

HAMPSHIRE COUNTY COUNCIL

Regulatory Committee Meeting 16 September 2020

Update Report from Head of Strategic Planning

Item No: 6

Variation of conditions 16 of planning permission 18/11586 to allow additional mobile kit (Excavator, Dumper truck, and cell engineering equipment) on site to improve operation efficiency at Forest Lodge Home Farm, Fawley Road, Hythe SO45 3NJ (Application No. 20/10282 Site Ref. NF271)

1) Revisions to conditions

9. The Ecological Mitigation Strategy approved in writing by the Mineral & Waste Planning Authority on 19 June 2017 shall be implemented in full throughout the duration of the mineral extraction and restoration and aftercare works in accordance with Conditions 1, 13 and **37** of this permission.

Reason: In order to avoid ecological impacts and to ensure the development is in accordance with Policy 3 (Protection of habitats and species) of the Hampshire Minerals and Waste Plan (2013).

31. Prior to the commencement of the infilling of Phase 1, as shown on Working Plan Phases 003 REV D, or within 6 months of the granting of this permission, **whichever occurs earliest**, a revised Noise Assessment and Noise Management Plan will be submitted to the Minerals Planning Authority for approval in writing. The revised Noise Assessment and Noise Management Plan will **include the location of sensitive noise receptors, plus dates and times for the undertaking of the assessment works, including an annual noise survey, specific to the use of the following cell engineering equipment, as approved under Condition 16, and as listed below:**

- One 25 tonne dozer;
- One 26 tonne excavator; and
- One 5.5 tonne roller.

Once approved, this Noise Assessment and Noise Management Plan shall be implemented in full throughout the operation of the site. The results of the approved annual noise survey, including any identified mitigation with timescales for implementation, shall be provided to the Minerals Planning Authority not later than two months following completion.

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

2) Update to s106 legal agreement attached to planning permission 18/11586

1. In granting planning permission 18/11586 for the Variation of conditions 19 and 20 of planning permission 16/10450 (to allow screening operations to take place) the Section 106 agreement accompanying the original planning permission 16/10450 was also varied through a 'Deed of Variation'.
2. This Deed of Variation to the original Section 106 agreement (signed 14 March 2017) sought to secure and dedicate a public right of way from west to east across the application site connecting with Footpath no. 3a (Solent Way) across the restored site.
3. The Deed of Variation was completed by all 4 parties (the County Council, the two landowners and the site operator) on 20 September 2019.
4. This legal agreement contains a clause for all future 'Variation of Condition/s', requiring all existing signatories, including the County Council, to agree in writing that the obligations still apply, and planning permission should be granted. It negates the need for a fresh legal agreement.
5. Should Regulatory Committee resolve to grant planning permission, officers will ensure within a 3 month period that all four parties agree to the terms of the extant Deed of Variation (20 September 2019) in writing.

Item No: 7

1. Planning permission for an extension of mineral working at Hamer Warren Quarry, to extract some 600,000 tonnes of sand and gravel from Bleak Hill III, including works to create an extended haul road and back filling with inert material and progressive restoration to agriculture with increased nature conservation and biodiversity enhancements until 31 December 2025 at Bleak Hill III (No. 19/11326)
2. Variation of condition 1 of planning permission 19/10014 to allow an extension of time for working of minerals and tipping of materials at Bleak Hill I and II until 31 December 2025 (No. 19/11325)
3. Variation of condition 1 of Planning permission 19/10015 to allow an extension of time for an aggregate recycling plant and operations at Bleak Hill I until 31 December 2025 (No. 19/11324)

At Hamer Warren Quarry, Harbridge Drove, Nr Ringwood BH24 3PX (Site Ref: NF091)

1) Amendments to the report and clarification:

Para 14 - The site is 5km to the north of Ringwood (not south) and 900m to the south of Alderholt (not north).

The recommendation for application 1 (No. 19/11326) is to be amended to clarify the requirements of the s106 Legal Agreement. Recommendation 1 to be amended to:

It is recommended that planning permission be granted for planning application 19/11326 subject to a new Section 106 legal agreement **providing obligations on lorry routing, groundwater monitoring, management and aftercare and financial contributions for Highway maintenance** and the conditions listed in Appendix A.

END