



Appeal Decision

Inquiry commenced on 1 October 2019

Site visit made on 11 October 2019

by Graham Dudley BA (Hons) Arch Dip Cons AA RIBA

an Inspector appointed by the Secretary of State

Decision date: 25th November 2019

Appeal Ref: APP/D1265/W/19/3232596

Land north of Woodsford Quarry, Woodsford Farm, Woodsford, Dorchester, Dorset

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for planning permission.
 - The appeal is made by Hills Quarry Products Ltd against Dorset Council.
 - The application Ref WD/D/18/002648, is dated 1 November 2018.
 - The development proposed is planning application to provide additional silt lagoon capacity at Woodsford Quarry.
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Application for costs

1. At the Inquiry an application for costs was made by Hills Quarry Products Ltd against Knightsford Parish Council. This application is the subject of a separate decision.
2. The inquiry was held from 1 – 4 October 2019 & 9 – 10 October 2019 with the site visit on 11 October 2019.
3. The application form description was modified by the Council to the formation of silt lagoons to serve the existing processing plant, with site restoration to agricultural use and this has been adopted by all.

Decision

4. The appeal is allowed and planning permission is granted for the formation of silt lagoons to serve the existing processing plant at Woodsford Quarry, with site restoration to agricultural use at land north of Woodsford Quarry, Woodsford Farm, Woodsford, Dorchester, Dorset, in accordance with the terms of the application, Ref WD/D/18/002648, dated 1 November 2018 and the plans submitted with it, subject to the conditions set out in Annex 1.

Reasons

5. The main issues are:
 - The effect of the development on the significance of the grade I listed building, taking into consideration character, appearance and noise.
 - Whether the proposal complies with development plan policy and the weight to be given to emerging policy.

- The weight to be given to the need for gravel and if there are alternative locations for the silt lagoons, particularly the use of Area B, which might prevent or minimise harm to the listed building, if found.
- The effect on users of the public right of way.
- If harm is found to the significance of the listed building, whether there are any public benefits that would outweigh that harm.

Listed Building

6. When considering applications that may affect a listed building or its setting, section 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires special regard to be paid to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.
7. The list description of Woodsford Castle is a medieval house of considerable interest and it is grade I listed, so in the top 2.5% of listed building in the country. It is a medieval fortified manor house, which illustrates the sense of uncertainty in the country at the time of war with France, as well as local uncertainty. The building has C14, C17 and C18 fabric which is of historic and archaeological interest, illustrating the evolution from a fortified manor to a tenant farmhouse. The roof is mainly modern with some historic fabric incorporated within the later reconstructions and is covered in thatch. The building is monumental in size and form and this is reinforced by the solidity of the stone construction. The tower, chimney stacks, windows, piscina and ground floor vaults are features of considerable architectural and historic interest, as is the internal plan form. The building and the immediate vicinity of the listed building would not be physically affected by the proposal.
8. During the inquiry it became common ground that Thomas Hardy had some association with the castle, his father having worked there as a stone mason with the architect Thomas Hardy later worked for, and it is clear he would have visited the castle himself. There are also some limited direct mentions of the castle in some of his work, which has a broad cultural association with the surrounding wider Dorset landscape.
9. There is general agreement that the castle has a highly picturesque and romantic appearance deriving from the thatched roof, imposing chimneys, stone mullioned windows and evidence of ruined elements. The building is of considerable architectural and historic interest.

Setting

10. There is no argument that the surrounding countryside, including the appeal site and existing quarry, form part of the setting of the listed building, although the appellant's view is that the land towards the river, together with the immediate castle grounds, is more important, particularly as the more prominent public views are from the footpath to the north and from the road close to the castle.
11. The use of the castle has changed from a fortified manor house arranged about a quadrangle, close to a village, which over time was abandoned. The other ranges of the castle were demolished, but there are archaeological remains. The castle was then a tenanted farm until about 1977 when the Landmark

Trust converted it to holiday accommodation. The archaeological remains around the castle and abandoned village contribute to the significance of the castle. There was some suggestion that these remains should be classified as ancient monuments. This inquiry is not the place to make that determination. However, whether or not they should be, it is clear that the archaeological remains of the castle are of great importance and are protected as part of the listing; any impact of the development upon them is also a significant material consideration.

12. Historically there has been a functional connection between the castle and some of the surrounding land, including that of the quarry and the appeal site itself. It was also farmed from the castle when a tenant farmhouse, although this link was lost when the Landmark Trust took over.
13. The relationship to the River Frome is important, as it would have been the water source for the castle and there would have been a defensive relationship between the castle and river. Trees have grown around the castle, so there has been some change to the landscape, but it is likely the castle would have been prominent from the river.
14. The land rises up from the river to the castle, then appears to level off across the quarry, and then rises up again a little in places to the railway line. While I accept that there are limited views of the castle from the more distant landscape to the south, the castle is visible from some locations, including from points on the footpaths to the south. So while views from and to the river are important, the views from the south of the castle, which allow it to be placed in the historic rural landscape and setting, are also of importance.
15. Historic England [HE] in one of its consultation responses notes that the imposing form of Woodsford Castle has a dramatic visual impact, which makes it a distinctive local landmark and, despite its diminished form, the intention of its medieval builders to dominate the surrounding flat landscape is still apparent. HE notes the historic purpose or status of a manor or country house, which is reflected in the land holding over which it held domain. The introduction of an unsympathetic development or use into the land can affect the appreciation of that building's historic relationship with its environs, as well as its aesthetic qualities. Such changes of character to the surrounding landscape are clearly harmful to the asset's significance.
16. I consider that the land to the south, including the appeal site, particularly its rural character, is an important part of its historic setting. The views from some of the footpaths to the castle are important in placing it in the landscape. However, the views that include the appeal site and castle from the diverted footpath adjacent to the appeal site are limited, being restricted by hedges around the fields and the trees planted adjacent to the castle. The direct visual impact is therefore limited, being mainly chimneys and parts of the roof, but still allowing location of the listed building in the landscape.
17. The appellant notes that there are a number of artistic representations of the castle taken from the north with the River Frome in the foreground. All but one were near views, concentrating on the detail of the castle. None included the appeal site.

18. I conclude that the castle was clearly designed to be an important building in the landscape from a defensive point of view, in being able to see what is going on around and demonstrating its dominance to the people. I accept that this may have been more important in terms of views to the north over the river, but the views and countryside to the south are also very important in terms of the character of the land and appreciation and understanding of the historic setting.
19. I therefore conclude that the surrounding countryside on all sides is extremely important to the setting and significance of the listed building and particularly as, until the quarry occurred, it was relatively undeveloped.
20. There was some dispute as to whether the cumulative impact of the proposal was relevant in relation to the existing quarry, as the appellant notes that it has permission, which is not disputed. It is clearly necessary to understand the current situation, particularly the impact of the current quarry on the significance of the listed building, to be able to understand the extent of harm, if any, caused by the addition of the proposed development on the setting and significance of the listed building.
21. In this respect, there is surprisingly little information about the consideration of the listed building and its setting when the original quarry was granted planning permission, with apparently no consultation with Historic England. Surprising, because at that time there was clearly the requirement to have special regard paid to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possessed. It is not possible to explain why there is little evidence of this, but to my mind it does not mean that it can be assumed that the decision makers at that time considered there was no harm to the setting of the listed building. They could equally have decided that the benefits of the development outweighed the harm, or not considered it at all, but that can only be speculation.
22. My own assessment is that the importance of the setting comes from the character of the countryside formed by its relative openness and rural nature. It is a significant attribute of the historic setting and makes a weighty contribution to the significance of the listed building. This character is important to the setting whether or not the listed building can be seen from a particular part of its setting or not, or whether it can be shown there was ownership or working of the land associated with the castle. I also note the historic map that shows the position of a small quarry at the appeal site. However, that is a very small area and unlikely to have had any significant impact in terms of affecting the character of the area surrounding the castle in the way the current quarry does because of its size. The surrounding countryside is the listed building's setting and is of major importance.
23. It is unusual to find such an important fortified manor house in a relatively isolated position in open countryside. As the appellant notes, driving along the road you are suddenly surprised by the building itself, and to my mind this surprise and interest is generated, in part, from the undeveloped countryside position, as well as the limited views from the road.

24. The construction of the original quarry has had a major and harmful impact on that setting. The character of the quarry is industrial in nature and the formation of bunds and excavation mean that the open nature and character of the land are completely altered. The mitigating factor of the quarry development is the time limited nature of its effect on the character of the countryside and the fact that the land will fairly soon be returned to its former condition and character; the need for the gravel adds weight to that.
25. The Council in evidence suggested that the permanence/temporary nature of a development should be of little weight in judging the situation. I disagree with that and Historic England guidance makes it clear that this should be a material consideration. I accept that because something is temporary does not affect the actual harm that has occurred, such as through the original quarry, but clearly the fact that it is of limited duration should carry significant weight when combined with need. However, obviously there is a balance to be struck between public benefits and harm.
26. Whether or not any harm/balance was considered in the original application, the existing quarry clearly has a major harmful impact on the character of the land that forms an important part of the setting of the listed building that must be taken into account when considering what is proposed for the appeal site. To my mind the harm would, in terms of the National Policy Framework, be categorised as 'substantial harm'. Historic England does not look at this specifically, but correspondence suggests that its view is likely to be similar, as it notes that it is only changes undertaken by the appellant at the appeal site from Application A to Application B that take the harm at the appeal site down to the upper end of 'less than substantial'.
27. The harm is important, as identified by the Parish Council, because the change to the character of the land caused by the quarry spoils the approach to the listed building from the south. It does not matter whether or not the listed building can be seen from the footpaths or land generally, the industrial nature of the character of the quarry is in one's mind after passing through the quarry workings and causes considerable harm to the rural character of the approach to the listed building across fields.
28. The appeal site, with further quarry workings, bunds and silt lagoons, will clearly make a further negative contribution in terms of the character of the area. However, this is where I disagree a little with Historic England, as to my mind the great and harmful change to the character of the setting of the listed building has already occurred. Clearly the fact that the quarry is temporary and will return to agricultural land in a fairly short period is a major consideration and greatly mitigates against the harm that is occurring. The small additional area of quarry, which is further away from the listed building than the originally permitted quarry, would only have very limited additional impact on the character of the land forming the setting, the workings being well screened by bunds and hedges.
29. I appreciate that the appeal site is closer to the road than the existing quarry, but it would be well screened with the existing hedge and proposed bund, so the additional impact on appearance would be limited. While the quarry workings will be closer to the road and the bund visible through the hedge, particularly in winter, the bunds of the existing quarry and some of the processing plant can already been seen through the hedge, albeit at a greater

- distance. To my mind, while there will be some impact from the workings, because the area is relatively small the impact on character will also be very limited, as an addition to the major change to the character of the area from the existing workings.
30. I have also taken into consideration that the development was not found to be EIA development under the Environmental Impact Assessment Regulations Screening. However, while the screening makes an assessment of the potential for harm, the fact that screening found a full assessment unnecessary does not mean that harm cannot be found to occur in relation to the assessment that is made in association with the appeal and I have considered it on its merits.
31. I conclude that the appeal site will have some additional impact on the historic setting of the listed building, through the change to the character of the land, brought about by the industrial use and activity. While the appeal site is further away from the listed building, with little inter-visibility, it nevertheless has a harmful impact on the rural and open character of the area, which is important to the setting of the listed building and appreciation of its historic setting.
32. However, because there has been a major change to the character of the land brought about by the existing workings, the increased impact will be very limited and, categorised in accordance with the National Planning Policy Framework, would be at the low end of 'less than substantial' harm. In this I have taken into consideration additional noise impact assessed below, but the small increase is likely to have very little impact at the castle and overall the noise would not lead to a material change from the current situation.
33. The development does not accord with LP Policy ENV4 and MS Policy DM1 and DM7.

Noise

34. The government's mineral guidance notes that activities such as soil stripping and construction of mounds can lead to increased temporary daytime noise limits of up to 70dB(A) LAeq 1h. It notes that this is necessary to facilitate site preparation and restoration work for periods of up to 8 weeks a year where it is clear that this will bring longer term environmental benefits to the site and environment. Clearly the bunds, as identified by Historic England, help to screen the works from the castle and help with noise impact. In this case the anticipated noise is predicted to be considerably less than 70dB(A) LAeq 1h, and while I accept that there will be some additional levels of noise during the construction period, particularly nearer the appeal site, because it is of a limited duration I do not consider that it carries significant weight.
35. The level of noise that is generated by the existing quarry and proposed extension for the silt lagoon is agreed, although the effect of the noise from the proposed development is not agreed. At two site visits the noise was considered, but clearly circumstances change from one day to the next. At both visits the noise from the quarry was not very prominent. On occasion it was noticeable, but it was not continuously noticeable and on the first occasion noise from nearby farm machinery was far more noticeable, completely masking quarry noise, as did traffic on the road. However, the noise from the quarry is a reminder of the industrial activity that is occurring nearby and of the significantly altered character of the land forming the castle's setting.

36. The noise is more noticeable when walking the footpaths which pass close to the quarry workings. The appeal site will also be adjacent to the path and add a little noise to that currently occurring, but the increase would be very small and mainly occur in the construction phases at the beginning and end of the process. This would intrude to some extent on what would have been a peaceful approach through countryside towards the castle, but most of that noise will be present in any case from the existing permitted quarry. The actual noise generated by the appeal development after the initial construction phase is very limited. I have essentially discounted this during the construction phase and do not consider that the very small effect from the new silt lagoon during its operation adds material weight to harm associated with the development.
37. The development would accord with MS Policy DM1 and DM2.

Footpath

38. The footpath adjacent to the site would not be diverted. The main impact would be the formation of the bund along the south side of the proposed lagoons. This would produce a 'corridor' effect while walking along the path. However, this would be for a relatively short length, and walkers would already be passing next to a number of bunds along the path, so any additional impact on the enjoyment of the path, because of the industrial nature of the bunds and noise, would be very limited. Views would be impacted to the north from the path where currently it is possible to see only minor glimpsed views of a chimney and part of the roof of the castle. These views would be a little clearer in the winter. While there is some impact, when taken in the context of the existing quarry and bunds the slight limitation on views would have a small impact on users of the path and appreciation of the castle.
39. There was some discussion about persons turning one way and seeing the bunds and quarry and then turning the other way to see the castle. To my mind the main aspect in relation to this is that passing through the quarry will spoil the countryside character and that will be in the user's mind after having passed through the quarry workings. However, the additional harm from the proposed development would be likely to be insignificant as the impact of the quarry on character and the impression it would have made would already have occurred. The development would accord with MS Policy DM1 and DM2
40. I have considered noise in relation to the footpath under the noise heading.

Area B and Alternatives

41. The original planning application for the quarry was not made or advised upon by the current operator (appellant), so it had no input in relation to the size of required silt lagoons. However, even if it had, it is commonly accepted that the sizing of silt lagoons is not a precise science and will be liable to some adjustment once the nature of the material coming out of the ground is understood. In this case the appellant has found that there is considerably more reject material and silt. This has had an impact on the area required for storage of reject material prior to processing and the size of the silt lagoons required. Permission has already been given to resolve storage of reject material and this application is to resolve the limitations of the permitted silt lagoons.

42. Objectors consider that other areas of the quarry can be used for the silt lagoons, in particular Area B is identified. Other areas are also identified including Area C which has already been worked and parts restored, and the area now used to stockpile material awaiting processing. I accept the appellant's explanation as to why operationally it would be best not to use Area C and use of the land under the stockpile would make operational management difficult; I consider that there should be little weight given to any benefit to using these as alternatives.
43. I can see that it would be very desirable to use Area B, and the appellant acknowledges there are no technical or operational reasons why this could not be used. However, the operator does not own the land forming the quarry, but has a right to the aggregate through a contract with the owner, formed in 2008. This contract enabled the appellant to purchase all of the aggregate in the land basically on the basis of the original planning permission. The planning permission did not include being able to form silt lagoons on Area B and the owners will not change the contract with the appellant to allow this to take place.
44. The owner's reason for this, set out in a letter, includes the owner's hope that land here will come forward for housing allocation and suggests that the provision of housing itself should be considered a benefit and weighed against the urgent need for minerals. However, given the importance that I have found of the countryside character around the listed building and contribution to its relatively isolated and historic setting and significance, including to the south up to the railway line, that would seem unlikely, and I give the housing benefit balance suggested very limited weight.
45. However, the future of that land is a matter for others to consider and if the owners have the strong view that it may become available for housing, it is clear that the land is not going to come forward until any outcome for housing has been finalised, given the potential relative value of such uses. Therefore, I do not consider that there can be any assumption that the alternative land would come forward, or is likely to come forward, for the silt lagoons should the appeal be dismissed.
46. I note the health and safety arguments that have been put forward in relation to the relative benefits of each site. To my mind, these are not determinative one way or the other, as there will be different advantages and disadvantages with each site. I think there is some advantage to using Area B in terms of the impact of the development on the important rural character of the land and the impact on the setting of the castle. This is because Area B is already identified for quarrying, which will take place at some time in the future, while the appeal site currently remains in agricultural use. However, these matters are largely irrelevant in terms of this decision because I conclude the land is very unlikely to come forward because the owners will not allow the use.
47. I therefore give the use of alternative locations and Area B for the silt lagoons little weight.

Need for the lagoon and aggregate

48. At the inquiry the main parties agreed that the size of the lagoon identified for the appeal site was reasonable in relation to the remaining resource. While there had been some concern that it might have been sized to allow additional

areas of land to be worked in the future, the appellant confirmed that was not the case and it was not involved in possible gravel quarrying being looked at a little beyond the existing quarry. An interested party suggested that the size of the silt lagoons was not adequate to meet the need of the existing quarry, but I place more weight on the quarry operator's judgement in terms of understanding the need. In addition, if more space were needed, a further application would have to be made. I am satisfied that in relation to the current quarry workings the additional silt lagoons sought are necessary and would enable the mineral to be extracted quicker than at present.

49. The National Planning Practice Guidance for Minerals notes that mineral resources make an essential contribution to the country's prosperity and quality of life. The National Planning Policy Framework notes that it is essential that there is a sufficient supply of minerals to provide the infrastructure, buildings, energy and goods that the country needs. It notes that as they are a finite resource and can only be worked where found, best use needs to be made of them to secure their long term conservation.
50. Mineral planning authorities should plan for a steady and adequate supply of aggregates, including making annual assessments and forecasting demand based on rolling average sales. They should ensure landbanks of seven years are maintained for sand and gravel. It goes on to note that when determining planning applications, great weight should be given to the benefits of mineral extraction, including to the economy. However, it also notes that there are to be no unacceptable impacts on, amongst other things, the historic environment.
51. It is clear that the provision of mineral resources, including gravel, is a significant public benefit, whether it is supplied for concrete for the drive of a dwelling or the structure of a hospital, and in principle I attach great weight to its extraction as a public benefit. I acknowledge when comparing the great weight to be given to the preservation of listed buildings that weight is backed up by the Planning (Listed Buildings and Conservation Areas) Act.
52. It is also clear that the term landbank includes an identified mineral resource in the ground and if it remains in the ground as an identified resource it is technically retained in the landbank. Therefore, if the appeal were to be dismissed and the quarry ceased to be worked the gravel left in the ground would still form part of the landbank. Similarly, if the gravel were to be removed and taken outside of the county for processing and use, it would still have made its contribution in terms of the identified landbank. It is also common ground that Dorset has a good landbank, even if there is some disagreement over the precise figures.
53. However, I do not accept that gravel resource considerations can just be looked at in simple terms of the landbank. The National Planning Policy Framework notes that the essential need is for the supply of minerals, not just for there to be a landbank. Having a good landbank may well usually coincide with maintaining a good supply. However, if it could be shown that a mineral supply would be unacceptably affected, if a current, but unworkable or unusable, landbank were relied upon, then something would need to be done. It is therefore necessary to consider the practical implications of preventing the gravel resource from the appeal site being able to be processed at the site and distributed from it.

54. The output from the current operation has been reasonably consistent over the years, but the increased need for additional silt lagoons and space for stockpiles has been known for many years and the application process itself has taken considerable time. The operator notes that output would have been increased considerably if adequate lagoons were in place and output is planned to be increased considerably if the appeal is allowed. A large contract near Dorchester was also identified that would have been tendered for if the processing capacity had been available at the quarry; in this instance out of county resource has had to be used.
55. Currently the quarry supplies a good proportion of the gravel for Dorset and while there are other resources identified for landbank purposes it was not identified how the shortfall that could arise would be dealt with if working either ceased or the gravel were to be taken out of county. To simply suggest that the appellant would be able to renegotiate his contract with the owner were it to be dismissed is too simplistic and 'hopeful', particularly given the reasons for the owner not allowing use of the best alternative, Area B and management difficulties with the other options. The landowners have already sold the gravel, so it is not a main concern for them.
56. It has not been shown how other parts of the landbank could be brought forward to meet the shortfall, which given that quarrying can be contentious in planning applications is a significant consideration. I consider that without the ability to process the gravel at the appeal site, because of the contract the appellant has, the material will continue to be extracted, but taken out of county to the operator's plants elsewhere. Without this, processing would have to cease here because of the lack of silt lagoon space.
57. Extraction in this way would mean that the jobs associated with gravel removal would be retained at the appeal site, but some jobs, which the appellant indicates are the majority, associated with the processing would be lost from the appeal site and moved to where the gravel is taken. The planning practice guidance notes that the circumstances where it would be preferable to focus on extensions to existing sites rather than plan for new sites include where there are issues such as need for the specific mineral and economic considerations, including being able to continue to extract the resource, retaining jobs and being able to utilise existing plant and other infrastructure.
58. I also consider that environmental impact is a significant material consideration. To have to transport all the material for processing elsewhere is likely to have considerable environmental implications to which a little weight should be attached.
59. I conclude that there is a significant need for the gravel in the area and for the silt lagoons proposed to enable efficient processing of it. The development accords with MS Policy SS2, DM1 & AS1 and MSP Policy MS2.

Archaeology

60. A detailed study has been undertaken of the appeal site, including specialist surveying technique and exploratory trenches, and these do not suggest that there is archaeology on the site that means that a condition is not adequate to protect any archaeological remains if found at the site. The County Archaeologist, having considered submissions from Knightsford Parish Council,

is satisfied in the light of all the evidence that mitigation by archaeological recording is sufficient for the site.

61. The parish council identified on old maps indications of a hollow way and other routes in the vicinity of the listed building. One such feature cut across the field to the south of the castle, but then ended near to the footpath, away from the appeal site. There was no indication that this continued in a particular direction. If a straight line were to be projected from the map position it would pass into the corner of the appeal site. However, there is no reason to consider that any continuation of the route would necessarily be straight. There was no indication of any feature in the projected location on the site in an appropriately located trench or on the specialist survey results. The evidence provided does not indicate that a condition controlling archaeology is not acceptable or reasonable.
62. Some time was also spent on the possibility of there being Palaeolithic remains at the appeal site, with the suggestion that these would be so important that the development should not be able to commence until detailed work on site to check if this is the case or not has been undertaken. Mention was made of important remains at other sites nearby. However, there is extremely limited evidence to indicate that this is the case at the appeal site. On the Parish Council's own case the likelihood of such remains being found was very small and it eventually agreed that the proposed condition was a reasonable approach.
63. I am satisfied that archaeological remains are appropriately protected by the condition proposed.

Time period

64. The formation of the silt lagoons will result in the extraction of additional gravel over and above that already permitted from the existing quarry. This at current rates of extraction could add over a year to the time it takes to remove the aggregate from the quarry as a whole. Technically this would mean that the overall harm of a proportion of the original quarry operation would come into consideration.
65. However, the appellant explained at the inquiry that the rate of extraction at the quarry should be able to considerably increase with the ability to more swiftly remove the silt from the aggregate as originally planned for. So, while there is more aggregate overall, it is said that the quarry should still be able to extract all the aggregate reasonably in accordance with the anticipated timescale. In this respect there are time limiting conditions on the original planning permission and similar proposed for the appeal development. Therefore, if additional time is required the planning matters can be considered if an extension is applied for, together with taking into account the impact of the remaining quarry operation as a whole, on the significance of the listed building, and weighed in the balance against the benefit of the aggregate left to be extracted and the then current general availability of the resource.
66. For my balance, I consider the use of the additional silt lagoons is likely to have little effect on the overall time of the quarrying operations here. There will be extra gravel to remove, but the ability to process the aggregate faster is likely to mean any difference to the timetable is small.

Planning Policy

67. The development plan includes the West Dorset, Weymouth and Portland Local Plan [LP], the Bournemouth, Dorset and Poole Minerals Strategy [MS] and some saved policies in the Dorset Minerals and Waste Local Plan. Also relevant is the emerging pre-submission draft Mineral Sites Plan [MSP]. The policies that apply to the development overall are set out in the agreed statement of common ground. Policies most relevant to the main issues are considered below.
68. MS Policy SS1 is a general policy setting out a presumption in favour of sustainable development. MS Policy SS2 notes the Authority will use the Minerals Site Plan as the vehicle for the identification of specific sites wherever possible, having regard to policies in the minerals strategy, site selection criteria and presumption in favour of sustainable development. Permission will be granted for unallocated sites where it can be demonstrated that there is a need that cannot be met within allocated sites and where development would not prejudice the delivery of allocated sites.
69. MS Policy AS1 notes that an adequate and steady supply of locally extracted sand and gravel will be provided by maintaining a landbank of permitted sand and gravel reserves equivalent to at least 7 years' worth of supply. This can be achieved from new sites not identified in the minerals plan if identified sources are unlikely to meet the need. MS Policy AS2 notes that a separate landbank for the gravel associated with this appeal will be the equivalent of 7 years' supply.
70. MS Policy DM1 sets out key criteria for sustainable mineral developments including that it should support delivery of social, economic and environmental benefits whilst adverse impacts should be avoided or mitigated. It requires protection and, where appropriate, enhancement of heritage assets. MS Policy DM2 requires management of impacts on amenity. MS Policy DM7 refers to the historic environment and indicates permission should only be granted where heritage assets and their settings will be conserved in a manner appropriate to their significance.
71. LP Policy ENV4 relates to heritage assets and notes that applications affecting the significance of a heritage asset or its setting will be required to provide sufficient information to demonstrate how the proposal would positively contribute to the asset's conservation. Any harm is to be mitigated and weighed against public benefits.
72. The recently produced pre-submission draft mineral sites plan [MSP] is very close to adoption and all parties acknowledge that this should attract great weight. Policy MS2 relates to unallocated sand and gravel sites. To my mind this does cover the appeal proposal as it is not an allocated site. While it is for silt lagoons, the use is clearly directly associated with sand and gravel extraction and there will be gravel extracted for use.
73. However, the Council acknowledges that this situation where there is a need for further silt lagoons for a permitted quarry is not well covered by the policy, and this is a matter to be taken into consideration when assessing the development against MSP Policy MS2. MSP Policy MS2 notes that use of unallocated sites will only be permitted where there is a demonstrated shortfall in supply, identified by assessing the landbank and the level of demand.

Adverse impacts have to be taken into consideration and this would include considering the listed building and the viability of permitted supplies.

74. I have concluded above that while the landbank would not be affected by any outcome of the appeal, there is a likely situation where a significant part of the gravel supply for Dorset could be unacceptably affected and in this respect the need for the silt lagoons to enable extraction does fit with the 'need' criteria of MSP Policy MS2. In terms of harm I have already concluded in relation to the setting of the listed building that the additional harm of the use would be very limited.

Public Benefits

75. I have found that the harm to the significance and special architectural and historic interest of the listed building through impact on the setting would be very limited and categorised in accordance with the National Planning Policy Framework, would be at the low end of 'less than substantial' harm. This is to be weighed against the public benefits of the development.
76. I have found that there is a need for the gravel and for the size of additional silt lagoons proposed. While I have concluded that the landbank would not be affected if the appeal were dismissed, I consider it likely that the supply of gravel in Dorset could be materially affected and this attracts significant weight. In addition, should the operator have to take the aggregate out of county to process and use, there would be a loss of jobs, as well as gravel, in the area. This would not be a very sustainable outcome, with the extra transport involved, and is an adverse impact that should be avoided if possible. There is no evidence to indicate that allowing the appeal development would prejudice the delivery of other allocated sites.
77. While giving great weight to the impact on the listed building, given the actual limited harm of the development on the setting and significance of the listed building, I conclude the public benefits far outweigh the harm. I appreciate that there is considerable opposition on the basis that other parts of the site might come forward, but I do not accept that there is evidence to show that is reasonable or likely and given the limited harm found and the benefits I have attached little weight to the alternatives. Overall, I conclude the development would accord with MS Policy SS1, SS2, AS2, & DM2 and aspects of DM1, DM7 and MSP Policy MS2.

Conditions

78. A list of conditions is attached at Annex 1 together with the reasons for their imposition. Some amendments have been made following the discussion at the inquiry. Some references to 'unless otherwise approved by the local planning authority' have been removed. These do not serve a particular purpose, making the conditions less than precise, and if something were to be changed that should properly be the subject of public consultation, an application for the change would be required anyway.
79. I have also altered conditions/removed conditions which attempt to control the existing quarry operations. To my mind these are unreasonable. The existing operation is controlled by its own conditions. The existing permission anticipated that there would be adequate silt lagoons to allow the processing of the aggregate at the site. This application is only to make an adjustment to

ensure that there is adequate silt lagoon capacity and no more. It does not seek to add more silt lagoon capacity than is needed for the amount of aggregate left to be processed. So, while the operator notes it would be able to get aggregate out faster than currently that would be no more than could have reasonably been anticipated for the quarry with adequate silt lagoons when permitted. There is a relatively small amount of additional aggregate to be gained from the appeal site, but I do not consider that warrants further control of the existing quarry operation in terms of vehicle movements and recording and limiting quarry output. It is reasonable that there should be control of surface water and drainage relevant to this application, and a condition is needed to ensure that vehicle movements to and from the site are through the existing quarry and not directly onto the adjacent road.

80. In terms of the hours of operation I do not consider that it is reasonable to try to define what an emergency is. If a specific emergency were not identified and it occurred, technically nothing could be done about it without an application to amend the condition. If there is a dispute about an incident the planning authority can take action under the condition, without a need for specific identification, and make a judgment as to whether the situation was an emergency or not.

Graham Dudley

Planning Inspector

APPEARANCES

FOR THE APPELLANT:

Richard Wald	Of Counsel
He called	
Lucy Markham MRTPI	Montague Evans
IHBC	
Dr Steve Ford BA PhD	Thames Valley Archaeological Services
MCIFA FSA	
Peter Andrew	Group Director, Hills Quarry Products Ltd
Paul Burley MRTPI	Montague Evans

FOR THE LOCAL PLANNING AUTHORITY:

Stephanie Hall	Of Counsel
She called	
Simon Roper-Pressdee	WYG
BSc(Hons)PG Cert PCIfa	
IHBC	
Adrian Lynham MSc	Head of Waste and Resource Management, WYG
BA(Hons) MRTPI	

FOR THE RULE 6 PARTY

Charlie Hopkins MA(Oxon)	Solicitor (Non-practising)
PgDipLaw	
He called	
Tony Meader	Woodsford Parish Councillor
Dr Simon Collcutt	Professional archaeologist and cultural heritage manager

INTERESTED PARTIES:

Cllr R Tarr	
Helen Lange	Thomas Hardy Society
Clarice Wickenden	Resident of Moreton (FRAME)
Mr Nigel Hill	Representing Moreton Parish Council
Alistair Chisholm	Thomas Hardy Society

DOCUMENTS

Document	1	Plan (C13a)
	2	Dorset Minerals and Waste Local Plan site assessment page 1 (D06b)
	3	Modified version Pre-Submission Draft Mineral Sites Plan
	4	Court Judgement Case No C1/2015/1067
	5	Appellant's opening submissions
	6	Local Planning Authority's opening submissions
	7	Rule 6 Party's opening submissions
	8	Statement of Cllr Roland Tarr
	9	Heritage statement of common ground
	10	Clarice Wickenden – FRAME response
	11	Draft table for need and supply
	12	M N Hill representation representing Moreton Parish Council
	13	Historic England Pre – 1500 Military Sites Scheduling Selection Guide
	14	Plan showing bunds
	15	Tony Meader Explanatory Note on duration and intensification
	16	Woodsford Quarry Slurry Lagoons Sensitivity Analysis
	17	Email re health and safety 2 October 2019
	18	Thames Valley Archaeological Services Geophysical Survey
	19	Main issues
	20	Suggested draft conditions
	21	Statement of common ground
	22	Completed Aggregate Need and Supply table
	23	Cultural heritage evidence to the Examination in Public for the Mineral Sites Plan
	24	Map to show weirs/hatches on river
	25	Thomas Hardy Society letter dated 21 November 2016
	26	M N Hill – note on need for the silt lagoon
	27	Email from Lucy Markham dated 25 July 2019
	28	Country Houses of Dorset
	29	Revised list of conditions
	30	Brunel Surveys letter dated 8 October 2019
	31	Gov.UK - Countryside Hedgerows Protection and Management
	32	Historic England – Mineral Extraction and Archaeology A Practical Guide
	33	Map of route for site visit
	34	Record of Thomas Hardy Society evidence
	35	Appellant's application for costs
	36	Knightsford Parish Council's closing submissions
	37	Dorset Council's closing submissions
	38	Hills Quarry Products Ltd closing submissions
	39	Planning Practice Guidance for Appeals extract
	40	Site visit papers

Annex 1 - Conditions

Time Limit – Commencement of Development

1. The development hereby permitted shall be begun not later than the expiration of 3 years from the date of this permission.

Reason

In accordance with section 91 of the Town and Country Planning Act 1990 (as amended).

Development in Accordance with Approved Plans, Drawings and Details

2. Unless otherwise required by the conditions of this permission, the development hereby permitted shall be carried out in accordance with the following approved plans and drawings:

- (i) Brunel Surveys Ltd Drawing No. 541E-01 dated May 2015 and titled Site Location Plan;
- (ii) DB Landscape Consultancy Ltd Drawing No. 541E-03 Revision 0 dated September 2018 and titled As Proposed Layout During Mineral Extraction, Including Cross Sections;
- (iii) DB Landscape Consultancy Ltd Drawing No. 541E-04 Revision 0 dated September 2018 and titled As Proposed Layout During Silting Operations, Including Cross Sections;
- (iv) DB Landscape Consultancy Ltd Drawing No. 541E-05 Revision 0 dated September 2018 and titled Proposed Silt Lagoon Area – Soil Bunds: Landscape Scheme;
- (v) DB Landscape Consultancy Ltd Drawing No. WOOD002.Rev C dated September 2017 and titled Revised Restoration Scheme; and
- (vi) Brunel Surveys Ltd Drawing No. WQ-2500-NF001MT dated 22 Nov 2013 and showing Footpath Bridge and Conveyor.

No part of the operations and arrangements specified thereon shall be amended or omitted.

Reason

To ensure appropriate control over site operations having regard to Policies DM1, DM2, DM3, DM4, DM5, DM7 and DM8 of the adopted *Bournemouth, Dorset and Poole Minerals Strategy* and saved Policies 6 and 16 of the *Dorset Minerals & Waste Local Plan*.

Duration of Development – Mineral Extraction & Depositing of Mineral Waste

3. The extraction of mineral and the depositing of mineral waste hereby permitted must cease not later than 01 October 2028.

Reason

To limit the duration of disturbance from the development having regard to Policies RS1, DM1, DM2, DM3, DM4, DM5 and DM7 of the adopted *Bournemouth, Dorset and Poole Minerals Strategy* and saved Policies 6 and 16 the *Dorset Minerals & Waste Local Plan*.

Limits of Extraction

4. No extraction of mineral shall take place outside of the area shown as AREA DEVELOPED FOR SILT LAGOON on approved Drawing No. 541E-04 Revision 0 and no extraction shall take place below the base of the lagoons shown on the associated cross sections.

Reason

To limit the impact of the development in accordance with the application proposals having regard to Policies DM1, DM2, DM3, DM4, DM5, DM7 and DM8 of the adopted Bournemouth, Dorset and Poole Minerals Strategy and saved Policies 6 and 16 the Dorset Minerals & Waste Local Plan.

Drainage of Silt Lagoons & Site Restoration

5. Within 3 months of a permanent cessation of mineral working authorised by planning permission 1/E/2005/0742 and in any event no later than 1st March 2028, a scheme for the drainage of the silt lagoons hereby permitted and for the restoration of the application area edged red on the application Site Location Plan (Brunel Surveys Ltd Drawing No. 541E-01 dated May 2015) to a condition suitable for high quality agricultural use shall be submitted to the local planning authority for approval. The submitted scheme shall provide for the filling of the lagoons with material indigenous to the land edged red or blue on the application Site Location Plan (Brunel Surveys Ltd Drawing No. 541E-01 dated May 2015) and for the restoration of the application area through the placement of indigenous site soils only and for the completion of the site restoration no later than 01 October 2030. The approved drainage and restoration works must be completed and shall be undertaken in accordance with the details and arrangements approved pursuant to this condition.

Reason

To limit the maximum duration of disturbance from the development and to secure restoration of the lagoon extension area having regard to Policies RS1, RS2, DM1, DM2, DM3, DM4, DM5 and DM7 of the adopted Bournemouth, Dorset and Poole Minerals Strategy and saved Policies 6 and 16 the Dorset Minerals & Waste Local Plan.

Landscape and Ecology Management Plan

6. Prior to commencement of the development hereby permitted a Landscape and Ecology Management Plan for the application area edged red on the application Site Location Plan (Brunel Surveys Ltd Drawing No. 541E-01 dated May 2015) shall be submitted to and approved in writing by the local planning authority. The submitted Landscape and Ecology Management Plan shall include:
- (i) details of the position, species and size of all existing trees, shrubs and hedges to be retained and proposals for their protection throughout the extraction, operation and restoration phases of development;
 - (ii) details of planting and/or seeding and management of all bunds and any temporarily restored areas;
 - (iii) the position, species, and size of any trees and shrubs to be felled or removed;
 - (iv) a plan and schedule specifying the location, number, species and initial size of all trees and shrubs to be

- planted and the measures to be taken for their protection;
- (v) details of measures proposed for the maintenance and management of the hedgerows and trees around the boundary of the application site and adjacent to other operational areas;
- (vi) measures to be taken to review the restoration/removal of bunds if no longer required for amenity or operational purposes;
- (vii) a plan specifying the number and location of bat and bird boxes to be installed;
- (viii) mitigation method statements for the avoidance of harm to protected species including bats and badgers;
- (ix) arrangements for the subsequent maintenance and review of the Landscape and Ecology Management Plan; and
- (x) a programme for the implementation of all measures contained within the Plan.

The approved Landscape and Ecology Management Plan shall be implemented as approved.

Reason

In the interests of landscape and visual amenity, to protect and enhance biodiversity interest, and to mitigate for the loss of trees and habitat having regard to Policies DM1, DM2, DM4, DM5 and DM7 of the adopted Bournemouth, Dorset and Poole Minerals Strategy and saved Policies 6 and 16 of the Dorset Minerals & Waste Local Plan.

Aftercare Scheme

7. Within 3 months of a permanent cessation of mineral working authorised by planning permission 1/E/2005/0742 and no later than 1st March 2028 an aftercare scheme detailing a strategy of commitment to a five-year period of post-restoration aftercare land management for all parts of the application area edged red on the application Site Location Plan (Brunel Surveys Ltd Drawing No. 541E-01 dated May 2015) shall be submitted to and approved in writing by the local planning authority. The submitted aftercare scheme shall include details of proposals for planting (timing and pattern of vegetation establishment), cultivating, fertilising, watering, draining, and/or otherwise treating the land as appropriate to its intended afteruse including measures for managing soil quality, structure and fertility and the control of weeds. The aftercare scheme shall make provision for the submission and approval of a detailed management programme setting out the steps to be undertaken for each twelve-month period comprised in the aftercare period which shall specify the steps to be taken, the period during which the steps are to be undertaken and who will be responsible for undertaking each step. The aftercare strategy shall also make provision for an annual meeting to review the previous years' aftercare. The aftercare scheme and detailed programmes of management must be completed and shall be implemented as approved.

Reason

To secure the beneficial afteruse of the site and ensure that the land is brought up to the required standard to enable it to be used for the

intended afteruse having regard to Policies RS1, RS2, DM1, DM2, DM3, DM4, DM5 and DM7 of the adopted Bournemouth, Dorset and Poole Minerals Strategy and saved Policies 6 and 16 of the Dorset Minerals & Waste Local Plan.

Aftercare Management and Annual Review

8. Before February of every year comprised in the five-year post-restoration aftercare period(s), a detailed programme of management measures shall be submitted to the local planning authority for review and approval. The detailed programme of management measures shall include a record of aftercare measures undertaken on the land during the previous 12 months and detail the measures to be undertaken in the following 12 months, the period during which the measures are to be undertaken and details of who will be responsible for undertaking each measure. The measures shall include details of any proposed planting (timing and pattern of vegetation establishment), cultivating, seeding, fertilising, watering, draining, and/or otherwise treating the land and any other measures for managing soil quality, structure and fertility and for the control of weeds. The detailed programmes of management must be completed and shall be implemented as approved.

Reason

To secure appropriate aftercare measures and ensure that the land is brought up to the required standard to enable it to be used for the intended afteruse having regard to Policies RS1, RS2, DM1, DM2, DM3, DM4, DM5 and DM7 of the adopted Bournemouth, Dorset and Poole Minerals Strategy and saved Policies 6 and 16 of the Dorset Minerals & Waste Local Plan.

Prevention of Import of Material for Deposit (filling or restoration)

9. Save for the placement or deposit of any material approved under condition 5 of this planning permission and for mineral waste arising from development permitted by planning permission 1/E/2005/0742 no materials of any kind shall be imported to the application area site for the purpose of deposit as waste.

Reason

To ensure that traffic movements and any associated environmental and highway impacts connected with the site are maintained at acceptable levels having regard to Policies DM1, DM2, DM4, DM5, DM7 and DM8 of the Bournemouth, Dorset and Poole Minerals Strategy and saved Policies 6 and 16 of the Dorset Minerals & Waste Local Plan.

Stockpiling of Minerals

10. The stockpiling of any mineral within the application area edged red on the approved Site Location Plan (Brunel Surveys Ltd Drawing No. 541E-01 dated May 2015) shall not exceed a height of 2 metres above local ground level. The stockpiling of any mineral within the land edged blue on the approved Site Location Plan in conjunction with the development hereby permitted shall be undertaken in accordance with arrangements approved by and under planning permission 1/E/2005/0742 .

Reason

In accordance with the application proposals and to ensure appropriate control over mineral operations to safeguard the environment and amenity having regard to Policies DM1, DM2, DM4 and DM7 of the adopted Bournemouth, Dorset and Poole Minerals Strategy and saved Policies 6 and 16 of the Dorset Minerals & Waste Local Plan.

Archaeology

11. No development hereby permitted shall take place until the implementation of a programme of archaeological work has been secured in accordance with a written scheme of investigation and a timetable for undertaking the investigation has been submitted to and approved in writing by the local planning authority. The archaeological works shall be undertaken in accordance with the approved written scheme and timetable. A written record of the archaeological works shall be submitted to the local planning authority within 3 months of the completion of any phase of the archaeological investigation unless an alternative timescale for submission of the report is first agreed in writing with the local planning authority. The written scheme of investigation shall include provision for:
- (i) a programme of archaeological fieldwork to be undertaken during the extraction period of the silt lagoons hereby permitted;
 - ii) post-excavation work; and
 - ii) arrangements for publication of the results.

Reason

To ensure appropriate recording of archaeological interest on the site having regard to Policies DM1 and DM7 of the adopted Bournemouth, Dorset and Poole Minerals Strategy and saved Policies 6 and 16 of the Dorset Minerals & Waste Local Plan.

Maximum Noise Levels – Routine Operations During Construction Phase including Mineral Extraction

12. With the exception of essential temporary operations of bund formation/removal and soil stripping/placement, noise levels arising from the mineral extraction and construction operations hereby approved shall not exceed:
- (i) 46 dB LAeq 1 hour freefield when at Castle Dairy, West Woodsford; and
 - (iii) 45 dB LAeq 1 hour freefield when measured at Watermead Cottage, Lewell.

Reason

To limit noise impact from mineral operations in the interest of the environment and amenity of the locality having regard to Policies DM1, DM2 and DM7 of the adopted Bournemouth, Dorset and Poole Minerals Strategy and saved Policies 6 and 16 of the Dorset Minerals & Waste Local Plan.

Maximum Noise Levels – Routine Operations At Woodsford Quarry

13. Noise levels attributable to the operation of Woodsford Quarry and its associated plant and facilities in conjunction with the construction and operation of the development hereby approved shall not exceed:

- (i) 46 dB LAeq 1 hour freefield when at Castle Dairy, West Woodsford; and
- (ii) 45 dB LAeq 1 hour freefield when measured at Watermead Cottage, Lewell.

Reason

To limit noise impact from mineral operations in the interest of the environment and amenity of the locality having regard to Policies DM1, DM2 and DM7 of the adopted Bournemouth, Dorset and Poole Minerals Strategy and saved Policies 6 and 16 of the Dorset Minerals & Waste Local Plan.

Maximum Noise Levels – Essential Temporary Operations

14. For temporary operations comprising site preparation, soil and overburden stripping, bund formation and final restoration, noise levels attributable to the development hereby approved shall not exceed 55dB (LAeq) 1 hour free field at any residential property. Temporary operations which exceed the routine operations noise limits shall not exceed a total of eight weeks in any calendar year for any dwelling.

Reason

To limit noise impact from mineral operations in the interest of the environment and amenity of the locality having regard to Policies DM1, DM2 and DM7 of the adopted Bournemouth, Dorset and Poole Minerals Strategy and saved Policies 6 and 16 of the Dorset Minerals & Waste Local Plan.

Noise Monitoring

15. Noise monitoring for the site shall be undertaken in accordance with the monitoring procedures set out in the document prepared by Advance Environmental entitled '*Environmental Scheme*' dated 08 May 2017 comprising Appendix 14 of the *Planning Statement* dated May 2017 (Version 2) submitted in support of the application for planning permission refused by Dorset County Council under decision notice WD/D/15/001057. Following a noise survey, in the event that any of the maximum permissible noise levels set out in conditions 12 to 14 above are exceeded at any of the monitoring locations as a consequence of mineral operations from the application site and/or the associated quarry operations and mineral processing facility authorised by planning permission 1/E/2005/0742, the local planning authority shall be informed with 24 hours of the occurrence and mitigating measures shall be taken to reduce the noise impact. Noise complaints reported to the quarry operator shall be dealt with in accordance with complaints procedures set out in section 3 of the Environmental Scheme identified above.

Reason

To assist in the monitoring and regulation of noise impact in the interest of the environment and amenity of the locality having regard to Policies DM1, DM2 and DM7 of the adopted Bournemouth, Dorset and Poole Minerals Strategy and saved Policies 6 and 16 of the Dorset Minerals & Waste Local Plan.

Water Monitoring

16. Procedures for the management and monitoring of ground and surface water shall be undertaken in accordance with the details set out in Appendix 5 of the document entitled '*Details Pursuant to Permission I/E/2005/0742*' dated September 2008 as approved by Dorset County Council under condition 10 of planning permission 1/E/2005/0742 by letter dated 20 January 2009.

Reason

In the interests of protecting the local water environment having regard to Policies DM1, DM3 and DM5 of the adopted Bournemouth, Dorset and Poole Minerals Strategy and saved Policies 6 and 16 of the Dorset Minerals & Waste Local Plan.

Site Lighting

17. Artificial lighting of the land edged red and the land edged blue on the approved application Site Location Plan (Brunel Surveys Ltd Drawing No. 541E-01 dated May 2015) shall be managed in accordance with the arrangements set out within the document entitled '*Details Pursuant to Permission I/E/2005/0742*' dated September 2008 submitted pursuant to the requirements of condition 18 of planning permission 1/E/2005/0742.

Reason

In the interest of the environment and amenity having regard to Policies DM1, DM2, DM4 and DM7 of the adopted Bournemouth, Dorset and Poole Minerals Strategy and saved Policies 6 and 16 of the Dorset Minerals & Waste Local Plan.

Surface Water Management and Drainage

18. No development shall take place until a site specific surface water management scheme for the proposed quarry extension has been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved surface water management scheme. Drainage and mitigation works monitoring measures shall be undertaken in general accordance with the details contained within Hydrology and Hydrological Assessment dated March 2015 comprising Appendix 6 of the application and the details set out in Appendix 8 of the document entitled *Details Pursuant to Permission I/E/2005/0742* dated September 2008 (as expanded by the letter from Mr C Leake to Ms J Purser of the Environment Agency dated 12 January 2009 and to the letter from the Environment Agency dated 16 September 2008 as approved by Dorset County Council under Condition 22 of planning permission 1/E/2005/0742 by letter dated 20 January 2000.

Reason

In the interest of protecting the local water environment having regard to Policies DM1, DM3 and DM5 of the adopted Bournemouth, Dorset and Poole Minerals Strategy and save Policies 6 and 16 of the Dorset Minerals and Waste Local Plan.

Means of Access

19 No vehicles using the site in connection with the development hereby permitted shall enter or leave the site other than by the main access to Woodsford Quarry from Highgate Lane.

Reason

To ensure appropriate control over mineral operations and to safeguard the environment and amenity having regard to Policies DM1, DM2, DM4, DM7 and DM8 of the adopted Bournemouth, Dorset and Poole Minerals Strategy and saved Policies 6 and 16 of the Dorset Minerals and Waste Local Plan.

Reversing Alarms

20. Prior to the commencement of development hereby approved the operator shall submit details of the make, model and technical specification of reversing alarms to be used on the site's mobile plant for approval by the local planning authority. Only the approved reversing alarms shall then be used on any mobile plant within the application area edged red on the approved application Site Location Plan (Brunel Surveys Ltd Drawing No. 541E-01 dated May 2015) . Changes to the make and model of reversing alarm shall only be undertaken with the prior written approval of the local planning authority.

Reason

To limit noise impact from mineral operations in the interest of the environment and amenity of the locality having regard to Policies DM1, DM2 and DM7 of the adopted Bournemouth, Dorset and Poole Minerals Strategy and saved Policies 6 and 16 of the Dorset Minerals & Waste Local Plan.

Hours of Operation

21. Except to maintain safe mineral working in emergencies, no operations other than water pumping and essential maintenance and testing of plant shall be carried out within the application area edged red on the approved application Site Location Plan (Brunel Surveys Ltd Drawing No. 541E-01 dated May 2015) other than between 0700 and 1900 hours, Mondays to Fridays, and 0700 hours to 1300 hours on Saturdays. No operation other than essential maintenance and pumping shall take place on Sundays or Bank or Public Holidays.

Reason

In the interest of the environment and amenity having regard to Policies DM1, DM2, DM4 and DM7 of the adopted Bournemouth, Dorset and Poole Minerals Strategy and saved Policies 6 and 16 of the Dorset Minerals & Waste Local Plan.

Soil Stripping

22. All soils and soil making materials within the application area edged red on the approved application Site Location Plan (Brunel Surveys Ltd Drawing No. 541E-01 dated May 2015) shall only be stripped, handled, stored and placed in accordance with the details contained within the document entitled '*Woodsford Quarry - Details Pursuant to Permission I/E/2005/0742*' dated September 2008 as approved by Dorset County Council under condition 11 of planning permission 1/E/2005/0742 by letter dated 20 January 2009.

Reason

To ensure the suitable protection of soil resources having regard to Policies DM1, DM4 and DM5 of the adopted Bournemouth, Dorset and Poole Minerals Strategy and saved Policies 6 and 16 of the Dorset Minerals & Waste Local Plan.

Restriction of Permitted Development Rights

23. Notwithstanding the provisions of Class A and Class B of Part 17 of Schedule 2 of *The Town and Country Planning (General Permitted Development) Order 2015* (or any Order amending, replacing or re-enacting that Order) no fixed plant or machinery, buildings, structures or erections, or private ways shall be erected, extended, installed, rearranged, replaced, repaired or altered at the site or on any ancillary mining land without the prior written approval of the local planning authority. No fixed plant or machinery, buildings, structures or erections, or private ways shall be erected, extended, installed, rearranged, replaced, repaired or altered within the land edged blue on approved Drawing No. 541E-01 without the prior written approval of the local planning authority.

Reason

To ensure appropriate control over site operations in the interest of the environment and amenity having regard to Policies DM1, DM2, DM3, DM4, DM5 and DM7 and of the adopted *Bournemouth, Dorset and Poole Minerals Strategy* and saved Policies 6 and 16 of the *Dorset Minerals & Waste Local Plan*.

Dust

24. Monitoring and suppression of dust as a result of this development shall be undertaken in accordance with the details set out in Appendix 6 of the planning application.

Reason

To ensure appropriate control over site operations in the interest of the environment and amenity having regard to Policies DM1, DM2, DM4, DM5 and DM7 of the adopted *Bournemouth, Dorset and Poole Minerals Strategy* and saved Policies 6 and 16 of the *Dorset Minerals & Waste Local Plan*.