

# Bleak Hill III

## Waste Recovery Plan

CEMEX UK Materials Limited

September 2022

Prepared on Behalf of Tetra Tech Environment Planning Transport Limited.

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## 1.0 INTRODUCTION

### 1.1 REPORT CONTEXT

1.1.1 Tetra Tech have been commissioned to prepare and submit a Waste Recovery Plan (WRP) on behalf of CEMEX UK Materials Limited (CEMEX) for Bleak Hill III (the site) at Nea Road, Ringwood, Hampshire.

1.1.2 In December 2021, planning permission (reference 19/11326) was approved by Hampshire County Council (HCC) for the following:-

*“Planning permission for an extension of mineral working at Hamer Warren Quarry, to extract some 600,000 tonnes of sand and gravel from Bleak Hill III, including works to create an extended haul road and back filling with inert material and progressive restoration to agriculture with increased nature conservation and biodiversity enhancements until 31 December 2025”*

1.1.3 A copy of the decision is notice is provided as Appendix A.

1.1.4 CEMEX seeks to gain a bespoke waste recovery permit for the permanent deposit of waste to land at the site to facilitate the restoration scheme outlined in the planning permission.

1.1.5 CEMEX propose to import approximately 381,579m<sup>3</sup> (or 725,000 tonnes) of inert waste for the restoration scheme. The restoration landform for the site is detailed in Drawing Number P6/206/7A which intends to restore the site to agricultural land with a small pond in the south east corner and with nature conservation provision and biodiversity enhancements around the boundaries.

1.1.6 The site is required to be progressively restored to ensure compliance with the approved Plan Reference Numbers detailed within Condition 2 of the planning permission as follows:-

*‘The winning, working and processing of minerals and restoration at Bleak Hill III shall cease on or before 31 December 2025. The site shall be restored for agriculture, public access and nature conservation in accordance with the approved details shown on Drawings P6/206/7/A (Restoration Proposals Plan).’*

1.1.7 Further, the restoration of the site following mineral extraction is subject to a Section 106 Agreement which is enclosed as Appendix B.

1.1.8 The Environment Agency Regulatory Guidance on Waste Recovery Plans and Deposit for Recovery Permits, dated 21<sup>st</sup> April 2021, sets out the Environment Agency’s (EA) approach to determining whether

an activity involving the permanent deposit of waste on land is waste recovery or waste disposal. This document therefore constitutes a revised Waste Recovery Plan to satisfy the above.

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## 2.0 SITE DESCRIPTION

### 2.1 SITE SETTING

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- 2.1.1 The site is located approximately 1.5km southeast of Alderholt in Hampshire and is centred at approximate National Grid Reference (NGR) SU 13026 11339. The proposed permit boundary is shown on Drawing Number CEM/B031732/PER/01.
- 2.1.2 Access to the site is achieved via an unnamed access road off Harbridge Drove which is located to the south of the site.
- 2.1.3 The immediate surroundings of the site are primarily agricultural in nature, this comprises of woodland to the west, southeast and northeast and undeveloped/agricultural land to the north, south and east. The site is also located approximately 1.3km west of the Avon Valley which is designated as a Site of Special Scientific Interest (SSSI), Special Protection Area (SPA) and Ramsar. The nearest residential property is located approximately 3.55km southwest of the proposed boundary for the permit application.

### 2.2 GEOLOGY

- 2.3 Cemex has historically undertaken various phases of site investigation and borehole drilling for the purposes of mineral exploration at the Site, as well as groundwater and ground gas monitoring. The information from these boreholes has allowed a detailed understanding of the geology at the Site to be developed.
- 2.4 The River Terrace Deposits are the mineral resource that has predominately been worked from within Bleak Hill, where they have been found to be present up to a thickness of between 4 and 10 m.
- 2.5 Within Bleak Hill III, which lies to the north of the Site, the River Terrace Deposits tend to be around 5 m thick; apart from the south-eastern corner where a thickness 7 m was locally observed. A similar thickness is expected within Phase 14 of Bleak Hill II. Generally, the unit is described as a sequence of slightly clayey sands and flint gravels.
- 2.6 A stiff sandy clay, sometimes with laminations, tends to be observed beneath the River Terrace Deposits, although a clayey sand overlying the sandy clay can also locally be present. The sand is distinct and is differentiated from the River Terrace Deposits by its clay content and lack of gravel. The sandy clay and clayey sand are the upper units of the Poole Formation (i.e. what was formerly known as the Bagshot

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Beds). It is assumed that the clayey sand found locally at the base of the River Terrace Deposits belongs to the Parkstone Sand Member; with the underlying sandy clay belonging to the Parkstone Clay Member.

- 2.7 The base of the Poole Formation has only been confirmed in three boreholes along the southern boundary of Bleak Hill III and to the north of Phase 14 of Bleak Hill II. These boreholes show that the sandy clay usually identified at the base of the River Terrace Deposits is in the order of 2 m thick. The full thickness of the Poole Formation ranges in thickness from c. 2 m in the west to over 7 m in the east of the Site. It is understood, from the wider Site, that the thickening of the Poole Formation corresponds to the surface of the underlying London Clay being deeper to the east.
- 2.8 The boreholes that have penetrated the entire Poole Formation sequence indicate that it comprises a series of inter-bedded sandy clays and clayey sands. Individual beds are generally between 0.5 m and 2 m in thickness. This suggests that locally the sequence may be more variable than is suggested by the published geological mapping.
- 2.9 The London Clay is encountered beneath the Poole Formation; as described above it is present at a shallower depth (around 6 m or 44 m AOD) in the east of the Site than in the west (around 12 m or 38 m AOD). The London Clay is described as a stiff dark grey sandy clay with some fissuring and some sandy layers.

## 2.10 HYDROGEOLOGY

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- 2.10.1 The superficial River Terrace Deposits and the Parkstone Sand Member bedrock present within the Site are classified by the EA as Secondary A Aquifers (i.e. permeable strata supporting local water supplies). The Parkstone Clay Member and the Broadstone Clay Member are classified as unproductive strata.
- 2.10.2 The Site does not lie within a groundwater Source Protection Zone (SPZ). The closest SPZ is located approximately 2 km to the south. It is assumed that this abstraction takes water from the Chalk aquifer (i.e., beneath the London Clay). Given its distance from the Site, and the thickness of the London Clay confining the Chalk there is unlikely to be a hydraulic connection.

### River Avon

- 2.10.3 The Site lies on the interfluvium between the River Avon (c 1.5 km to the east) and its tributary Hamer Brook (to the west). The Avon valley includes a broad flood plain (about 500 m wide) with numerous drainage ditches flowing into the River Avon. A tributary of Hamer Brook called Whitefield Brook flows along the western side of the Site with the spring source located 60 m to the west of Bleak Hill III. It joins Hamer Brook c. 500 m to the south-west of the Site.

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2.10.4 The surface water quality of the River Avon is monitored by the EA in the reach from Woodgreen (NGR 417000, 117600) to the confluence with Ashford Water approximately 3.5 km northeast of the site. In 2019 the quality of this reach was classified as “good”.

#### Hamer Brook and Whitefield Brook

2.10.5 Hamer Brook flows from north to south to the south-west of Bleak Hill II and III and then along the boundary of the Site to the south. Hamer Brook then joins Turmer Brook c. 1.5 km south of the Site which discharges into the River Avon about 2.2 km south-east. The main tributary of Hamer Brook is Sleep Brook, which becomes the Hamer Brook at the confluence with Whitefield Brook. Whitefield Brook has a catchment area of 2.06 km<sup>2</sup> to its confluence with Hamer Brook. Hamer Brook has a catchment area of 7.24 km<sup>2</sup> to its confluence with the Turmer Brook. Another smaller tributary of Turmer Brook, known locally as Lomer stream, is located on the eastern side of the Site. It rises from springs within Lomer Copse and flows eastwards towards Harbridge Green. It then flows southwards and discharges into Turmer Brook a few hundred metres downstream of its confluence with Hamer Brook. It passes c. 210 m from Bleak Hill III at its closest point in the south-eastern corner.

## 2.11 ECOLOGY

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2.11.1 A Nature and Heritage Conservation Screen (Reference Number EPR/LB3601SD/A001) was requested from the Environment Agency. The results of the screen identified four nature and heritage conservation sites within 200m of the site, these were Local Wildlife Sites (LWS) Ringwood Forest and Home Wood, Lomer corpse and Lomer Meadow. The Nature Heritage and Conservation Screen also indicates a Deciduous Woodland (protected habitat) within 50m.

## 2.12 PLANNING HISTORY

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2.12.1 Mineral working has taken place in the vicinity of the application site, at and around Hamer Warren Quarry, since the 1930s. Hamer Warren Quarry, located to the south of the site, was granted planning permission in 1954 and has since been granted subsequent planning permissions in 1964, 1966, 1971 and 1983 for a series of extensions to workings. The original Hamer Warren Quarry has now been fully worked and restored and returned to the landowners.

2.12.2 Following the completion of works at the original Hamer Warren Quarry, planning permission was granted for two areas of land known as Bleak Hill I and II. These permissions and their references are set out below.

2.12.3 In April 1988 planning permission (reference 031987) was granted for Bleak Hill I, for the ‘extraction of sand and gravel and selected infilling with imported materials with restoration to agriculture’. In November 1992



planning permission (reference 046239) was granted for Bleak Hill II, for the 'extraction of sand and gravel and selected infilling with imported materials with restoration to agriculture'.

- 2.12.4 In March 2011, planning permission (reference 11/96573) was granted by Hampshire County Council (HCC) for an extension of the lifetime of the aggregate recycling permission to 31 December 2018. This operation was originally permitted for Hamer Warren Quarry in 1993 and was relocated to Bleak Hill I under permission reference 70318. Permission 11/96573 renewed this.
- 2.12.5 In August 2010, planning permission (reference 09/94574) was granted by HCC for a variation to Condition 46 of planning permission 78402 and application to vary approved working scheme under condition 5 of planning permission 78402 for the retention of the existing aggregate processing plant and the working scheme varied for Bleak Hill I and II. The expiry date was set as 31 December 2018.
- 2.12.6 In June 2014, planning permission (reference 14/10309) was granted by HCC to allow 24-hour pumping for dewatering at Bleak Hill II. The end date was 31 December 2018.
- 2.12.7 On 7<sup>th</sup> December 2015, planning permission (reference 15/10539) was granted by HCC to revise the permitted working and restoration schemes. The end date was 31 December 2018.
- 2.12.8 In August 2016, planning permission (reference 16/10796) was granted by HCC for a new processing facility to enable improved mineral recovery. Condition 2 of this permission ensures that the processing plant is ancillary to the use of the land approved under planning permission 31987 and as varied by 09/94574 and 15/10539.
- 2.12.9 In December 2021, three planning permissions were granted by HCC which comprised the following: -
- Permission 19/11326 - Extension of mineral working at Hamer Warren Quarry, to extract some 600,000 tonnes of sand and gravel from Bleak Hill III, including works to create an extended haul road and back filling with inert material and progressive restoration to agriculture with increased nature;
  - Permission 19/11324 - Variation of Condition 1 of Planning Permission 19/10015 to allow an extension of time for an aggregate recycling plant and operations at Bleak Hill I until 31 December 2025; and
  - Permission 19/11325 - Variation of Condition 1 of Planning Permission 19/10014 to allow an extension of time for the working of minerals and the tipping of materials at Bleak Hill I and II until 31 December 2025.

## 2.13 PERMITTING CONTEXT

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2.13.1 In order to facilitate the restoration of the most recently permitted development at Bleak Hill III, as required by Planning Permission 19/11326, CEMEX seeks to restore the facility using inert wastes through the operation of waste recovery activity. In total, a volume of 381,579m<sup>3</sup> is required to restore the site in accordance with the obligations outlined within the planning permission.

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## 3.0 PROPOSED DEVELOPMENT

### 3.1 INTRODUCTION

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- 3.1.1 The proposal development entails the importation of inert waste for infilling of the quarry void that will be created following mineral extraction activities. Works will be completed in accordance with the final ground contours and restoration scheme (Drawing Number P6/206/7A) that was provided in the aforementioned planning application.
- 3.1.2 Cross sections of the restoration are provided on Drawing Number P6/206/10A.

### 3.2 MATERIAL REQUIREMENTS

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- 3.2.1 In order to complete the restoration works at the site in accordance with the approved restoration scheme, approximately 381,579m<sup>3</sup> of inert materials will be required in total. When using a bulk density conversion factor of 1.9 tonnes/m<sup>3</sup> this equates to approximately 725,000 tonnes.

### 3.3 WASTE TYPES

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- 3.3.1 It is proposed that CEMEX will only use inert waste as classified under the Landfill Directive (1999/31/EC) and Council Decision (2003/33/EC) of 19 December 2002 'establishing criteria and procedures for the acceptance of waste landfills'.
- 3.3.2 Inert waste is defined in Article 2 of the Landfill Directive 1999/31/EC as follows:-
- 'Inert waste' means waste that does not undergo any significant physical, chemical or biological transformations. Inert waste will not dissolve, burn or otherwise physically or chemically react, biodegrade or adversely affect other matter with which it comes into contact in a way likely to give rise to environmental pollution or harm to human health. The total leachability and pollutant content and the ecotoxicity of its leachate are insignificant and, in particular, do not endanger the quality of any surface water and/or groundwater.*
- 3.3.3 Details of the proposed waste types are detailed in Table 1. These waste types are identified by the EA as suitable for use in the restoration of mineral workings and as general fill material (EA's Check if your waste is suitable for deposit for recovery' guidance, 21<sup>st</sup> April 2021).

**Table 1: Proposed Waste Types**

<b>EWG Code</b>	<b>Description</b>	<b>Restriction</b>
<b>01</b>	<b>WASTE RESULTING FROM EXPLORATION, MINING, QUARRYING AND PHYSICAL AND CHEMICAL TREATMENT OF MINERALS</b>	
<b>01 01</b>	<b>Wastes from mineral excavation</b>	
01 01 02	Waste glass-based fibrous materials	Restricted to waste overburden and interburden only
<b>01 04</b>	<b>Wastes from physical and chemical processing of non-metalliferous minerals</b>	
01 04 08	Waste gravel and crushed rocks other than those mentioned in 04 04 06	
01 04 09	Waste sand and clay	
<b>10</b>	<b>WASTES FROM THERMAL PROCESSES</b>	
<b>10 12</b>	<b>Wastes from manufacture of ceramic goods, bricks, tiles and construction products</b>	
10 12 08	Waste ceramics, brick, tiles and construction products (after thermal processing)	
<b>10 13</b>	<b>Wastes from manufacture of cement, lime and plaster and articles and products made from them</b>	
10 13 14	Waste concrete	
<b>17</b>	<b>CONSTRUCTION AND DEMOLITION WASTES (INCLUDING EXCAVATED SOIL FROM CONTAMINATED SITES)</b>	
<b>17 01</b>	<b>Concrete, bricks, tiles and ceramics</b>	
17 01 01	Concrete	Selected C&D waste only
17 01 02	Bricks	Selected C&D waste only
17 01 03	Tiles and ceramics	Selected C&D waste only
17 01 07	Mixtures of concrete, bricks, tiles and ceramics other than those mentioned in 17 01 06	Selected C&D waste only. Metal from reinforced concrete must have been removed.
<b>17 05</b>	<b>Soil (including excavated soil from contaminated sites), stones and dredging spoil</b>	
17 05 04	Soil and stones other than those mentioned in 17 05 03	Excluding topsoil, peat; excluding soil and stones from contaminated sites
<b>19</b>	<b>WASTES FROM WASTE MANAGEMENT FACILITIES, OFF-SITE WASTEWATER TREATMENT PLANTS AND THE PREPARATION OF WATER INTENDED FOR HUMAN CONSUMPTION AND WATER FOR INDUSTRIAL USE</b>	
<b>19 12</b>	<b>Wastes from the mechanical treatment of waste (for example sorting, crushing, compacting, pelletising) not otherwise specified</b>	
19 12 09	Minerals only	Wastes from the treatment of waste aggregates that are otherwise naturally occurring minerals. Does not include fines from treatment of any non-hazardous waste or gypsum from recovered plasterboard.
19 12 12	Other wastes from mechanical treatment of wastes other than those mentioned in 19 12 12	Restricted to crushed bricks, tiles, concrete and ceramics only. Metal from reinforced concrete must be removed. Does not include fines from treatment of any non-hazardous waste or gypsum from recovered plasterboard.

<b>20</b>	<b>MUNICIPAL WASTES (HOUSEHOLD WASTE AND SIMILAR COMMERCIAL, INDUSTRIAL AND INSTITUTIONAL WASTES) INCLUDING SEPARATELY COLLECTED FRACTIONS</b>	
<b>20 02</b>	<b>Garden and park wastes (including cemetery waste)</b>	
20 02 02	Soil and stones	Only from garden and parks waste; excluding topsoil, peat.

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## 4.0 JUSTIFICATION FOR WASTE RECOVERY

### 4.1 INTRODUCTION

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4.1.1 The EA Regulatory Guidance on Waste Recovery Plans and Deposit for Recovery Permits (April 2021), sets out the EA's approach to determining whether an activity involving the permanent deposit of waste on land is waste recovery or waste disposal.

#### **The Recovery Test**

4.1.2 In order to reach a formal determination as to whether the landscaping works constitute a recovery operation, the EA will apply the tests set out in the guidance which is based upon a legal test derived from the Waste Framework Directive and European case law, and are set out below: -

- Evidence to show that if you couldn't use waste you would do work to get the same outcome using non-waste;
- It is suitable for the intended purpose;
- Won't cause pollution;
- Purpose of the work;
- Quantity of Waste Used; and
- Meeting Quality Standards.

4.1.3 These questions will be answered in the following sections to support the EA's consideration of this Waste Recovery Plan.

### 4.2 EVIDENCE OF SUBSTITUTION FOR NON-WASTE MATERIALS

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4.2.1 The EA's Waste Recovery Plans and Permit Guidance states that: -

*“Depositing waste is only a recovery activity if you have shown that you could and would have carried out the works using non-waste material. Your waste recovery plan must include evidence to support this. The Environment Agency refer to this as ‘substitution’.*

4.2.2 There are three main ways that applicants can demonstrate that a waste material will be substituting a non-waste material. These are as follows: -

- Financial gain by using non-waste materials;
- Funding to use non waste; and
- Obligations to do work.

4.2.3 It is CEMEX's intention to demonstrate, through this Waste Recovery Plan, that there is a legal obligation to restore the site. There is no further requirement within the aforementioned waste recovery guidance or case law that financial gain or funding to use non-waste must be satisfied in the event that an obligation to undertake works is demonstrated.

4.2.4 As detailed above, planning permission (reference 19/11326) was granted by HCC for the extraction of minerals and the subsequent restoration of the site. Minerals can only be worked where they geologically and geographically occur and the primary development at the site is mineral extraction. The planning permission enables the extraction of sand and gravel deposits. Planning conditions which require site restoration following extractive operations are attached to planning permissions when a mineral planning authority (MPA) considers that appropriate restoration of the site is a pre-requisite to the principle of mineral extraction being acceptable. As mentioned in Section 1.1.6, Condition 2 of the planning permission requires the site to be restored in accordance with the approved restoration plan reference P6/206/7A. The condition also includes time limits where restoration must cease on or before 31<sup>st</sup> December 2025.

4.2.5 This condition indicates that the Council's desire that the site be restored in accordance with the planning permission and in a timely manner. Furthermore, the planning permission is subject to a Section 106 agreement and a copy is provided as Appendix B. Schedule 2 of the Section 106 Legal Agreement requires the following:

1. *The Developer for themselves and their successors in title covenant with the County Council as follows:*

1.1 *that it shall within six (6) months of the date of this Deed submit the Nature Conservation Management and Aftercare plan in accordance with restoration plan P6/206/7A setting out the ten (10) year management and aftercare programme for the planting areas and five (5) year programme for the agricultural areas to the County Council for approval.*

1.2 *To undertake the tasks and implement the measures identified in the Nature Conservation Management and Aftercare Plan and/or any amendments to it approved by the County Council in any reviews.*

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- 4.2.6 A Section 106 agreement is a legal agreement between the County Council and the operator which is considered a planning obligation. The above demonstrates that there is a legal requirement for CEMEX to complete the restoration of the mineral workings in accordance with the approved plan and failure to do so will be a breach of this legal agreement.
- 4.2.7 The National Planning Policy Framework (NPPF) states that local planning authorities should ‘provide for restoration and aftercare [of minerals sites] at the earliest opportunity to be carried out to high environmental standards, through the application of appropriate conditions, where necessary’. The Minerals Local Plan identifies that ‘restoration is a key area where positive benefits can be achieved’ and it recommends that the restoration of mineral sites should include at least one of the following aims: improvement to the long-term appearance of the landscape; creation of a greater diversity of habitats for wildlife; provision of new opportunities for public access and recreation; and the alleviation of flooding.
- 4.2.8 In order to ensure that the environmental impacts of the quarrying were acceptable, the site was granted planning permission for sand and gravel extraction with appropriate required restoration for a beneficial after use. The site was not granted planning permission on the basis that it might provide inert waste disposal capacity. As such, it is considered that the MPA would pursue enforcement action in the event of a breach of the planning condition in relation to the restoration of the site.
- 4.2.9 This planning permission represents a legal requirement to restore the site. This requirement would be required to be fulfilled through the use of non-waste, inert waste through the mechanism of a recovery permit or through an inert disposal permit. There are no conditions pursuant to planning permission 19/11326 that require the restoration scheme to be completed using inert waste or how the restoration scheme should be constructed. The only requirement is that it should be infilled to the approved levels and in a timely manner as detailed in Condition 2.
- 4.2.10 The implementation of the planning permission demonstrates that there is a statutory obligation to restore the site. This requirement would be obliged to be fulfilled through the use of non-waste, inert waste through the mechanism of a recovery permit or through an inert disposal permit. Failure to restore the site in accordance with the approved planning permission would lead to enforcement action being undertaken by the planning authority.

### **4.3 IS THE RECOVERED WASTE MATERIAL SUITABLE FOR ITS INTENDED USE?**

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- 4.3.1 Many of the proposed waste types are physically similar to the likely primary aggregate non-waste materials to be used e.g., soils, sand, stone, gravel etc., and can be considered direct replacements. They are capable of being sufficiently compacted so that they can form a stable landform for the medium and long term and



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will undergo consolidation rapidly to reduce the risk of short-term instability. The restoration scheme will require a bespoke Environmental Permit, a requirement of which is the provision of a Stability Risk Assessment. Through this risk assessment CEMEX will demonstrate that the proposed landform is suitable for the intended use and will be stable in the long term.

4.3.2 It is considered that the proposed wastes are suitable for use in creating the proposed landform.

#### **4.4 WILL THE MATERIAL CAUSE POLLUTION?**

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4.4.1 Condition 27 of the planning permission states the following which provides a legal obligation to ensure that the material will not cause pollution:

*“Only clean, uncontaminated inert material shall be imported to the site.”*

4.4.2 A Hydrogeological Risk Assessment (HRA) will be undertaken in support of the application which will demonstrate that there is no impact on the surrounding groundwater through the use of these wastes for the purpose of restoring the site. The HRA will be reviewed and updated as necessary to confirm that there will be no impact to groundwater as a result of a recovery application.

4.4.3 Strict waste acceptance, including careful screening of materials entering the site, will be undertaken on site and will be detailed within any subsequent Environmental Permit application. These procedures will be employed on site to ensure that no prohibited materials which are likely to cause a risk to the environment will be accepted at the site.

4.4.4 It is considered that in following the strict criteria detailed above, the material is unlikely to cause pollution.

#### **4.5 PURPOSE OF THE USE**

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4.5.1 The purpose of the scheme is to allow the infilling of the quarry void generated from mineral extraction activities. The restoration landform for the site is detailed in Drawing Number P6/206/7A which proposes to restore the site to agricultural land with a small pond in the southeast corner and with nature conservation provision and biodiversity enhancements around the boundaries.

#### **4.6 IS THE MINIMUM OF WASTE BEING USED TO ACHIEVE THE INTENDED BENEFIT?**

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4.6.1 The proposed landform has been carefully designed to consider the physical and technical requirements for the restoration (e.g., land stability, drainage, etc.) and also the inclusion of landscape features that would fit in with the surrounding landscape character.

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- 4.6.2 A volume of 381,579m<sup>3</sup> of material will be required to achieve the profiles provided under the approved restoration schemes (Drawing Number P6/206/7A).
- 4.6.3 Throughout the restoration of the site, CEMEX have sought to re-incorporate as much of the unwanted materials and any overburden back into the restoration landform. Condition 15 of the planning permission states the following:
- “All topsoil and overburden stripped from the areas to be excavated shall be removed and stored separately before operations commence for use in site restoration. Topsoil shall only be handled when dry and friable. Following tipping and during restoration, overburden shall be replaced and graded in accordance with the final levels hereby approved and ripped using a winged tine subsoiler. The overburden shall in turn be covered with the topsoil in original sequence and to even depths”.*
- 4.6.4 The operator is therefore required to reuse as much of the site won material as possible within the restoration scheme through the planning permission obligation. However, there is insufficient site won material which can be incorporated back into the site to complete the restoration scheme in accordance with the conditions of the planning permission. As such, this material is required to be imported from off-site sources.
- 4.6.5 Section 5.5 of the Environmental Statement produced in support of the planning application gave consideration to the alternative schemes available. The first scenario would be ‘do nothing at all and restore the site as permitted,’ meaning that the deposit would not be worked and would be left in-situ, thus in effect sterilised. The unworked aggregate resource would be lost and another new allocated site in the Hampshire Minerals and Waste Local Plan 2013 would need to be developed sooner or a planning application would need to be submitted to work an unallocated site which is likely to have greater environmental, social, and economic impact than working Bleak Hill III.
- 4.6.6 Secondly, the application could be brought forward at a later stage, however, without this associated plant and infrastructure, working the site at a later date may result in an increase in adverse impacts and at a greater scale. In particular, some of the restored land at Bleak Hill I and II may have to be opened up again or, alternatively, the aggregates would need to be taken off site to be processed. Any access would need to further north along Harbridge Drove and the unprocessed mineral would result in a higher number of transport movements.
- 4.6.7 Alternatively, the scheme could take place at a different site, if Bleak Hill III is not progressed now an alternative site will need to be developed and extracted to maintain annual aggregate production capacity in Hampshire. The Bramshill extension site is located in the north of the county and would require the mineral from Bramshill to be transported greater distance to serve the current Bleak Hill/Hamer Warren

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Quarry market. The other sites identified in Policy 20 of the Local Plan are new sites and these could be brought forward as an alternative to Bleak Hill III, but as these are new sites and as such would be worked sooner and earlier than is preferable and sustainable to working an existing extension site.

4.6.8 Additionally, when designing the layout of the restoration scheme on-site alternative options were considered to ensure that any adverse impacts are acceptable in environmental and amenity terms. The alternative options to this development were considered to be unsustainable or to result in less long-term benefits for the community and environment. The approved restoration scheme was determined the most suitable course of action as the proposed developments will not have a significant impact on the environment or local amenity provided that the mitigation measures set out in the assessments are included in the project design and operation.

## **4.7 MEETING QUALITY STANDARDS**

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4.7.1 The proposed development has been carefully and professionally designed, taking into account any physical constraints, such as land stability, land condition and drainage. The approved planning application was supported with the following documentation which demonstrates that the site operation and restoration has been professionally designed with consideration to protection of the environment:

- Environmental Statement.
- Hydrogeological Risk Assessment.
- Flood Risk Assessment.
- Noise Impact Assessment.
- Dust Management Plan.
- Landscape and Visual Assessment.
- Nature Conservation and Aftercare Plan.

4.7.2 All works, including construction and landscaping, will be carried out in accordance with current industry best practices and the Environmental Permit. Efforts will be made to minimise disruption to local amenity and measures will be taken to cause as little nuisance as possible (e.g., dust emissions or noise) to local receptors.

4.7.3 Therefore, the restoration of the site, in accordance with the approved restoration plans (Drawing Number P6/206/7A), is considered to be a recovery operation.

## 5.0 CONCLUSION

- 5.0.1 The restoration scheme for the site has been approved by HCC under planning permission 19/11326 and all the conditions and advisory notes set out within that document. CEMEX are seeking to restore the site under the conditions of a bespoke waste recovery permit. This Waste Recovery Plan seeks to demonstrate that the approved restoration scheme should be considered a waste recovery activity.
- 5.0.2 Conditions within Planning Permission 19/11326 and the associated Section 106 Agreement clearly state that the site must be infilled to the approved restoration scheme and that this infilling must be carried out in a timely manner. The permission also gives advice to CEMEX on the consequences of failing to adhere to all the conditions of the planning permission and that this could lead to enforcement action. The Council's Planning Enforcement and Site Monitoring Plan also details the council's policy for the enforcement of planning control within the borough. As specified in the plan, development which has not been carried out in accordance with the approved planning permission is classed as a breach of planning control and therefore would be subject to enforcement action.
- 5.0.3 Failure to restore the site in accordance with the approved planning permission would clearly lead to enforcement action being undertaken by the planning authority.
- 5.0.4 In order to ensure that all environmental impacts of the quarrying were acceptable, the site was granted planning permission for sand and gravel extraction with appropriate restoration for a beneficial after use. The site was not granted planning permission on the basis that it might provide inert waste disposal capacity. Indeed, had the restoration scheme been designed as a means for the disposal of waste, planning permission is unlikely to have been granted.
- 5.0.5 This Waste Recovery Plan provides information relating to the benefits of the scheme and confirms that the minimum amount of waste is being used to confer these benefits. In addition, the information provided above shows clearly that the scheme meets the test as detailed within EA Waste Recovery Permit and Plans Guidance and that it should be considered as a recovery activity in line with EU Case Law.

## DRAWINGS

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CEM/B031732/PER/01 - Environmental Permit Boundary

P6/206/7A – Restoration Proposals

P6/206/10A - Restoration Sections

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## APPENDICIES

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## APPENDIX A

Decision Notice 19/11326



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## APPENDIX B

Section 106 Agreement