| Issue  | ‘Primary’ consultees[[1]](#footnote-1) | Summary of Cemex Position | First round consultee comments  | Cemex Reg 25 response and further consultee comments | Comments/Outstanding Concerns | Mitigation or Control LPA may consider (if application approved) |
| --- | --- | --- | --- | --- | --- | --- |
| Noise associated with operation | EBC  | Site is not required to be silent. Permissible noise levels defined in national planning guidance. Noise can be kept within parameters by standard measures | Additional information required to confirm noise assessment methodology | Does not agree that any deficiencies exist in noise assessment methodology or potential control measures | EBC further response still maintains objection based on ‘our noise levels’ (unclear what they mean) | Control by condition to ensure that noise does not exceed acceptable levelsHours of operation control by condition |
| Dust | EBC | No evidence that sand and gravel operations generally release harmful dust particles. Measures can be taken to reduce any nuisance dust | Concern raised regarding public health implications | Reasserts that no evidence exists of broad public health issues associated with sand and gravel (‘S&G’) extraction |  | Control by condition |
| Air Quality | EBC | No impact on health would arise from the operation | Peripheral concerns raised over impact of HCV movements on air quality | Reasserts no such impact would arise |  | Factored into vehicle movement control by condition |
| Lighting | EBC | Will be set up so as to maintain safety without nuisance |  Concern to ensure no amenity impact on residents | Confirmed that there will be none |  | Control by condition |
| Visual Impact on landscape | HCC/EBC | No unacceptable impact either during extraction or following restoration | HCC raised no significant concerns. EBC satisfied with appraisal but request additional measures | Reasserts that visual impact of bunding satisfactory and no wider impacts | No strong arguments raised for objection to principle.Precise location of bunds could be considered but Cemex/HCC likely to be resistant to reducing area available for extraction | Control by condition (compliance with drawings) |
| Landscape character | HCC/EBC | Proposals for restoration to a similar landscape nature and profile as pre-extraction using inert fill. Some new features to improve interest and diversity. No unacceptable impact.Clearly differentiates ‘north’ of restored area (contains new features including ponds) from ‘south’ containing no such features.  | No fundamental objections raised to principal of development impact on landscape character based on restoration proposals. Some queries of detail  | Modification of details and presentationMaintains north/south differentiation clearly designed to anticipate future development proposals | No strong arguments raised for any objectionBroad agreement from consultees that proposed restoration conceptually acceptable | Control by condition (compliance with drawings) |
| Archaeology and Heritage | EH/HCC | Little evidence of significant archaeology. Will be dealt with pre-commencement and during extraction | Incidental concerns re assessment of paleo and wartime archaeology | Can address concerns raised through condition | Condition led approach accepted | Control by condition |
| Traffic Network Impact | HA  | Volume of additional traffic is not large enough to make the impact of the development ‘severe’ and therefore unacceptable | HA – no formal response. Insufficient information provided in Transport Assessment to justify Cemex conclusion. Requested additional junction modelling based on updated traffic count No objection from National Highways (in relation to impact on Windhover/M27)Detailed analysis of TA by HPC (made comments subsequently endorsed by HA) | Additional information and detail provided. Traffic count undertaken. Modelling of all junctions using standard software.Assert that this confirms that development will not have severe impact or that cumulative impact severe | HA response still awaitedParish Council’s highway consultant does not agree that evidence supports Cemex positionCemex accepts that contribution might be justified to assist in funding modal shift to reduce local trips by car on Hamble Lane e.g. improvements to walking, cycling and horse riding infrastructure (WCHAR). HA attitude towards such works important in negotiations | HCV type, numbers routing and access times control by conditionImprovements to individual junctions in response to assessed impacts – part fulfilment of Hamble Lane Improvement Scheme. Possible Grampian condition(s) if HA consider off site junction improvements required before vehicle movement starts. Planning obligations for contributions to WCHAR identified works  |
| Road safety | HA | Assessment of proposed new access passes safety audit and is therefore safe | Request for further information and correcting some inconsistencies, lack of detail in submitted information | New safety audit submitted which is said to demonstrate safety of new junction | Parish Council’s highway consultant does not agree that evidence supports Cemex position. Significant issues with safety of proposed junction | Submission of redesigned access to be approved by HAPass neutral third-party validated road safety audit  |
| Risk of contamination | EA | There is no risk of contamination arising – site surveys found no evidence of contaminants except localised trace | Information provided not sufficient to rule out contamination – local trace of concern | Evidence supplied sufficient to rule out any probability of contamination.EA does not agree risk ruled out completely. Condition to ensure continued monitoring required | Not enough evidence for EA to maintain objection when condition can require continued further monitoring and response | Control by condition |
| Soil resource management | NE | Top soil would be set aside, carefully handled and reused in restoration | Soil is very high quality Grade 1 and 2. Proposals for management and care not adequate | More detailed proposals and attention to specifics of soil management | Unlikely that measures would protect soil from degradation. No option to restore to condition fit for agricultural use | Control by condition (accepting that restoration can only be ‘best we can do’) |
| Geological Structure | EA | The geological structure of the area is well understood and unaffected | None |  | No issues arising | None required |
| Impact on best and most versatile agricultural land | NE | The land is not in agricultural use and therefore no question of loss of BMV can arise. Value not assessed | Land is mapped as having agricultural use and being BMV grade 1 and 2 in 1995 survey. Therefore should be treated as per NPPF | Accepts that soil is of high grade (some 1 and some 2). Denies site has had any recent agricultural use |  | Will probably consider that issue covered when site was allocated and therefore not new information which could sustain refusal |
| Blast vibration | EBC | No blasting would take place | None |  |  | Control by condition  |
| Flood risk | LLFA | Site is in Zone 1 flood risk – i.e. low risk. Relationship of minerals to ground water and water courses gives rise to no risk based on proposed extraction strategy. Risk post remediation is highly unlikely given geology and proposed on site works as integral part of restoration | LLFA not completely satisfied with information provided, in particular in relation to restoration and unavoidable change in overall permeability of site. No comment from EA as not within their ‘jurisdiction’ | Further information from Stantec (consultants for Cemex). Largely assertion that details/works would be acceptable |  | Control by condition (possibly planning obligations) |
| Land stability | EA | No risk to stability of land | Network Rail asked for reassurance that railway cutting would not be undermined. No concerns raised re railway bridge | Asserts that measures proposed would ensure no risk to stability | Network Rail proposed conditions for LPA to consider | Control by condition |
| International and nationally significant wildlife sites/ecology | NE/HCC | Site is not designated and no evidence that this is incorrect. No mechanism identified by which development would have impact on protected areas. Would not have unacceptable impact on nearby sites. Impact on site mitigated in an acceptable manner  | HCC ecology requested further information including survey data on species impact. Concerned regarding some proposed habitat restoration proposals. More information required to demonstrate no adverse impact on protect sites | Additional survey and monitoring information provided. Asserted that no adverse relationship between S&G proposals and protected sites  | Some level of disturbance unavoidable due to nature of S&G – requirement is to bring application within  | Control by condition |
| Nationally protected landscapes | NE | There are none in proximity |   |  |  | None required |
| Geologically significant features | NE | There are no impacts |  |  |  | None required |
| Site restoration and aftercare | EBC/HPC/HCC | Proposals for restoration back to largely as was profile and condition with inert material (not defined as ‘waste’ by regulatory purposes). Proposals for habitat restroration, tree planting etc5 year restoration plan provided with costed programme based on a ‘restore as you go’ approach as each phase of S&G extraction completedSpeculative content under S106 heading provided | Outcome of proposals broadly acceptable but some concerns raised over detail. Serious issues highlighted over ownership, control etc to ensure delivery and long term management. Relationship to biodiversity net gain raised as concernObjection from Rights of Way unless proposed new footpath offered for adoption rather than just permissive | Proposals slightly revised in content. Some additional detail of costs etcNo attempt to clarify or explain management responsibilitiesEvasive on relationship to BVL status and potential for restoration to agricultural use as an option. | Restoration proposals, especially management responsibilities deliberately non-specific to leave scope for subsequent residential applicationUnsatisfactory in demonstrating how restoration will be overseen and ensure objectives delivered.Proposals clearly designed to ensure they do no interfere with residential application but compromise delivery of BNG/restoration value | Section 106 requirement to provide for acceptable site management and control/responsibility for restorationControl by condition for monitoring of in-fill material |
| Surface and ground water | EA/LLFA  | Extraction will not affect the movement or quality of groundwater  | Clarification requested of how proposals would ensure no discharge into exposed water table | Reassertion that proposals would be compliant with relevant regulations etc. |  | Control by condition |
| Water abstraction | EA | No dewatering and discharge is required. All water use will be on a closed cycle within the site with only trivial net loss of water through increased evaporation | Clarification sought | Clarification and reassertion of approach provided |  | Control by condition |
| Existing Trees | EBC  | Have minimised tree loss associated with access and this would be acceptable. | EBC asked for more justification for access and details of other works | Updated survey information ad justification. Also covered incidentally in junction alternative ‘optioneering’ requested by HCC highways | Tree loss or impact should always be driven down to justified ‘necessity’ level and weighed from there | Likely to consider acceptable |
| Biodiversity net gain | NE | BNG in excess of 10% is achieved when full restoration taken into account (not yet mandatory in any case) | Full calculation was not supplied. Cemex acknowledged that 10% only achieved without full compliance with BNG metric rules. BNG mitigation much be in place for 30 years to claim compliance | Full metric spreadsheet now supplied demonstrating full compliance to achieve just in excess of 10%No proposal for 30 years security for mitigation proposals | Exceeding 10% BNG will not be mandatory when application is considered but material consideration | Depends on LPAs approach. 10%+ can be achieved but no 30 year proposals. Roll-up into Section 106 requirements for restorationInterpretation of own policy? |
| Recreational disturbance | NE/HPC/EBC | The site is private and any use for recreational purposes is unauthorised. Even if disturbance is increased this cannot be factored into planning decision | Unauthorised as it may be, recreational use is established fact over many years and therefore displacement will occur and impact will be real. | Reassert position that unauthorised nature of recreational use means that this cannot be factored into decision makingNot accepted by HPC/EBC | Interpretative issue for LPA not considered at site allocation  | May consider not to be material policy consideration? |
| Unexploded ordnance (UXO) | HCC | Analysis of records shows UXO unlikely to be present but measures will be taken to ensure any UXO is identified and dealt with during operations | Queries raised over strategy for dealing with UXO | Reasonable measures proposed given evidence of risk |  | Control by condition |
| Requirement for Supply of S&G in accordance with national policy – sustainability and alternatives | HCC | HMWP 2013 and Partial Review both identify site as essential to maintain supply as required and in terms required by HMG.  | EBC, HPC and others queried whether supply is required based on reduced demand scenarios. Other options may be available e.g. extension of extraction elsewhere | Submitted ‘No development scenario’ addendum to ES to demonstrate implications of loss of supply from site.HMWP partial review draft plan maintains allocation as required even against reduced demand projection  | Partial review process provides HCC with up to date and difficult to undermine assessment of supply requirement and options. Objections based on issues remote from application policy considerations not immaterial but weaker than specific local points  | LPA unlikely to take different position on requirement for S&G than its own current consultation exercise presents |
| Funding for Site Monitoring | EBC | Not offered | Eastleigh concerned that additional funding will be required to oversee noise, dust monitoring |  |  | Some legal restrictions on what can be sought. Could be included in Section 106 planning obligations if LPA can negotiate |

The purpose of this table is to summarise the issues currently before the local planning authority (at the date of the table), based on Cemex documentation and consultee responses. This will be changing on a frequent base and some of the information in the table will become out of date quickly between updates. As at 7/1/23 a number of first (Highway Authority) and second round consultee responses had not been published. Items in highlighted in red are those where there can be said to be significant outstanding issues.

1. EBC = Eastleigh Borough Council HCC = Hampshire County Council EA = Environment Agency NE = Natural England LLFA = Local Lead Flood Authority (Hampshire County Council) HA = Highway Authority (Hampshire County Council) EH = English Heritage HPC = Hamble Parish Council [↑](#footnote-ref-1)