

Agenda Item 9
Report PC20/21-31

Report to	Planning Committee
Date	11 February 2021
By	Director of Planning
Local Authority	South Downs National Park Authority (Hampshire)
Application Number	SDNP/20/01535/FUL
Applicant	Mr John Gosling
Application	The extraction of 343,670 tonnes of chalk (156,214 cubic metres x 2.2 tonnes per cubic metre) and the importation of 1,149,000 tonnes (633,333 cubic metres x 1.8 tonnes per cubic metre) of clean inert waste/soils and clays and the importation of approximately 31,000 tonnes of top soil (21,000 cubic metres x 1.4 tonnes per cubic metre) with the continuation of ancillary recycling operations until 31st December 2028.
Address	Butser Hill Lime Works Ltd, Butser Hill, Buriton, Petersfield, Hampshire, GU31 5SP

Recommendation: That planning permission be granted subject to the conditions set out in paragraph 10.1 of this report.

Executive Summary

The applicant seeks to consolidate the two extant permissions on site for chalk extraction and recycling operations and to provide an improved restoration scheme.

The current extant permissions cease on the 21 February 2042 (chalk extraction) and 31 December 2028 (recycling operations). This application seeks to reduce the cessation time of the chalk extraction to be in line with the recycling operations and for the site to be fully restored by the 31 December 2028.

The revised restoration scheme encompasses the importation of 1,149,000 tonnes of inert soil and clays to infill the excavated chalk quarry, the importation of 31,000 tonnes of top soil, establishment of calcareous grassland, creation of habitats, retention of historic Lime Kilns and enhancement of existing woodland features on the site.

The primary issues in consideration of this application are the importation of material, landscape, ecology, historic Lime Kilns, and highways impact. The applicant has demonstrated that there is a need for this development as the current restoration scheme is of low value and not in line with current policies of the South Downs National Park due to the age of the permission preceding the creation of the National Park Authority. This application follows detailed pre-application advice which assessed the 'in-principle' proposal for the importation of material within a restoration scheme. The applicant has provided a comprehensive Environmental Statement which address all concerns raised at pre-application stage. The proposals are considered to be acceptable and permission is recommended subject to appropriate conditions.

The application is being brought before Members for consideration, given the extent of works involved in the proposals.

1. Site Description

- 1.1 Butser Hill Lime Works is located adjacent to the Southbound side of the A3 from Petersfield to Portsmouth. Vehicle access is obtained via a slip-road via the disused former A3 highway which is also adjacent to the A3 and along the borders of the western boundary of the site.
- 1.2 The site is approximately 1km from the village of Buriton and the National Cycle Route (NCR222) runs along the access road and beyond the entrance to the site, which is located on the western edge of the site boundary. Furthermore, there is a footpath that runs adjacent to the eastern boundary (Buriton 11). The site is adequately screened by mature vegetation along the access road.
- 1.3 The site has three parts which have extant permission to extract chalk, however the applicant has ownership of two parts of this site which is approximately 8.17 hectares and forming a lop-sided bowl shaped landform. These two parts have been divided by internal haul roads known as the Northern and Southern quarries and are subject to this application. Within the northern quarry there is a permitted recycling operation with associated mobile temporary equipment. Between the two quarries there are Lime Kilns which, whilst not listed, are considered to be of important local heritage value.
- 1.4 The site is adjacent to Queen Elizabeth Country Park and rural fields on the southern bound carriageway of the A3 and Butser Hill National Nature Reserve on the northern bound carriage way of the A3. There is a section of Semi Ancient Woodland to the south of the site and a number of Sites of Importance for Nature Conservation (SINCs), Special Conservation Area (SAC) and Site of Special Scientific Interest (SSSI) located nearby within Queen Elizabeth Country Park and Butser Hill National Nature reserve.
- 1.5 The nearest property is that of Kiln Cottage which is located on the southern periphery of the site with no other nearby residential properties within a 250m of the site.

2. Relevant Planning History

- 2.1 The history of this site is complex and a number variation of conditions were obtained for both operations on site and to prevent confusion permission have been listed in groupings (chalk extraction and recycling operations)
- SDNP/18/03798/CND – Approved (25/01/2019) – Variation of conditions 9, 19, 21 and 23 of F20552/27C. This application is for chalk extraction.
 - SDNP/18/04941/SCOPE – Scoping Opinion (24/10/2018) – Scoping request for further extraction and revised restoration proposals at Butser Hill Chalk Quarry
 - SDNP/18/04973/PREC – Pre-Application Advice Given (19/09/2018) – Continuation of extraction of the remaining chalk reserve and subsequent restoration by inert infill with associated after care. The recycling activities at the site will continue in parallel.
 - SDNP/18/03168/CNDC – Approved (13/06/2018) – Variation of condition 1, 2, 4, 10 and 14 and removal of condition 3 of planning permission SDNP/15/02986/CW. This application is for the recycling operations.

3. Proposals

- 3.1 The current extant permission for chalk extraction has a cessation date of 21 February 2042 and the current extant permission for the recycling operation has a cessation of 31 December 2028. This application is seeking to consolidate the current extant permissions for chalk extraction (SDNP/18/03798/CND) and recycling operations (SDNP/18/03168/CNDC) and proposing that the site will cease to operate both the chalk extraction and recycling operations by 31 December 2028. Furthermore, this proposal also seeks permission for a revised restoration scheme for the whole site.
- 3.2 This application follows pre-application advice (SDNP/18/04973/PREC) and a scoping opinion (SDNP/18/04941/SCOPE). Concerns raised in the pre-application advice and scoping opinion have been addressed within a comprehensive environmental statement which forms part of the documents submitted with this application.

- 3.3 The proposal is seeking to allow the continued extraction of the remaining chalk reserves of 343,670 tonnes before importing 1,149,000 tonnes of clean inert soils and clays to infill the site and to import 31,000 tonnes of top soil to be spread over the infill. This is to aid in the restoration of the site to ensure that the scheme is landscape led and to enhance biodiversity on the site.
- 3.4 It is proposed that the chalk extraction on the site will be exhausted by the end of 2024 and the recycling operations will continue in its current form until the beginning of 2028 at which point this operation will slowly decline and cease by the 31st of December 2028.
- 3.5 There is a 5 phased approach which will see the importation of the inert material proposed to begin from phase 1 and they will be imported into the Southern Quarry. Phases 1-3 will see both importation of inert material and chalk extraction. Phases 4-5 will see the remaining inert material and the slowing down to cessation of the recycling operations. A time table of how long each phase will be estimated to take is provided below:
- Phase 1 = 9 months
 - Phase 2 = 20 months
 - Phase 3 = 18 months
 - Phase 4 = 2.5 years
 - Phase 5 = 1.5 years
 - Aftercare = 5 years
- 3.6 Details of the proposed annual tonnages (extraction and importation) are as follows:

Year	Extraction of Chalk Tonnages	Importation of Inert Soil and Clay	Importation of Topsoil
2020/21	85,918	100,000	296
2022	85,918	100,000	1,776
2023	85,918	100,000	3,972
2024	85,918	100,000	6,168
2025	0	187,250	1,884
2026	0	187,250	1,884
2027	0	187,250	5,664
2028	0	187,250	9,444

- 3.7 The proposed operation hours for the site are 07:00 to 18:00 Monday-Friday and 07:00 to 13:00 Saturdays with no operations taking place on a Sunday or Bank Holiday. Vehicle movements are proposed to bypass the village of Buriton entirely and this is something that would further be enforced by a Section 278 agreement with Highways England.
- 3.8 It is proposed that the Historic Lime Kilns on the site are retained and protected in perpetuity. Unfortunately, some of the Historic Lime Kilns will be removed due to safety concerns for the public who will visit the site once it is fully restored. It is proposed that interpretation boards will also be erected on site to show the history of the site and the Historic Lime Kilns. This will be developed by working with Buriton Parish Council.
- 3.9 The overall final restoration of the site will include;
- Retention of long established mature woodland trees by the Lime Kilns and screening along the A3 boundary

- New proposed planting to provide screening of the cycle path of current operations on site
- Proposed tree planting at the southern perimeter of the site
- Enhancement of the tree screen at the A3 to provide evergreen species to reduce the noise of the A3 to encourage a quiet space for visitors to enjoy
- Two areas of exposed chalk quarry face to detail the history of the site
- Lowland calcareous grassland
- Low lying areas to encourage aquatic habitats
- Creation of Juniper and Juniper scrub habitat
- Access road with associated parking/picnic facilities
- Focal viewpoint along trail on top of the ridge in the Northern Quarry
- Retention, protection and enhancement of the Lime Kilns
- Informal paths to be provided to encourage full exploration of the site

4. Consultations

4.1 SDNPA Conservation Officer – No objection subject to conditions

4.2 SDNPA Landscape Officer – Neutral

- The Plans suggest the scheme will knit in to the existing contours beyond the red line, this approach is supported, but will require further detail at condition stage. This will require balance between ensuring a mix of slopes whilst achieving sufficient stability. Areas of exposed chalk cliff-faces in places, if achievable would also be supported.
- The material used for fill and topsoil will also require further information. Butser Quarry is in a part of the National Park where habitats have a strong relationship to chalk bedrock and the thin, lime-rich soils associated with them. The expectation of a scheme such as this, is that characteristic habitats are created as part of any restoration, as this will support locally characteristic species and help the site to be successfully integrated into the wider landscape.
- The success of the restoration will be dependent upon the applicant's ability to recreate appropriate ground conditions to deliver the quality of habitats expected. It is not clear from the application documents, what materials will be imported and used in the final scheme. The risk is the habitats and species aspired to, may not be achievable long-term and therefore nor will the benefits of having characteristic habitats to this site and its wider context.
- The broad principles set out in the Restoration Plan (Phase 5) are supported, for example, the amount of open space versus tree planting, but the location and details of these should be agreed at conditions stage. The local area has some juniper present and so it is expected that this key species would form a large part of detailed restoration design. The expectation is that the restoration scheme is landscape-led and its design is informed by key local characteristics and views. This evidence should be used to refine the final scheme and ensure it adds value to existing local projects, and all elements of landscape including its perceptual qualities

4.3 County Archaeologist – No objections

4.4 East Hants Environmental Health Drainage: No objection

4.5 East Hants Environmental Health Pollution: No objection – with conditions

4.6 Historic England: No comments

4.7 County Flood Authority: No objection subject to conditions

4.8 Environment Agency: No objection

4.9 Natural England: No objection

4.10 HCC Highways – No response received

4.11 Highways England: No objection subject to conditions

4.12 Hampshire Countryside Service: Objection

- The transport assessment does not clearly state the location of the cycle routes which run adjacent to the site and as such does not correctly detail the amenities of the area. Details of how to enhance and protect all PROW directly impacted by the proposal are required.
- Concerns raised over the proposed car park and picnic area and the impact that would have on the environment of the area due to littering and antisocial behaviour.
- More details on the retention of the Lime Kilns is required.
- Meeting to discuss future ownership is required.

4.13 Southern Water: No objection subject to conditions

4.14 Buriton Parish Council: No objection with comments raised

- Worries about the safety of vulnerable users (walkers and cyclists) on the relatively new 'shared use' route amongst so many big, heavy goods vehicles. The Parish Council understand that this would need to be done by a Section 278 agreement (following a safety audit) and would like Highways England to be aware of the Parish Council's comments on this matter. The Parish Council have learnt from Hampshire County Council that usage of the path has increased by 55% on the previous year, with approximately 14,000 riders (up to the end of September 2020). This should be drawn to the attention of Highways England.
- Doubts about the need for any parking facilities (except perhaps for disabled users) in the site as there is already plenty of parking next door at the QE Country Park. Creating any free, unregulated car parking could bring more problems than benefits such as litter, fly tipping and parking in the wrong area. Cycle parking on this site is supported. The Parish Council suspect that this issue (and ongoing ownership and management of the site etc.) needs to be thoroughly discussed with Hampshire County Council
- The Parish Council are pleased that there will be a carefully worded Planning Condition to try to protect and preserve the rare historic Lime Kilns – and it is reassuring that the Applicant and their Agent see retention of the kilns as an important heritage focal point for future interpretation.
- The Parish Council also looks forward to the establishment of a Liaison Group to help during the final operational period and also with the restoration and aftercare phases.

5. Representations

5.1 None received

6. Planning Policy Context

6.1 Applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise. The relevant statutory development plan is South Downs Local Plan (2014-2033) and the Hampshire Minerals and Waste Plan (2011-2030). The relevant policies are set out in section 7 below.

National Park Purpose

6.2 The two statutory purposes of the SDNP designation are:

- To conserve and enhance the natural beauty, wildlife and cultural heritage of their areas;
- To promote opportunities for the public understanding and enjoyment of the special qualities of their areas.

If there is a conflict between these two purposes, conservation takes precedence. There is also a duty to foster the economic and social well-being of the local community in pursuit of these purposes.

National Planning Policy Framework and Circular 2010

6.3 Government policy relating to National Parks is set out in English National Parks and the Broads: UK Government Vision and Circular 2010 and The National Planning Policy Framework (NPPF) which was issued on 24 July 2018. The Circular and NPPF confirm that National Parks have the highest status of protection, and the NPPF states at paragraph 172 that great weight should be given to conserving and enhancing landscape and scenic beauty in national parks and that the conservation and enhancement of wildlife and cultural heritage are also important considerations and should be given great weight in National Parks. The following policies of the National Planning Policy Framework are relevant to this application:

- NPPF02 - Achieving sustainable development
- NPPF04 - Decision-making
- NPPF11 – Making effective use of the land
- NPPF15 – Conserving and enhancing the natural environment

Relationship of the Development Plan to the NPPF and Circular 2010

6.4 The development plan policies listed below have been assessed for their compliance with the NPPF and are considered to be compliant with the NPPF

The South Downs National Park Partnership Management Plan (SDPMP)

6.5 The Environment Act 1995 requires National Parks to produce a Management Plan setting out strategic management objectives to deliver the National Park Purposes and Duty. National Planning Policy Guidance (NPPG) states that Management Plans “contribute to setting the strategic context for development” and “are material considerations in making decisions on individual planning applications.” The South Downs Partnership Management Plan as amended for 2020-2025 on 19 December 2019, sets out a Vision, Outcomes, Policies and a Delivery Framework for the National Park over the next five years. The relevant policies include:

- General Policy 1 – Conserve and enhance natural beauty and special qualities of the landscape
- General Policy 2 – Development landscape-scale initiatives to focus on enhancing ecosystem services
- General Policy 3 – Protect and enhance tranquillity and dark night skies
- General Policy 11 – Support land managers to access and maintain agri-environmental schemes that deliver ecosystem services

7. Planning Policy

The South Downs National Park Local Plan 2014-33 (2019)

7.1 The following policies of the South Downs Local Plan are relevant:

- SD1 - Sustainable Development
- SD2 - Ecosystems Services
- SD4 - Landscape Character
- SD6 - Safeguarding Views
- SD7 - Relative Tranquillity
- SD8 – Dark Night Skies
- SD9 - Biodiversity and Geodiversity
- SD11 - Trees, Woodland and Hedgerows
- SD12 – Historic Environment

- SD16 - Archaeology
- SD17 - Protection of the Water Environment
- SD19 - Transport and Accessibility
- SD20 – Walking, Cycling and Equestrian Routes
- SD22 - Parking Provision
- SD25 - Development Strategy
- SD49 – Flood Risk Management
- SD50 - Sustainable Drainage Systems
- SD53 - Advertisements
- SD54 – Pollution and Air Quality
- SD55 – Contaminated Land

Hampshire Minerals and Waste Plan 2011-2030 (2013)

7.2 The following policies of the Hampshire Minerals and Waste Plan are relevant:

- Policy 1 – Sustainable minerals and waste development
- Policy 3 – Protection of habitats and species
- Policy 4 – Protection of the designated landscape
- Policy 5 – Protection of the countryside
- Policy 7 – Conserving the historic environment and heritage assets
- Policy 9 – Restoration of minerals and waste developments
- Policy 10 – Protecting public health, safety and amenity
- Policy 11 – Flood risk and prevention
- Policy 12 – Managing traffic
- Policy 30 – Construction, demolition and excavation waste development

8. Planning Assessment

8.1 The main issues for consideration with regards to the proposal are:

- Principle of the development
- Importation of material
- Landscape
- Ecology
- Historic Environment
- Operations
- Other Considerations

Principle of the Development

8.2 The site currently benefits from two extant permissions for the extraction of chalk (ceasing on 21 February 2042) and recycling operations (ceasing on 31 December 2028). The current site restoration scheme is considered low value due to the age of the historic permission. This proposal is seeking to consolidate the extant permissions and to provide an enhanced restoration scheme. As such, this application is akin to a Review of Old Mineral Permission (ROMP) application due to the full assessment of the operations undertaken by the applicant and resulting in updating the planning conditions. The current extant permission for chalk extraction on site and importation of materials would have been considered to be major development in terms of Paragraph 172 of the NPPF and major development within a National Park. The scheme subject to this report is a variation of the low value restoration scheme attached to the extant and implemented scheme for the extraction of chalk which is a betterment to the National Park and offers opportunities in connection with landscape and habitats. Therefore, it is not considered major in terms of Paragraph 172 of the NPPF.

- 8.3 Both SD1 of the South Downs Local Plan (2019) and Policy 1 of the Hampshire Minerals and Waste Plan (2013), support proposals which are sustainable in their nature and it is considered that locally sourcing material will adhere to being sustainable. The introduction of new habitats and landscape features will also see the site achieve long term sustainability and aiding in the mitigation for and adaption of climate change for this area.
- 8.4 SD1 requires proposals to support the National Park Purposes. It is considered that this proposal adheres to Purpose 1 and 2 through the improvements in biodiversity and landscape measures and the accessibility of the site being constructed to all users of the Park.
- 8.5 Policy 1 supports proposals which accords with other policies laid out in the Minerals and Waste Plan. Accordingly, The Case Officer considers that this proposal accords with other relevant policies within the Minerals and Waste plan.
- 8.6 This proposal will also provide local employment both directly on site and indirectly off site and will also enhance the local economy through the continuation of recycling operations (for a limited number of years) as an alternative to landfill and fly tipping.
- 8.7 Furthermore, the applicant has an aspiration to relinquish ownership of the site post aftercare period. This would fall under a civil matter and is not a planning consideration. Therefore, it is considered that the principle of this development is acceptable.
- 8.8 Importation of Material
- 8.9 In order to achieve the desired landform for the final restoration of the site the applicant needs to import 1,149,000 tonnes of clean inert soils and clays and 31,000 tonnes of top soil. The inert soils and clays will infill the substantial void that the chalk extraction will leave behind. The top soil will be used to ensure the longevity of all planting measures which include trees, vegetation and calcareous grassland. The timeframe for this proposal is to cease by the 31st of December 2028. The applicant would be unable to provide an enhanced restoration scheme such as the one proposed without importing this material.
- 8.10 Inert soils are those which would not pose a threat to the environment, animals or human health and will not endanger the quality of nearby water courses/aquifers. Furthermore, inert soils are those which have not been contaminated by harmful substances such as heavy metals or chemicals.
- 8.11 Additionally, the type, source and composition of the soil has not been provided in this application and it is imperative that the imported soil is of the right type, source and composition to promote longevity of the restoration scheme. Therefore, the officer deems it necessary to control this via prior-to importation condition in order to protect the site conditions but also the wider area of Queen Elizabeth Country Park and surrounding Sites of Important Nature Conservation (SINCs), Sites of Special Scientific Interest (SSSIs) and Special Areas of Conservation (SACs).
- 8.12 It is considered that this importation of material is appropriate and necessary in this instance given the history and existing restoration scheme. Whilst it is large volumes of material, it will ensure that the site is fully restored and fit in with the surrounding area such as Queen Elizabeth Country Park and the wider National Park landscape.
- 8.13 Therefore, it is considered that this proposal accords with Policy SD17 (Protection of the Water Environment) and SD55 (Contaminated land).

Landscape

- 8.14 The site is adjacent to the Queen Elizabeth Country Park and it is considered that this importation of material will be a significant improvement for the overall restoration of this area to ensure that there is not a permanent scar on the landscape.
- 8.15 The indicative restoration plan submitted within this application indicates various landscape led elements of this scheme which include restoring the site, post importation of material, to predominantly calcareous grassland, juniper habitats, aquatic habits, retention and protection of the Lime Kilns, exposed quarry faces, and additional planting to screen the A3 both

visually and auditory from the site. It is considered that these new areas within the site will be a substantial enhancement to the local landscape and therefore accords with SD4 (Landscape) and SD7 (Relative Tranquillity). Additionally, further information and control will be detailed through the submission of a Landscape and Environment Management Plan (LEMP), which has been conditioned.

- 8.16 This new proposal is also seeking to improve and safeguard views into and out of the site by ensuring that the very visible scar in close proximity to Butser Hill and Queen Elizabeth Country Park is restored with the imported material and the final planting scheme. There is a proposed view point on the ridge of the Northern Quarry, once restored which will enable visitors to the site to experience the wider landscape of the National Park. It is considered that this proposal accords with SD6 (Safeguarding Views).

Ecology

- 8.17 Currently, the site does not have any ecological benefits within the main part of the site due to the active operations taking place. However, there is a band of woodland trees by the Lime Kilns, semi-ancient woodland on the Southern boundary of the site, tree and vegetation screening between the site and the A3 and also between the site and the existing cycle route.
- 8.18 Following the importation of inert soils and clay and the topsoil, the applicant is proposing to restore the site predominantly to calcareous grassland which is one of the rarest habitats, nationally. This habitat establishment would be an enhancement to the area and also the national distribution of such a rare habitat. Furthermore, the proposal is seeking to introduce Juniper and Juniper scrub habitat to work in connection with similar projects taking place at Queen Elizabeth Country Park.
- 8.19 It was initially indicated that a dew pond or similar would be proposed on the site, however this would be contrary to the landscape of the area and not accord with SD4 (Landscape). Therefore, to ensure that both the creation of habitats and its relationship with the landscape are appropriate there are smaller aquatic habitats that are proposed to encourage a variety in both the landscape and biodiversity on the site.
- 8.20 As previously mentioned, there are areas of established woodland on the site and it is confirmed that the applicant will be retaining such features and enhancing them with additional native planting. The officer considers that this accords with SD11 (Trees, Woodland and Hedgerows).
- 8.21 There are a number of protected and notable species which are likely to frequent the site and these include bats, hazel dormouse and reptiles. Further survey work is proposed to ensure that these species are protected and their environments enhanced. Additionally, detail on the ecological management of the site will be provided in the conditioned LEMP.
- 8.22 The site is also proposing to provide an enhancement in Ecosystem Services by joining up habitats, creating new habitats, providing aquatic features to help store surface water and to provide a new space for the enjoyment of the National Park. It is considered that the proposal accords with SD2 (a, b, d, f, j and k) (Ecosystem Services) and SD9 (Biodiversity and Geodiversity).

Historic Environment

- 8.23 Within the site are Historic Lime Kilns which are rare nationally and of great historic importance to the local area. They date back to the late-19th century and were in use until the mid-20th century. The Lime Kilns are not currently listed, however the applicant has confirmed within this application that they are to be retained, protected and enhanced so that they can be the central focal point for visitors to the site post restoration can learn about the history of the site and experience this rare cultural heritage of the area. It is proposed that the applicant works with Buriton Parish Council to provide interpretation boards to help promote the history of the site through the history of the local village and its residents. The applicant has confirmed that they will fund these boards as part of their restoration scheme and this has been conditioned accordingly.

- 8.24 It is important to note that whilst it is then intended to keep the Lime Kilns, some elements will need to be dismantled as they are no longer safe due to root infestations and visitors to the site would be at a health and safety risk if this element was neglected
- 8.25 Furthermore, one of the driving factors to retain exposed chalk faces was to enhance the cultural heritage of this historically worked site. Therefore, it is considered that the retention, protection and enhancement of the Lime Kilns with the chalk faces accords with SD12 (Historic Environment).

Operations

- 8.26 The site access is not proposed to change than what is already permitted under the extant permissions for chalk extraction and recycling operations. There are already measures in place for dust management, noise management and to prevent material entering the local highway. However, due to the proposed importation which will generate vehicular movements these will need to be readdressed and as such a new Construction Environmental Management Plan (CEMP) will need to be submitted and this has been conditioned accordingly.
- 8.27 Additionally, it is important to note that there are currently no restrictions on vehicle movements to and from the site and whilst the proposal estimates what total number of vehicle movements are required for the importation of material and top soil they do not include those required for chalk extraction and the ongoing recycling operations at the site. Therefore, it is considered necessary to control the vehicle movements within this proposal to protect the local amenity and local highways. As such it is proposed, that there is a weekly average of 750 HGVs in and 750 HGVs out of the site which would be an average over the 5.5 days working week. It is considered that this is proportionate and a positive improvement when compared to there currently being no restrictions on vehicle movements.
- 8.28 The vehicle routing and access road for this proposal fall under the remit of Highways England and whilst HCC Highways were consulted, no response was received. Therefore, following consultation with Highways England and HCC Countryside Services, there are a number of conditions which have been imposed which will work alongside the details provided by the applicant to Highways England in a S278 agreement. Whilst the S278 agreement is carried out under separate legislation, it will cover matters such as access, signage, routing and cycle route protection and enhancement which are matters that have been raised and are considered to be material planning considerations.
- 8.29 It is considered necessary that there is a restriction on times that HGVs can enter or leave the site and also times which the operation of plant or machinery is restricted. This is important to ensure that the local amenity of the area is not significantly impacted whilst ensuring the proposal is completed on time. These hours have been imposed via condition.
- 8.30 Therefore, it is considered that this application accords with policies SD19 (Transport and Accessibility), SD20 (Walking, Cycling and Equestrian Routes) and SD54 (Pollution and Air Quality)

Other Considerations

- 8.31 The applicant has confirmed that they would like to work with the Parish Council and local community throughout all phases of the development. This is proposed to be in the form of a formal liaison group which would include the Parish Council, Applicant, SDNPA and other interested parties. This has been conditioned accordingly.
- 8.32 Within the restoration plan there is an element which includes a small car park and picnic area by the Lime Kiln and their interpretation boards. Concern was raised by the Parish Council and HCC Countryside Services that this would be a commercial car park. However, the applicant has confirmed that this area is provided to enable all users of the park to be able to experience the site as it may not be possible for all users to park at other nearby car parks and access the site. It was intended to be fully inclusive and as such accords with Purpose 2 of the South Downs National Park as it will enable all users to access this part of the Park. The size of the car park and picnic area are considered proportionate to the size

of the site and a safe access point due to its proximity to the A3. The maintenance responsibilities of this car park and picnic area would fall to the landowner, this includes any subsequent transfer of ownership from the applicant. If the applicant transfers ownership of the site to another those of the landowner

- 8.33 There were concerns about the ownership from the Parish Council and HCC Countryside Services of the site post aftercare obligations of the site have been fulfilled. The applicant intends to transfer ownership rights to an interested party at the end of the 5 year aftercare obligation. All maintenance of the site is the responsibility of the land owner.

9. Conclusion

- 9.1 Given the above it is considered that the proposal is in accordance with the Development Plan and Hampshire Minerals and Waste Plan and there are no overriding material considerations to otherwise indicate that permission should not be granted. It is therefore recommended that planning permission is granted for this consolidation of applications and enhanced and improved restoration scheme which accords with Purposes 1 and 2 of the South Downs National Park purposes as it will offer substantial benefits to the National Park.

10. Reason for Recommendation and Conditions

- 10.1 The planning application is recommended for approval subject to the following conditions:

Timescale and Approved Plans

1. The importation of soils, extraction of minerals and secondary aggregate recycling operations shall cease by 31 December 2028 and the site shall be restored in accordance with the details submitted within this application

Reason: To enable the Local Planning Authority to adequately control the development and to minimise its impact on the amenities of the local area.

2. The development hereby permitted shall be carried out in accordance with the plans listed below under the heading "Plans Referred to in Consideration of this Application".

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

3. All working shall be in accordance with the approved scheme detailed within the Planning Statement (dated March 2020) and DWG013 Rev1 (dated December 2020) of this application. Written notification of the date of commencement shall be sent to the Local Planning Authority within seven days of such commencement.

Reason: To enable the Local Planning Authority to adequately control the development and to minimise its impact on the amenities of the local area.

4. A copy of this decision notice, the environmental permit containing details of materials accepted at the site, together with the approved plans and any schemes and/or details subsequently approved pursuant to this permission shall be kept at the site office at all times and the terms and contents thereof shall be made known to supervising staff on site.

Reason: To ensure the site operatives are conversant with the terms of the planning permission.

Operations

5. Except in emergencies, which shall be notified to the Local Planning Authority as soon as practicable:

No heavy goods vehicles (HGVs) shall enter or leave the site except between:

- 07:00 to 1800 Monday to Friday
- 07:00 to 13:00 on Saturday

No plant or machinery shall be operated except between:

- 08:00 to 18:00 Monday to Friday

- 08:00 to 13:00 Saturday

There shall be no working on Sundays or Public or Bank Holidays.

Reason: To protect the amenities of local residents.

6. No more than 750 Heavy Goods Vehicles (HGVs) shall enter the site and no more than 750 Heavy Goods Vehicles (HGVs) shall leave the site during the approved operating hours in any working work (Monday to Saturday).

Reason: To limit the volumes of traffic in the interests of the amenity of the area.

7. The height of the stockpiles shall not exceed 4 metres above quarry base level and the height of the plant shall not exceed 6 metres.

Reason: To minimise its impact on the amenities of the local area.

8. All loaded lorries leaving the site shall be sheeted to the satisfaction of the Local Planning Authority.

Reason: In the interests of highway safety and safeguarding the local environment.

9. Noise levels arising from the operations within the site and the ancillary haul roads (detailed on DWG001.2 dated February 2020) shall not exceed 55 dB LAeq and 42 dB LAeq/1 hour at any time as measured at one metre from the front façade of Kiln Cottage and the boundary of public footpath no 11. No plant, equipment or vehicle shall be used on site unless fitted and operated at all times with silencing measures to a standard not less than the manufacturer's UK standard specification.

Reason: To protect the amenities of the local residents.

10. Any oil, fuel, lubricant and other potential pollutants shall be handled on the site in such a manner as to prevent pollution of any watercourse or aquifer. For any liquid other than water, this shall include storage in suitable tanks and containers which shall be housed in the area surrounded by bund walls of sufficient height and construction so as to contain 110 percent of the total contents of all containers and associated pipework. The floor and walls of the bunded areas shall be impervious to both water and oil. The pipes should vent downwards into the bund.

Reason: To minimise the risk of pollution of watercourses and aquifers.

11. There shall be no artificial lighting installed on the application site other than the existing security lighting in the weighbridge and office area.

Reason: To safeguard the Dark Night Skies reserve.

12. Within 3 months of the date of this permission, details of a Construction Environmental Management Plan (CEMP) shall be submitted for approval in writing to the Local Planning Authority. The CEMP should include, but not be limited to, the following:

- a. Dust suppression measures
- b. Biodiversity mitigation measures (such as reptile mitigation strategy)
- c. Measure to ensure mud and spoil from the site are not deposited on the public highway and access road

Thereafter, all works will be carried out in accordance with the approved details.

Reason: In the interests of the amenity of the area and nearby environmental features.

Highways and Public Rights of Way

13. Within 3 months of the date of this permission an Operational Management Plan shall be submitted for approval in writing to the Local Planning Authority (in consultation with Highways England). For the avoidance of doubt the Operational

Management Plan will include, amongst other things, details of routing of vehicles. Thereafter, all works will be carried out in accordance with the approved details.

Reason: To ensure that the A3, old A3 and the B2070 trunk roads continue to be an effective part of the national system of routes for through traffic in accordance with section 10 of the Highways Act 1980 and to satisfy the reasonable requirements of road safety.

14. Within 3 months of the date of this permission an updated signing strategy for the old A3 shall be submitted for approval in writing to the Local Planning Authority (in consultation with Highways England). The signing strategy should include, but not limited to, the following:

- a. Site exit signage directing vehicles away from Buriton Village
- b. Access road signage leading up to the site
- c. Signage warning PROW access on the old A3

Thereafter, all works will be carried out in accordance with the approved details.

Reason: To ensure that the A3, old A3 and the B2070 trunk roads continue to be an effective part of the national system of routes for through traffic in accordance with section 10 of the Highways Act 1980 and to satisfy the reasonable requirements of road safety.

15. Within 3 months of the date of this permission, full details of a screening strategy between the A3 and old A3 and the site shall be submitted for approval in writing to the Local Planning Authority (in consultation with Highways England). Thereafter, all works will be carried out in accordance with the approved details.

Reason: To prevent dazzle to users of the A3 southbound carriageway and to ensure that the A3 trunk road continues to be an effective part of the national systems of routes for through traffic in accordance with section 10 of the Highways Act 1980 and to satisfy the reasonable requirements of road safety.

16. Within 3 months of the date of this permission a scheme to improve the junction between the old A3 and B2070 will be submitted for approval in writing to the Local Planning Authority (in consultation with Highways England). Thereafter, all works will be carried out in accordance with the approved details.

Reason: To ensure that the old A3 and the B2070 trunk roads continue to be an effective part of the national system of routes for through traffic in accordance with section 10 of the Highways Act 1980 and to satisfy the reasonable requirements of road safety.

17. Within 3 months of the date of this permission details of the proposed works for the protection and enhancement of the adjacent public rights of way and cycle routes shall be submitted for approval in writing to the Local Planning Authority. Thereafter, all approved works will be carried out in accordance with the approved details.

Reason: To protect local PROW routes.

18. The buffer zone detailed within DWG001.I (dated February 2020) shall be retained at least five metres in width, or in areas where this is impracticable to a width to be agreed by the Local Planning Authority in writing, between Footpath no.11 and the site where no mineral extraction, construction of haul roads, stockpiling of materials or storage of machinery is permitted to take place. This buffer zone shall be maintained in accordance with details to be submitted in this application.

Reason: In the interests of public safety and to avoid disturbance to the adjoining footpath and to avoid affecting the restoration of subsequent after use of the site.

19. A chalk bund shall be retained to create a staggered and screened site access at the south of the western boundary of the recycling area in accordance with plan 8771/SD/2 of SDNP/15/02986/CW.

Reason: To protect the local amenity

Hydrology

20. The drainage system shall be constructed in accordance with the Flood Risk Assessment & Drainage Strategy ref: 416.00492.00032 V1. Any changes to the approved documentation must be submitted to and approved in writing by Local Planning Authority and Lead Local Flood Authority. Any revised details submitted for approval must include a technical summary highlighting any changes, updated detailed drainage drawings and detailed drainage calculations.

Reason: In the interests of effective surface water management and local flood risk and to minimise the risk of pollution to water courses and aquifers.

21. Within 3 months of date of this permission details of the infiltration ponds, supported by infiltration testing in accordance with the BRE365 (2016 methodology) at a depth and location commensurate with them should be submitted for approval in writing to the Local Planning Authority. The submitted details should include:
- Detailed drainage layout drawings at an identified scale indicating catchment areas referenced drainage features, cover and invert levels and cross-long sections.
 - Detailed calculations for all rainfall events, including the listed below. The results should be based on the new infiltration rates and include design simulation criteria and summary of critical results by maximum level during the 1 in 1, 1 in 30 and 1 in 100 (plus an allowance for climate change) rainfall events. The drainage features should have the same reference that the submitted drainage layout.
 - Confirmation that sufficient water quality measures have been included to satisfy the methodology in the Ciria SuDS Manual C753.
 - Exceedance plans demonstrating the flow paths and areas of ponding in the event of blockages or storms exceeding design criteria.

Thereafter, all works will be carried out in accordance with the approved details.

Reason: In the interests of effective surface water management and local flood risk and to minimise the risk of pollution to water courses and aquifers.

22. Within 3 months of the date of this permission details for the long-term maintenance arrangements for the surface water drainage systems shall be submitted for approval in writing to the Local Planning Authority. The submitted details shall include;
- Maintenance schedules for each drainage feature type and ownership and responsibilities
 - Details of protection measures.
 - Details of the timetable for implementation

Thereafter, all works will be carried out in accordance with the approved details.

Reason: In the interests of effective surface water management and local flood risk, minimise the risk of pollution to water courses and aquifers and to ensure adequate pollution control.

Material Management

23. No more than 156,214 cubic metres x 2.2 tonnes per cubic metre of chalk shall be extracted (342,670 tonnes) as detailed within the approved scheme of working set out within the Planning Statement (dated March 2020).

Reason: To enable the Local Planning Authority to adequately control the development and to minimise its impact on the amenities of the local area.

24. No importation of inert soil and clay shall commence until full details of the type, source and composition of the inert soils and clay to be imported into the site has been submitted to and approved in writing by the Local Planning Authority. Only such materials as approved shall be used in the remodelling of the site. No minerals, compostable materials or non-inert materials, shall be imported to, treated at or exported from the site.

Reason: Other materials raise policy, environmental and amenity issues and in order that the Local Planning Authority can limit use of the site to that permitted and to safeguard the character and appearance of the South Downs National Park.

25. No more than 633,333 cubic metres x 1.8 tonnes per cubic metre (1,149,000 tonnes) of inert soils and clays will be delivered to the site as detailed within the approved details within the planning statement and approved set of drawings.

Reason: To enable the Local Planning Authority to adequately control the development and to minimise its impact on the amenities of the local area.

26. No more than 21,000 cubic metres x 1.4 tonnes per cubic metre (approximately 31,000 tonnes) of topsoil will be delivered to the site as detailed within the approved details within the planning statement and approved set of drawings.

Reason: To enable the Local Planning Authority to adequately control the development and to minimise its impact on the amenities of the local area.

Community Engagement

27. Within 3 months of the date of this permission, a scheme for the creation and maintenance of a liaison group to include representation from the site operator, Parish Council and the South Downs National Park Authority shall be submitted for approval in writing to the Local Planning Authority. The submitted scheme shall include the objectives of the liaison group, its membership, the frequency and location of meetings and arrangements for the publication of minutes. The local liaison group shall operate until the end of the aftercare period and in accordance with the approved scheme.

Reason: In the interests of local amenity and community engagement.

Lime Kilns

28. Within 12 months of the date of this permission a scheme for the retention, protection, enhancement and interpretation boards of the Lime Kilns will be submitted for approval in writing by the Local Planning Authority. Thereafter, all works will be carried out in accordance with the approved scheme.

Reason: To ensure the protection of the Lime Kilns.

Ecology/Landscape

29. The development hereby permitted shall be carried out in accordance with the Preliminary Ecological Appraisal (dated March 2019) submitted within this application.

Reason: In the interests of local ecology and to ensure that new ecological features are protected.

30. Within 6 months of the date of this permission a Landscape and Environmental Management Plan (LEMP) shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, all works will be carried out in accordance with the approved details.

Reason: In the interests of local landscape and amenity.

31. Within 12 months of the date of this permission, details of an Aftercare Management Plan will be submitted to and approved in writing by the Local Planning Authority. Thereafter, the scheme shall be implemented as approved.

Reason: In the interests of effective aftercare of the site.

32. Any trees, shrubs, hedges which are to be retained and protected detailed within DWG001.1 (dated February 2020) which are removed without consent, or found to be dying, being severely damaged or becoming seriously diseased as a result of operations permitted by this permission, shall be replaced with trees or bushes of such size and species as may be specified by the Local Planning Authority in the planting season immediately following any such occurrences.

Reason: In the interest of amenity and wildlife conservation.

33. Trees shrubs and hedges planted in accordance with approved landscaping scheme detailed within DWG013 Rev 1 (dated December 2020) shall be maintained and any plants that within five years of planting die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species,

Reason: In the interest of the amenity of the local area and to ensure the development is adequately screened.

34. No removal of trees or hedgerows on the site (in accordance with the approved plans for the development hereby approved) shall take place between the 1st March and 31st August inclusive in any year Reason: To ensure that birds and bat species are protected and their habitats enhanced, in accordance with the Wildlife and Countryside Act 1981 and the NPPF.

35. All internal site haul roads shall be maintained in a condition free from potholes while in use and shall be retained during site restoration and only removed when maintenance is no longer required on site.

Reason: In the interest of the amenity of the local area.

36. The office building and car park shown on DWG001.1 (dated February 2020) shall be retained until all restoration works have been completed including the removal of the workshop building. The office and car park can be removed earlier if it is no longer needed in association with site management.

Reason: In the interests of the amenity of the local area.

Removal of Permitted Development Rights

37. Notwithstanding the provisions of parts 4, 7 and 16 Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that order):

- a. fixed plant and machinery, buildings, structures and erections or private ways shall not be erected, extended, installed or replaced at the site.
- b. no telecommunications antenna shall be installed or erected.

Reason: To enable the Local Planning Authority to adequately control the development and to minimise its impact on the amenities of the local area.

11. Crime and Disorder Implication

11.1 It is considered that the proposal does not raise any crime and disorder implications.

12. Human Rights Implications

12.1 This planning application has been considered in light of statute and case law and any interference with an individual's human rights is considered to be proportionate to the aims sought to be realised.

13. Equality Act 2010

13.1 Due regard has been taken of the South Downs National Park Authority's equality duty as contained within the Equality Act 2010.

14. Proactive Working

14.1 In reaching this decision the Local Planning Authority has actively liaised with and responded to any correspondence from the local resident's group in a positive and proactive way, in line with the NPPF.

TIM SLANEY

Director of Planning

South Downs National Park Authority

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Appendices I. Site Location Map

Background Documents Link to the Application

<https://planningpublicaccess.southdowns.gov.uk/online-applications/simpleSearchResults.do?action=firstPage>

National Planning Policy Framework (2019)

<https://www.gov.uk/government/publications/national-planning-policy-framework--2>

South Downs National Park Partnership Management Plan (2020)

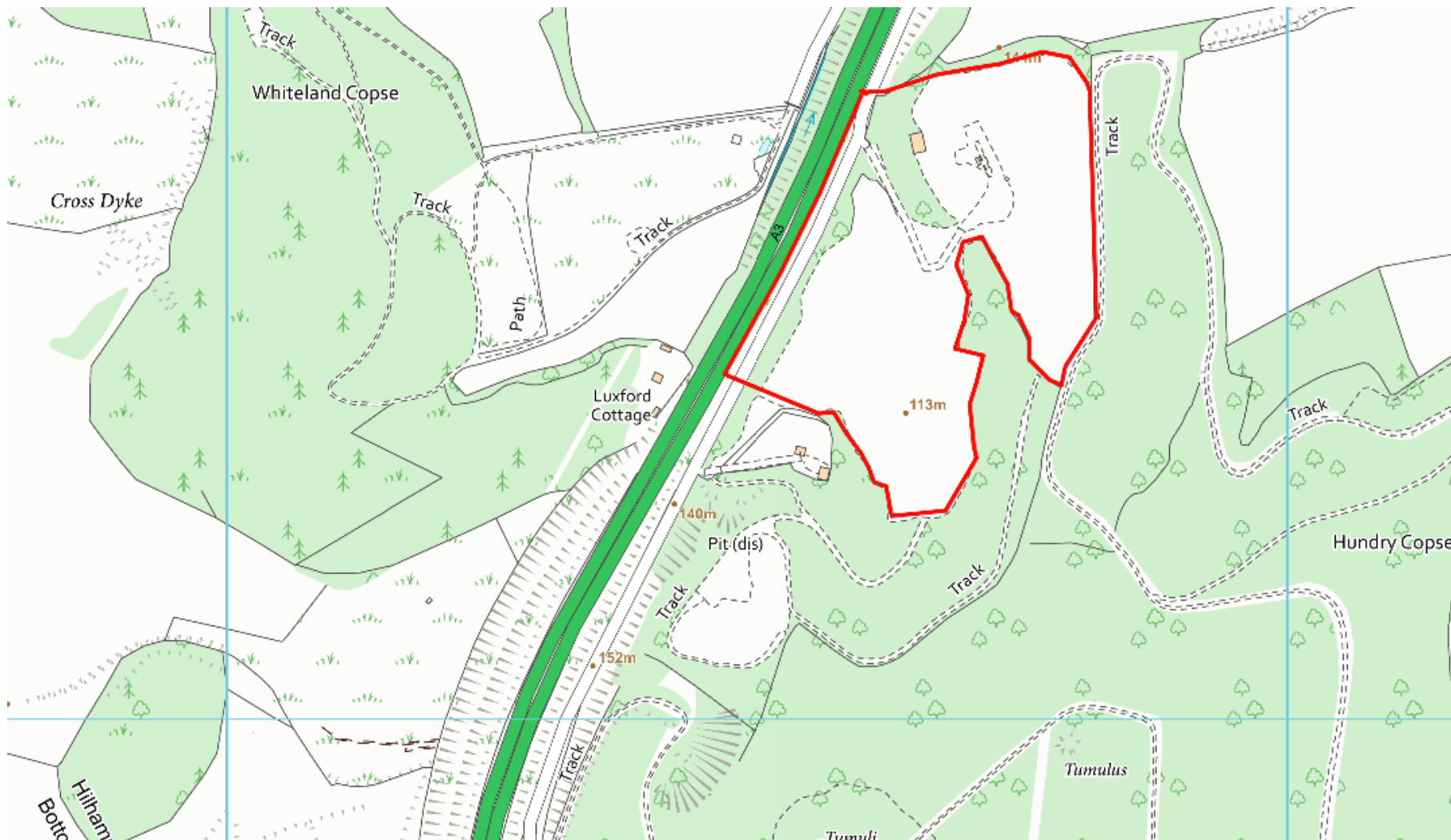
<https://www.southdowns.gov.uk/partnership-management-plan/>

Hampshire Minerals and Waste Plan (2013)

<https://www.hants.gov.uk/en/landplanningandenvironment/strategic-planning/hampshire-minerals-waste-plan>

South Downs Local Plan (2019)

<https://www.southdowns.gov.uk/planning-policy/south-downs-local-plan/local-plan/>



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