



Hampshire
County Council

Town and Country Planning Act 1990 (as amended)

To: CEMEX
CEMEX House
Coldharbour Lane
Thorpe
Egham
TW20 8TD

Application No: **19/11326**

HCC Ref: NF091

For: CEMEX UK Operations Limited

Date of Application: 15 October 2019

Hampshire County Council, as Mineral Planning Authority, **grants permission** for the following development in respect of the plans and particulars and subject to the attached schedule of 42 conditions:

Development: **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**

Site address: **Bleak Hill III - Hamer Warren Quarry, Harbridge Drove, Nr Ringwood BH24 3PX (EIA)**

Reason for Approval

It is considered that the proposal would be in accordance with the relevant policies of the Hampshire Minerals and Waste Plan (2013) and would not materially harm the character of the area (Policy 5) or the amenity of local residents (Policy 10) and would be acceptable in terms of highway safety and convenience (Policy 12).

Conditions

Commencement

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

All enquiries should be referred to the Economy, Transport & Environment Department,
The Castle, Winchester, SO23 8UD

Tel: (01962) 846746 Fax: (01962) 847055

NB - Applicants; your attention is drawn to your rights of appeal set out overleaf

**Director of Economy,
Transport & Environment**
1 December 2021



Town and Country Planning Act 1990 (as amended)

Application No: **19/11326**

Continued

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

Timescale

2. 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).

Reason: To minimise the duration of disturbance from the operations hereby approved in accordance with Policies 9 (Restoration of minerals and waste sites) and 10 (Protecting public health, safety and amenity) of the Hampshire Minerals & Waste Plan (2013).

Hours of Working

3. No operations authorised or required by this permission, with the exception of site preparation works, shall be carried out, and plant shall not be operated (except for equipment required in connection with de-watering operations) except between the following hours: 07.00 - 18.00 Monday to Friday and 08.00 - 13.00 Saturday. There shall be no working on Sundays or recognised Public Holidays.

Site Preparation works shall only take place between the following hours: 08.00 - 18.00 Monday to Friday and 08.00 - 13.00 Saturday.

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

Archaeology

4. An Archaeological Watching Brief shall be implemented on the site in accordance with the Section 11.7 of the Environmental Statement, including the submission of a written scheme of investigation prior to works commencing on site.



Town and Country Planning Act 1990 (as amended)

Application No: **19/11326**

Continued

Reason: In the interests of archaeology in accordance with Policy 7 (Conserving the historic environment and heritage assets) of the Hampshire Minerals & Waste Plan (2013).

Restriction of Permitted Development Rights

5. Notwithstanding the provisions of Parts 4, 7 and 16 Schedule 2 of the Town and Country Planning (General Permitted Development) (England) 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 agreement of the Waste Planning Authority in writing;
 - (ii) no telecommunications antenna shall be installed or erected without the prior agreement of the Waste Planning Authority in writing.

Reason: to protect the amenities of the area in accordance with Policies 10 (Protecting public health, safety and amenity) & 13 (High-quality design of minerals and waste developments) of the Hampshire Minerals & Waste Plan (2013).

Noise, Dust and Odour

6. The total noise attributable to all mineral workings (including the operation of the aggregate recycling plant, concrete crusher and landfill operations) at Bleak Hill I, Bleak Hill II (Hamer Warren Quarry) and Bleak Hill III shall not exceed 50dB(A) LAeq (1HR) (Freefield) at the boundary of any noise-sensitive properties. The individual noise contribution from the operations of mineral extraction and processing, recycling, concrete crushing and landfilling shall not exceed 45dB(A) LAeq (1 HR) (Freefield) at the boundary of any noise-sensitive properties.

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

7. Within 3 months of the date of the permission, a Noise Management Plan for the control of noise at the site shall be submitted to the Minerals and Waste Planning Authority for approval in writing. The Scheme shall be implemented as approved for the duration of the permission.

Town and Country Planning Act 1990 (as amended)

Application No: **19/11326**

Continued

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

8. De-watering equipment referred to and operated outside of the working hours specified in Condition 2 (Hours of working) shall be done so in accordance with the acoustic mitigation measures outlined within the email dated 11 April 2014, subject: 'Cemex Bleak Hill Dewatering - Noise Mitigation Measures'. Noise levels generated from the site outside of the working hours and on recognised Public Holidays as specified in Condition 2 (Hours of working) shall not exceed 33dB(A) LAeq, 1h (free field) at the boundary of any noise-sensitive properties.

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

9. The operation of de-watering equipment outside of the permitted working hours specified in Condition 2 (Hours of working) shall take place no more than 60 days per calendar year. A written record of such use shall be kept on site and made available for inspection by the Mineral and Waste Planning Authority on request.

Reason: As the 24-hour operation of de-watering equipment is required only in exceptional circumstances, in accordance with Policy 10 (Protecting public health, safety and amenity) of the Hampshire Minerals & Waste Plan (2013).

10. The temporary operations of soil stripping, bund construction and bund removal shall not take place beyond the time period of 8 weeks in any 1 year and shall not exceed 70dB(A) LAeq (1hr) (Free field) at the boundary of any noise-sensitive properties. A log book shall be kept on site, managed by the operators of the site, recording these conditioned temporary operations and shall be made available for inspection by the Mineral and Waste Planning Authority on request.

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

11. Mobile screens shall not be operated within 100 metres of any dwelling.

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



Town and Country Planning Act 1990 (as amended)

Application No: **19/11326**

Continued

12. Within 3 months of the date of this permission, a Dust Management Scheme for the control of dust at the site shall be submitted to the Minerals and Waste Planning Authority for approval in writing. The Scheme shall also demonstrate measures to protect the adjacent woodland. The Scheme shall be implemented as approved for the duration of the permission.

Reason: In the interests of local amenity in accordance with Policies 3 (Protection of habitats and species) and 10 (Protecting public health, safety and amenity) of the Hampshire Minerals & Waste Plan (2013).

Working Programme

13. Sand and gravel extraction, backfilling with imported inert material and restoration shall take place progressively in a phased manner in accordance with the approved Working Scheme Plans (Drawings P4/206/5B (i) – (xi)). The restoration of the site and its return to agricultural use shall be carried out in the timescale stated on these plans.

Reason: In the interests of local amenities and timely restoration in accordance with Policies 9 (Restoration of minerals and waste sites) and 10 (Protecting public health, safety and amenity) of the Hampshire Minerals & Waste Plan (2013).

14. No refuse shall be burnt on the site or be deposited in any watercourse.

Reason: To avoid environmental pollution and in the interests of local amenities in accordance with Policy 10 (Protecting public health, safety and amenity) of the Hampshire Minerals & Waste Plan (2013).

15. 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.



Town and Country Planning Act 1990 (as amended)

Application No: **19/11326**

Continued

Reason: To ensure the satisfactory restoration of the land to agriculture in accordance with Policies 8 (Protection of soils) and 9 (Restoration of quarries and waste developments) of the Hampshire Minerals & Waste Plan (2013).

16. All vehicles and plant employed within the site shall be fully maintained in sound working order at all times and shall be fitted with and use effective silencers provided in accordance with the manufacturer's recommendations. Vehicles and plant operating on the site shall be fitted with white noise type reversing alarms.

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

17. No skips or containers shall be stored on site.

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

18. All vehicles shall be limited to a maximum speed of 15 miles per hour on site.

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

Depth of Working

19. No excavation at Bleak Hill III shall take place below 30 Metres AOD.

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

Margins

20. No excavation or storage of soils shall take place within 2 metres of those hedgerows, or under the canopies of those trees, which bound the site. Any trees or sections of hedges which die during the period of working and aftercare shall be replaced by new plants planted in accordance with a scheme specifying species,



Town and Country Planning Act 1990 (as amended)

Application No: **19/11326**

Continued

density of planting, size of plants and provisions for the maintenance to be agreed by the Mineral Planning Authority.

Reason: In the interests of local amenities and to protect the landscape character of the area in accordance with Policies 10 (Protecting public health, safety and amenity) and 13 (High-quality design of minerals and waste development) of the Hampshire Minerals & Waste Plan (2013).

21. The sterilised margins around Bleak Hill I (Hamer Warren Quarry) shown on Working Scheme Plans (Drawings P4/206/5B (i) – (xi) (March 2020)) shall be maintained throughout the life of the development. There shall be no encroachment of extraction into these areas.

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

22. Extraction of sand and gravel shall only take place in accordance with the Working Scheme Plans (Drawings P4/206/5B (i) – (xi) March 2020).

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

23. Disposal of inert material shall only take place in accordance with the Working Scheme Plans (Drawings P4/206/5B (i) – (xi) March 2020).

Reason: In the interests of local amenities and protection of the environment in accordance with Policies 3 (Protection of habitats and species), 10 (Protecting public health, safety and amenity) and 11 (Flood risk and prevention) of the Hampshire Minerals & Waste Plan (2013).

Environmental Management

24. The management of lighting, Rights of Way and Plant and Vehicle operating protocol shall be undertaken in accordance with the Environmental Management Scheme submitted as Appendix 9 of the Environmental Statement Regulation 25 Submission



Town and Country Planning Act 1990 (as amended)

Application No: **19/11326**

Continued

dated April 2020. Operations shall not proceed except in compliance with this scheme.

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

25. Sandmartins and Little Ringed Plovers nesting at the site shall be protected in accordance with the scheme approved by the Mineral Planning Authority on 18th May 2005 and the submitted Ecological Management Plan April 2020.

Reason: To ensure the protection of specified site breeding birds in accordance with Policy 3 (Protection of habitats and species) of the Hampshire Minerals & Waste Plan (2013).

Restoration

26. No later than 6 months from the cessation of all extraction and tipping, or by 31 December 2025 whichever is the soonest, all plant and machinery, foundations, hardstandings and access roads no longer required in connection with the workings, restoration or future agricultural use of the site shall be removed.

Reason: In the interests of the amenities of the area in accordance with Policy 9 (Restoration of quarries and waste developments) and Policy 10 (Protecting public health, safety and amenity) of the Hampshire Minerals & Waste Plan (2013).

27. Only clean, uncontaminated inert material shall be imported to the site.

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

28. The phased restoration of the site shall be undertaken, managed and aftercare implemented in accordance with the scheme approved by the Mineral and Waste



Town and Country Planning Act 1990 (as amended)

Application No: **19/11326**

Continued

Planning Authority and shown on the Restoration Plan (Drawing P6/206/7/A) and the Working Scheme Plans (Drawings P6/206/5B (i) – (xi)) March 2020).

Reason: In the interests of maximising the potential for nature conservation in accordance with Policies 3 (Protection of habitats and species), 5 (Protection of the countryside), 9 (Restoration of quarries and waste developments) and 10 (Protecting public health, safety and amenity) of the Hampshire Minerals & Waste Plan (2013).

29. No tipping, including the deposition of soils for restoration, shall take place to levels higher than the approved final levels indicated on the Restoration Plan (Drawing P6/206/7/A).

Reason: To ensure that the final landform is in keeping with the locality and capable of beneficial after use and to ensure the site is not surcharged with waste materials in accordance with Policies 3 (Protection of habitats and species), 5 (Protection of the countryside), 9 (Restoration of quarries and waste developments) and 10 (Protecting public health, safety and amenity) of the Hampshire Minerals & Waste Plan (2013).

30. The final levels of the restored land including areas underneath the overhead power lines and supporting poles shall be in accordance with the Restoration Plan (Drawing P6/206/7/A).

Reason: In the interests of health and safety in accordance with Policies 9 (Restoration of quarries and waste developments) and 10 (Protecting public health, safety and amenity) of the Hampshire Minerals & Waste Plan (2013).

31. The management of surface water shall be in accordance with Section 7: Flood Risk Assessment and Drainage Strategy of the Environmental Statement Chapter 9: Hydrology, Hydrogeology and Flood Risk dated December 2018.

Reason: To ensure adequate drainage of the site in accordance with Policy 11 (Flood risk and prevention) of the Hampshire Minerals & Waste Plan (2013).



Town and Country Planning Act 1990 (as amended)

Application No: **19/11326**

Continued

Landscape

32. Planting for Bleak Hill III shall be implemented in accordance with the Restoration Plan (Drawing P6/206/7/A).

Reason: In the interests of local amenities and the landscape character of the area in accordance with Policies 3 (Protection of habitats and species), 5 (Protection of the countryside), 9 (Restoration of quarries and waste developments) and 10 (Protecting public health, safety and amenity) of the Hampshire Minerals & Waste Plan (2013).

33. The trees or shrubs planted or required to be retained on the site in accordance with any scheme approved by the Minerals Planning Authority, shall be safeguarded and maintained for the duration of the development. Any trees or shrubs which die, are removed or become seriously damaged or diseased before or during the approved aftercare period shall be replaced in the next planting season with other live specimens of similar number, size and species.

Reason: In the interests of the amenities of the area in accordance with Policies 3 (Protection of habitats and species), 5 (Protection of the countryside), 9 (Restoration of quarries and waste developments) and 10 (Protecting public health, safety and amenity) of the Hampshire Minerals & Waste Plan (2013).

After-Care

34. Aftercare and the programme of monitoring aftercare at Bleak Hill I, Bleak Hill II (Hamer Warren Quarry) and Bleak Hill III shall be implemented in accordance with the scheme approved on the Restoration Plan (Drawing P6/206/7/A). Aftercare of each restored area shall commence upon the completion of the restoration in each phase. Aftercare of agricultural land shall take place for a period of 5 years. Aftercare of all planted and vegetation areas shall take place for 10 years. Aftercare shall include an annual site meeting to discuss the detailed steps necessary on the restored land. Should the Minerals Planning Authority identify from the annual meeting that detailed revisions to the aftercare scheme are required, they shall be submitted for the approval of the Minerals Planning Authority no later than 2 weeks after each meeting.



Town and Country Planning Act 1990 (as amended)

Application No: **19/11326**

Continued

Reason: To ensure that the land is satisfactorily restored in accordance with Policy 9 (Restoration of quarries and waste developments) of the Hampshire Minerals & Waste Plan (2013).

Highways

35. All haul roads shall be maintained in a condition free from pot holes whilst in use and shall be removed when no longer required or during the course of site restoration, whichever is sooner. Sections of the haul road formed to a higher level than one metre below the local final restoration level, as shown on the approved Restoration Proposals Plan (drawing P6/206/7/A), shall be removed before overburden and soils are re-spread. All sections of haul road shall be ripped before covering with overburden or soils during restoration.

Reason: To ensure the land is satisfactorily restored in accordance with Policies 9 (Restoration of quarries and waste developments) and 12 (Managing Traffic) of the Hampshire Minerals & Waste Plan (2013).

36. Measures shall be taken to prevent mud and spoil from vehicles leaving the site and being deposited on the public highway. These measures shall be maintained for the duration of the development hereby permitted. No vehicle shall leave the site unless it has been cleaned sufficiently to prevent mud and spoil being carried on to the public highway. In the event that mud and spoil from vehicles leaving the site are deposited on the public highway, measures shall be taken to clean the highway. In any event at the end of each working day the highway shall be cleaned to the satisfaction of the Waste Planning Authority.

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

37. All goods vehicles entering or leaving the site shall be securely sheeted.

Reason: In the interests of the amenity of residents on and near the approaches to the site in accordance with Policy 12 (Managing traffic) of the Hampshire Minerals & Waste Plan (2013).



Town and Country Planning Act 1990 (as amended)

Application No: **19/11326**

Continued

Nature Conservation

38. Mitigation and protected species safeguarding measures set out in ECOLOGICAL MANAGEMENT PLAN V1 April 2020 including Appendix Update: Reptile and Dormice Mitigation Measures Timeline, or any subsequent update to this report as a result of further surveys or species mitigation licencing, will be undertaken throughout the life of the development. Annual Monitoring reports will be submitted to the Minerals and Waste Planning Authority for approval. Updates to this document will be submitted to the Minerals and Waste Planning Authority for approval on an annual basis from the date of this permission. Any further surveys or data collected through this process will submitted to Hampshire Biodiversity Information Centre.

Reason: To safeguard populations of Protected species in accordance with Policy 3 (Protection of habitats and species) of the Hampshire Minerals & Waste Plan (2013).

39. Dormice habitat and monitoring boxes shall be maintained as set out in ECOLOGICAL MANAGEMENT PLAN V1 April 2020, or any subsequent update to this report as a result of further surveys or species mitigation licencing, throughout the life of the development. An annual report on dormice shall be submitted for review by the Planning Authority and shall cover the success of the planting, the presence of the dormouse boxes and retention of the hedges. Any dormice boxes damaged or removed shall be replaced within 4 weeks of notification of their status.

Reason: In order to provide adequate mitigation and compensation for dormice, to ensure the favourable conservation status of dormice in accordance with Policy 3 (Protection of habitats and species) of the Hampshire Minerals & Waste Plan (2013).

Water Environment

40. A Review of the ground water monitoring data shall be submitted to the Minerals and Waste Planning Authority within 12 months from the date of this certificate. The Review shall include, but not be limited to:
- a. all the groundwater level data in excel format for the monitoring period(1993 – present: hydrometric year October to September) for all observation boreholes at the site and Private Wells as measured within proximity at the site;



Town and Country Planning Act 1990 (as amended)

Application No: **19/11326**

Continued

- b. all the stream stage data in excel format for the monitoring period for all monitoring locations along the Hamer Brook, Lomer Stream and Whitefield Brook;
- c. any rated section data for all monitoring points along the Hamer Brook, Lomer Stream and Whitefield Brook;
- d. Location, construction details and status of the installed monitoring equipment;
- e. Data analysis and interpretation to be provided to include for:
 - Update to the conceptual hydrogeological understanding of the site;
 - Assessment of the occurrence of impacts upon the water environment that may have occurred;
 - Details of any mitigation measures implemented during the monitoring period (1993 – present);
 - Discussion of data quality issues that have arisen during the monitoring period (1993 – present); and
 - Recommendations regarding improvements to the monitoring scheme and to include for consideration of the installation of flow monitoring equipment along the Hamer Brook, Lomer Stream and Whitefield Brook.

Reason: To ensure adequate drainage of the site in accordance with Policy 11 (Flood risk and prevention) of the Hampshire Minerals & Waste Plan (2013).

41. A Monitoring Strategy taking into account the recommendations in the Review of the groundwater monitoring data shall be submitted to the Minerals and Waste Planning Authority within 12 months from the date of this permission for approval in writing. The approved Monitoring Strategy shall be subject to a Review every 2 years. As part of this review the operator shall undertake a detailed hydrogeological review of operations. The approved Monitoring Strategy shall be implemented for the life of the development.

Reason: To ensure adequate drainage of the site in accordance with Policy 11 (Flood risk and prevention) of the Hampshire Minerals & Waste Plan (2013).

Plans

42. The development hereby permitted shall be carried out in accordance with the following approved plans: **P6/206/1, P6/206/2, P6/206/3, P6/206/4, P6/206/5 1 of 5,**



Town and Country Planning Act 1990 (as amended)

Application No: **19/11326**

Continued

P6/206/6, P6/206/7/A, P6/206/8, P6/206/9, P6/206/10, P6/206/11, P4/206/5F 1 of 6, P4/206/8C, L6/206/LVIA3

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

Notes to Applicant

1. In determining this planning application, the Minerals and Waste/Local Planning Authority has worked with the applicant in a positive and proactive manner in accordance with the requirement in the National Planning Policy Framework (2019), as set out in the Town and Country Planning (Development Management Procedure) (England) Order 2015.
2. 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.
3. For the purposes of matters relating to this decision Heavy Good Vehicles (HGVs) are defined as vehicles over 3.5tonne un-laden.
4. The development hereby approved is subject to a Legal Agreement covering highway contribution, nature conservation management and aftercare and lorry routing.
5. The Minerals Planning Authority supports the continuation of the site Liaison Panel.