford visual and acoustic mitigation. The working hours and noise levels can be conditioned to protect the amenity of residents and right of way users. The method of working also takes into account potential noise impact upon Hill House and users of footpath No. 27, as it is attenuated initially by acoustic screening mounds when working in close proximity to the house or footpath and subsequently noise is attenuated by distance. A temporary soil mound will be placed to the south of bridleway No. 11 along the northern extremity of Phase 3 to offer acoustic screening. This is to effectively replace the mounds further to the north which will be used in the reinstatement of Phases 1 and 2.
- 9.12. The relevance of background noise levels has been questioned, but paragraph 3.2 of the Noise Assessment (Annex 3) of the ES which confirms that additional sample monitoring was carried out in July 2010 and “this indicated that background noise levels have not reduced in the area”. Each of the properties referred to as monitoring locations are readily

identifiable. MPS 2 advises that the existing noise climate around the site of proposed operations be assessed including background noise levels at nearby properties. The acoustic an assessment of the general noise climate and obtained representative levels at the closest houses. Therefore, it is accepted that the assessment is robust and in accordance with MPS 2 guidance.

- 9.13. With regard to the noise prediction at Hawkers Lodge, the noise assessment does allow for a temporary bund which would be placed within the southern section of the mineral working area. Even if the barrier and attenuation were to be ignored, the levels are still 9dBA below the MPS 2 criteria levels. Together with high existing LAeq levels experienced by Hawkers Lodge due to existing traffic noise, the operations, even within the southernmost sector of Phase 4, would not adversely affect the property.
- 9.14. Dust has also been raised as a concern, but it is felt that the suggested measures of dust suppression will control dust within acceptable levels. Details of the Dust Management Plan will be required under condition and implemented as approved. This will also include treating Phases 1 and 2 with the "special precautions" as contained within Annex 6 of the ES, Dust Action Plan. Therefore, the proposal will not have significant adverse impact on the amenity of residents or countryside users (DC8 - Pollution, Health, Quality of Life and Amenity).
- 9.15. The restoration timescales for Phases 1 and 2 have been questioned, as it is presented as being restored within an 18 month timescale. It has been confirmed that the area contains approximately 40% of the total estimated reserve of 435,000 tonnes. The mineral will be extracted at a rate of 150,000 tonnes per annum (although processing will be at a slightly lower rate) and therefore Phases 1 and 2 will be worked in approximately 14 months allowing three or four months to finalise the restoration of that area.
- 9.16. Highway safety needs to be considered for the users of the bridleway crossing Coopers Hill Road, impact of additional lorries crossing the road and the continued use of the local highway network by the lorries and plant vehicles. The Highways Authority have raised no objection (DC6- Highways) subject to safety conditions and it is suggested to limit the lorry movements to 112 per day , which can be secured by condition.
- 9.17 The inspector refused the appeal on the grounds that the previous Busta Triangle application (06/01130/CMA) proposal did not have sufficient regard to the status of the site as a SSSI and as a part of the Thames Basin Heaths SPA. However, he did make it clear that the SPA status is not necessarily a bar to mineral extraction. It was felt that the earlier application had not addressed the significance of the site for nature conservation appropriately in relation to proposals for restoration and after use. In contrast, the current proposal as a whole has a net gain for nature conservation and the SPA objectives, as it improves the habitat and provides for long term management. There would be a variety of habitat

types with bog, heathland rides and forestry margins, creating links to the open heathland habitat and improved mire and wetland areas along the Welsh drive and across Eversley Quarry. The current permitted scheme for Eversley Quarry includes 6.7 hectares of heathland (excluding the Elvetham Estate land). This proposal (excluding the Elvetham Estate land) includes 16.55 hectares of heathland habitat made up of 12.55 hectares of heathland and 4 hectares of wide rides with heathland margins. The “heathland” within the revised scheme includes approximately 3.7 hectares of wet heath and mire. This is a net gain of 9.85 hectares of habitat to be conserved for SPA nature objectives.

- 9.18. Natural England has made comments on the benefits of utilising the Forest Design Plan (FDP) and the associated rotational forestry as a means of heathland management and protecting the objectives of the SPA. However, the Forestry Commission manages 1039.1 hectares of land adjacent to the proposed site and all of this area is within the Thames Basin heaths SPA and designated SSSI. All this land is managed as plantation forestry, which embraces a number of important habitats identified in the SSSI citations. Interestingly, all of the Forestry Commission land is assessed by Natural England to be in target condition and delivering the appropriate habitats for Annex 1 species.
- 9.19. Furthermore, the Forest Design Plan covering this area, which will determine the restoration of the development site, already takes into account the SPA designation. The FDP allows for a longer time to be given between rotations, meaning an increased period of time available for Annex I bird requirements. It is known that the long term viability of bird populations depend on the continuing provision of the appropriate habitat and rotational forestry, with suitable adaptations in fallow periods does deliver the correct habitat for Annex 1 birds.
- 9.20. It is accepted that during the working phase of the Busta Triangle site there will be an impact on birds and wildlife using the site as the site will be clear felled immediately after reptile translocation and the soils will be stripped to render the site uninhabitable for reptiles and birds. However, within 18 months, phases one and two of the Busta triangle will be restored and will enter management as approved under the legal agreement, and within three years phases three and four will be also be restored and will have entered aftercare and management as approved (DC12- Restoration and Aftercare).
- 9.21. The existing habitats on Eversley Quarry will continue to develop, and maintain the potential to support Annex I species of birds throughout the proposal as existing, albeit with the delay that the 3-4 years will impose on the restoration of the plant site. In effect, the mineral extraction will provide an additional fallow period after felling prior to replanting. The impact on the Annex 1 birds and SSSI is only positive, except for the relatively short period of digging. This is compensated for in the mitigation measures as agreed and conditioned.

- 9.22. The provision of enhancement to SPA habitats has also been queried by the local resident, but there will be a significant element of enhancement, when compared to the current permitted restoration of Eversley Quarry
- 9.23. The protected species issues at the site have been adequately addressed, and a precautionary approach to the translocation methodology can be secured by condition. This is in accordance with policy DC7 (Biodiversity).
- 9.24. These areas will be managed under a Conservation Management Plan for a period of 25 years following aftercare (five years after restoration of land) and include the large parcel of open heathland (Phase C) as soon as any permission were to be granted. All of the above mitigation measures and the proposed management meet the requirements of policy DC2 (Sites with International and National Designations), as the proposal will not prejudice the purpose of the designated sites and their setting.
- 9.25. In conclusion, it is considered that there would be no significant harm to the purposes of the ecological designations, the proposals are not likely to have a significant effect on the interest features of the Thames Basin Heaths SPA or any of the features of interest of the Castle Bottom to Hawley and Yateley Commons SSSI. The amenity of the nearby residents and landscape would be protected during the development. As discussed above, the Inspector disagreed with the Council's reason for refusal on these grounds for the previous application, and accepted the proposal of mineral extraction in principle. It is understood that SPA status is not necessarily a bar to mineral extraction, as long as the 'significance of the site for nature conservation has not been addressed appropriately in relation to proposals for restoration and after use'. Overall, it is considered that the County would benefit from a contribution of mineral supply and the restoration proposal is sufficiently improved that it would enhance the biodiversity and long term success of the SPA habitat and wildlife, particularly in the light of the proposed long term management secured through a legal agreement.

## **10. Recommendation**

- 10.1. That, subject to a section 106 legal agreement for long term management for a period of 25 years following aftercare, with specific reference to conservation management of heathland and mire habitat, planning permission in respect of the four planning applications:
- (a) Application 10/01971/CMA  
Site Reference:HR040  
Location: Eversley Quarry, Coopers Hill, Eversley Common, Eversley, Hampshire RG27 0QA  
Proposal: Western Extension to Eversley Quarry with progressive restoration to heathland, mire and commercial forestry;

- (b) Application no.10/02021/CMA  
Site Reference: HR040  
Location: Eversley Quarry, Coopers Hill, Eversley Common,  
Eversley, Hampshire RG27 0QA  
Proposal: Extraction of Mineral Beneath Bridleway No. 11 Within  
Eversley Quarry (Phase 5);
- (c) Application no 10/01974/CMA  
Site Reference: HR040  
Location: Eversley Quarry, Coopers Hill, Eversley Common,  
Eversley, Hampshire RG27 0QA  
Proposal: Variation of condition 1 for consent no. 98/00134/CMA for  
the retention of mineral processing plant, silt lagoons and mineral  
stockpiles; and
- (d) Application no 10/01977/CMA  
Site Reference: HR040  
Location: Eversley Quarry, Coopers Hill, Eversley Common,  
Eversley, Hampshire RG27 0QA  
Proposal: Variation of condition 1 for consent no 04/00717/CMA for  
the retention of ready mixed concrete plant.

be approved subject to conditions in Integral Appendix B.

**Links to the Corporate Strategy**

<b>Hampshire safer and more secure for all:</b>	no
Corporate Improvement plan link number (if appropriate):	
<b>Maximising well-being:</b>	yes
Corporate Improvement plan link number (if appropriate):	
<b>Enhancing our quality of place:</b>	yes
Corporate Improvement plan link number (if appropriate):	

**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.)**

DocumentLocation

Application 10/01971/CMA

Site Reference: HR040

Location: Eversley Quarry, Coopers Hill,  
Eversley Common, Eversley, Hampshire  
RG27 0QA

Proposal: Western Extension to Eversley  
Quarry with progressive restoration to  
heathland, mire and commercial forestry

Environment Department

The Castle, Winchester

Application no.10/02021/CMA

Site Reference: HR040

Location: Eversley Quarry, Coopers Hill,  
Eversley Common, Eversley, Hampshire  
RG27 0QA

Proposal: Extraction of Mineral Beneath  
Bridleway No. 11 Within Eversley Quarry  
(Phase 5)

Application no 10/01974/CMA

Site Reference: HR040

Location: Eversley Quarry, Coopers Hill,  
Eversley Common, Eversley, Hampshire  
RG27 0QA

Proposal: Variation of condition 1 for  
consent no. 98/00134/CMA for the  
retention of mineral processing plant, silt  
lagoons and mineral stockpiles.

Application no 10/01977/CMA

Site Reference: HR040

Location: Eversley Quarry, Coopers Hill,  
Eversley Common, Eversley, Hampshire  
RG27 0QA

Proposal: Variation of condition 1 for  
consent no 04/00717/CMA for the  
retention of ready mixed concrete plant.

## CONDITIONS

### **Application 10/01971/CMA: Western Extension to Eversley Quarry with progressive restoration to heathland, mire and commercial forestry**

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

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

2. The sand and gravel extraction shall not commence on the site before such extraction has been satisfactorily completed in accordance with the permission for extraction at Eversley Quarry (permission 98/00633/CMA).

Reason: To minimise the environmental impacts of cumulative working of two nearby quarries.

3. The extraction of sand and gravel at the western extension site shall cease within three years from the date of commencement of extraction or by 31 December 2015, whichever is the sooner. The site and Eversley Quarry under permissions (10/01974/CMA, 10/01977/CMA and 10/02021/CMA) shall be restored in accordance with the schemes approved under condition (30), within a further period of 12 months but no later than 31 December 2016 unless otherwise agreed in writing by the Mineral Planning Authority.

Reason: To secure the satisfactory restoration of the site

### **Working Programme**

4. Unless otherwise agreed in writing by the Mineral Planning Authority the working of the site shall be carried out only in accordance with the working scheme, programme and drawing numbers (ref Working Plan E13/PL10/03, Site setting and Phasing Plan Figure 1) submitted with the application and contained in the Environmental Statement.

Reason: To enable the Mineral Planning Authority to adequately control the development and to minimise its impact on the amenities of the local area.

### **Hours of Working**

5. Unless otherwise agreed in writing by the Mineral Planning Authority no heavy goods vehicles shall enter or leave the site and no plant or machinery shall be operated except between the following hours: 0730-1800 Monday to Friday and 0730-1300 Saturday. There shall be no working on Sundays or recognised public holidays. No heavy goods vehicles shall enter or leave the site and no plant or machinery shall be operated in Phase 1 and 2 areas, except between the following hours of 08.00-18.00 Monday to Friday. There shall be no working on Saturdays, Sundays or recognised public holidays.

Reason: In the interests of local amenity.

### **Landscape**

6. The peripheral trees on the perimeter of the site and area of retained coniferous woodland will be maintained and protected as illustrated on drawing E13/PL10/03.

Reason: In the interests of visual amenity.

7. Prior to works commencing, the advanced planting for the perimeter of the site and the bunds shall be carried out in accordance with the submitted plans. All existing trees and shrubs retained and/or previously planted around the perimeter of the application site for landscaping purposes shall be maintained in a healthy condition. Any trees or shrubs which die, are removed without permission, 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.

8. Unless otherwise agreed in writing by the Mineral Planning Authority all soil storage bunds intended to remain in situ for more than six months or over the winter period are to be grassed over and weed control and other necessary maintenance carried out to the satisfaction of the Mineral Planning Authority. The seed mixture and the application rates are to be agreed with the Mineral Planning Authority in writing no less than one month before it is expected to complete the formation of the storage bunds.

Reason: To preserve the existing soil resource and prevent weed spread.

9. Upon completion of the transportation of materials to Eversley Quarry, the gaps resulting from the use of the haul road and traffic lights (as illustrated on drawing 7059-08) shall be replanted within the first planting season available following the removal of the haul road crossing.

Reason: In the interests of visual amenity.

10. The Mineral Planning Authority shall be given 14 days prior written notice of the intention of all tree felling on the site including that felling related to the implementation of the traffic light crossing. The location of the trees and the traffic light crossing shall be marked on-site before hand so they can be checked and the location of the crossing point approved by the Mineral Planning Authority prior to felling.

Reason: In the interests of the local amenities, the nature conservation interests and the landscape character of the area.

11. No work shall be carried out within the crown spread of existing preserved trees, either underground or on the surface, including the storage of materials and excavated soil, unless otherwise agreed by the Mineral Planning Authority in writing.

Reason: To protect the health and stability of trees to be retained within and on the boundaries of the site.

### **Protection of Water Environment**

12. Unless otherwise agreed in writing by the Mineral Planning Authority the drainage and disposal of surface water shall be carried out only in accordance with the details (drawing Operational Conceptual Site Model Figure 10, Proposed Restoration E13/RW/1.3) as submitted with the application and contained in the Environmental Statement.

Reason: To ensure adequate drainage of the site.

### **Noise, Dust and Odour**

13. Unless otherwise agreed in writing by the Mineral Planning Authority the noise mitigation measures shall be carried out only in accordance with the measures in the working scheme, methodology (ref Working Plan E13/PL10/03, Site setting and Phasing Plan Figure 1) submitted with the application and contained in the Environmental Statement.

Reason: To prevent noise disturbance to the residents of the nearest houses.

14. Prior to commencing operations details of dust suppression measures shall be submitted to and approved by the Mineral Planning Authority in writing. These measures shall follow the Dust Action Plan as submitted with the application and contained in the Environmental Statement. The approved measures shall be implemented for the duration of the development.

Reason: In the interests of local amenities.

### **Highways**

15. Prior to mineral extraction commencing details of the highway works on Cooper's Hill (as shown in principle on drawing 7059-08) shall be submitted to and approved in writing by Minerals Planning Authority. No extraction shall occur until the approved scheme has been constructed in accordance with the approved details to the satisfaction of the Minerals Planning Authority.

Reason: In the interests of highway safety.

16. Lorry movements to and from the site shall be restricted to 112 per day. A daily record of lorries entering and leaving the site shall be kept at the site and made available to the Mineral Planning Authority on request.

Reason: To limit the volumes of traffic in the interests of the amenity of residents on and near the approaches to the site.

17. No vehicle shall leave the site unless its wheels and chassis have been cleaned sufficiently to prevent mud being carried onto the highway. In the event of mud onto the highway, it shall be cleared to a safe highway standard at the end of each working day.

Reason: In the interests of highway safety.

18. The traffic lights (as illustrated in drawing 7059-08) shall be removed within 48 hours after each 'campaign' haulage of materials from Busta Triangle to Eversley Quarry has been completed and replaced shortly before the next 'campaign' is to recommence.

Reason: In the interests of highway safety.

19. On completion of the transportation of materials across Coopers Hill from the site, the crossing of Coopers Hill shall be dismantled. Any remedial works considered necessary by the Minerals Planning Authority to ensure that Coopers Hill is returned to its former condition shall be undertaken within a timeframe and by way of a methodology to be agreed beforehand by the Minerals Planning Authority in writing.

Reason: In the interests of highway safety.

### **Storage**

20. Prior to soil stripping commencing details of the location of soil storage mounds shall be submitted to the Mineral Planning Authority for approval in writing and thereafter implemented in accordance with that approval.

Reason: To protect the amenities of the area.

### **Restriction of Permitted Development Rights**

21. Notwithstanding the provisions of Parts 4, 8 and 25 Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that order):
- (i) fixed 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;

- (ii) no telecommunications antenna shall be installed or erected without the prior agreement of the Waste Planning Authority in writing.

Reason: To protect the amenities of the area.

### **Rights of Way**

22. The bund adjacent to bridleway no.11 shall be in place prior to Phase 3 and 4 of extraction commences.

Reason: In the interests of local amenity.

23. Prior to development commencing, suitable plans shall be submitted showing the proposed alternative route for bridleway No.11, along with details of the warning and information signs that the applicant will be providing on site.

Reason: To safeguard public rights of way.

### **Archaeology**

24. Unless otherwise agreed in writing by the Mineral Planning Authority the archaeological work shall be carried out only in accordance with the measures in the archaeological assessment as submitted with the application and contained in the Environmental Statement.

Reason: In the interests of archaeology.

### **Nature Conservation**

25. Unless otherwise agreed in writing by the Mineral Planning Authority Phase C of the Eversley Quarry site (as illustrated on drawing number Restoration Plan E13/PL10/03) shall be managed as an area of Heathland conservation from the date of this certificate, as submitted with the application and contained in the Environmental Statement.

26. Prior to the commencement of extraction and within six months of the date of this permission, a programme and methodology for the translocation of reptiles on the site to an approved receptor site shall be submitted to the Mineral Planning Authority for approval and thereafter implemented in accordance with that approval.

Reason: To ensure the protection of reptiles habiting the site at the time of implementation of extraction.

27. Prior to clearance works commencing, reptiles shall be translocated according to the approved scheme as required by the Minerals Planning Authority.

Reason: In the interests of nature conservation.

28. Prior development commencing an updated check indicating precautionary measures to be taken on site to protect any nearby badger sett and associated badgers shall be submitted to the Mineral Planning Authority for approval in writing in consultation with English Nature. The measures shall be implemented as approved.

Reason: To protect the badgers and their setts.

### **Restoration**

29. All topsoil and overburden stripped from the areas to be excavated shall be removed and stored separately before operations commence for use in site restoration. Topsoil shall only be handled when dry and friable. During restoration, overburden shall be replaced and graded in accordance with the final levels hereby approved, and ripped using a winged tine subsoiler. The overburden shall in turn be covered with the topsoil in original sequence and to even depths.

Reason: To ensure the satisfactory restoration of the land to forestry, amenity and nature conservation.

30. Unless otherwise agreed in writing by the Mineral Planning Authority the site shall be restored to forestry, amenity and nature conservation in accordance with the restoration details (drawing numbers Working Plan E13/PL10/04, Proposed Restoration E13/RW/1.3, Welsh Drive Bridleway - Illustrative Cross section E13-PL10-05 Rev A)) as submitted with the application and contained in the Environmental Statement.

Reason: To ensure satisfactory restoration of the site.

### **After-Care**

31. The aftercare scheme detailing the steps necessary to bring each phase of the land restored to the required standard for use for forestry, amenity and nature conservation, shall be carried out for a period of five years in accordance with that submitted and approved under the Conservation Management Plan, upon completion of restoration.

Reason: To ensure that the land is satisfactorily restored.

**Advice Note**

This application is subject to a long term management for nature conservation under a section 106 legal agreement.

The crossing works at Coopers Hill (as per drawing 7059-08) require a S278 legal agreement to be approved by the Highways Authority.

An application for the formal temporary closure of Eversley Bridleway No. 11 throughout the period of the mineral extraction and preparatory works needs to be applied for to the Rights of Way Authority.

Trees to be felled should be inspected for bats prior to felling. All species of bat in Britain and their roosts are afforded special protection under the Wildlife and Countryside Act 1981. If bats are found, English Nature must be contacted for advice prior to felling taking place.

It is a criminal offence to disturb or harm nesting birds or their nests (Wildlife Act 1981). It is recommended that no tree or shrub clearance should be carried out in the bird nesting season (March to August).

## CONDITIONS

### **Application 10/02021/CMA: Extraction of Mineral Beneath Bridleway No. 11 Within Eversley Quarry (Phase 5)**

#### **Commencement**

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

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

#### **Timescale**

2. The extraction of sand and gravel shall cease within three years from the date of commencement of extraction or by 31 December 2015, whichever is the sooner. The site and Eversley Quarry under permissions (10/01971/CMA, 10/01974/CMA and 10/01977/CMA) shall be restored in accordance with the schemes approved under condition 11, within a further period of 12 months but no later than 31 December 2016 unless otherwise agreed in writing by the Mineral Planning Authority.

Reason: To secure the satisfactory restoration of the site.

#### **Working Programme**

3. Unless otherwise agreed in writing by the Mineral Planning Authority the working of the site shall be carried out only in accordance with the working scheme, programme and drawing numbers (ref Working Plan E13/PL10/03, Site setting and Phasing Plan Figure 1) submitted with the application and contained in the Environmental Statement.

Reason: To enable the Mineral Planning Authority to adequately control the development and to minimise its impact on the amenities of the local area.

#### **Hours of Working**

4. Unless otherwise agreed in writing by the Mineral Planning Authority no heavy goods vehicles shall enter or leave the site and no plant or machinery shall be operated except between the following hours: 0730-1800 Monday to Friday and 0730-1300 Saturday. There shall be no working on Sundays or recognised public holidays.

Reason: In the interests of local amenity.

### **Protection of Water Environment**

5. Unless otherwise agreed in writing by the Mineral Planning Authority the drainage and disposal of surface water shall be carried out only in accordance with the details (drawing Operational Conceptual Site Model Figure 10, Proposed Restoration E13/RW/1.3) as submitted with the application and contained in the Environmental Statement.

Reason: To ensure adequate drainage of the site.

### **Noise, Dust and Odour**

6. Prior to commencing operations details of dust suppression measures shall be submitted to and approved by the Mineral Planning Authority in writing. These measures shall follow the Dust Action Plan as submitted with the application and contained in the Environmental Statement. The approved measures shall be implemented for the duration of the development.

Reason: In the interests of local amenities.

### **Storage**

7. Prior to soil stripping commencing details of the location of soil storage mounds shall be submitted to the Mineral Planning Authority for approval in writing and thereafter implemented in accordance with that approval.

Reason: To protect the amenities of the area.

### **Rights of Way**

8. Prior to development commencing, suitable plans shall be submitted showing the proposed alternative route for bridleway No.11, along with details of the warning and information signs that the applicant will be providing on site.

Reason: To safeguard public rights of way.

### **Archaeology**

9. Unless otherwise agreed in writing by the Mineral Planning Authority the archaeological work shall be carried out only in accordance with the measures in the archaeological assessment as submitted with the application and contained in the Environmental Statement.

Reason: In the interests of archaeology.

## Nature Conservation

10. Prior to the commencement of extraction and within six months of the date of this permission, a programme and methodology for the translocation of reptiles on the site to an approved receptor site shall be submitted to the Mineral Planning Authority for approval and thereafter implemented in accordance with that approval.

Reason: To ensure the protection of reptiles habiting the site at the time of implementation of extraction.

11. Prior to clearance works commencing, reptiles shall be translocated according to the approved scheme as required by the Minerals Planning Authority.

Reason: In the interests of nature conservation.

## Restoration

12. All topsoil and overburden stripped from the areas to be excavated shall be removed and stored separately before operations commence for use in site restoration. Topsoil shall only be handled when dry and friable. Following tipping and during restoration, overburden shall be replaced and graded in accordance with the final levels hereby approved, and ripped using a winged tine subsoiler. The overburden shall in turn be covered with the topsoil in original sequence and to even depths.

Reason: To ensure the satisfactory restoration of the land to forestry, amenity and nature conservation.

13. Unless otherwise agreed in writing by the Mineral Planning Authority the site shall be restored to forestry, amenity and nature conservation shall be carried out in accordance with the restoration details (drawing numbers Working Plan E13/PL10/04, Proposed Restoration E13/RW/1.3, Restoration Plan E13/PL11/04, Welsh Drive Bridleway- Illustrative Cross section E13-PL10-05 Rev A) as submitted with the application and contained in the Environmental Statement.

Reason: To ensure satisfactory restoration of the site.

## After-Care

14. The aftercare scheme detailing the steps necessary to bring each phase of the land restored to the required standard for use for forestry, amenity and nature conservation, shall be carried out for a period of five years in accordance with that submitted and approved under the Conservation Management Plan, upon completion of restoration.

Reason: To ensure that the land is satisfactorily restored.

**Advice Note**

This application is subject to a long term management for Conservation under a section 106 legal agreement.

An application for the formal temporary closure of Eversley Bridleway No. 11 throughout the period of the mineral extraction and preparatory works needs to be applied for to the Rights of Way Authority.

Trees to be felled should be inspected for bats prior to felling. All species of bat in Britain and their roosts are afforded special protection under the Wildlife and Countryside Act 1981. If bats are found, English Nature must be contacted for advice prior to felling taking place.

It is a criminal offence to disturb or harm besting birds or their nests (Wildlife Act 1981). It is recommended that no tree or shrub clearance should be carried out in the bird nesting season (March to August).

## CONDITIONS

**Application 10/01974/CMA: Variation of condition 1 for consent no. 98/00134/CMA for the retention of mineral processing plant, silt lagoons and mineral stockpiles.**

### Timescale

1. All buildings, plant machinery, hardstandings and haul road shall be removed, all mineral extraction cease and the site shall be restored in accordance with Condition (2) within 12 months of cessation of mineral workings at Eversley Quarry, as approved under Planning Permission No. 10/01971/CMA and 10/02022/CMA unless otherwise agreed in writing by the Mineral Planning Authority.

Reason: To secure restoration of the site

### Restoration

2. Unless otherwise agreed in writing by the Mineral Planning Authority the site shall be restored to forestry, amenity and nature conservation and be carried out in accordance with the restoration details (drawing numbers Restoration Plan E13/PL10/04, Proposed Restoration E13/RM1/1.3 rev B) as submitted with the application and contained in the Environmental Statement.

Reason: In the interests of nature conservation and recreational amenity.

### Working programme

3. No extraction shall take place except in accordance with the scheme of working agreed by the Mineral Planning Authority under Condition 3 of the Planning Permission No. HDC 10270 unless otherwise agreed in writing.

Reason: To enable the Mineral Planning Authority to adequately control the development and to minimise its impact on the amenities of the local area.

### Protection of Water Environment

4. The approved Ground and Surface Water Monitoring Scheme shall be implemented for the duration of the development.

Reason: To safeguard the integrity of the Castle Bottom Site of Special Scientific Interest.

5. No water course shall be incorporated with the workings, nor shall there be any direct connection between the workings and any water course.

Reason: To protect the water environment.

6. Gravel wash water shall be contained on the site in a recirculation system.

Reason: To protect the water environment.

7. Any oil storage tanks on the site shall be sited on impervious bases and surrounded by oil tight bund walls; the bunded areas shall be capable of containing 110% of the tanks' volume and should enclose all fill and draw pipes.

Reason: To protect the water environment.

### **Hours of Working**

8. Except with the prior agreement of the Mineral Planning Authority no operations authorised or required by this permission shall be carried out, and plant shall not be operated, other than between the hours of 0730 to 1800 Monday to Friday and 0730 to 1300 Saturday; no such operations shall take place on Sunday or Bank or Public Holiday. This condition shall not, however, operate so as to prevent the carrying out, outside these working hours, of essential maintenance to plant and machinery used on the site.

Reason: In the interests of the local amenity.

### **Landscape**

9. The design and external appearance of the mineral processing plant shall be maintained as approved under permission 98/01134/CMA.

Reason: In the interests of the local amenity.

10. The position and design of the silt ponds shall be maintained as approved under permission 98/01134/CMA.

Reason: To protect the water environment.

### **Rights of Way**

11. The measures to protect and segregate users of bridleway No. 11 shall be employed for the duration of the development.

Reason: In the interests of the amenity and safety of users of the bridleway.

## Highways

12. The existing access shall be the sole vehicular access to the site with lines of sight of 3 metres by 165 metres, which shall be maintained. A metalled length of 30 metres of the access road measured from the boundary of the highway to be shall be maintained for the duration of the development.

Reason: In the interests of highway safety.

## Storage

13. No waste materials shall be imported onto the site and deposited in the excavations.

Reason: To prevent pollution of the water environment.

14. No materials shall be imported onto the site for stockpiling, processing or manufacture purposes.

Reason: In the interests of local amenity.

## Nature Conservation

15. No operations shall take place within the area designated as a Site of Special Scientific Interests.

Reason: In the interests of nature conservation.

## Amenity protection

16. The insulation of the processing plant building shall be maintained to the satisfaction of the Mineral Planning Authority for the duration of development.

Reason: In the interest of local amenity.

17. Noise from operations conducted on the site shall not exceed 58dB(A) as measured at the south-western boundary and 60db(A) at the north and north-western boundaries.

Reason: In the interests of local amenity.

## After care

18. Aftercare for a period of five years following restoration shall be carried out in accordance with the approved Conservation Management Plan.

Reason: To secure satisfactory restoration.

**Advice Note**

There are legal agreements attached to this permission concerning:

- (i) the commencement of extraction within the southern extension approved under Planning Permission No. 98/00633/CMA; long term management of heathland; and public access (dated 20 March 2000);
- (ii) A section 106 legal agreement would be required to secure conservation management of heathland and mire habitat for a period of 25 years following aftercare, attached to application 10/01971/CMA and with reference to 10/02021/CMA, 10/01974/CMA and 10/01977/CMA.
- (ii) routing of lorries (dated 23 February 1989) attached to Planning Permission No. HDC 16946/C; and
- (iii) highway works and routing of lorries (dated 2 September 1955) attached to Planning Permission No HDC 10270.

## CONDITIONS

### **Application 10/01977/CMA: Variation of condition 1 for consent no 04/00717/CMA for the retention of ready mixed concrete plant**

#### **Timescale**

1. All buildings, plant machinery, hardstandings and haul road shall be removed, all mineral extraction cease and the site shall be restored in accordance with Condition (2) within 12 months of cessation of mineral workings at Eversley Quarry, as approved under Planning Permission No. 10/01971/CMA and 10/02022/CMA unless otherwise agreed in writing by the Mineral Planning Authority.

Reason: To secure the restoration of the site.

#### **Restoration**

2. Unless otherwise agreed in writing by the Mineral Planning Authority the site shall be restored to forestry, amenity and nature conservation and be carried out in accordance with the restoration details (drawing numbers Restoration Plan E13/PL10/04, Proposed Restoration E13/RM1/1.3 rev B) as submitted with the application and contained in the Environmental Statement.

#### **Restriction of imports**

3. No materials, except cement and gravel, from sources outside Eversley Quarry shall be introduced for processing or use in the plant hereby approved.

Reason: To minimise traffic generation from the site.

#### **Protection of Water Environment**

4. The approved Ground and Surface Water Monitoring Scheme shall be implemented for the duration of the development.

Reason: To safeguard the integrity of the Castle Bottom Site of Special Scientific Interest.

5. Any facilities for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls. The bund capacity shall give 110% of the total volume for single and hydraulically linked tanks. If there is multiple tankage, the bund capacity shall be 110% of the largest tank or 25% of the total capacity of all tanks, whichever is the greatest. All filling points, vents, gauges and sight glasses and overflow pipes shall be located within the bund. There shall be no outlet connecting the bund to any drain, sewer or watercourse or discharging onto the ground. Associated pipework shall be located above ground where possible and protected from accidental damage.

Reason: To prevent pollution of the water environment.

6. No washing down or cleaning of concrete mixer trucks shall take place except in the wash-down area shown on Drawing No. DE 325/12B of permission 04/00717/CMA. The slurry and concrete waste collected in the area shall be regularly removed for disposal off site unless otherwise agreed by the Mineral Planning Authority in writing.

Reason: To prevent pollution of water courses, ground water, or Castle Bottom Site of Special Scientific Interest.

7. No water carrying any form of pollution shall at any time be allowed to flow or permeate into any adjoining land, nor shall any solid material at any time be allowed to overspill or be blown over or on any adjacent land.

Reason: In the interests of general amenity and to avoid environmental pollution.

### **Noise, Dust and Odour**

8. The approved fume and dust suppression measures shall be implemented for the duration of the development.

Reason: To safeguard the local environment and water courses.

9. Noise from the plant hereby approved shall not raise the noise levels from the Eversley Quarry site above 58 dB(A) LAeq as measured at the south western boundary and 60 dB(A) LAeq at the north and north western boundaries.

Reason: To minimise noise disturbance

### **Hours of Working**

10. Unless otherwise agreed in writing by the Mineral/Waste Planning Authority no heavy goods vehicles shall enter or leave the site and no plant or machinery shall be operated except between the following hours: 0730-1800 Monday to Friday and 0730-1300 Saturday. There shall be working on Sundays or recognised public holidays.  
Reason: In the interests of local amenity.

### **Colour**

11. Prior to any repainting of the plant the colour shall be approved by the Mineral Planning Authority in writing.  
Reason: To minimise the visual impact of the plant.

### **Advice Note**

A section 106 legal agreement would be required to secure conservation management of heathland and mire habitat for a period of 25 years following aftercare, attached to application 10/01971/CMA and with reference to 10/02021/CMA, 10/01974/CMA and 10/01977/CMA.

*Annexe to Reasons for Conditions  
(as required by Article 22 of the Town and Country Planning  
(General Procedure) Order 1995 – as amended)*

**MINERALS POLICY STATEMENT 1: PLANNING AND MINERALS (13  
NOVEMBER 2006)**

- (i) 14 - Protection of heritage and countryside;
- (ii) 15 – Supply;
- (iii) 17 - Environmental protection;
- (iv) 19 - Restoration.

**MINERALS POLICY STATEMENT 2: CONTROLLING AND MITIGATING THE  
ENVIRONMENTAL EFFECTS OF MINERAL EXTRACTION IN ENGLAND (23  
MARCH 2005)**

- (i) 8 - Environmental impact assessment;
- (ii) 17 – Consideration of applications;
- (iii) 19 - Planning conditions;
- (iv) 24 - Proximity of mineral workings to communities.

**PLANNING POLICY STATEMENT 9: BIODIVERSITY AND GEOLOGICAL  
CONSERVATION (16 AUGUST 2005);**

Key principles and sites of biodiversity and geological conservation value.

**HAMPSHIRE MINERALS AND WASTE CORE STRATEGY DPD 2007**

**S8 - Sand and Gravel**

Provision will be made for the production of land-won sand and gravel at a rate of 2.63 million tonnes a year until 2020, principally from within the Mineral Resource Areas shown on the Key Diagram. To meet local needs from indigenous materials the following local apportionment will apply for the period to 2016:

- (i) North East Hampshire 0.433 mtpa;
- (ii) Forest (excluding the New Forest National Park) 1.163 mtpa;
- (iii) Downland 0.643 mtpa;
- (iv) South Hampshire 0.391 mtpa.

The Mineral Planning Authorities will endeavour to maintain a landbank of at least seven years of planning permissions for the extraction of sand and gravel. In the event that the South East Plan apportionment for Hampshire is modified the sand and gravel production and local apportionment will be adjusted accordingly.

### **S17 - Co-location, Systems and Infrastructure**

Minerals and waste developments should increase resource recovery and efficiency by the:

- (i) co-location of compatible minerals and waste facilities, including where appropriate with suitable reprocessing, manufacturing or industrial uses;
- (ii) use of 'reverse logistics,' bulking and transfer for the movement of materials;
- (iii) optimisation of waste collection and handling systems to allow the joint collection and handling of similar types of municipal, commercial and industrial waste.

### **DC2 - Sites with International and National Designations**

Minerals and waste development, which is likely to prejudice the purpose of the following designated sites and their settings, will not be permitted unless the reasons for development outweigh the likely adverse impact, taking into account the requirements of relevant legislation and guidance.

Internationally Designated Sites: European Sites (Special Protection Areas, proposed Special Protection Areas, Special Areas of Conservation, proposed Special Areas of Conservation) and Ramsar sites (Wetlands of International Importance); Nationally Designated Sites: The New Forest National Park, the proposed South Downs National Park and Areas of Outstanding Natural Beauty; National Nature Reserves, Sites of Special Scientific Interest; Scheduled Ancient Monuments; Listed Buildings, and sites on the National Register of Parks and Gardens of Special Historic Interest; Registered Battlefields. In all cases, applications will be subject to the most rigorous examination.

### **DC3 - Impact on Landscape and Townscape**

Minerals and waste development will only be permitted if due regard is given to the likely visual impact of the proposed development and its impact on, and the need to maintain and enhance, the distinctive character of the landscape or townscape. If necessary, additional design, landscaping, planting and screening, including planting in advance of the commencement of the development, should be proposed.

### **DC4 - Historic Heritage**

Minerals and waste development will be granted if due regard is given to the likely effects on the need to protect and safeguard sites of archaeological, historical, and architectural importance, and the settings of these sites.

**DC6 – Highways**

Major mineral extractions, landfills and ‘strategic’ recycling, aggregate processing and recovery and treatment facilities, will be permitted provided they have a suitable access to and/or route to the minerals and waste lorry route as illustrated on the Key Diagram. In all cases, minerals and waste development will only be permitted if it pays due regard to the likely volume and nature of traffic that would be generated by the proposal and the suitability of the proposed access to the site and of the road network that would be affected. Consideration should be given to highway capacity, road and pedestrian safety, congestion and environmental impact, and whether any highway improvements are required and whether these could be carried out satisfactorily without causing unacceptable environmental impact.

**DC7 – Biodiversity**

Minerals and waste developments will only be permitted if due regard is given to the likely effects of the proposed development on biodiversity and, where possible, proposals should conserve and enhance biodiversity. Development likely to adversely impact upon ‘regionally or locally designated sites or protected species’ – designated in adopted Local Plans or Local Development Frameworks (including Sites of Importance for Nature Conservation (SINCs), Species of Principal Importance for Biodiversity, Regionally Important Geological Sites and Local Nature Reserves) shall only be permitted if the merits of development outweigh the likely impact.

**DC8 - Pollution, health, quality of life and amenity**

Minerals and waste development will only be permitted if due regard is given to the pollution and amenity impacts on the residents and users of the locality and there is unlikely to be an unacceptable impact on health and/or the quality of life of occupants of nearby dwellings and other sensitive properties. Where necessary minerals and waste developments should include mitigation measures, such as buffer zones between the site and such properties.

**DC10 - Water Resources**

Non-hazardous landfill developments in areas that overlie major aquifers, and Groundwater Source Protection Zones I, II & III, and mineral extraction or inert landfill in areas that overlie major aquifers and Groundwater Source Protection Zone I will not be permitted.

All minerals and waste developments will only be permitted if they are unlikely to have an unacceptable impact on coastal, surface or ground waters and due regard is given to water conservation and efficiency.

**DC12 - Restoration and Aftercare**

Mineral extraction, landfill and other appropriate developments will not be permitted unless there is satisfactory provision for the restoration of the site, within a reasonable timescale, for an after use consistent with the general planning objectives of the area.

The restoration and after care of sites should seek to meet two or more of the following planning objectives:

- a. Improving public access to the countryside, including public access for disabled people and recreation;
- c. The improvement of biodiversity;
- e. Return to agriculture, forestry or other 'open' use recreational facilities.

Proposals for mineral extraction and landfill must include provision for at least five years of aftercare following restoration of the site. Restoration proposals for mineral workings in Aerodrome Safeguarding Zones should take account of the need for progressive working and restoration, to prevent open water bodies becoming bird roosts.

**DC15 - Sand and Gravel**

Sand and gravel extraction will be permitted, provided the site:

- a. Is identified for sand and gravel extraction in the Hampshire Minerals Plan or pending its adoption, is within the Mineral Resource Area shown on the Key Diagram, or
- b. The proposed development involves a small-scale extension to or deepening of an active sand and gravel extraction site, and
- c. Hampshire's landbank indicates there is a need for sand and gravel which cannot reasonably be met from identified sites and locations and it can be shown that working such land would be equally acceptable to working within an identified site or location, and
- d. Is not within or would not have an unacceptable impact upon the New Forest National Park, the proposed South Downs National Park or Areas of Outstanding Natural Beauty, and
- e. The proposals include restoration opportunities for increasing biodiversity or access to public open space, or help to meet other planning objectives, and
- f. Where necessary, proposals for landscaping and planting (prior to operation) are included, and
- g. Is close to, and with good access to, the minerals and waste lorry route illustrated on the Key Diagram.

**HART DISTRICT LOCAL PLAN (REPLACEMENT) ADOPTED 23RD  
DECEMBER 2002**

**RUR 2**

Development in the open countryside, outside the defined settlement boundaries, will not be permitted unless the local planning authority is satisfied that it is specifically provided for by other policies in the local plan, and that it does not have a significant detrimental effect on the character and setting of the countryside by virtue of its siting, size and prominence in the landscape.

**RUR 3**

Developments in the countryside which are provided for by other policies in this plan, will be permitted where:

- (i) the countryside is protected and maintained through the retention, creation or enhancement of features of nature conservation or landscape importance;
- (ii) any existing buildings or structures can be retained if of architectural quality;
- (iii) the site is satisfactorily landscaped to reduce its impact on the surrounding countryside;
- (iv) the criteria of the specific Policy by which the development proposed may be permitted are also met.

**DC22 - Additional Plant, Buildings and Minor Development**

Additional plant, buildings and minor developments at active minerals and waste sites, or the exploration of minerals (except oil and gas), will be permitted provided, where appropriate, they do not extend the timescale for completion of the development, they are ancillary to the operation of the site or they provide for the co-location of complementary minerals and waste activities.