STEDHAM WITH IPING PARISH COUNCIL AND MINSTED RESIDENTS GROUP
SUPPLEMENTARY STATEMENTS TO ROMP SUBMISSION DATED 20th September 2019.

We are responding to the further information, Additional Information (4) dated September 2019, supplied by the applicant's agent and to other related matters. This representation should be read alongside all the comments that we have already submitted which remain valid.
Importantly, we must reiterate that we remain of the view that the applicant has not shown that there are any further viable and workable reserves within the site once the required works to reinstate the overworked western and southern faces, together with the gradients to the lake beneath the water level. Accordingly, we do not consider that in the absence of viable reserves the SDNPA should be considering the ROMP and extending the life of the planning permission, with all the associated environmental consequences. It is our strongly held view that the only course of action that should be pursued is that of a Prohibition Order which is the necessary and appropriate way to address the situation at the site now that recourse to other enforcement action is no longer apparently available, because of the time that has elapsed since the multiple breaches of planning control took place.

In terms of the further hydrogeological assessment it is apparent that this has failed to indicate the potential impacts upon the SSSI and in these circumstances the ROMP cannot be determined as the crucial environmental impacts on a nationally protected site are unknown. Furthermore, it is noted from consultee responses that an archaeological evaluation is required, as well as the views from English Heritage. The geotechnical assessment, lake decontamination proposals and the arrangements for dealing with the imported waste within the site have still to be submitted. Ecological information is still outstanding, because of the time that has elapsed from the initial survey work. There also remains no indication how the overdig by Dudman's will be addressed, nor the plant and equipment or noise impacts of that activity. The timescales for the submission of this important information should be confirmed.

1. STEDHAM WITH IPING PARISH COUNCIL and MINSTED RESIDENTS GROUP

In view of the many pages of commentary concerning Minsted Sandpit submitted to this ROMP by consultants, agents, authorities and others, we would like to place our own credentials alongside these contributors so that our comments can be weighed and balanced in context.

Between us, from observation and experience of our environment and involvement with the sandpit's people and activities, we have 44 years of continuous knowledge of the site from 1975 to the present day. This includes an intimate working and operations knowledge of the whole site for 25 years from 2004 when the Dudman Group took over. We are therefore well aware of the challenging situation at Minsted.

Our mineral planning consultant Peter G Earl, BTP MRTPI, with 30 years of mineral planning experience, was planning officer with SDNPA between 2011 and 2016, and jointly responsible for recommending Minsted Sandpit should enter suspension citing 24 breaches of planning control, some originating from 2005. We are grateful for Peter Earl's invaluable contributions to this ROMP including his technical analyses.

2. OVER-DIGGING

Throughout this ROMP the matter of over-digging is raised several times in reports from the operator's consultants and we note the references to over-digging seem generally to be laid at the door of the "previous operator", namely Hanson. Hanson left because there were, in their opinion, insufficient viable reserves remaining in the sandpit, but before they did so, they restored nearly all the site to the Restoration Plan's requirements, including the grading of the western and southern faces of the quarry standards.

We do not know what Terrestria's experiences are of Minsted prior to 2004 under ARC/Hanson, or during the following ten years to 2014 when the SDNPA suspended workings under the current operator's management, the Dudman Group. But from our own visual, documented and informed evidence, it is the current operator who dug out all Hanson's restoration works, above and below water level, then made extensive incursions into areas within and outside the boundaries of the planning consents. It is unclear if the massive over-digging has now made it impossible to restore the site according to the Restoration Plan.

We do not understand how the operators of a professionally run and restored site, which on departure was approved by their own surveyors and WSCC, now stand accused of over-digging with consequences remaining manifest today?

Over-digging has been the norm rather than the exception since 2004 and it is most evident on the south and west boundaries of the lake, above and below water level. This exceeded the limits of the permissions and was often carried out using unapproved working practices. As a consequence, in 2005, WSCC issued five Breach of Condition Notices all of which remain unsatisfied today.

A worked-out sandpit in 2004 became a very overworked sandpit by 2013 and is now semi derelict with not a single square metre of restoration undertaken during the period of Dudman's occupancy.

In Appendix V, Image 1 shows the restored site in July 2004 where Hanson had created the western and southern slopes above ground with the required 1:3 gradient. In addition, there were batters of 30 degrees below the water line. This is the restored state of the sandpit that Dudman took over, and does not show any over-working.

2a. Overdigging on southern boundary

Images 2 & 3 in Appendix V explain what has occurred here. Hansons left flat bunds on the south and west banks which marked the edges of cut. Since then, all the restoration has been taken out by the current operator leaving vertical cliffs of some 11m high and a bench effectively of some 15m wide. This will not allow restoration to the required 1:3 slope of 19 degrees and so the southern boundary cannot be restored to plan without substantial grading works extending back into the lake.

The underwater batters with their 30-degree slopes have also been dug out and will need to be replaced. This will be a difficult task as uncompacted sand will simply dissipate into the water and so substantial material will be needed to replace the batters and widen the over-excavated bench.

The sandstone in the northwest corner of the lake which was dumped there by Dudman is not suitable for this task, as has been suggested. There needs to be realistic proposals

made as to how restoration of the southern bank can be carried out to meet the terms of the current restoration requirements. No part of the ROMP submission includes any clarity on how the safe and permanent restored gradients will be formed, including the nature and type of plant and machinery that will be used to ensure a stable and permanent restoration.

2b. Northern boundary including northeast shore

The north and northeast boundaries are outside the current Phase 1, Phase 2 & Phase 3 areas of the Working Plan. They had been restored by Hanson to form a varied shoreline, shallows and beaches. These, too, fell to Dudman's excavators but should be capable of restoration if all the sand taken out is put back. Images 4, 5 & 6 in Appendix V illustrate these workings.

There was no permission either to excavate these areas or to use long-reach excavators, in itself a method of extraction that was not compliant with the operating conditions.

2c. Overdigging on western boundary including northwest and southwest corners

See images 7, 8, 9, & 10 in Appendix V.
In Additional Information (4) dated September 2019, the applicant's agent specifically addresses Hanson's workings on the western shoreline of the sandpit prior to The Dudman Group taking over in July 2004. We cannot see that Hanson's were responsible for any over-digging as all its workings and practices were regularly monitored and reported on by their surveyors as well as WSCC enforcement officers. Their restoration work was understood to be approved by WSCC at the time they left the site.

3. ESTIMATION OF AVAILABLE SANDPIT RESERVES

The level of reserves in the sandpit, as provided by Dudman, is not capable of being independently appraised and evaluated as the information submitted is incomplete and contradictory - despite the applicant having had 7 years to provide it. Various estimates over the years show wildly differing figures provided by Dudman, including in the period 2014 to 2019 when Minsted was in suspension.

YEAR	OPERATOR	SOURCE	RESERVES (tonnes)	PRODUCTION (tonnes p.a.)
2002	Hansons	WSCC	510,000	
2003	Hansons	WSCC	418,000	90,000.
2004	Dudman	D. Symes	1,000,000	
2011 /13	Dudman	Terrestria (ES)		40,000 to 80,000
2014	Dudman	Terrestria (ES)		100,000 (max)
2015	Dudman	Terrestria (SO)		150,000
2018	Dudman	Terrestria	480,000	
2018	Dudman	Terrestria	170,000	
2019	Dudman	Terrestria	90,000	

Appendix II explains our concerns about the sand reserves figures provided for this ROMP.

4. ESTIMATING RESTORATION NEEDS

It is considered that substantial over digging has taken place beyond the permitted boundaries of working. In the absence of any detailed calculations from the applicant, supported by the necessary documentation we have undertaken our own assessment of the amount of over digging. Appendix I outlines the methodology we have used to calculate the volumes. We estimate at least 210,000 tonnes of sand were extracted by Dudman from those areas which had been restored by Hanson in 2004. This volume of sand, removed by the operator, has been taken in breach of the permission, and therefore the same amount, namely some 210,000 tonnes at the least, will have to be found to re-form the above water-level southern, western and northern boundaries including the northern shallows and beaches but excluding the sand necessary to restore the batters. The agent in his email of 11 September 2019 estimates the western batter requires some 32,000 tonnes but has not supplied figures for the southern batter. He also indicates that there are some 56,000 tonnes of sand of underwater reserves along the western boundary that could be applied to batter restoration. Our estimate therefore is that at best, the underwater reserves could meet the need for the batters with 210,000 tonnes still having to be found to complete restoration elsewhere.

Please see Appendix I for the calculations we have made.

5. The Submitted topographical plans

The submitted topographical plan does not meet the requirements set by the SDNPA in the letter to the applicant on 2nd June 2014 where a full topographical plan to 1:500 scale, including contours at 1m intervals, was required. Only a partial plan of the south western corner of the site has been provided without contours at 1m intervals. This level of detail is insufficient to produce the cross-sections submitted and to accurately generate volume calculations. Furthermore, it is apparent that the topographical plan does not take account of the substantial more recent unauthorised sand working to the western face which removed most of the upper service track, shown coloured light brown on the plan, and involved excavations further to the west, as well as the removal of a large section of the bench to the edge of the lake. The plan does not record the position of the ancient barrow which must be recorded before any further works take place. Therefore, it would seem that the survey dates from a much earlier stage of working undertaken by the applicant, possibly as far back as 2007, when WSCC made specific requests for the operator to provide a survey plan because of the overworking at that time.

In terms of the applicant's latest plan DAS/NQ/RA1118-01, this plan cannot be accurately scaled up because of the way it is presented within the submitted documents, and therefore it has not been able to be checked for accuracy. Like other submitted plans it does not carry the surveyor's details or the exact survey date and is produced in a highly 'sanitised' form which does not allow information to be readily verified. It is therefore considered that the plans are an unreliable basis for the determination of the ROMP.

Whilst a general date of the site survey has been supplied of 'March 2013' it is unclear why a specific date has not been provided and why the subsequent 'part survey' date of 2014 is so vague. This serves only to question the reliability of the information that is being provided. Furthermore, it is noted from the submitted archaeological contour and metal detector survey information, that has just been added to the Public Access System, that this was submitted to WSCC on 13th January 2013 with a Maltby survey base which does suggest that plan DAS/NQ/RA1118-01 cannot have been undertaken in March 2013. Furthermore, the information submitted on what appears to be the same Maltby survey base refers to the survey of the site and quarry in 2011, although the key to the

plan, which is difficult to decipher, suggests a date of May 2007 or 2009. WSCC should be asked to verify this information but critically it indicates that the applicant's information in terms of the date of the Maltby survey is inaccurate. As regards the subsequent survey date of 2014, this too has little credibility because of the vagueness of the date. Also, the physical condition of the site throughout 2014 is inconsistent with what is shown on plan DAS/NQ/RA1118-01. The SDNPA themselves have confirmed the lake level of 34.01m covering the entire width of the bench to the western and southern faces which are shown on the plan as being above water level. The high lake water levels are supported by residents' photo records, which confirm that during this time the water level of the lake reached the toe of the western face which has not been picked up and represented in the survey amendments. Based on this information the SDNPA must formally request the original topographical survey plans and dates or consider the current plans as inadequate for the purposes of determining the ROMP.

Looking at the cross-sectional drawings submitted there are a number of discrepancies which place significant doubt on the accuracy of the information being presented, leaving aside the difficulties highlighted above. Firstly, much of the detailed level information is unreadable (even with a magnifying glass) and the length of the cross-section drawings are not accurately defined, and differ to the plan. The cross-section drawings have transposed existing and proposed level information and record water levels as existing land levels beneath the water line. This has clear implications for the calculations of any reserves and potentially data manipulation. The cross-section drawings also inaccurately plot the width of working. i.e. chainage 480 shows a 33m width of remaining working, including the topsoil stockpile pulled back for restoration purposes, when site conditions show something closer to 18m. In addition, assuming the cross sections are to Ordnance datum, they incorrectly show the necessary level of protection and position of the bench which must be to 35.51mAOD to meet the stated level of protection requested by the SDNPA. This has a significant bearing on both the above and below water level voids requiring restoration and the corresponding amount of material required. Accordingly, all current estimates must be treated as inaccurate.

In terms of the lake marker post again there is a lack of precision of the date when it was checked in '2018'. The correlation between the lake marker posts and boreholes is inconsistent and in any case the borehole logs confirm that the boreholes have not been accurately surveyed to Ordnance datum but are a 'guestimate' (see BH6/5 notes). The suggestion that there is a perfect correlation between the heights of the different boreholes is not supported by the submitted material and therefore we would not expect weight to be given to the uncollaborated information.

Whilst the possible SDNPA approach to addressing the overdig is noted, this is clearly premature pending a complete assessment and clarity on the extent of the void and any workable reserves which then determines if the ROMP can be progressed with the consequence of delaying restoration to 2042, without a clear understanding on whether there are any legally workable reserves.

In the absence of the information requested we have undertaken further assessment work but this depends on the SDNPA view on the level of the lake from which the level of the bench and the toe of the batters will be determined. It is assumed that all such calculations will relate to the confirmed lake level of 34.01m surveyed by the SDNPA on 13th March 2015, which recorded an error in the height of the marker board of -0.21m.

The SDNPA must provide confirmation that the plans submitted by the applicant are accurate, both on the ground and consistent with all the previous plans and details submitted by the applicant. In particular it should be confirmed that the cross sections are identical to those submitted in October 2018.

It has been indicated by the SDNPA that 'from the information submitted that there are viable reserves within the quarry, including that required to undertake restoration.' The basis for this statement is unclear and should be clarified in terms of the amount of workable reserves, their location in relation to each of the phases and working areas above and below the water line. It is unclear how this judgment has been reached when the level of the lake for the purposes of all such calculations has seemingly not been confirmed or is based on the applicant's erroneous figure of 32m or 32.5m. AOD. This is on the assumption, yet to be confirmed, that the applicants indicated water levels are correctly calibrated back to Ordnance Datum.

To enable the information to be evaluated the quantity of material necessary to restore the above ground elements to the western and southern faces and benches (including the overworked area within the eastern portion of the southern face to the lake) to the 19degree batter with the bench formed 3m in width and 1.5m above the agreed lake water level should be confirmed. At the same time it would be helpful if the SDNPA could clarify their position in relation to that part of the southern working below water level and whether this has been satisfactory restored to 30 degrees for its entire length?

It is understood that the ROMP is not supported by a detailed cut and fill analysis of the sort that would be expected and generated from a software programme (i.e. AutoCAD or Civil 3D) that took the cut and fill profiles and measures the extent and volume of material existing and void to be filled. The absence of such an assessment, and the manner in which the cross sections are presented, places significant question marks over the credibility of the applicants 'guesstimates'. The SDNPA should request the file of survey data so it could instruct an engineering or surveying company to check the accuracy of the estimates. This is crucial to ensure that there is sufficient volume of material to restore the overworked areas and avoids a situation where the SDNPA are being told there is material available for export, where the reality is that a greater void is then left and even more of the site becomes unrestorable.

6. CONCRETE BATCHING PERMISSIONS

The Dudman concrete batching operations at Minsted had become a separate use of the site and we note are not set out in any part of the ROMP submission. This use amounted to an industry in its own right. It had to import up to 80% of material from outside material, maybe even 95%, because Minsted sand on its own was too poor to be used in quantity for building products.

The concrete batching plant was NOT ancillary. Minsted sand formed just a small part of the concrete products with all the remaining aggregate having to be imported. Also, the business of on-site aggregate sales of imported materials required consent under Class B.

The noise from the diesel operated concrete batching machinery was intolerable for residents and carried across the valley to the east for well over 1 kilometre. CDC after acoustic measurements 500 metres away, recommended that "*the maximum noise generated by any plant or equipment used on site should not exceed 45dB ….at any point along the western side of Minstead Road*". This should be a specific constraint if any revised permissions are contemplated.

But in the general context, concrete batching approved or non-approved has no place in Minsted and should expressly be excluded from taking place at the site, especially as there are no viable reserves available for export from the site.

Please see Appendix II for details

7. LAKE AND GROUND CONTAMINATION

7a. The large amounts of buried, imported waste materials need to be dug out and cleared away, and the ground allowed to recover.

7b. The silt bays, a prime requirement for proper operations, need to be restored. The by-passing of this important step in removing detritus and fines from the sand washing process has been a direct cause of the yellow lake water. This matter cannot just be left, and it must be a primary consideration as to how the lake is to be cleaned and once more made a suitable wildlife habitat.

Image 11 In Appendix V shows unfiltered waste water from the processing plant emptying into the lake through a purpose-installed underground pipe, completely bypassing the filter beds. We estimate that this pipe had the capacity to feed dirty water into the lake at a rate of 30,000 gallons an hour. The fine grains of sand are harmful to the gills of fish which is why none are now left in the lake.

8. WORKING PRACTICES, BREACHES AND ENFORCEMENT

We list in Appendix IV the 24 breaches of conditions identified in in 2016 along with those identified in 2005. These have not been enforced.

9. CONDITIONS

The proposed combined conditions are unsatisfactory in their present state. The ROMP must not be determined until new conditions are fully agreed by all consultees. However, we would like to make a particular point.

We are told that the current Conditions have over the years given rise to a number of claimed legal ambiguities where the operator was minded to pursue an opportunity to gain an advantage that was never intended.

For instance, in 2006 the operator claimed site '*operations*' which were limited to strict working hours did not include '*vehicular movement*', as '*vehicles'* had not been expressly defined in the consents. In consequence, it was maintained that vehicles were free to enter and leave and move around the sandpit 24 hours a day, 7 days a week - an interpretation with which the MPA initially supported albeit subsequently revoked but only after legal intervention from residents.

We suggest therefore that future conditions should be thoroughly vetted by competent, independent lawyers, appointed by the authority at the applicant's expense, prior to the ROMP coming before committee to reduce the possibility of an operator evading responsibilities or side-stepping the rules.

Meanwhile, we should be made aware of all relevant legal issues which Minsted Sandpit has faced over the years arising from the 1998 ROMP to help the drafting of any new conditions to ensure they are more effective in defining the planning consents and are fit for their intended purposes.

THE APPENDICES

APPENDIX I
ESTIMATING OVER-DIGGING AND RESTORATION CONSEQUENCES

We define over-digging as (i) all sand extracted from areas that are not permitted; (ii) sand extracted from any area which then does not allow that area to be fully restored according to plan; for example by failing to meet the constraints placed by the permissions on those areas, where slopes of 19 degrees cannot be created above ground or 30 degrees below the water level; (iii) sand that has been improperly extracted through failing to meet excavation rules, for example by not employing above-ground bulldozing of sand into the lake to be then pumped ashore by dredger.

It would seem that very little, if any, of Dudman's excavations over 9 years conformed to the rules.

Given what can be seen through observation of the extensive photographic evidence and the use of Google Earth images from 2005 and 2013 , images 12 & 13 in Appendix V the extent of Dudman's workings becomes clear and irrefutable. Photographs clearly show that Hanson's left the site in 2004 with restoration over 75% completed and the slopes and above water benches around the lake compliant with the 1998 restoration plan. Photographs are in Appendix V.

The most recent photographs taken up to the time of the Sandpit's suspension in 2013 show how by removing sand from areas previously restored above ground and below water level Dudman has created dangerously high, steep cliffs to the south and west and enlarged the lake to make restoration of the site more difficult. It is also evident from the Google images that sand removed from the northern lake margin, including the shallows and beaches provided by Hanson as a restoration requirement, has reduced significantly the area of land across that part of the site, and with it any potential material reserves required for restoration. The overall effect on three sides is a noticeable increase in the size of the lake by increasing its span in both east-west and north-south directions.

This extraction has been below water level and above ground. This was mainly using tracked excavators and dump trucks above ground, contrary to the permitted working method, and below water level with long reach excavators and a suction dredger. Sand removed from below water level has moved the edges of the lake closer to the site boundaries on three sides, north, south and west.

Google satellite images from 2005 (shortly after Dudman's taking over) and 2013 (one year before Dudman's suspension) have been used to measure changes in the lake dimensions, topography and the width of ledges around the lake. These images with reference to photographs show the full extent of sand removed above water level from the restored slopes to the west and south, which are now vertical cliffs. Estimates of volume removed are based on two-dimensional measurements, using accurate grids and scales on the Google images showing precisely the area of land taken, times the average depth removed, based on photographic evidence. Accurate reference points on both the Google images used provide a high degree of confidence in the dimensional changes we have measured. Weights are based on 1 cubic metre of dry sand weighing 1.6 tonnes.

The western boundary is most significant in both its visual impact and the scale of over extraction. In 2005 the top of the ground extending north from the protected tumulus indicated approximately the beginning of the restored slope, shown in the plan 51m from the lake edge and following its contours. Excavation above and below the lake has allowed the lake to encroach closer to the site

boundary by 19m but leaving a level margin above the lake to the base of the cliffs, where the sand from the previous restoration has been removed, of average width 32m.

The previously restored level track margin around the lake has disappeared as sand has also been extracted from below the water. This leaves an area of extraction 32m wide along the worked length of the western boundary of 272m as it was in 2013 (238m in 2005). The average height of the cliffs is conservatively estimated at 20 metres, and allowing for the slope of the material remaining from the previous restoration this gives a triangular cross sectional area along the length of the working face of height x base/2 = 20 x 32/2 = 320m^2 . This area multiplied by the length of working of 272m gives 87,040m^3 or 139,264 tonnes. This estimate is only for extraction visible above water level, and extraction that has taken place below the lake will significantly increase the volume of over extracted sand.

The southern boundary shows a worked shore length in 2013 of 352 metres which is significantly to the east of the limit of permitted extraction, (248m in 2005) and the average width of land from lake edge towards the site perimeter has reduced by 8 metres. With an area of 2,816m^2 and assuming an average depth of material extracted above ground of 5m this gives 14,080 m^3 or 22,528 tonnes of sand. Again, sand extracted below water level will increase the overall volume significantly.

Because of the proximity to the site boundary, with the public bridleway adjacent to it, future restoration along this southern edge, as existing permissions require, is impossible as a result of the overworking since 2005 without major works being undertaken. Land will need to be created to widen the bench and solid material imported to stabilise new batters. The quantity of sand needed to restore the slopes will be at least equal to the quantity extracted.

Since our submission of 15 August 2019 we have therefore reassessed our estimate of the amount of sand taken and increased this to 161,792 tonnes from the western and southern boundaries. Our estimates are for above ground extraction and do not account for sand taken from below water level. This will increase significantly the amount of material extracted through over-working and, as a consequence, the amount of sand needed for restoration both above and below water level.

Along the northern lake boundary, the land was low lying and sand extraction since 2005 has been mainly below water, and as we see using long reach excavators able to extract sand easily to at least a depth of 5m. The shoreline is less regular here and we have estimated, using the two Google images, an approximate length of working of 300m as shown in 2013 and an average increase in lake width along this boundary of 20m, varying between 10m and 30m. An estimated area covering 6000m2 of land has been removed from the map and assuming at least a 5m extraction depth this gives 30,000m3, or 48,000 tonnes of sand. Working along this shore was not in a permitted zone and we estimate that it has reduced any reserves available for restoration by 48,000 tonnes.

Inspecting the Google images the water levels appear very similar in both using waterside features as reference points. Clearly differences in water level could affect estimates. However, water level measurements recorded in January in the years in question, show a height increase of only 1.02 metres from 2005 to 2013, and given the majority of visible overworking that we have calculated has been above ground we have confidence in our figures.

We believe therefore that 161,792 + 48,000 = 209,792 tonnes represents the minimum amount of sand extracted (excluding the volume of sand extracted from batters which in addition is required to restore them) that should be put aside for restoration and deducted from any reserves now claimed. If there was any sand legitimately won this should be excluded but overall it is palpably unreasonable to have allowed sand to be excavated in breach of the conditions and for financial gain

to the operator, owner and customers, with the consequent environmental impacts being unaddressed. Furthermore, we believe all those benefitting from what is dishonest overworking should be fined at least the monetary payments they have received for sand taken from unapproved areas or in unapproved ways.

APPENDIX II
CONCRETE BATCHING
Author: P.G. Earl BTP MRTPI

It is noted that the concrete batching plant is considered to be 'ancillary' to the working of the site. The basis for this must be clarified to confirm whether it is therefore the case that if a single shovel of sand is excavated from the site in any one year it will allow the mass importation and processing of material at the concrete batching plant from 2019 through to 2042, which would appear to be the position that is being accepted by the SDNPA.

It is still considered that the concrete batching plant does not have the benefit of Permitted Development rights under class A or B. It is not mentioned in the ROMP submission and its impacts are not stated or considered. It use amounts to a material change of use of the land, as it is a principal use of the land largely unconnected to the winning or working of minerals at the site and therefore in no part having a supporting function.

The precise status of the concrete batching plant needs to be reconsidered and specifically excluded from operating at the site, not least also because of the detrimental noise impacts which have remained unassessed, especially in relation to the protected species in the north-east corner of the site.

APPENDIX III
WORKING PRACTICES AND BREACHES

Historic.
The first breaches were identified in 2005 and still remain in 2019:

1/01471	Development not being worked in accordance with Working Plan and Section 5.
2/01472	Extent of working area not in accordance with plan.
3/01472	(a) Side slopes > 1:3 gradient; (b) level platform of sand < 3m wide; (c) side slopes below water > 30º Restore workings to those permitted.
4/01472	Sand being worked outside identified area without approval by MPA.
8/01472	Extent of extraction not in accordance with permission and no approval sought.

Current.
SJ/98/1472 (The Sand Working Area) – 21 breaches as at 11 February 2016 were reported:

i.	**(2)**	**Working and Restoration Plans**	**7 breach**
ii.	**(3)**	**Working of sand**	**3 breach**
iii.	**(4)**	**Limits of Sand Extraction**	**1 breach**

iv.	**(6)**	**Importation of materials**	**1 breach**
v.	**(8)**	**Area of Mineral Extraction**	**1 breach**
vi.	**(13)**	**Hydro geological investigation**	**1 breach**
vii.	**(16)**	**Removal of G.P.D.O. Rights**	**1 breach**
viii.	**(17)**	**Scheme of archaeological investigation**	**1 breach**
ix.	**(18)**	**Programme of Restoration**	**1 breach**
x.	**(19)**	**Completion of restoration**	**1 breach**
xi.	**(20)**	**Seeding and Planting of Trees**	**1 breach**
xii.	**(21)**	**Restoration Details**	**1 breach**
xiii.	**(22)**	**Aftercare Scheme**	**1 breach**
xiv.		**Other "Concerns" noted**	**2**

SJ/98/1471 (The Plant Area) – 3 breaches as at 11 February 2016 were reported:

xv.	**(1)**	**Working and Restoration Plans**	**1 breach**
xvi.	**(13)**	**Working and Restoration Details**	**1 breach**
xvii.	**(14)**	**Site Restoration**	**1 Breach**
xviii.		**Other "Concerns" noted**	**6**

Other locally observed breaches.

(a) Disregarding the conditions for working methods by not wet-working the sand and using dumper trucks to haul dry sand round the site allowed the south and west sand faces to be aggressively excavated beyond their limits and creating loud noise levels.

(b) Storing on-site large quantities of imported dark aggregates for re-sale.

(c) Dumping and burying of a range of imported materials including hard core and waste in the IDO area.

(d) Creating haul roads on the south and west boundaries, where none existed before, without permission

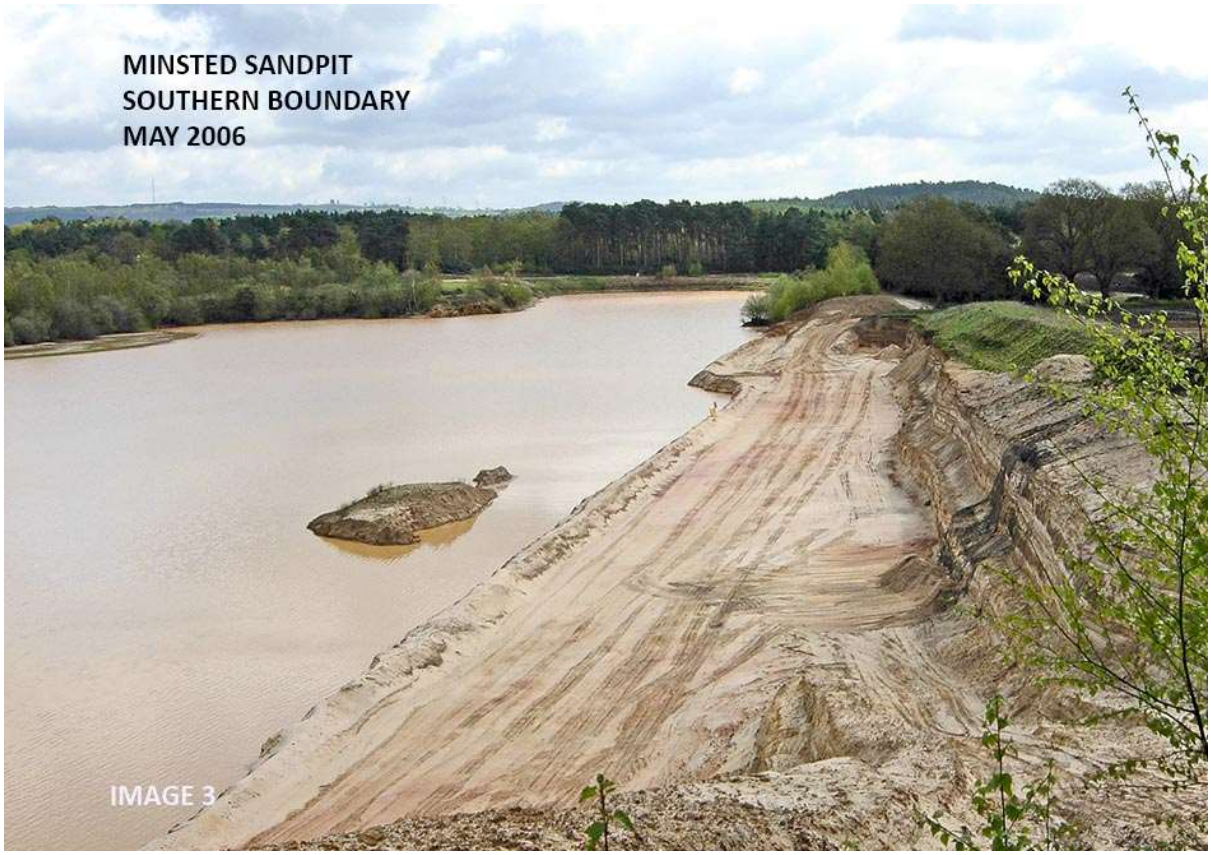
(e) Building high bunds on the south boundary without permission where the Working Plan requires a hedgerow.

(f) Bypassing the silt ponds allowing non-filtered water to enter the lake, thus creating a permanent yellow colour of the water and blinding the bottom of the lake creating a flood risk and destroying the wildlife potential of the lake.

(g) Scraping out of sand-martin nests on the southern boundary and destroying a linnet colony on the same boundary.

APPENDIX V SITE IMAGES

MINSTED SANDPIT RESTORED WESTERN AND SOUTHERN BOUNDARIES
22 JULY 2004 IMAGE 1


MINSTED SANDPIT
SOUTHERN BOUNDARY
MAY 2006
IMAGE 3


MINSTED SANDPIT
NORTHERN SHORE
NOV 2011
IMAGE 4


JCB
MINSTED SANDPIT
NORTHERN SHORE
MAR 2012
IMAGE 5


MINSTED SANDPIT
NORTHERN SHORE
OCT 2011
IMAGE 6


MINSTED SANDPIT
SOUTHWEST CORNER
APR 2006
IMAGE 7

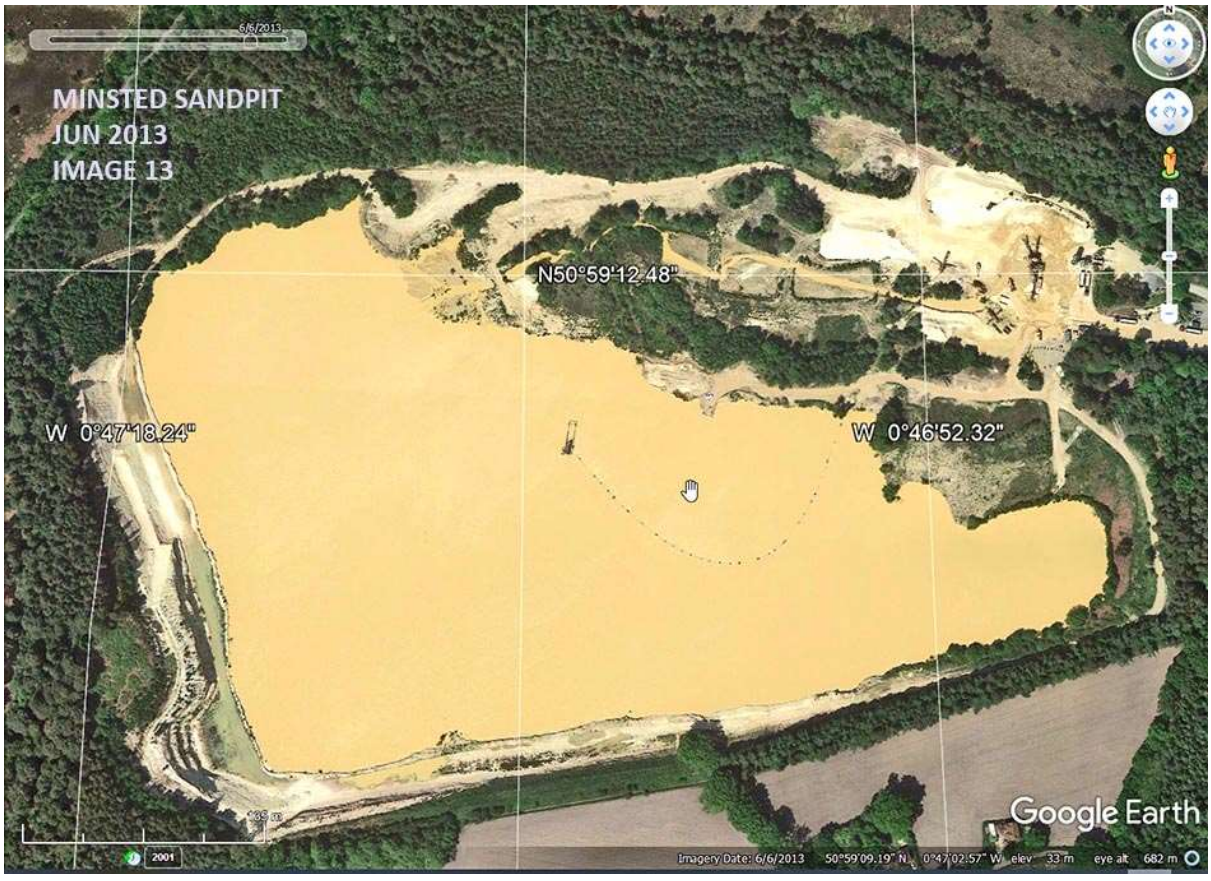

MINSTED SANDPIT
WESTERN SHORE
MAR 2007
KOMATSU
IMAGE 8


MINSTED SANDPIT
WESTERN SHORE
MAY 2007
IMAGE 9


IMAGE 10
MINSTED SANDPIT
NORTHWEST CORNER
FEB 2012


MINSTED SANDPIT
NORTHERN SHORE
MAR 2007
IMAGE 11


MINSTED SANDPIT
JAN 2005
IMAGE 12
N50°59'12.48"
W 0°47'18.24"
W 0°46'52.32"
Google Earth


MINSTED SANDPIT
JUN 2013
IMAGE 13
N50°59'12.48"
W 0°47'18.24"
W 0°46'52.32"
Google Earth