

**HAMPSHIRE COUNTY COUNCIL  
Decision Report**

<b>Decision Maker:</b>	Regulatory Committee
<b>Date:</b>	17 November 2021
<b>Title:</b>	<p>1) Proposed variation of Conditions 1, 31 and 39 of planning permission 14/00063/CMA so as to allow an extension of time to complete extraction, processing and to remove plant, machinery and buildings until 30 June 2026, together with minor amendments to the restoration scheme and submission of the aftercare scheme (No. 20/03153/HCC)</p> <p><u>AND</u></p> <p>2) Proposed variation of Condition 1 of planning permission 14/00060/CMA so as to allow the extended use of the conveyor bridge, with its removal by 30 June 2026 (No. 21/00052/HCC)</p> <p>at Bramshill Quarry, Warren Heath, Brickhouse Hill, Eversley, Hook RG27 0QB (Site Ref: HR042)</p>
<b>Report From:</b>	Assistant Director of Waste, Planning and Environment

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**Recommendation**

1. That planning permission be GRANTED for planning application 20/03153/HCC subject to the conditions listed in **Appendix A1** and the deed of variation to the existing Section 106 legal agreement ensuring the delivery of the approved Heathland Site Management Plan, archaeological works, the provision of paths/bridleway routes/public access areas and nature conservation management and hydrological and ecological monitoring being secured.
  
2. That planning permission be GRANTED for planning application 21/00052/HCC subject to the conditions listed in **Appendix A2** and the deed of variation to the existing Section 106 agreement relating to the method of removal and reinstatement of land occupied by the conveyor bridge and the signalised crossing being secured.

## Executive Summary

3. This report relates to two separate planning applications for the variation of a number of conditions on previously approved temporary permissions at Bramshill Quarry Warren Heath, Brickhouse Hill, Eversley, Hook RG27 0QB.
4. Planning application 20/03153/HCC seeks to enable the continued use of the site for previously approved mineral extraction and processing, changes to the approved restoration and aftercare and other ancillary uses beyond 31 December 2020 up to 30 June 2026.
5. Planning application 21/00052/HCC seeks to allow the extended use of the conveyor bridge, with its removal by 30 June 2026 beyond 31 December 2020.
6. The quarry is identified in Policy 20 (Local land-won aggregate) part 1 (ii) in the adopted Hampshire Minerals and Waste Plan (2013) (HMWP) as an existing mineral extraction site. It is also safeguarded under Policies 15 (Safeguarding - minerals resources), 16 (Safeguarding - minerals infrastructure) and 26 (Safeguarding - waste infrastructure) of the HMPW (2013).
7. These two planning applications are being considered by the Regulatory Committee as they are both major minerals development and both Environmental Impact Assessment development. These proposed developments are classified as Environmental Impact Assessment development under the [Town & Country Planning \(Environmental Impact Assessment\) Regulations 2017](#) as they are development types listed within Schedule 1.
8. Key issues raised are:
  - The need for the development;
  - The impacts of the extensions of time and cumulative impacts; and
  - Restoration of the site.
10. It is considered that both proposals would be in accordance with the relevant policies of the adopted [HMWP \(2013\)](#), Hart Local Plan: Strategy and Sites 2032 (2020) as well as the relevant paragraphs of the [National Planning Policy Framework \(2021\)](#) and associated guidance. This is subject to the existing legal agreements being carried forward as part of these permissions, and subject to the conditions outlined in the appendices. It is considered that the proposal would facilitate the extraction and processing of remaining mineral resources at the site, as well as the site's restoration and aftercare, and is not likely to have a significant adverse impact on amenity of the local residents and the environment by way of the extended time period or during restoration works.

11. It is recommended that planning permission be GRANTED subject to the conditions listed in **Appendices A1** and **A2** and the deed of variations to the existing Section 106 legal agreements (for 20/03153/HCC) in ensuring the delivery of the approved Heathland Site Management Plan, archaeological works, vehicle routeing, the provision of paths/bridleway routes/public access areas and nature conservation management and hydrological and ecological monitoring and (for 21/00052/HCC) the method of removal and reinstatement of land occupied by the conveyor bridge and the signalised crossing being secured.

## **The Site**

12. The application site lies to the west of Blackwater and north-east of Hartley Wintney, immediately west of Blackbushe Airport (see **Appendix B – Committee Plan**).
13. The site comprises an area of approximately 120 hectares, north and south of the A30, west of the A327 and east and west of Blackbushes Road. The site entrance and plant site area lie to the west of the A327.
14. The site is an active sand and gravel quarry, on the edge of the Bramshill Plateau and forms part of an extensive area of coniferous plantation known as Bramshill Forest, which is a commercial forestry plantation. Sand and gravel extraction began at the site following permission in 2002 although the adjacent area has been subject to mineral extraction since the 1970s/80s.
15. The site is currently being worked and progressively restored through twelve phases. The remaining phases to be extracted all lie south of the A30. Phase 10 is to the east of Blackbushes Road and Phases 11 and 12 are to the west. The remaining areas of the site have already been worked and restored.
16. The remaining phases where mineral is to be extracted are Phases 11-12, and parts of Phase 10 (see **Appendix C – Phasing Plan**). Phase 10 is currently being worked and has been soil stripped. Phases 11 and 12 are still commercial forest plantation.
17. In terms of the remaining site, Phase 10 lies within Castle Bottom to Yateley and Hawley Commons Site of Special Scientific Interest (SSSI). Phases 11 and 12 and the plant site are not within any designated area. The conveyor bridge to the plant site crosses an area designated as Bramshill SSSI and Thames Basin Heaths Special Protection Area (SPA).
18. Extracted mineral from Phase 10 is moved westward across Blackbushes Road through Phases 11 and 12 to the southern end of the conveyor bridge and loaded. The bridge crosses the A30 approximately 250m west of the A30 - A327 roundabout. The bridge links the remaining extraction

areas with the storage and processing areas situated to the north of the A30.

19. Once mineral has been deposited in the storage area via the conveyor bridge it is eventually moved by dump truck northward from the storage area (formally known as London Road Heath) towards the processing plant. A tunnel under the B3106 allows trucks to travel between the sites without using the public highway.
20. Processed and raw mineral is exported from the site's processing area by Heavy Goods Vehicles (HGV). Vehicular access to the site is served from Welsh Drive in the form of a priority T junction with the A327. To the north of the site access the A327 travels towards Reading and the M4 motorway while south of the site the A327 joins the A30 at the Hartford Bridge flats junction which can be used to access destinations within Hampshire including the M3 motorway.
21. The nearest residential properties are the Caravan Site (opposite the Collard recycling site), Hawkers Lodge, The Kennels, and 1 & 2 Hartfordbridge Flats.
22. The application site comprises parts of and is situated within close proximity to several designated sites and locations and known environmental constraints, including:
  - Thames Basins Heaths SPA;
  - Castle Bottom to Yateley and Hawley Commons SSSI - located to the east of the A327 and south of the A30 including the area known as Yateley Heath Wood, is designated for the presence of habitat suitable for a range of species including Dartford Warbler;
  - Bramshill SSSI - adjacent to the north and east of the site and including the area known as London Road Heath, is designated for the presence of habitat suitable for a range of species including dragonfly, damselfly and nightjar.
  - Welsh Drive bridleway and footpath;
  - Bramshill Park (Historic Park and Garden);
  - Faeston Dic Linear earthwork Scheduled Ancient Monument;
  - Groundwater Vulnerability Zones;
  - Blackbush Airport Safeguarding Area;
  - Farnborough Airfield Safeguarding Area; and
  - Odiham Airport Safeguarding Area.
23. The Bramshill SSSI, Castle Bottom to Yateley and Hawley Commons SSSI and Hazeley Heath SSSI are all within the Thames Basin Heaths SPA, which is designated for ground nesting birds comprising the Dartford warbler, nightjar and woodlark.
24. 400 metres (m) to the east of the northernmost part of the site is the Castle Bottom National Nature Reserve. This comprises a large valley bog with

associated heathland habitats, which is also part of the Thames Basin Heaths SPA. Approximately 1 kilometre (km) to the east of Yateley Heath Wood is the West Minley Meadow SSSI, which is an example of wet, acid grazed grassland in north-east Hampshire. Approximately 1.7km to the west of Phases 11 & 12 is Hazeley Heath SSSI, designated for its heathland.

25. The Environment Agency Flood Risk Map indicates that the site is wholly within Flood Zone 1, and does not lie within a Groundwater Source Protection Zone. It overlies a Secondary A bedrock aquifer and lies within a Drinking Water Safeguarded Zone.
26. The only public Right of Way within the application site is Bridleway 11 which follows the route of the Welsh Drive, the eastern end of which forms the access road leading to the processing plant site shared by the applicant's HGVs.
27. Chandlers Farm is a CEMEX owned mineral working located at Eversley approximately 3km to the north of Bramshill Plateau. Members may recall the application to extend the life at Chandlers Farm was resolved to be granted subject to a Section 106 agreement in 2020 ([19/02866/HCC](#)). The applicant continues to operate the Chandlers Farm site and is currently extracting sand and gravel and restoring it in a phased manner. Following the removal of the processing plant from Chandlers Farm the remaining unworked extracted mineral is transported by HGV to Bramshill Plateau for processing.

## Planning History

28. The planning history of the site is as follows:

Application No	Location	Proposal	Decision	Date Issued
<a href="#">20/03158/HCC</a>	Bramshill Quarry Warren Heath, Brickhouse Hill, Eversley, Hook RG27 0QB	Proposed retention of existing concrete batching plant and ancillary development until June 2026	Granted	31 March 2021
<a href="#">16/01847/HCC</a>	Bramshill Quarry Warren Heath, Brickhouse Hill, Eversley, Hook RG27 0QB Bramshill Quarry Warren Heath,	Erection of a temporary concrete batching plant until 31 December 2020	Granted	30 September 2016

	Brickhouse Hill, Eversley, Hook RG27 0QB			
<a href="#">14/00060/CMA</a>	Bramshill Quarry Warren Heath, Brickhouse Hill, Eversley, Hook RG27 0QB Bramshill Quarry Warren Heath, Brickhouse Hill, Eversley, Hook RG27 0QB	Variation of Condition 2 of pp 08/00471/CMA to extend the time limit for the retention of the conveyor bridge until 31 December 2020	Granted	24 May 2016
<a href="#">14/00063/CMA</a>	Bramshill Quarry Warren Heath, Brickhouse Hill, Eversley, Hook RG27 0QB Bramshill Quarry Warren Heath, Brickhouse Hill, Eversley, Hook RG27 0QB	Variation of Conditions 1 and 27 of pp 00/00679/CMA to extend the life of the site for mineral extraction and restoration until 31 December 2020 and to revise the approved restoration scheme	Granted	24 May 2016
<a href="#">08/00471/CMA</a>	Bramshill Quarry Warren Heath, Brickhouse Hill, Eversley, Hook RG27 0QB	Variation of Conditions 2 and 26 of pp 00/00679/CMA to vary permitted working methods and the erection of a conveyor bridge	Granted	13 June 2008
<a href="#">00/00679/CMA</a>	Bramshill Quarry Warren Heath, Brickhouse Hill, Eversley, Hook RG27 0QB	Extraction of sand and gravel and restoration with retention of processing plant and ancillary	Granted	15 November 2002

		facilities		
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29. The site is safeguarded for its mineral resources and the minerals infrastructure through Policies 15 (Safeguarding – mineral resources) and 16 (Safeguarding – minerals infrastructure) of the Hampshire Minerals and Waste Plan (2013).

### **The Proposals**

30. The two applications under consideration - 20/03153/HCC and 21/00052/HCC - are intrinsically linked both physically and operationally, and as such, are being considered together.

#### Application 20/03153/HCC

31. The current planning permission for the wider Bramshill Quarry site [14/00063/CMA](#) allows the continued extraction of sand and gravel, with continued use of the processing plant and ancillary facilities, and the completion of restoration (with agreed aftercare) until 31<sup>st</sup> December 2020. This permission has expired. The applicant submitted this application in advance of the permission lapsing.

#### Application 21/00052/HCC

32. Planning permission [14/00060/CMA](#) allows the continued use of the conveyor bridge over the A30 in conjunction with permission [14/00063/CMA](#) covering the wider site. This permission also expired on 31<sup>st</sup> December 2020. Like with planning application 20/03153/HCC, the applicant submitted this application in advance of the permission lapsing.

### **Proposal 1 - Application 20/03153/HCC**

33. It is currently estimated that there are 420-440,000 tonnes of mineral at the site remaining to be extracted, in phases 10-12 (see **Appendix C – Phasing Plan**) within the current working area. The current rates of extraction and processing are up to 120,000 tonnes per annum (tpa).
34. It has taken longer than anticipated to extract and process the mineral, which is largely due to market conditions. The COVID-19 pandemic has also meant that sales reduced, and further time than previously anticipated is required. As such it is estimated that it will now take until December 2025 to extract and process the remaining mineral and a further 6 months to be able to remove the plant, machinery and buildings, and complete restoration as required by the conditions.
35. It is therefore proposed to vary the relevant conditions of planning permission [14/00063/CMA](#) so as to allow an extension of time to complete

extraction, processing and removal of plant, machinery and buildings, until 30 June 2026.

36. Planning permission [14/00063/CMA](#) was granted subject to 40 conditions and a S106 agreement. Condition 1 of this permission states that:

*‘The extraction of sand and gravel at the site shall cease and all plant, machinery and buildings shall be removed within six months of the completion of extraction or by 31 December 2020, whichever is the sooner.’*

37. It is proposed to amend this condition to read 30 June 2026 rather than 31 December 2020 as follows:

*‘The extraction of sand and gravel at the site shall cease and all plant, machinery and buildings shall be removed within six months of the completion of extraction or by 30 June 2026, whichever is the sooner.’*

### Restoration

38. Restoration of the site is dealt with by conditions 31-36 of planning Permission [14/00063/CMA](#). Minor amendments are proposed to the current restoration scheme, firstly to regularise the areas of Phases 8 and 9 that we’re not worked as they ought to have been (due to historic contamination), and secondly to propose minor enhancements to compensate for the delay in restoration and update the contours on the plan.

39. It is proposed to amend Condition 31 to update and amend the approved restoration scheme (see **Appendix D – Approved Restoration Plan**). The restoration scheme will enable the quarry to be restored to a high environmental standard for sustainable, long-term after use in accordance with the concept to provide for nature conservation enhancement and landscape improvements across the area.

40. Condition 31 of planning permission [14/00063/CMA](#) reads as follows:

*‘The site shall be restored in accordance with the details shown on Drawing Nos P1/1597/7 (as amended in accordance with Condition 3), P1/1597/10 and P1/1597/17. Furthermore, prior to the extraction commencing within each remaining land block area, that being Star Hill Plantation, restoration details shall be submitted to the Mineral Planning Authority for approval. The schemes shall be implemented as approved.’*

41. It is proposed to amend this condition to refer to the revised restoration plan P1/1597/17A being sought (see **Appendix E – Proposed Restoration Plan**) instead of the approved plan, P1/1597/17, as follows:

*'The site shall be restored in accordance with the details shown on Drawing Nos P1/1597/7 (as amended in accordance with Condition 3), P1/1597/10 and P1/1597/17A Furthermore, prior to the extraction commencing within each remaining land block area, that being Star Hill Plantation, restoration details shall be submitted to the Mineral Planning Authority for approval. The schemes shall be implemented in full as approved.'*

42. Drawing No P1/1597/10 is the restoration plan for the plant site area and is not proposed to be changed

#### Aftercare

43. In conjunction with the proposed variations to the approved restoration of the site (dealt with by conditions 31-36 of planning permission [14/00063/CMA](#)) a Restoration and Outline Five-Year Aftercare Scheme is submitted with this application, as Appendix 1 to the ES Addendum.

44. Condition 39 of planning permission [14/00063/CMA](#) reads as follows:

*'An after-care scheme to provide for a five year period of after-care, and requiring such steps as may be necessary to bring each phase of land restored under Conditions 31 and 32 to the required standard for forestry and permanent heathland, shall be submitted to the Mineral Planning Authority within one year of the date of this permission. The after-care scheme shall be implemented as approved and an aftercare meeting held annually.'*

45. It is proposed to also amend Condition 39 to refer to the submitted scheme as follows:

*'The submitted Restoration and Outline Five Year Aftercare Scheme (dated October 2020) hereby approved shall provide for a five year period of after-care, and requiring such steps as may be necessary to bring each phase of land restored under Conditions 31 and 32 of this permission to the required standard for forestry and permanent heathland, shall be implemented in accordance with the Mineral Planning Authority's written agreement that restoration has been completed as approved. The Aftercare scheme shall be implemented in full as approved and an Aftercare meeting held annually.'*

#### Staff and Working Hours

46. The site currently employs 7 full time staff and these positions will be retained for the duration of the proposed development being sought.
47. Working hours for operations would remain as Monday to Friday 0700 to 1800 and Saturdays 0700 to 1300 (no site preparation, including soil stripping, works to be undertaken before 0800) should the proposed

development being sought be approved. There will be no operations at any time on Sundays and Bank/Public Holidays.

#### Chandlers Farm, Eversley

48. Should these two applications be approved, they would not propose any other changes that would affect operations at the applicant's Eversley site (19/02866/HCC) nearby. This means that these two proposals:
- would maintain the current access arrangements;
  - would make no changes to lorry routing or numbers; and
  - would not change the existing working hours of Monday to Friday: 0700 to 1800, Saturday: 0800 to 1300 and no operations at any time on Sundays, Public Holidays or Bank Holidays.

#### **Proposal 2 - Application 21/00052/HCC**

49. Planning permission [14/00060/CMA](#) was granted subject to seven conditions and a Section 106 agreement. Condition 1 of this permission states that:

*'The conveyor bridge shall be removed within 6 months of the completion of sand and gravel extraction permitted under planning permission no. 00/00679/CMA (as amended) or by 31 December 2020 whichever is the sooner, unless otherwise agreed in writing by the Mineral Planning Authority.'*

50. As a consequence of planning application 20/03153/HCC, also submitted to the County Council and being considered within this report, seeking an extension of time in which to extract sand and gravel from Bramshill Plateau, there is a necessary requirement to also vary condition 1 of planning permission [14/00060/CMA](#) to enable the continued use of the conveyor to transport extracted mineral across the A30 to the plant site.

51. It is proposed to amend this condition to read 30 June 2026 in line with the above application as the conveyor bridge will still be required to transport mineral from the extraction site back to the plant site as follows:

*'The conveyor bridge shall be removed within 6 months of the completion of sand and gravel extraction permitted under planning permission 20/03153/HCC or by 30 June 2026 whichever is the sooner, unless otherwise agreed in writing by the Mineral Planning Authority.'*

52. The proposed variation would enable the use of the conveyor for the transportation of mineral across the A30 to continue for up to a further 5 and half years until 30 June 2026 in tandem with the extension of time for the wider site being sought.

Environmental Impact Assessment (EIA)

53. Scoping Reports were issued by the applicant in April 2020 and these were considered by the Waste Planning Authority who issued their Scoping Opinions on 01 July 2020. In summary, these Opinions indicated general agreement with the issues identified by the submitted Scoping Report, but also identified some areas of disagreement over matters proposed to be scoped in and out, matters requiring clarity and/or additional supporting information to be submitted within any planning application and its accompanying Environmental Statement (ES).
54. Both proposed developments have been assessed under [Town & Country Planning \(Environmental Impact Assessment\) Regulations 2017](#). Both developments are classified as a Schedule 1 development - automatically being EIA development - as they fall within parts 19 (Quarries and open-cast mining and 24 (Any change to or extension of development).
55. Environmental Statements (ES) were prepared in support of both previous planning applications [14/00063/CMA](#) and [14/00060/CMA](#). Both ES' were deemed adequate and acceptable when these applications were considered and determined in 2016.
56. The 2011 EIA Regulations were revised in 2017 resulting in [Town & Country Planning \(Environmental Impact Assessment\) Regulations 2017](#). As these planning applications seek minor amendments to conditions attached to these permissions, the assessment and conclusions of the respective 2014 Environmental Statements remain of relevance to the determination of this planning application. The 2014 Environmental Statements are therefore reproduced taking account of changes imposed under the 2017 EIA Regulations within the submission.
57. Separate Environmental Statements, and associated assessment methodologies, were submitted. The applicant indicated that the submissions met [Schedule 4 of The Town and Country Planning \(Environmental Impact Assessment\) Regulations 2017](#). The ES' submitted address both applications under consideration and have considered the operations as currently undertaken, which includes the use of the conveyor across the A30
58. The approach to the ES is set out in the ***ES Volume 2 – Environmental Statement Addendum and Technical Appendices***.
59. Following the initial round of public consultation on the application, the Mineral Planning Authority concluded that further information was required for the purposes of determining the application. In accordance with Regulation 25 of the [Town & Country Planning \(Environmental Impact Assessment\) Regulations 2017](#), the Mineral Planning Authority issued a Regulation 25 request on 28 May 2021. This additional information was considered to be necessary to enable the full and proper consideration of

the likely environmental effects of the proposed development. The [request](#) for further information is summarised as follows:

1. *Ecology and nature conservation* - Information requested to define differences between previously approved mitigation and restoration and how this has been met taking account of any relevant environmental changes since 2016. Additional information on submitted ecological surveys, including whether they've been completed fully in relation to the presence of protected species and/or their habitats, locally designated areas, and to accord with the Council's responsibilities under the Habitats Regulations; and
  2. *Landscape and Visual Impact* - Information requested to define differences between previously approved mitigation and restoration, how this has been met, and how appropriate restoration would still be achieved by 2026, taking account for environmental changes since 2016. The submission should include further assessment (including on ecology and biodiversity where there is a crossover) on the prolonged period of time sought and its impact and effects on the local landscape and locally designated sites/areas, missing supporting photographs, all taking account of any relevant environmental changes since 2016.
60. Information requested for clarification only focused on the applicant reviewing public representations received and commenting should they wish to.
61. The applicant's Regulation 25 response was received by the Mineral Planning Authority in August 2021 and was subject to thirty days public consultation in accordance with the adopted Statement of Community Involvement (2017).
62. A discussion of the findings of the ES and the subsequent Regulation 25 consultations is set out in the relevant **Commentary** sections of this report.

### **Development Plan and Guidance**

63. Paragraph 47 of the [National Planning Policy Framework \(2021\)](#) (NPPF) requires 'applications for planning permission (to) be determined in accordance with the development plan, unless material considerations indicate otherwise'. Therefore, consideration of the relevant plans, guidance and policies and whether the proposal is in accordance with these is of relevance to decision making.
64. The following plans and associated policies are considered to be relevant to the proposal:

### **[National Planning Policy Framework \(2021\)](#) (NPPF)**

65. The following paragraphs are relevant to this proposal:

- Paragraph 2: Determination of planning permissions;
- Paragraphs 10-12: Presumption in favour of sustainable development;
- Paragraphs 38 - 48: Decision making;
- Paragraphs 55 - 56: Planning conditions;
- Paragraphs 57: Planning obligations;
- Paragraph 81: Support of sustainable economic growth;
- Paragraphs 84 - 85: Supporting a prosperous rural economy;
- Paragraph 92: Healthy, inclusive and safe places;
- Paragraph 100: Protecting and enhancing public rights of way and access;
- Paragraphs 104, 110-113: Sustainable transport;
- Paragraphs 119 - 120: Effective use of land;
- Paragraphs 126 - 136: Design
- Paragraphs 153 - 158: Planning and climate change;
- Paragraphs 159 - 169: Planning and flood risk;
- Paragraphs 174, 180 - 182: Contributions and enhancement of natural and local environment and habitats and biodiversity;
- Paragraphs 180-181: Biodiversity and planning;
- Paragraphs 183-188: Ground conditions and pollution;
- Paragraphs 189-208: Conserving and enhancing historic environment; and
- Paragraphs 209 - 211, 213 - 214: Sustainable use of minerals and maintain supply.

### **South East Plan (SEP)**

66. The following saved policy is relevant to the proposal:

- Policy NM7: Thames Heath Special Protection Area (saved policy).

### **Hampshire Minerals & Waste Plan (2013) (HMWP)**

67. The following policies are relevant to the proposal:

- Policy 1 (Sustainable minerals and waste development);
- Policy 2 (Climate change - mitigation and adaptation);
- Policy 3 (Protection of habitats and species);
- Policy 5 (Protection of the countryside);
- Policy 7 (Conserving the historic environment and heritage assets);
- Policy 8 (Protection of soils);
- Policy 9 (Restoration of quarries and waste developments);
- Policy 10 (Protecting public health, safety and amenity);
- Policy 11 (Flood risk and prevention);
- Policy 12 (Managing traffic);
- Policy 13 (High-quality design of minerals and waste development);

- Policy 14 (Community benefits);
- Policy 15 (Safeguarding - mineral resources);
- Policy 16 (Safeguarding - minerals infrastructure);
- Policy 17 (Aggregate supply - capacity and source);
- Policy 18 (Recycled and secondary aggregates development); and
- Policy 20 (Local land-won aggregates);

### Hart Local Plan Strategy and Sites 2016 - 2032

68. The following emerging policies are relevant to the proposal:

- Policy SD1 – Sustainable Development;
- Policy NBE2 - Landscape;
- Policy NBE3 - Thames Basin Heaths Special Protection Area;
- Policy NBE 4 - Biodiversity;
- Policy NBE9 - Design;
- Policy INF3 - Transport;
- Policy INF4 - Open Space, Sport and Recreation; and
- Policy INF5 - Community Facilities.

### **Consultations**

69. **County Councillor Davies:** Was notified.
70. **Hart District Council:** No objection subject to conditions on the two 2014 permissions being re-imposed.
71. **Hart District Council Environmental Health Officer (EHO):** No objection.
72. **Hart District Council (Conservation officer):** Was notified.
73. **Eversley Parish Council:** Objects to the proposal on the grounds of the HGV traffic and disturbance locally and damage to roadside verges, the environmental and social impacts of that traffic on the residents, impact on the rural character of the parish and on the wider environment. The objection also notes that the applicant failed to engage with EPC in any pre-application discussions and failed to offer any additional community benefits over and above those associated with previous applications, meaning it has not met the spirit of Policy 14 of the HMWP (2013).
74. **Yateley Town Council:** Was notified.
75. **Natural England:** Based on the documents submitted and mitigation proposed we view that impacts upon the integrity of the Thames Basin Heaths Special Protection Area will be avoided and raise no objection to the applications. Advised that the mitigation measures should be secured by the competent authority through appropriate conditions or legal agreements.

76. **Environment Agency:** No objection. Environmental Permit will be required for the importation, storage and treatment of waste materials.
77. **Forestry Commission:** Advise that the comments of Natural England about biodiversity of the adjoining woodland (ancient woodland) are regarded. A felling licence will be required from the Commission to fell trees here regardless of the planning outcomes here.
78. **Historic England:** No comments to make.
79. **The Gardens Trust:** No comments to make.
80. **Local Highway Authority:** No objection subject to conditions controlling mud and debris control and road safety being imposed.
81. **Lead Local Flood Authority (LLFA):** No comments.
82. **County Landscape:** No objection subject to the approval of a detailed, updated planting plan, including bund establishment, which accord with any approved ecological mitigation required.
83. **County Archaeology:** No objection subject to the previously approved mitigation being retained and continued.
84. **County Ecologist:** No objection subject to the approval of an updated Heathland Management Plan through the site's existing s106's 'compensatory area'. Timings over vegetation clearance to ensure the protection of certain protection species and habitat creation is also required to be controlled.
85. **Public Health (HCC):** Was notified.
86. **Rights of Way (HCC):** No rights of way affected.

## **Representations**

87. Hampshire County Council's [Statement of Community Involvement \(2017\)](#) (SCI) sets out the adopted consultation and publicity procedures associated with determining planning applications.
  - In complying with the requirements of the SCI, HCC:
  - Published a notice of the application in the [Hampshire Independent](#);
  - Placed notices of the application at the application site and local area;
  - Consulted all statutory and non-statutory consultees in accordance with [The Town and Country Planning \(Development Management Procedure\) \(England\) Order 2015](#); and
  - Notified by letter all residential properties within 100 metres of the boundary of the site.

88. As of 1<sup>st</sup> November 2021, 1 representation to the proposal had been received. The main areas of concern raised in the objection relate to the following:
- prolonged impact on neighbours through noise and vibration from vehicles and machinery from this site; and
  - illegal activities from quad bike use across the site at evenings and weekends must be stopped from continuing.
89. County Councillor Simpson was the elected Councillor in this area until the May 2021 elections. He was fully aware of both applications and raised the same concerns over debris and material on the local roads as do Eversley Parish Council.
90. The above issues will be addressed within the following **commentary**.

### **Habitats Regulation Assessment [HRA]**

91. The [Conservation of Species and Habitats Regulations 2017](#) (otherwise known as the 'Habitats Regulations') transpose European Directives into UK law.
92. In accordance with the Habitats Regulations, Hampshire County Council (as a 'competent authority') must undertake a formal assessment of the implications of any new projects we may be granting planning permission for e.g. proposals that may be capable of affecting the qualifying interest features of the following European designated sites:
- Special Protection Areas [SPAs];
  - Special Areas of Conservation [SACs]; and
  - Ramsar.
93. Collectively this assessment is described as 'Habitats Regulations Assessment' [HRA]. The HRA will need to be carried out unless the project is wholly connected with or necessary to the conservation management of such sites' qualifying features.
94. It is acknowledged that the proposed development (through its updated ES) includes environmental mitigation essential for the delivery of the proposed development regardless of any effect they may have on impacts on European designated sites.
95. The Mineral Planning Authority, as the 'Competent Authority', via advice taken from the County Ecologist (and Natural England), accepts the applicant's further information submitted to address HRA requirements, and considers the proposed development to have no likely significant effect on the identified European designated sites due to:

- the site is not considered to have any functional impact pathways connecting the proposed works with any European designated sites; and;
- the proposal does not have any significant increase on any adverse impacts the wider site may have.

This is documented in more detail in the **ecology** commentary section of this report.

## Climate Change

96. Hampshire County Council declared a [Climate Change Emergency](#) on 17 June 2019. A [Climate Change Strategy and Action Plan](#) has since been adopted by the Council.
97. When it comes to planning decisions, consideration of the relevant national or local climate change planning policy is of relevance. The Strategy and Action Plan do not form part of the Development Plan so is not material to decision making. However, it is true to say that many of the principles of the Strategy and Action Plan may be of relevance to the proposal due to the nature of the development. This proposed development has been subject to consideration of Policy 2 (Climate change - mitigation and adoption) of the [HMWP \(2013\)](#) as well as Paragraphs 152 - 158 of the [NPPF \(2021\)](#). This is documented in more detail in the **climate change** commentary section of this report.

## Commentary

### Principle of the development and Need

98. The principle of the site as the location for mineral extraction has already been determined through the historical permissions granted for sand and gravel extraction. At the time that both applications were submitted and registered, the application related to a well-established quarry that has permissions in place for all existing activities in accordance with the relevant policies of the Hampshire Minerals and Waste Plan (2013) ([HMWP \(2013\)](#)).
99. Bramshill Quarry is also an important site for Hampshire supply of land-won sand and gravel. The site is safeguarded through Policies 15 (Safeguarding – mineral resources) and 16 (Safeguarding – mineral infrastructure) of the [HMWP \(2013\)](#) which help to protect mineral resources and infrastructure.
100. Policy 17 (Aggregate supply – capacity and source) of the [HMWP \(2013\)](#) states that an adequate and steady supply of aggregates until 2030 will be provided for Hampshire and surrounding areas from local and sand gravel sites at a rate of 1.56mtpa, of which 0.28mtpa will be soft sand. A landbank is the number of years of reserves remaining at an annual rate of

aggregate supply. Hampshire has a requirement to ensure a 7-year landbank to meet Paragraphs 213 - 214 of the [NPPF \(2021\)](#).

101. Hampshire's most recent [Local Aggregates Assessment \(LAA\) 2019](#) indicates that the supply of local sand and gravel is currently at a rate of 1.18 million tonnes per annum (mtpa). This is substantially below the total aggregated requirement of Policy 17 of 1.56 mtpa. In terms of the landbank, this accounts for 5.81 years (Table 3 of the LAA), below the 7 year landbank requirement.
102. For sharp sand and gravel specifically, the local requirement is 6.59 years. This means that currently Hampshire is below the requirement of a minimum seven-year landbank overall for sharp sand and gravel as required by the [NPPF \(2021\)](#) and as a result is not meeting the policy requirements of Policy 17 (Aggregate supply – capacity and source) of the [HMWP \(2013\)](#). The existing site helps to contribute towards the requirement for sand and gravel.
103. Policy 20 (Local land-won aggregate) of the [HMWP \(2013\)](#) identifies sites for the extraction of remaining reserves at permitted sites as identified in part 1 of the Policy. This includes Bramshill Quarry 1 (i). Part 2 of the policy also includes an extension area at the site (ii). The sites are identified to ensure an adequate and steady supply of locally extracted sand and gravel to help to maintain the landbanks. Hampshire's existing sand and gravel extraction sites play an important role in contributing to the amount of aggregate Hampshire needs to meet demand to meet the requirements of Policy 17 (Aggregate supply – capacity and source) of the [HMWP \(2013\)](#).
104. The proposal to extend the timescales for the extraction and restoration of Bramshill Quarry, along with the retention of the conveyor bridge to move mineral internally from extraction points to areas for processing and storage, will help to contribute to Hampshire's supply by enabling the final extraction of mineral in the final phases. The extraction of the remaining mineral resources from Bramshill Quarry would enable the initially anticipated reserves of aggregate to be achieved from the site. The proposals allow for the extraction of the remaining extractable mineral reserves at the site in accordance with Paragraphs 81, 84 - 85, 209 - 211 and 213 - 214 of the [NPPF \(2021\)](#).
105. The proposed development is considered to be in accordance with Policies 15 (Safeguarding – mineral resources) and 16 (Safeguarding – mineral infrastructure), 17 (Aggregate supply – capacity and source) and 20 of the [HMWP \(2013\)](#) as by extending the life of the site, the unextracted mineral reserves can be extracted, thereby contributing to an adequate and steady of supply of sand and gravel.
106. The minerals industry is reporting a shift in demand following the easing of lockdown restriction as a result of the Covid-19 pandemic. It is being reported that local quarries are struggling to meet the surge in demand for

aggregates in particular for development and major construction projects in Hampshire and in nearby market areas. This is also being reported by the applicant. It is indicated that the majority of mineral is being used in local development projects including large scale housing projects both inside of Hampshire and in neighbouring areas such as West Berkshire and Surrey.

107. The [HMWP \(2013\)](#) identifies that inert construction and demolition wastes can be directed to mineral workings (quarries) for agreed restoration schemes. The use of inert fill material to complete the approved restoration scheme designed to deliver a beneficial afteruse is supported by the NPPGW as well as Policies 25 (Sustainable waste management) and 30 (Construction, demolition and excavation waste development) of the [HMWP \(2013\)](#). This is considered in more detail in the restoration part of this commentary.
108. Policy 1 (Sustainable minerals and waste development) of the adopted [HMWP \(2013\)](#) states that the Hampshire Authorities will take a positive approach to minerals and waste development that reflects the presumption in favour of sustainable development contained in the [NPPF \(2021\)](#). The development of the site will be supporting economic growth by maintaining a reliable source of minerals, required to build and repair homes and roads, and are important to the local economy. The presumption is also reflected in Policy SD1 (Sustainable Development) of the HLP (2020). Whether this proposal is considered to be a sustainable minerals development will be considered in the remaining sections of this commentary.

#### Visual impact and landscape

109. Policy 5 (Protection of the countryside) of the [HMWP \(2013\)](#) identifies mineral extraction as a development which will be permitted in the countryside as it is time limited. It also indicates that development will be expected to meet highest standards of design, operation and restoration. In addition, Policy 13 (High-quality design of minerals and waste development) of the [HMWP \(2013\)](#) states that minerals and waste development should not cause an unacceptable adverse visual impact and should maintain and enhance the distinctive character of the landscape and townscape. It also states that the design of appropriate built facilities for minerals and waste development should be of a high-quality and contribute to achieving sustainable development. Policy 10 (Protecting public health, safety and amenity) of the [HMWP \(2013\)](#) protects residents from significant adverse visual impact.
110. Policy NBE2 (Landscape) of the HLP (2020) states that development proposals must respect and wherever possible enhance the special characteristics, value or visual amenity of the District's landscapes. Policy NBE9 (Design) of the HLP (2020) states that all developments should seek to achieve a high-quality design and positively contribute to the overall appearance of the local area.

111. An assessment of the impact of the development upon the landscape and visual amenity (LVIA) was undertaken for both planning permissions (**Chapter 6 of the 2014 ES**), and which was updated in support of these two applications. This acknowledged that the ongoing operations would continue to have only a slight adverse or negligible effect on residential amenity, with the majority of operations screened from external views and structures such as the conveyor bridge being largely accepted as forming part of the local landscape over what is a highly trafficked A road, albeit on a further temporary basis. It also indicated that there would continue to be medium short-term effects on landscape amenity for those routes with close proximity open views, but effects would continue to be small for those routes where the site is a small element within the landscape. The LVIA concluded that: *“The continuation of quarrying activities will not have any substantial adverse effects on either landscape character, or visual receptors.”*
112. Additional information on landscape impacts was submitted as part of the Regulation 25 response. The County Landscape Architect was able to fully assess the proposal and all potential and actual impacts on the locality beyond 2020 until 2026. They concurred with the applicant’s findings that the continuation of quarrying activities will not have any substantial adverse effects on either landscape character, or visual receptors, but wanted matters such as phasing of restoration, planting details and fertiliser use controlled by condition and/or through the existing s106, which also controls the existing ecological mitigation. These matters would, if further time is granted, be agreed through updated conditions and/or updated s106 informed by discussions between the relevant experts, the applicant and the Mineral Planning Authority.
113. It is already acknowledged the principle of the location of the site in the countryside has already been determined. The focus here should be on the continuation of workings and subtle changes to the approved restoration as well as on the retention of the conveyor bridge, all until 30 June 2026.
114. The restoration works already completed on site will have contributed to reducing the landscape and visual impacts outlined in the 2014. Furthermore, these impacts will continue to reduce as the site is progressively restored, particularly following the large-scale restoration scheduled to be completed by the end of 2025/6, with a suitable aftercare scheme imposed.
115. Therefore, in the absence of any objections from consultees including the County Landscape Architect and Natural England, in relation to the potential visual impact of extending the life of the quarry, and updated conditions controlling restoration and aftercare and/or s106 agreement being imposed for the extended period, the proposal is in accordance with Policies 5 (Protection of the countryside), 10 (Protecting public health, safety and amenity) and 13 (High-quality design of minerals and waste development) of the [HMWP \(2013\)](#) as well as Policies NBE2 (Landscape) and NBE9

(Design) of the HLP (2020) as it is a time limited permission at an existing, and safeguarded, mineral quarry.

### Cultural and Archaeological Heritage

116. Policy 7 (Conserving the historic environment and heritage assets) of the [HMWP \(2013\)](#) requires minerals and waste development to protect and, wherever possible, enhance Hampshire's historic environment and heritage assets (designated and non designated), including their settings unless it is demonstrated that the need for and benefits of the development decisively outweigh these interests. In addition, Policy NBE8 (Historic Environment) of the HLP (2020) states that development proposals should conserve or enhance heritage assets and their settings, taking account of their significance.
117. An assessment of the effects of the development on local archaeological and cultural heritage features and resources was undertaken and is contained within **Chapter 11 of the 2014 ES** and has been updated within the **Addendum ES** supporting these two applications for extensions of time.
118. Despite extraction having commenced initially in 2002, all archaeological assessments have reiterated that the several features of potential archaeological interest, including mounds, banks, ditches and historic boundaries, identified within Phases 8 - 12, would need investigating and/or recording prior to any further phases of extraction commencing. This was agreed via a Written Scheme of Investigation (WSI) via s106 in agreement with the County Archaeologist.
119. The designated heritage assets, in the vicinity of the proposed development including local Conservation Areas (Bramshill and Eversley), are sufficiently distant that their settings would not be affected by extraction within or restoration of the site. This position remains unchanged and neither Historic England nor Hart District Council's Conservation Officer.
120. The 2014 ES also noted that Sir Richard's Ride, part of the Grade II\* listed Bramshill Park and Garden passes through the north of the development site, however, the land around this area has already been subject to extraction and restoration. The land north of the Ride is currently occupied by the processing plant, as it was at the time of the 2014 application, and there is no change proposed to the restoration of this area which is to go back to woodland. As such it is not considered that this extension of time application has any different or significant effects on the listed Bramshill Park and Garden.
121. The updated assessment still concludes that *"the Proposed Development does not include any changes that would result in a material difference to archaeology and heritage effects in comparison to the approved scheme."*

There have been no changes to operations which would impact the historic environment.

122. No objections have been received from consultees, including Historic England and the Conservation Officer at Hart District Council. The Council's Archaeologist accepts the applicant's proposal to continue implementing all previously agreed mitigation subject to it continuing to be controlled by working practices, condition/s and/or s106 agreements.
123. The proposed time extension contained within both planning applications would not have any material effect to the findings of these conclusions. Based on the provision of the restoration scheme and the archaeological mitigation proposed, and subject to satisfactory restoration and aftercare being maintained and achieved again via the s106 agreement for the extended period, the proposed development is therefore considered to be in accordance with the [NPPF \(2021\)](#), Policy 7 (Conserving the historic environment and heritage assets) of the [HMWP \(2013\)](#) and NBE8 (Historic Environment) of the HLP (2020) which require development to protect heritage assets.

#### Ecology

124. Policy 3 (Protection of habitats and species) in the [HMWP \(2013\)](#) sets out a requirement for minerals and waste development to not have a significant adverse effect on, and where possible, should enhance, restore or create designated or important habitats and species. The policy sets out a list of sites, habitats and species which will be protected in accordance with the level of their relative importance.
125. The policy states that development which is likely to have a significant adverse impact upon the identified sites, habitats and species will only be permitted where it is judged that the merits of the development outweigh any likely environmental damage. The policy also sets out a requirement for appropriate mitigation and compensation measures where development would cause harm to biodiversity interests.
126. Saved Policy NM7 (Thames Heath Special Protection Area) of the South East Plan and Policy NBE3 (Thames Basin Heaths Special Protection Area) of the HLP (2020) are not considered to be relevant to the proposal as the site is an existing development.
127. The applicant has indicated that the biodiversity pledges including the creation of habitats suitable for biodiversity net gain benefits within their previously approved restoration and aftercare could and would still be delivered through the extended period of time being sought, with no harm caused due to the delay. As described in the ecological assessment undertaken as part of the [14/00063/CMA](#) ES (and the **2020 ES Addendum**), BAP (Biodiversity Action Plan) habitat would be provided within the approved Restoration Scheme, and as a result, **Chapter 5 of the**

**2014 ES** findings that the restoration scheme would have long-term, permanent, and positive impacts on ecology receptors, are supported by the **ES Addendum** submitted in support of both current applications to extend the duration of both developments to 2026.

128. Looking at future tree and vegetation loss in Phases 10 to 12, Phase 10 is currently bare ground and 11 and 12 comprise coniferous plantation that is due to be felled on a commercial basis by the landowners regardless of the outcome of these applications under a Forestry Commission licence in 2021. Therefore, the continued working of this area within the wider Bramshill Quarry, would through a further approved extension of time guarantee the securing of mitigation to offset the loss and contribute to biodiversity net gain benefits locally.
129. Whilst the restoration and planting schemes would also see this commercial forestry felling programme undertaken, the mitigation would ensure an enhanced biodiversity mix comprising broadleaved and mixed woodland, grassland access rides through the site, areas of acid grassland and bare sand (see **Appendix E - Proposed Restoration Plan**) in Phases 11 and 12.
130. The County Ecologist and Natural England initially raised concerns over omissions in the submission relating to the assessment of the sensitive designated ecological receptors within the vicinity, the quality of surveys concerning protected species and their habitats, and the viability of approved yet incomplete mitigation and delaying it further (i.e. the restoration and aftercare following mineral extraction).
131. Following the submission of the applicant's Regulation 25 further information both the County Council's Ecologist and Natural England were able to fully assess the proposal and all potential and actual impacts on the locality beyond 2020 until 2026. With the County Council being the 'competent authority' in relation to Habitats Regulations, the assessment of the applicant's shadow HRA could also be undertaken too as set out earlier in this report. They concurred with the applicant's findings that the continuation of quarrying activities will not have any substantial adverse effects on either ecological or biodiversity designations or on protected species and their habitats but wanted matters such as phasing of restoration, planting details and fertiliser use controlled by condition and/or through the existing s106, which also controls the existing ecological mitigation within the existing compensation area previously designated under permission [14/00063/CMA](#).
132. The restoration works already completed on site will have contributed to reducing the impacts on ecology and biodiversity as outlined in the 2014. Furthermore, these impacts will continue to reduce as the site is progressively restored, particularly following the large-scale restoration scheduled to be completed by the end of 2025/6, with a suitable aftercare

scheme imposed. The County Council's Ecologist and Natural England both agree with the applicant's approach.

133. The extant s106 'compensation area' approved under [14/00063/CMA](#) occupies a large area of land adjoining the southern boundary of the currently permitted extraction area and Phases 11 and 12. This extant 'management plan' is proposed to be retained, and updated, by the applicant. Again, this is supported by consultees.
134. The targeted clearance and felling of trees and vegetation, the combined with the introduction of specific protected species and their habitats - including nesting birds, bats and reptiles - would ensure that the status of the locality's ecologically designated areas, principally the Thames Basin Heath SPA and Castle Bottom to Yateley and Hawley Commons SSSI.
135. These agreed and approved mitigatory measures will, according to the applicant, be retained and most importantly, and will still be able to deliver the required level of mitigation to deliver net biodiversity gain appropriate to extending quarrying operations and delaying restoration and aftercare beyond 2020 as currently approved.
136. Based on the provision of the restoration scheme and ecological mitigation proposed, and subject to satisfactory restoration and aftercare being maintained and achieved via planning condition/s and/or s106 agreement for the extended period, the proposed development is considered to be in accordance with Policy 3 (Protection of habitats and species) of the [HMWP \(2013\)](#) as well as the relevant paragraphs of the [NPPF \(2021\)](#).

#### Impact on amenity and health - including noise

137. Policy 10 (Protecting public health, safety and amenity) of the [HMWP \(2013\)](#) requires that any development should not cause adverse public health and safety impacts, and unacceptable adverse amenity impacts, including on the adjoining Thames Basin Heaths SP3. Also, any proposal should not cause an unacceptable cumulative impact arising from the interactions between waste developments and other forms of development.
138. As already noted, the previous planning applications ([14/00063/CMA](#) and [14/00060/CMA](#)) were both deemed to be 'EIA development'. This application does not propose any changes to hours of working for the site which are Monday to Friday: 0700 to 1800, Saturday: 0800 to 1300 and no operations at any time on Sundays, Public Holidays or Bank Holidays.

#### *Noise*

139. A Noise Assessment is contained within **Chapter 8 of the 2014 ES**. The assessment finds that "worst case noise levels from the continued use of the processing plant area, stockpiling, soil stripping, sand and gravel extraction and site restoration works are predicted to be within the relevant

criteria set out by the [NPPF \(2021\)](#) and NPPG.” The assessment concluded that, no significant adverse noise effects would arise as a result of the proposed development. As described previously, the processing plant has now been removed from site.

140. The remaining operations on site will be more limited than those assessed within the 2014 Noise Assessment and the noise levels generated by the operations will therefore be lower than those assessed. They will also be more concentrated to the operational mineral storage and processing areas and the areas where extraction and restoration works are incomplete and/or yet to commence rather.
141. Concerns raised about the prolonged impact on neighbours through noise and vibration from vehicles and machinery from the site are noted.
142. The Environmental Health Officer at Hart District Council raises no objection to the proposed extension of time affecting both [14/00063/CMA](#) and [14/00060/CMA](#) respectively. No noise-related complaints have been received by the Mineral Planning Authority since the granting of planning permission in 2016.
143. The proposed development would continue to be undertaken in accordance with conditions 13 - 15 of planning permission [14/00063/CMA](#) which impose maximum noise levels at the nearest affected properties (to not exceed 53 to 55dB(LAeq) respectively), monitoring and recording of on-site noise emissions from plant, machinery and operations and the requirement that all plant, vehicles and machinery are well maintained and fitted with effective silencers and for the noise levels attributable to site operations,. The proposed time extension contained within this planning application would not have any material effect to the findings of these conclusions.
144. Whilst it is recognised that local residents will continue living in close proximity to a working mineral extraction site throughout the extended lifespan of the site and the extension of time, securing the completion of the site is paramount. Local Environmental Health officers have raised no objections relating to impacts from noise subject to existing conditions regulating noise emissions and hours and use being retained. The proposal is therefore in accordance with Policy 10 (Protecting public health, safety and amenity) of the [HMWP \(2013\)](#).

#### *Air quality and dust*

145. An assessment of the potential for dust and air quality effects to arise as a result of the proposed development has been assessed within **Chapter 9 of the 2014 ES**, which concludes that “... there would be no significant adverse effect t air quality resulting from the proposed development site.” The applicant has indicated that the proposed development would continue to be undertaken in accordance with best practice guidance, which includes the implementation to measures including:

- Limiting stockpile heights;
  - Stockpile damping;
  - Road sweeping;
  - Low site speed limits; and
  - Minimising drop heights.
146. The proposed time extension contained within this planning application would not have any material effect to the findings of these conclusions.
147. The Environmental Health Officer at Hart District Council raises no objection to the proposed extension of time affecting both [14/00063/CMA](#) and [14/00060/CMA](#) respectively. No air quality dust-related complaints from on-site operations have been received by the Mineral Planning Authority since the granting of both planning permissions in 2016 either.
148. Whilst it is recognised that local residents will continue living in close proximity to a working mineral extraction site throughout the extended lifespan of the site and the extension of time, securing the completion of the site is paramount. Local Environmental Health officers have raised no objections - subject to extant conditions being retained - relating to impacts from air quality and dust from on-site operations. These would continue to be undertaken in accordance with conditions 13 - 15 of planning permission [14/00063/CMA](#). The proposal is therefore in accordance with Policy 10 (Protecting public health, safety and amenity) of the [HMWP \(2013\)](#).

#### Potential pollution associated with the development

149. National Planning Practice Guidance states that Planning Authorities should assume that other regulatory regimes will operate effectively rather than seek to control any processes, health and safety issues or emissions themselves where these are subject to approval under other regimes ([Paragraph 050 Reference ID: 28-050-20141016](#))
150. Planning and permitting decisions are separate but closely linked. Planning permission determines if a development is an acceptable use of the land. Permitting determines if an operation can be managed on an ongoing basis to prevent or minimise pollution. The Environment Agency has a role to play in both.
151. The use of waste materials for restoration purposes within the development is controlled via an Environmental Permit as issued by the Environment Agency. The scope of an Environmental Permit is defined by the activities set out in the Environmental Permitting Regulations (England and Wales) 2016 (EPR). The aim of the EPR regime is to protect the environment from potential impacts associated with certain liable facilities or installations. The permitted activities may form a part of, but not all, of the development needing planning permission. In these cases, the planning application will

need to address environmental considerations from those parts of the development that are not covered by the permit.

152. The development is acceptable in terms of planning. The site is monitored and enforced in the same manner as any other regulated site by the Environment Agency. Several mechanisms are put in place to monitor to ensure compliance such as audits, site visits, data analysis and compliance checks are carried out by the regulator.

### Flooding

153. Policy 10 (Protection of public health, safety and amenity) of the [HMWP \(2013\)](#) requires that any development should not cause adverse public health and safety impacts, and unacceptable adverse amenity impacts. This includes impacts on the water environment.
154. In addition, Policy 11 (Flood risk and prevention) of the [HMWP \(2013\)](#) relates to minerals and waste development in flood risk areas and sets criteria which developments should be consistent with relating to flood risk offsite, flood protection, flood resilience and resistance measures, design of drainage, net surface water run-off and Sustainable Drainage Systems.
155. An assessment of the potential for the proposed development to result in hydrological or hydrogeological effects was undertaken **within Chapter 7 of the 2014 ES**. This highlighted that the superficial sands and gravels form an aquifer which support flow in the River Blackwater and its tributaries. Water quality in the aquifer is naturally poor, with moderately acidic water and elevated concentrations of iron and manganese. The assessment identified the potential for the development to result in changes to surface and ground water quality. However, these effects can be mitigated through the continued monitoring of surface and groundwater and the adoption of standard good practice measures and adherence to the existing Environment Management System. This is controlled through conditions 18 and 22 on planning permission 14/00640/CMA.
156. The restoration activities at the site are undertaken under an Environmental Permit issued by the Environment Agency. Under the conditions of the permit, there is a substantial groundwater and surface water monitoring network at the site for both water level and quality. In general, the results from the environmental monitoring do not show any adverse historical impact from the quarrying or restoration activities.
157. The assessment concludes that: "Potential impacts to groundwater and surface water have been assessed as those typically associated with quarrying activities (such as the storage of fuels, operation of machinery, etc.) and those associated with the importation of inert restoration materials." "It is considered that by following the conditions defined in the Environmental Permit, continuing to operate the environmental monitoring

network and applying industry good practise, all the identified risks can be mitigated against.”

158. The time extension is unlikely to affect the findings of **Chapter 7 of the 2014 ES**. No changes are proposed to the controls contained within conditions 16 to 23 of planning permission 14/00063CMA all of which are designed to protect the water environment during extraction, restoration and aftercare operations..
159. The assessment of flood risk found that the flood storage capacity to be provided by the proposed development would be greatly in excess of that which existed prior to extractive works taking place.
160. No objections were received from consultees including the Lead Local Flood Authority and the Environment Agency.
161. The proposal would continue to be undertaken in accordance with the approved existing drainage and water quality scheme related conditions 16 - 23 of planning permission [14/00063/CMA](#) and is therefore in accordance with Policies 10 (Protection of public health, safety and amenity) and 11 (Flood risk and prevention) of the [HMWP \(2013\)](#).

#### Highways impact

162. Policy 12 (Managing traffic) of the [HMWP \(2013\)](#) requires minerals and waste development to have a safe and suitable access to the highway network and where possible minimise the impact of its generated traffic through the use of alternative methods of transportation. It also requires highway improvements to mitigate any significant adverse effects on highway safety, pedestrian safety, highway capacity and environment and amenity. In addition, Policy INF3 (Transport) of the HLP (2020) also states that proposals will be supported that: a) integrate into existing movement networks; b) provide safe, suitable and convenient access for all potential users; c) provide an on-site movement layout compatible for all potential users.
163. The Bramshill Quarry site is subject to two Section 106 (s106) legal agreements, within which one of the principal requirements is in relation to lorry and vehicle routeing to and from the site and vehicles moving extracted mineral to the conveyor belt (south of the A30), These legal agreements would be rolled forward as part of these permissions.
164. The Highway Authority was consulted on the proposal, raising no objection and indicated that they were satisfied that the accident record had not identified any patterns that are likely to be exacerbated by this application.
165. The Highway Authority recommend that conditions controlling vehicular access to and from the site shall continue via the junction between the Welsh Drive with A327, that the site access shall be kept clean and free pf

mud and debris at all times and that the applicant will ensure that mud and debris does not deposited on the public highway by departing vehicles. These conditions - 9, 10 and 12 on permissions [14/00063/CMA](#) - would be re-imposed should permission be granted.

166. It is noted that concerns were raised in representations about the quality of surrounding roads and the access. The County Council does investigate allegations received from third parties concerning mud and debris being deposited on the public highway and damage done to the highways itself including to grass verges. This has been investigated with the applicant and adjoining operators using the local roads. The Local Highway Authority has found no direct evidence that the applicant and the applicant's vehicles are causing the alleged debris spillages and/or verge damage.
167. On the basis of the proposed conditions and the section 106, the proposed development is in accordance with Policy 12 (Managing traffic) of the [HMWP \(2013\)](#) and Policy INF3 (Transport) of the HLP (2020) as well as the relevant paragraphs of the [NPPF \(2021\)](#) which requires that planning decisions take account of whether "safe and suitable access to the site can be achieved for all people".

#### Restoration

168. Policy 9 (Restoration of minerals and waste developments) of the [HMWP \(2013\)](#) states that temporary minerals and waste development should be restored to beneficial after-uses consistent with the development plan. It also states that restoration of minerals and waste developments should be in keeping with the character and setting of the local area and should contribute to the delivery of local objectives for habitats, biodiversity or community use where these are consistent with the development plan, and the restoration should be phased throughout the life of the development.
169. The approved Restoration Plans for the site were assessed in detail within the **2014 Environmental Statement's**. The Committee Report for planning permission [14/00063/CMA](#) concluded, with respect of the approved restoration plan, that the proposal "*will provide for local needs in the form of rights of way, informal recreation and enhance biodiversity.*" and that it would bring; "*significant recreational benefit in line with the strategy for the area*". Areas in the western part of the site have been infilled to the approved contours and restored. Areas within the central area of the site have been tipped to the approved contours (subject to some regrading) and will be restored in through the spreading of soils and seeding.
170. The approved Restoration Scheme seeks to provide a landform suitable for the future development of formal recreation facilities and public rights of way. As such, the proposals are considered to contribute towards enabling the realisation of future proposals. The restoration seeks to ensure that no Biodiversity Action Plan (BAP) habitat is lost as a result of the revised scheme. The Plan recognises that a site may be restored to a range of

different afteruses and refers to the opportunities for multiple use of restored sites such as to enhance biodiversity and also provide recreational use for the public.

171. A significant part of the Bramshill site has already been restored. The submitted **Restoration Strategy** will ensure that a further 12.0 ha is restored by June 2026. This would leave 4.4 ha (less than 10% of the site) being retained as operational until it is fully restored in 2026. The restoration scheme would enhance the nature conservation and informal recreation value of the site, which forms part of a wider network of greenspaces, habitats, footpaths and bridleways which will be provided across the restored Bramshill Quarry site
172. As already identified, the [HMWP \(2013\)](#) identifies that inert construction and demolition wastes can be directed to mineral workings (quarries) for agreed restoration schemes. The use of inert fill material to complete the approved restoration scheme designed to deliver a beneficial afteruse is supported by the NPPGW as well as Policies 25 (Sustainable waste management) and 30 (Construction, demolition and excavation waste development) of the [HMWP \(2013\)](#). Policy 30 of the [HMWP \(2013\)](#) promotes the use of inert material in the restoration of mineral workings where a beneficial outcome can be achieved.
173. Paragraph 4.87 of the HMWP states in relation to the restoration of mineral workings that: *“Where it is necessary to import material ... only residues after treatment of inert construction, demolition and excavation waste should be used in the restoration.”* The proposed use of residual inert material in place of non-waste materials would ensure waste is managed higher up the waste hierarchy and diverted away from landfill, in accordance with the objectives of national guidance and Policy 25 (Sustainable waste management) of the [HMWP \(2013\)](#). The approved Restoration Scheme is therefore considered to represent a sustainable solution to the need to restore a mineral extraction site, beneficial use of residual inert waste arising.
174. The proposal helps to secure the restoration of a mineral site, including the retention of the conveyor bridge, in the most practical, timely and efficient way without adversely impacting upon the environment, landscape character or the amenity/safety of local residents in accordance with Policy 9 (Restoration of minerals and waste sites of the [HMWP \(2013\)](#)) as well as Policies INF4 (Open Space, Sport and Recreation) and INF5 (Community Facilities) of the HLP (2020). The proposal is also considered to be in accordance with Policies 25 (Sustainable waste management) and 30 (Construction, demolition and excavation waste development) of the [HMWP \(2013\)](#).

## Climate change

175. **Chapter 10 of the Environmental Statement (ES) Addendum (November 2020)** discusses the issue of climate change for the application as requested within the Council's issued Scoping Opinion (and acknowledging the County Council's own declared Climate Emergency).
176. Policy 2 (Climate change – mitigation and adaptation) of the [HMWP \(2013\)](#) states '*minerals development should minimise their impact on the causes of climate change. Where applicable, minerals development should reduce vulnerability and provide resilience to impacts of climate change*'.
177. The applicant has considered the following ways in which the proposals could potentially affect, and be affected by, climate change;
- Flood risk;
  - Vehicle emissions;
  - Use of renewable energy;
  - Site location to market; and
  - Change to habitats.
178. In terms of flood risk, the submitted **Flood Risk Assessment (FRA)** within the ES Addendum has accounted for a conservative increase of 30% of rainfall going forward until 2026, according with the [NPPF \(2021\)](#). This coupled with the site being situated in flood zone 1 - the lowest risk zone - concludes that the proposed development would not increase surface water flood risk during the operational phases, with the capacity of the site to store surface water-off increasing through additional quarry void.
179. The applicant's fleet of HGVs are on average under 5 years old and are regularly replaced with more modern, clean and fuel-efficient vehicles (meeting Euro IV or exceeding Euro III standards). Furthermore, all CEMEX fleet drivers are trained in 'Safe and Fuel-Efficient Driving (SAFED) and assessed on their fuel usage and driving style, in order to both conserve fuel, reduce emissions and ensure safe driving.
180. The applicant is presently trialling a 50% bio-diesel fuel blend, which subject to positive outcomes, could be rolled out nationally.
181. The applicant uses 100% renewable energy at all of its sites (in partnership with Engie), from wind and solar sources. The site is close to its market with no other active quarries (the nearest at Eversley is Cemex's too) nearby, and close to the Central and Eastern Berkshire and Surrey borders also, the former having no active sand and gravel quarries presently.
182. In terms of habitat change and impact on species', climate change is leading to losses of certain species' according to DEFRA's 2020 Biodiversity Strategy. With the application sites lying close to several designated nature conservation sites, and partly within the Thames Basin

Heaths Special Protection Area (SPA) and the Castle Bottom to Yateley and Hawley Commons Site of Special Scientific Interest (SSSI), the balance between the extraction of mineral and the temporary loss of established planting and vegetation, and associated habitats, is an important consideration.

183. As already set out in the **Ecology** section of this commentary, the continued working of this area within the wider Bramshill Quarry, would through a further approved extension of time guarantee the securing of mitigation to offset the loss and contribute to biodiversity net gain benefits locally.
184. The boundary with Phase 9 would be reinstated with acid grassland, heath scrub and birch colonies, and as detailed in the **Ecology** section of this commentary, there exists potential for badger and reptile habitats in Phases 11 and 12 and Great Crested Newts in Phase 12, and following tree felling in Phases 11 and 12, suitable ground for nesting birds, particularly woodlark and nightjar, could be provided. This would support and enhance the nesting birds habitat within the adjoining Thames Basin Heaths Special Protection Area (SPA), upon which its designation is based.
185. Whilst the prolonged use of this site, and the use of vehicles and machinery until 2026, and its associated emissions can impact on climate change, it is only a temporary impact. The measures proposed in paragraphs 168 - 175 above will help prevent these. It is worth noting that National minerals policy states that a proposal involving an extension to an existing quarry (including a time-limited only extension) allowing the use of established facilities and markets is typically more efficient, with less emissions, than the creation of a new extraction site.
186. In terms of sustainability, whilst the extraction of raw materials is not wholly sustainable in its own right, and there is a national drive to recycle materials to create secondary aggregates, this is an existing approved site with a significant amount of infrastructure in place, most importantly that has (at the time planning permission was applied for) permission for a determined volume of mineral to be extracted and moved over the A30 using the conveyor bridge.
187. Furthermore, looking at the County Council's [Local Aggregates Assessment \(LAA\) 2019](#), it is evident that sales were rising in 2018 and have been since 2012. With the construction industry becoming more active again through 2021 (post-Covid 19 lockdowns), and significant number of housing and transport projects planned to 2022, the demand for aggregates is increasing. Bramshill is one of eleven active sand and gravel quarries in Hampshire which already contributes to demand. To leave the mineral in-situ and sterilise it would conflict with National and Local planning policy. The continuation of an already existing quarry, albeit for a

longer period, would have less climate change impacts than the establishment of a new quarry.

188. On balance, the continuation of this existing quarry and its operations are considered to be in accordance with Policy 2 (Climate change - mitigation and adaptation) of the [HMWP \(2013\)](#).

#### Cumulative impacts

189. Policy 10 (Protecting public health, safety and amenity) of the [HMWP \(2013\)](#) states that a proposal should not cause an unacceptable cumulative impact arising from the interactions between minerals and waste developments, and between mineral, waste and other forms of development. It also states that the potential cumulative impacts of minerals and waste development and the way they relate to existing developments must be addressed to an acceptable standard.
190. Concerns raised about the prolonged impact on neighbours through noise and vibration from vehicles and machinery from the site are noted.
191. With no concerns being raised by consultees, the existing measures put in place to offset the potential impacts of the proposed development on nearby and proposed residential areas are noted. The proposal is in accordance with Policy 10 (Protection of public health, safety and amenity) in the adopted [HMWP \(2013\)](#) in relation to cumulative impacts.

#### Community benefits

192. A frequent concern of communities that host minerals development is that there are no immediate benefits to 'compensate' for the inconvenience that occurs. In Hampshire there is already a precedent for minerals or waste operators to contribute to local communities' funds. However, this process lies outside of the planning system.
193. Policy 14 (Community Benefits) of the [HMWP \(2013\)](#) encourages negotiated agreements between relevant minerals and waste developers/operators and a community as a source of funding for local benefits. Agreements can be between operators and local bodies such as Parish Councils or residents' associations. Whilst the Minerals and Waste Planning Authority encourages these agreements, it cannot be party to such agreements and the agreements cannot be considered in decision making.
194. The concerns raised by Eversley Parish Council in relation to the lack of engagement by the operator are noted. The Authority encourage the applicant to engage with the local community on this issue. The formation of a Liaison Panel by the applicant is strongly recommended as it provides opportunity for all local residents and interested parties to engage with the operator and environmental regulators, including the Mineral Planning

Authority, as well as elected County Councillors. An informative is included on this point.

### Other issues

195. Concerns were raised by a nearby resident over the continued use of areas of the wider site by motorbikes and quad bikes during evenings and weekends, and the disturbance caused in relation to noise. The Mineral Planning Authority are aware of these allegations and do discuss them with the applicant as and when they are received. That said, no complaints whether alleged or proven, have been received by the Mineral Planning Authority in 2021.
196. Whilst there is a duty from a health and safety aspect on the operator that all unauthorised access is prevented, the wider quarry site occupies a large area, and is bordered by multiple land uses and landowners. Furthermore, the site is accessed and traversed by various rights of way and the public highway, neither of which can be legally obstructed to prevent access by the public and neighbouring businesses.
197. The Mineral Planning Authority will continue to respond to any allegations received and seek to resolve them with the applicant, local Environmental Health (in relation to noise) and other organisations within our remit. As detailed in paragraphs 191 and 192 above, the formation of a Liaison Panel, which can include affected neighbours as well as local Councillors, will continue to be pursued. Direct and face to face engagement between the local community and applicants/operators can significantly reduce actual and perceived disturbance and harm being experienced.

### Changes / updates to the conditions

198. Beyond the applicant's requested variations to Conditions 1, 31 and 39 of planning permission [14/00063/CMA](#) and Condition 1 of planning permission [14/00060/CMA](#) at Bramshill Quarry, updates have been made to other conditions on these extant permissions.
199. These updates include the removal of redundant conditions, the merging of duplicitous conditions, but in the main updates to affected conditional plans and schemes, whether these are being updated solely as requested or due to the effects of time, legislative requirements, mitigation or a combination of all of these material considerations.

### Planning Application [20/03153/HCC](#)

200. Updates have been made to conditions 1 - 4, 11, 13 - 14, 16 - 17, 19 - 20, 22, 25 - 28, 30 - 33, 36 - 40 of planning permission [14/00063/CMA](#) and can be viewed in **Appendix A1**.

## Planning Application [21/00052/HCC](#)

201. Updates have been made to conditions 1 - 7 of planning permission [14/00060/CMA](#) and can be viewed in **Appendix A2**.

## Conclusions

202. The applicant seeks to extend the time to allow mineral extraction and infilling operations to continue and final restoration to be achieved by 30 June 2026 through the variations of conditions 1, 31 and 39 of planning permission [14/00063/CMA](#) and to retain and continue to use the conveyor bridge by varying Condition 1 of planning permission [14/00060/CMA](#) at Bramshill Quarry.
203. The completion of the extraction of sand and gravel at an existing quarry site, and one that is safeguarded for its mineral resources and the minerals infrastructure through Policies 15 (Safeguarding – mineral resources) and 16 (Safeguarding – minerals infrastructure) of the [HMWP \(2013\)](#), would continue to contribute to the Hampshire’s mineral landbank, avoiding sterilisation and helping to meet the landbank requirements set out under Policy 17 (Aggregate supply) of the [HMWP \(2013\)](#). This work will be undertaken in conjunction with infilling operation and would not create any further delay to the final restoration of the Bramshill Quarry site as a whole.
204. The restoration of the site would enhance the nature conservation and informal recreation value of the site, which farms part of a wider network of greenspaces, habitats, footpaths and bridleways which will be provided across the restored Bramshill Quarry site, and according with the requirements of Policy 9 (Restoration of quarries and waste developments) and in turn Policies 3 (Protection of habitats and species), 5 (Protection of the countryside), 10 (Protecting public health, safety and amenity) and 14 (Community benefits) of the [HMWP \(2013\)](#).
205. The site will continue to operate in accordance with all other planning conditions pursuant to planning permissions [14/00063/CMA](#) and [14/00060/CMA](#) and the deed of variations to their respective Section 106 legal agreements.

## **Recommendation**

206. That planning permission be GRANTED for planning application 20/03153/HCC subject to the conditions listed in **Appendix A1** and the deed of variation to the existing Section 106 legal agreement ensuring the delivery of the approved Heathland Site Management Plan, archaeological works, the provision of paths/bridleway routes/public access areas and

nature conservation management and hydrological and ecological monitoring being secured.

207. That planning permission be GRANTED for planning application 21/00052/HCC subject to the conditions listed in **Appendix A2** and the deed of variation to the existing Section 106 agreement relating to the method of removal and reinstatement of land occupied by the conveyor bridge and the signalised crossing being secured.

**Appendices:**

Appendix A1 – Conditions for planning application 20/03153/HCC

Appendix A2 – Conditions for planning application 21/00052/HCC

Appendix B – Committee Plan

Appendix C – Phasing Plan

Appendix D – Approved Restoration Plan

Appendix E – Proposed Restoration Plan

Other documents relating to this application:

<https://planning.hants.gov.uk/ApplicationDetails.aspx?RecNo=20887>

**REQUIRED CORPORATE AND LEGAL INFORMATION:**

**Links to the Strategic Plan**

<b>Hampshire maintains strong and sustainable economic growth and prosperity:</b>	No
<b>People in Hampshire live safe, healthy and independent lives:</b>	No
<b>People in Hampshire enjoy a rich and diverse environment:</b>	No
<b>People in Hampshire enjoy being part of strong, inclusive communities:</b>	No
<b>OR</b>	
<p><b>This proposal does not link to the Strategic Plan but, nevertheless, requires a decision because:</b>          the proposal is an application for planning permission and requires determination by the County Council in its statutory role as the minerals and waste or local planning authority.</p>	

**Section 100 D - Local Government Act 1972 - background documents**

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

Document

Location

20/03153/HCC

Hampshire County Council

HR042

Bramshill Quarry Warren Heath,  
Brickhouse Hill

Eversley Hook RG27 0QB

(Proposed variation of Conditions 1, 31  
and 39 of planning permission  
14/00063/CMA so as to allow an extension  
of time to complete extraction, processing  
and to remove plant, machinery and  
buildings until 30 June 2026, together with  
minor amendments to the restoration  
scheme and submission of the aftercare  
scheme

21/00052/HCC

HR042

Bramshill Quarry Warren Heath,  
Brickhouse Hill

Eversley Hook RG27 0QB

Proposed variation of Condition 1 of  
planning permission 14/00060/CMA so as  
to allow the extended use of the conveyor  
bridge, with its removal by 30 June 2026

## **EQUALITIES IMPACT ASSESSMENTS:**

### **1. Equality Duty**

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

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

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

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

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

## **Appendix A1**

### **CONDITIONS for planning application 20/03153/HCC**

#### **Time Limit**

1. The extraction of sand and gravel at the site shall cease and all plant, machinery and buildings shall be removed within six months of the completion of extraction or by 30 June 2026, whichever is the sooner.

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

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

2. Notwithstanding the provisions of Parts 4, 7 and 17 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 (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 written agreement of the Mineral Planning Authority; and
  - (ii) no telecommunications antenna shall be installed or erected without the prior written agreement of the Mineral Planning Authority.

Reason: To protect the quality and characteristics of the designated Thames Basin Heaths Special Protection Area (SPA) and adjoining Castle Bottom to Yateley and Hawley Commons Site of Special Scientific Interest (SSSI), local Historic Parkland and local amenity in accordance with Policies 3 (Protection of habitats and species), 5 (Protection of the countryside), 7 (Cultural heritage) and 10 (Protecting public health, safety and amenity) of the Hampshire Minerals and Waste Plan (2013).

#### **Screening**

3. The positioning of bunds around all four sides of London Road Heath shall be retained as approved under planning permission no. 00/00679/CMA.

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

4. All bunds around London Road Heath shall be retained at 4 metres in height from the level of the adjoining highway and all planting approved under planning permission no. 00/00679/CMA shall be retained throughout the life of the development hereby permitted.

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

5. No working of minerals shall take place within: 20 metres of the A327 and within 30 metres of the A30 adjoining London Road Heath; 10 metres along the A30 adjoining Star Hill Plantation increasing to 20 metres at the junction of the A30 and C2 Blackbushes Road; 10 metres along the C2 Blackbushes Road adjoining Star Hill Plantation and Yateley Heath Wood

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

### **Hours of Working**

6. No operation shall take place on the site except between the hours of 0700 and 1800 Monday to Friday and between 0700 and 1300 on Saturdays. There shall be no site preparation works including soil stripping before 0800 on Saturdays. No operations shall take place on a Sunday or any recognised Bank/Public holidays.

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

### **Importation of Waste**

7. No imported waste shall be deposited in the excavation or elsewhere on the site.

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

### **Highways**

8. Access to the quarry shall be via the existing access point from the A327. The first 30 metres of the Welsh Drive access road from the A327 shall be metalled and maintained to the satisfaction of the Mineral Planning Authority.

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

9. The surface of the existing site access road shall be maintained in a good state of repair and kept clean and free of mud and other dirt or debris at all times to the satisfaction of the Mineral Planning Authority.

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

10. Adequate measures shall be taken to the satisfaction of the Mineral Planning Authority to ensure that vehicles leaving the site shall not deposit mud or other dirt or debris on the public highway.

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

## **Dust**

11. Dust control for the site shall be undertaken in accordance with the mitigation stated within the Air Quality report within the Environmental Statement (approved under permission 14/00063/CMA). Dust from the site shall be minimised. Regular sweeping shall take place of the metalled length of the access road into the site from the A327 and the use of a water bowser, sprayer or hose or other similar equipment, as appropriate elsewhere to reduce dust.

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

12. No loaded open-backed lorries shall leave the site unless they are securely sheeted or otherwise covered.

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

## **Noise**

13. Noise from the mineral extraction shall not exceed the maximum noise levels at the following locations:

Location

Criterion LAeq

Caravan Site	55
Hawkers Lodge	55
The Kennels	53
1 & 2 Hartfordbridge Flats	55

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

14. The development hereby permitted shall continue to implement the noise monitoring and mitigation scheme approved under permission 00/00679/CMA during all mineral extraction and associated operations.

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

15. All vehicles, plant and equipment operated within the site shall be maintained in accordance with the manufacturer's specification at all times and shall be fitted with and use effective silencers.

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

### **Protection of Water Environment**

16. 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.

Reason: To prevent pollution of the water environment in accordance with Policy 10 (Protecting public health, safety and amenity) of the Hampshire Minerals and Waste Plan (2013).

17. Any associated pipework required within the development hereby permitted shall be located above ground where possible and protected from accidental damage.

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

18. No sewage or trade effluent (including vehicle wash or vehicle steam cleaning effluent) shall be discharged to any surface water drainage system.

Reason: In the interests of protecting public health, safety and amenity and mitigating flood risk in accordance with Policy 10 (Protection of public health, safety and amenity) of the Hampshire Minerals and Waste Plan (2013).

19. The development hereby permitted shall be implemented in strict accordance with the groundwater protection and drainage details and report within the Environmental Statement (approved under permission 14/00063/CMA).

Reason: In the interests of protecting public health, water quality and mitigating flood risk in in accordance with Policy 10 (Protection of public health, safety and amenity) of the Hampshire Minerals and Waste Plan (2013).

20. No watercourse shall be incorporated into the workings and there shall be no direct connection between the workings and any watercourse.

Reason: In the interests of protecting public health, water quality and mitigating flood risk in in accordance with Policy 10 (Protection of public health, safety and amenity) of the Hampshire Minerals and Waste Plan (2013).

21. No solid matter, sand or gravel, oil or grease or other injurious matter shall be allowed to pass from the workings to any watercourse.

Reason: In the interests of protecting public health, water quality and mitigating flood risk in in accordance with Policy 10 (Protection of public health, safety and amenity) of the Hampshire Minerals and Waste Plan (2013).

22. Not later than three months following the grant of planning permission, the previously approved scheme for monitoring rainfall, surface water flow and ground water levels (comprising a weir plate in the stream channel feeding the Warren Heath Ponds Site of Special Scientific Interest, and adjacent borehole and rain gauge) shall be updated and submitted to the Mineral Planning Authority in writing for approval. The scheme shall include:

- Mitigatory details relating to the event that if surface water flows and/or groundwater levels fall below the recorded baseline levels as a result of the extraction operations, must be provided. Extraction will cease until suitable mitigation measures have been agreed to protect the water flows/levels.

Once approved, the scheme shall be implemented in full.

Reason: In the interests of protecting water resources and water quality in accordance with Policy 10 (Protection of public health, safety and amenity) of the Hampshire Minerals and Waste Plan (2013).

23. Save for any changes required under Condition 22 above, drainage of the site shall be provided in accordance with the details shown on Drawing No.PI/1597/9 approved under permission no. 00/00679/CMA

Reason: In the interests of protecting public health, safety and amenity and mitigating flood risk in accordance with Policies 10 (Protection of public health, safety and amenity) and 11 (Flood risk and prevention) of the Hampshire Minerals and Waste Plan (2013).

### **Public Utilities**

24. Protection shall be given to public utilities crossing the site, including overhead lines and underground pipes (in accordance with the requirements of the relevant regulations).

Reason: In order to secure orderly development and in accordance with Policy 10 (Protection of public health, safety and amenity) of the Hampshire Minerals and Waste Plan (2013).

### **Landscaping**

25. All advanced planting in the form of dense screen planting in areas Phases 1 to Phases 6 (as identified on Drawing No PI/1597/4/1) shall be maintained as approved under planning permission no. 00/00679/CMA at all times throughout the duration of the development hereby permitted.

In the event that any of the advanced planting is damaged, removed and/or dies during the life of the development hereby permitted, mitigation shall be submitted to the Mineral Planning Authority within three months of its occurrence for approval in writing. Once approved, the mitigation shall be undertaken in full.

Reason: In the interests of protecting local amenity in accordance with Policies 5 (Protection of the countryside), 9 (Restoration of minerals and waste development) and 10 (Protection of public health, safety and amenity) of the Hampshire Minerals and Waste Plan (2013).

26. All remaining trees to a depth of 20 metres adjoining the A327 shall be retained for the duration of the development; and the three additional rows of tree planting - provided behind existing vegetation adjoining the A30 at Yateley Heath Wood - shall be retained throughout the duration of the development hereby permitted. Any remaining trees that die or become damaged, diseased or are removed, shall be replaced in the next planting season with others of similar size and species to be agreed in writing with the Mineral Planning Authority.

Reason: In the interests of protecting local amenity in accordance with Policies 5 (Protection of the countryside), 9 (Restoration of minerals and waste development) and 10 (Protection of public health, safety and amenity) of the Hampshire Minerals and Waste Plan (2013).

27. The soil bunds adjoining the A327 north of the Welsh Drive, as shown on Drawing No. PJ/213/2, as approved under Planning Permission for the Determination of Conditions at Bramshill Quarry, Eversley (plan 0000349), shall be retained throughout the life of the development hereby permitted and in accordance with the requirements of all approved restoration and aftercare related conditions (and schemes/plans) as required by this consent.

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

28. The limit of extraction and adjoining trees to be retained shall be clearly marked by a post and wire fencing. The siting of which for each phase of extraction is to be agreed with the Minerals Planning Authority prior to the commencement of each remaining phase. The fence shall be erected before commencement of extraction in the relevant phase and retained until extraction is completed and restoration work commences.

Reason: In the interests of protecting local amenity in accordance with Policies 5 (Protection of the countryside), 9 (Restoration of minerals and waste development) and 10 (Protection of public health, safety and amenity) of the Hampshire Minerals and Waste Plan (2013).

29. No material shall be stored or bunds formed within five metres of the trunk of any retained trees.

Reason: In the interests of protecting local amenity in accordance with Policies 5 (Protection of the countryside), 9 (Restoration of minerals and waste development) and 10 (Protection of public health, safety and amenity) of the Hampshire Minerals and Waste Plan (2013).

### **Dump Truck Tunnels**

30. Save for any changes to the approved restoration and aftercare schemes implemented by this consent, the dump truck tunnels shall be maintained throughout the life of the development hereby permitted (as originally approved under planning permission no. 00/00679/CMA) including the landscaping approved to screen the tunnels.

Reason: In the interests of protecting local amenity in accordance with Policies 5 (Protection of the countryside), 9 (Restoration of minerals and

waste development) and 10 (Protection of public health, safety and amenity) of the Hampshire Minerals and Waste Plan (2013).

### **Restoration**

31. The site shall be restored in accordance with the details shown on Drawing No's P1/1597/7 (as amended in accordance with condition 3), P1/1597/10 and P1/1597/17 A. The restoration hereby approved shall be implemented in full.

Reason: To ensure the satisfactory restoration of the site and in the interest of local amenity in accordance with Policies 5 (Protection of the countryside), 9 (Restoration of minerals and waste development) and 10 (Protection of public health, safety and amenity) of the Hampshire Minerals and Waste Plan (2013).

32. In accordance with Condition 31 above, progressive restoration shall take place in the previously worked Phase concurrent with extraction works in the next permitted Phase, with the exception of the areas used for silt lagoons during extraction operations. No extraction shall be commenced in the next Phase unless restoration has commenced in the previously worked Phase.

Reason: To ensure the satisfactory and timely restoration of the site, and in the interest of local amenity in accordance with Policies 9 (Restoration of minerals and waste developments) and 10 (Protection of public health, safety and amenity) of the Hampshire Minerals and Waste Plan (2013).

33. All overburden, subsoil and topsoil removed prior to extraction shall be removed and replaced separately and in the correct sequence. No topsoil or subsoil shall be removed from the site. Prior to the commencement of extraction works in Phase 11 an updated storage location plan with details on protecting the restoration quality of the materials shall be submitted in writing to the Mineral Planning Authority for approval. Once approved, the plan shall be implemented in full.

Reason: To ensure the satisfactory working, phasing and restoration of the site in accordance with Policies 8 (Protection of soils) and 9 (Restoration of minerals and waste developments) of the Hampshire Minerals and Waste Plan (2013).

34. Topsoil and subsoil shall not be handled, re-spread or ripped except when dry and friable.

Reason: To ensure the satisfactory working, phasing and restoration of the site in accordance with Policies 8 (Protection of soils) and 9 (Restoration of minerals and waste developments) of the Hampshire Minerals and Waste Plan (2013).

35. All ridges formed as part of the restoration programme shall be ripped prior to the planting of trees. The formation of the final 1.5 metres of cover to be provided shall be by loose tipping of soil with no machine movement over the loose tipped area.

Reason: To ensure the satisfactory restoration of the site and in the interest of protecting local amenity in accordance with Policies 9 (Restoration of minerals and waste developments) and 10 (Protection of public health, safety and amenity) of the Hampshire Minerals and Waste Plan (2013).

36. All plant, buildings, machinery and sanitary facilities, its foundations and bases, together with any internal access roads, tunnels and vehicle parking, shall be removed from the site at such time as the Mineral Planning Authority, after consultation with the operator, shall determine that they are no longer required for the working or restoration of the site and the site restored in accordance with the restoration scheme approved under Condition (31) above.

Reason: To ensure the satisfactory restoration of the site and the countryside setting and in the interest of protecting local amenity in accordance with Policies 5 (Protection of the countryside), 9 (Restoration of minerals and waste developments) and 10 (Protection of public health, safety and amenity) of the Hampshire Minerals and Waste Plan (2013).

### **Nature Conservation**

37. Mitigation measures to prevent negative impacts to nature conservation and to increase the biodiversity of the site (and benefit the wider area and its designations, including the Thames Heath SPA) shall be implemented as outlined in the Ecological Assessment, Strategy and Translocation Scheme and Aftercare Plan (in accordance with Conditions 38 and 39 below) comprising the plans and particulars hereby approved- including those measures detailed in the approved planning statement and Environmental Statement and Addendum Environmental Statement (2020) and its Regulation 25 documentation (August 2021) shall be maintained for the duration of the development as appropriate.

Reason: To ensure the protection of biodiversity, the satisfactory restoration of the site and in the interest of protecting local amenity in accordance with Policies 3 (Protection of habitats and species), 9 (Restoration of minerals and waste developments) and 10 (Protection of public health, safety and amenity) of the Hampshire Minerals and Waste Plan (2013).

38. All planting and seeding shall be carried out in accordance with the details approved under Conditions 25 and 31 above, and shall be maintained to the satisfaction of the Mineral Planning Authority for five years after completion of the restoration (as determined by the Mineral Planning Authority). Any trees or hedgerow that, within a year of planting, die or

become damaged, diseased or are removed, shall be replaced in the next planting season with others of similar size and species as approved by the Mineral Planning Authority in writing. Once approved, the mitigation shall be undertaken in full.

Reason: To ensure the protection of biodiversity, the satisfactory restoration of the site and the countryside setting and in the interest of protecting local amenity in accordance with Policies 3 (Protection of habitats and species), 5 (Protection of the countryside), 9 (Restoration of minerals and waste developments) and 10 (Protection of public health, safety and amenity) of the Hampshire Minerals and Waste Plan (2013).

### **Aftercare**

39. The updated aftercare scheme contained within Appendix 1 of the Addendum Environmental Statement (2020), to provide for a five year period of after-care and requiring such steps as may be necessary to bring each phase of land restored under conditions 31 and 32 above to the required standard for forestry and permanent heathland, shall be implemented in full as approved. An aftercare meeting to be held annually to assess compliance shall be arranged by the operator and/or landowner with the Mineral Planning Authority.

Reason: To ensure the satisfactory aftercare of restored site and to ensure the protection of biodiversity and the countryside setting, and in the interest of protecting local amenity in accordance with Policies 3 (Protection of habitats and species), 5 (Protection of the countryside), 9 (Restoration of minerals and waste developments) and 10 (Protection of public health, safety and amenity) of the Hampshire Minerals and Waste Plan (2013).

### **Plans**

40. The development hereby permitted shall be implemented strictly in accordance with the method of working, infilling and restoration approved under planning permissions 00/00679/CMA and 14/00063/CMA, carried forward and amended by this permission in accordance with the following approved plans:

**Figure 1;**  
**Figure 2;**  
**P1/1597/17 A**  
**P1/1597/ 17 - Page 2 only;**  
**1909/P7/BRMSHILL/3B**

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

## Notes to applicant

1. In determining this planning application, the Mineral Planning Authority has worked with the applicant in a positive and proactive manner based providing pre-application advice to the Developer, seeking solutions to problems arising in relation to dealing with the planning application by liaising with consultees, respondents and the applicant/agent and discussing changes to the proposal where considered appropriate or necessary. This approach has been taken positively and proactively in accordance with the requirement in the NPPF (2021), as set out in the Town and Country Planning (Development Management Procedure) (England) (Amendment No.2) Order 2015.
2. There is a Section 106 Legal Agreement associated with this permission which secures heathland management, restoration and aftercare and improvements to the Public Rights of Way network.
3. This decision does not purport or convey any approval or consent which may be required under the Building Regulations or any other Acts, including Byelaws, orders or Regulations made under such acts.
4. The Waste Planning Authority encourages the applicant to engage with the local community on this issue. The formation of a Liaison Panel by the applicant is recommended as it provides opportunity for all local residents and interested parties to engage with the operator and environmental regulators, including the Mineral Planning Authority, as well as elected County Councillors.

## **Appendix A2**

### **CONDITIONS for planning application 20/00052/HCC**

#### **Timescale**

1. The conveyor bridge shall be removed within 6 months of the completion of sand and gravel extraction operations permitted under planning permission 21/01353/HCC.

Reason: To ensure satisfactory restoration of the site and the countryside setting, and in the interest of protecting local amenity in accordance with Policies 5 (Protection of the countryside), 9 (Restoration of minerals and waste developments) and 10 (Protection of public health, safety and amenity) of the Hampshire Minerals and Waste Plan (2013).

#### **Materials**

2. The conveyor bridge shall be maintained and repaired as necessary in accordance with the details and materials approved under planning permission no. 14/00060/CMA

Reason: In the interests of visual amenity and to secure a satisfactory development in the interest of protecting local amenity in accordance with Policy 10 (Protection of public health, safety and amenity) of the Hampshire Minerals and Waste Plan (2013).

#### **Highways**

3. The signal crossing of Blackbushes Road shall be maintained and operated as approved under planning permission 08/00471/CMA (24 September 2010).

Reason: In the interests of highway safety in accordance with Policies 5 (Protection of the countryside), 9 (Restoration of minerals and waste developments) and 10 (Protection of public health, safety and amenity) of the Hampshire Minerals and Waste Plan (2013).

4. The conveyor bridge crossing of the A30 shall remain constructed for the duration of the development as approved under planning permission 08/00471/CMA (24 September 2010).

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

5. The Traffic Management Plan approved under planning permission 08/00471/CMA (24 September 2010) shall continue to be implemented as approved for the duration of the development hereby permitted.

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

6. Measures to prevent mud and spoil being deposited on the public highway shall continue to be implemented as approved under planning permission no. 08/00471/CMA (24 September 2010) and retained for the duration of the development hereby permitted

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

**Advice Notes to applicant:**

1. In determining this planning application, the Mineral Planning Authority has worked with the applicant in a positive and proactive manner based providing pre-application advice to the Developer, seeking solutions to problems arising in relation to dealing with the planning application by liaising with consultees, respondents and the applicant/agent and discussing changes to the proposal where considered appropriate or necessary. This approach has been taken positively and proactively in accordance with the requirement in the NPPF (2021), as set out in the Town and Country Planning (Development Management Procedure) (England) (Amendment No.2) Order 2015.
2. Any diversion of the overhead electricity lines will require consent from SSE Power Distribution.
3. Advanced liaison remains necessary with Blackbushe Airport prior to work commencing on removal of the bridge in the interests of aircraft safety.
4. There is a Section 106 Legal Agreement attached to this permission relating to the traffic light crossing and method of removal and re-instatement of the crossing and the conveyor bridge.
5. The Waste Planning Authority encourages the applicant to engage with the local community on this issue. The formation of a Liaison Panel by the applicant is recommended as it provides opportunity for all local residents and interested parties to engage with the operator and environmental regulators, including the Mineral Planning Authority, as well as elected County Councillors.