



The Planning  
Inspectorate

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# **Report to Bournemouth Borough Council, Dorset County Council and the Borough of Poole**

**by Elizabeth C Ord LLB(Hons) LLM MA DipTUS**

**an Inspector appointed by the Secretary of State for Communities and Local Government**

**Date: 18<sup>th</sup> December 2013**

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PLANNING AND COMPULSORY PURCHASE ACT 2004 (AS AMENDED)

SECTION 20

**REPORT ON THE EXAMINATION INTO THE  
BOURNEMOUTH DORSET AND POOLE  
MINERALS STRATEGY**

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Examination hearings held between 14 to 16 May 2013 and 21 to 22 May 2013

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## Abbreviations Used in this Report

¶	paragraph
AA	Appropriate Assessment
ALES	Areas of Less/Least Environmental Sensitivity
AONB	Area of Outstanding Natural Beauty
AoS	Area of Search
BAP	Biodiversity Action Plan
BGS	British Geological Survey
defra	department for environment food and rural affairs
DM	Development Management
EU	European Union
Framework	National Planning Policy Framework
HRA	Habitats Regulation Appraisal
HGV	Heavy Goods Vehicle
IROPI	Imperative Reasons of Overriding Public Interest
LAA	Local Aggregate Assessment
LDS	Local Development Scheme
LGAP	Local Geodiversity Action Plan
MASS	Managed Aggregate Supply System
MCA	Mineral Consultation Area
MM	Main Modification
MPA	Minerals Planning Authority
MS	Minerals Strategy
MSA	Minerals Safeguarding Area
MSP	Mineral Sites Plan
mt	million tonnes
mtpa	million tonnes per annum
NE	Natural England
Plan	Minerals Strategy
ROMP	Review of Old Mineral Permission
SA	Sustainability Appraisal
SAC	Special Area of Conservation
SANG	Suitable Alternative Natural Greenspace
SCI	Statement of Community Involvement
SCS	Sustainable Community Strategy
SNCI	Site of Nature Conservation Interest
SoCG	Statement of Common Ground
SPA	Special Protection Areas
SSSI	Special Sites of Scientific Interest
SWAWP	South West Aggregates Working Party
t	tonnes
tpa	tonnes per annum
WHS	Dorset and East Devon Coast World Heritage Site

## **Non-Technical Summary**

This report concludes that the Bournemouth, Dorset and Poole Minerals Strategy (MS) provides an appropriate basis for minerals planning within the plan area up to the end of 2028 provided that a number of modifications are made to the Plan. The Councils have specifically requested that I recommend any modifications necessary to enable them to adopt the Plan. All of the modifications to address this were proposed by the Councils, and I have recommended their inclusion after full consideration of the representations from other parties on these issues.

The modifications can be summarised as follows:

- Inclusion of Additional Key Issues;
- Addition of community protection to the vision;
- Amending the objectives to ensure timely restoration and protection of designated sites;
- Adding a policy reflecting the presumption in favour of sustainable development;
- Providing more appropriate balance with respect to extracting Ball Clay resources and protecting nature conservation interests;
- Amending the supply requirements of some minerals to ensure deliverability and compliance with national policy;
- Providing sufficient opportunities for the supply of relevant minerals;
- Ensuring appropriate consideration is taken of economic interests;
- Providing proper protection for receptors;
- Directing proposals and allocations to the most appropriate resource areas;
- Ensuring strategies and policies are not too onerous for developers whilst providing appropriate protection to receptors;
- Ensuring that safeguarding and consultation areas are properly delineated;
- Making suitable provision for restoration;
- Ensuring appropriate transport strategies;
- Including relevant stakeholders in management, implementation and monitoring; and
- Amending monitoring requirements to reflect other Plan changes.

Although there are a large number of modifications, they do not significantly alter the thrust of the overall strategy.

## Introduction

1. This report contains my assessment of the Bournemouth, Dorset and Poole Minerals Strategy (MS) in terms of Section 20(5) of the Planning & Compulsory Purchase Act 2004 (as amended). It considers first whether the Plan's preparation has complied with the duty to co-operate, in recognition that there is no scope to remedy any failure in this regard. It then considers whether the Plan is compliant with the legal requirements and whether it is sound. The National Planning Policy Framework (paragraph 182) makes clear that to be sound, a Local Plan should be positively prepared; justified; effective and consistent with national policy.
2. The starting point for the examination is the assumption that the local authority has submitted what it considers to be a sound plan. The basis for my examination is the submitted draft plan dated July 2012 which is the same as the document published for consultation in July 2012.
3. In accordance with section 20(7C) of the 2004 Act, the Councils requested me to make any modifications needed to rectify matters that make the Plan not legally compliant or unsound and thus incapable of being adopted. The Councils submitted schedules of modifications to the Plan at the start of the examination and during the hearing sessions. A significant number of further modifications were also discussed at the hearing sessions.
4. The Councils consolidated the modifications into two lists, namely those which the Councils considered to be main modifications (MMs) and those which they considered to be additional modifications. My report deals with the MMs, which are needed to make the Plan legally compliant and sound. The MMs are identified in bold in the report (**MM**) and are set out in the Appendix.
5. The MMs have been subject to public consultation, Sustainability Appraisal (SA), and Habitats Regulation Appraisal (HRA). I have taken the consultation responses on the MMs into account in writing this report.
6. Some representors, including Friends of the Earth (FoE), responded to the MM consultation by objecting to certain MMs as well as making wider representations on other parts of the Plan. The purpose of the MM consultation is to consider responses to MMs. It is not an opportunity to revisit the whole of the Plan. Consequently, I have only considered those representations, which relate to the MMs.

## Assessment of Duty to Co-operate

7. Section s20(5)(c) of the 2004 Act requires me to consider whether the Councils complied with any duty imposed on them by section 33A of the 2004 Act in relation to the Plan's preparation. Section 33A requires constructive, active and ongoing engagement with local authorities and a variety of prescribed bodies in order to maximise the effectiveness of plan preparation.
8. Details of how the Bournemouth, Dorset and Poole Mineral Planning Authorities (MPAs) have met their duty to co-operate are set out in their

*Statement on the Duty to Co-operate*<sup>1</sup>. This demonstrates co-operation with other relevant planning authorities and organisations including the Environment Agency, English Heritage, Natural England (NE) and the highways authorities, as required by the Local Planning Regulations<sup>2</sup>.

9. The MPAs have had regard to the views of the South West Aggregates Working Party (SWAWP), and the Bournemouth, Dorset and Poole Minerals Waste Policy Joint Advisory Committee has provided MPA members with the opportunity to consider proposed strategy choices in the light of SWAWP advice.
10. An amendment to the Local Planning Regulations<sup>3</sup>, which came into force in November 2012, adds Local Nature Partnerships to the list of prescribed bodies to which the duty to co-operate extends. When the MS was published on 6 July 2012 there was no Local Nature Partnership in existence within the Plan area, although the Dorset Local Nature Partnership was approved by defra shortly afterwards. Nonetheless, co-operation has taken place with the key constituent bodies of Dorset Local Nature Partnership throughout the Plan's preparation, including the Dorset Wildlife Trust, and more recently with the Dorset Local Nature Partnership.
11. From the submitted evidence I consider that the MPAs have worked closely throughout the period of Plan preparation with the relevant prescribed bodies and persons, other statutory and regulatory organisations, other authorities, and the minerals industry. Therefore, taking all factors into consideration, I am satisfied that this amounts to constructive, active engagement on an ongoing basis. Consequently, the duty to co-operate has been fulfilled.

## **Assessment of Legal Compliance**

12. Although NE initially had some concerns over the January 2013 Habitats Regulations Screening Report, these concerns were addressed in the updated July 2013 Report, which includes the MMs. NE has since confirmed that it is satisfied with the updated report and no longer has any issues with the HRA.
13. FoE has made objections relating to legal compliance on the basis of the Plan not adequately dealing with cumulative impacts on climate change. However, Development Management (DM) Policy DM1 (Key Criteria for Sustainable Minerals Development) includes a requirement for development to avoid cumulative impacts, and Policy CC1 (Preparation for Climate Change Assessments) seeks an assessment of how climate change mitigation and adaptation measures would be incorporated into proposed development. This adequately complies with the legislative requirements.
14. The MPAs' *Legal Compliance Self-Assessment*<sup>4</sup> demonstrates how the MPAs have complied overall with their legal requirements. My examination of the Plan's legal compliance is summarised in the table below. I conclude that the

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<sup>1</sup> MSSD-10

<sup>2</sup> Section 4 of the Town and Country Planning (Local Planning)(England) Regulations 2012 SI No. 767 as amended

<sup>3</sup> The Town and Country Planning (Local Planning)(England)(amendment) Regulations 2012 SI No. 2613, regulation 2

<sup>4</sup> MSSD-18

Plan meets them all.

<b>LEGAL REQUIREMENTS</b>	
Local Development Scheme (LDS)	The Bournemouth, Dorset and Poole Minerals 'Core' Strategy is identified within the approved LDS which was approved in July 2012 and amended in February 2013 which sets out an expected adoption date of November 2013. The content of the MS and its timing are compliant with the LDS.
Statement of Community Involvement (SCI) and relevant regulations	The SCI was adopted in April 2013 and consultation has been compliant with the requirements therein, including the consultation on the post-submission proposed MMs.
Sustainability Appraisal	The Councils undertook a SA (incorporating strategic environmental assessment) on the submitted Plan and post-submission modifications. The SA is adequate and has been carried out in an iterative manner and recommendations have been incorporated into the Plan as it has progressed.
Habitats Regulations Appraisal	The Habitats Regulations Screening Report (January 2013, updated in July 2013 to include screening of proposed modifications) sets out why Appropriate Assessment (AA) is not necessary. This position has been endorsed by NE.
National Policy	The MS complies with national policy except where indicated and modifications are recommended.
Sustainable Community Strategy (SCS)	Satisfactory regard has been paid to the SCS for Dorset as well as those for the unitary authorities of Bournemouth and Poole and each of the districts within Dorset.
2004 Act (as amended) and 2012 Regulations.	The MS complies with the Act and the Regulations.

## Assessment of Soundness

### Preamble

15. The Regional Strategy for the South West was still extant at the time of producing the Publication Version of the MS. However, an Order revoking the Regional Strategy came into force on 20 May 2013, although the evidence base that informed the preparation of this Strategy may still be drawn upon<sup>5</sup>. The Order also revoked the direction under paragraph 1(3) of Schedule 8 to the Planning and Compulsory Purchase Act 2004 preserving policies contained in the Bournemouth, Dorset and Poole Structure Plan.
16. The revocation of the Regional Strategy does not impact on the legal compliance or soundness of the Plan, and consultation on any potential impact

<sup>5</sup> ¶ 218 of the Framework

attracted only one response indicating no comment. The revocation of the Structure Plan only impacts on the DM policies relating to transport and this is dealt with by way of MMs.

17. In July 2013 the Government published its *Planning practice guidance for onshore oil and gas*. Its potential impact on the legal compliance and soundness of the Plan was publicly consulted upon, but there was only one response indicating no observations. The Plan contains a comprehensive chapter on Hydrocarbons which largely reflects the advice in the guidance. Nonetheless, the MPAs intend to make an additional modification<sup>6</sup> to the Policies Map to include Petroleum Licence Areas in accordance with the guidance.
18. Although FoE, in its response to the MMs consultation, indicated that the MPA might have reason to depart from the July 2013 guidance on the grounds of conflict with climate change obligations, lack of evidence underpinning the guidance and procedural failings relating to the publication of the guidance, these issues are beyond the scope of this MS.

### **Main Issues**

19. Taking account of all the representations, written evidence and the discussions that took place at the examination hearings I have identified 12 main issues upon which the soundness of the Plan depends.

### **Issue 1 – Whether the Identified Key Issues, Vision, Objectives, Spatial Strategy and Site Selection Criteria are the most appropriate for the Plan area.**

20. The Plan's high level strategies have developed from a comprehensive evidence base and have evolved through several stages of consultation during which alternative approaches were considered and appraised. The SA report of July 2012<sup>7</sup> justifies the options that were taken forward and the reasons why. The Spatial Portrait describes the Plan area's distinct and varied geology, and highlights its wide range of landscape, heritage, ecological and geological designations, which represent a constraint on mineral extraction. In accordance with the Framework's requirement to map components of local ecological networks<sup>8</sup>, the Portrait includes a map of Natura 2000 designations<sup>9</sup>. However, to properly understand and justify the map, main modification **MM1** is recommended, which makes amendments to include colour coding.

#### *Key issues*

21. One of the Plan's key issues is to facilitate increased production of aggregate recycling, particularly in the west and north of the county. However,

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<sup>6</sup> A MM is not required as this is simply factual information that does not materially alter the MS policies, rendering consultation unnecessary

<sup>7</sup> MSSD-03 Ch. 4

<sup>8</sup> ¶ 117 2<sup>nd</sup> bullet

<sup>9</sup> Natura 2000 is an ecological network of sites designated under the "Birds Directive" 79/409/EEC as SPAs, and under the "Habitats Directive" 92/43/EEC as Sites of Community Importance and SACs

promoting sites in the west and the north is likely to be undeliverable as discussed under Issue 3 below. Therefore, **MM2** which removes reference to these areas is recommended.

22. The key issues focus on the mineral types of strategic importance, but unjustifiably omit hydrocarbons. Hydrocarbons make an important contribution to the area's economy, and the Wytch Farm oilfield is one of the most productive onshore oilfields in Europe. The industry intends to further develop its oil and gas production facilities in Dorset during the Plan period, and planning applications will need to be considered for drilling and other operations.
23. Upon reconsideration, the MPAs take the view that planning for the provision of hydrocarbons within a highly sensitive environment should be a key issue. By including hydrocarbons, all mineral types of strategic importance would be covered within the key issues. This is most appropriately achieved by modification **MM3**, which adds a new key issue, the essence of which relates to the maintenance of a continued supply of onshore hydrocarbons whilst safeguarding sensitive receptors.
24. FoE objects to this modification on the grounds that the identification of a continued supply of hydrocarbons must be set within the UK's climate change targets. However, the modification simply encapsulates the thrust of what is already contained in the Plan's hydrocarbons chapter, and climate change considerations are already adequately reflected in the climate change chapter.
25. FoE also raises concerns about the lack of consideration of alternatives within the Plan and the assumption that hydrocarbons are needed. If what is meant by "alternatives" is other energy types, then it should be noted that the role of hydrocarbons in the energy mix is beyond the scope of this MS and is a matter for national Government. Furthermore, the Framework and the Government's *Planning practice guidance for onshore oil and gas* together encourage MPAs to provide for the extraction of hydrocarbons. Whilst I have considered FoE's suggested alternative key issue to MM3, I am not persuaded that it is necessary to make the Plan sound.
26. Another key issue has been added to the Plan to encapsulate the importance of sensitive restoration. Given the extensive numbers of minerals workings within or in close proximity to a large range of ecological and environmental designations, it is most appropriate to reflect the need for high quality restoration as a key issue. Modifications **MM4** and **MM131** are recommended to achieve this.

#### *Vision and Objectives*

27. The vision and objectives respond to the key issues including the additional issues relating to hydrocarbons and restoration. However, with respect to Ball Clay, the vision attempts to concentrate extraction in what has been termed "*the least sensitive areas of the Wareham Basin*". This may jeopardise deliverability of the required quantities and grades of Ball Clay. Deleting reference to the "*least sensitive areas*" through modification **MM5** will make the Plan effective in this respect.
28. Whilst the vision generally has regard to protecting sensitive receptors, it does



not specifically include local communities and the places where they live. A core planning principle of the Framework is to enhance and improve the places where people live<sup>10</sup> and, therefore, to ensure consistency with national policy, modification **MM6** is recommended.

29. The MS objectives properly focus on what is required to achieve the vision, although Objective 4 on restoration makes no reference to the timing of restoration works. The Framework requires land to be reclaimed at the earliest opportunity<sup>11</sup> and, therefore, modification **MM7** is recommended to comply with national policy.
30. Objective 5 seeks to minimise the adverse impacts of mineral workings on the environment, local communities, businesses and tourism. However, given the widespread occurrence of European sites<sup>12</sup> within the Plan area, the protection afforded to such sites by the Habitats Regulations<sup>13</sup>, and the Framework's requirement to plan strategically for the protection and enhancement of ecological interests<sup>14</sup>, it should make reference to Natura 2000 sites. Therefore, to justify the objective, modification **MM8** is recommended.

### *Spatial Strategy*

31. The spatial strategy is split into five parts, first covering the general range of minerals and then specifically dealing with aggregates, Ball Clay, Purbeck Stone and Portland Stone. The spatial distribution of the mineral resources are referenced to various geological areas and resource blocks, the delineation of which is derived from geological evidence prepared specifically by the British Geological Survey (BGS) to inform the MS. Consequently, in general it appears to accurately reflect the geology of the Plan area. It properly refers to the maintenance of the future supply of mineral resources, and appropriately includes consideration of cross boundary movements.
32. However, an adequate and steady supply of the range of grades of Ball Clay at the revised level of production (as discussed under Issue 4 below) could potentially be undeliverable if extraction is overly restricted. This could occur if supply is constrained in general to the "Areas of Less Environmental Sensitivity" (ALES).
33. Whilst extraction outside of the ALES could potentially conflict with designated sites, the high economic value of Ball Clay might conceivably justify its extraction from deposits within the wider Ball Clay Consultation Area. Therefore, modification **MM9** is recommended which, whilst steering extraction towards ALES, also extends it to the wider Ball Clay Consultation Area, thereby justifying the strategy.
34. With respect to Purbeck Stone, for the reasons set out under Issue 5 below, the projected levels of future supply are inappropriate and possibly undeliverable. Modification **MM10** ensures that the strategy is justified and

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<sup>10</sup> ¶ 17 2<sup>nd</sup> bullet

<sup>11</sup> ¶ 143 8<sup>th</sup> bullet

<sup>12</sup> As defined in the glossary to the Framework; ¶ 118 6<sup>th</sup> bullet also lists those sites which should be given the same protection as European sites

<sup>13</sup> The Conservation of Habitats and Species Regulations SI 2010 No. 490 (as amended)

<sup>14</sup> ¶ 114 1<sup>st</sup> bullet

effective by introducing flexibility and more appropriately reflecting the anticipated levels of need throughout the Plan period.

35. As for Portland Stone, the strategy makes no reference to existing reserves or potential need during the Plan period. Supply and demand form the basis for the strategy and, therefore, they need to be explained. Modification **MM11** does this, thereby justifying the strategy by stating that there are sufficient reserves of dimension stone to cover the Plan period.
36. The Framework requires local plans to actively support the presumption in favour of sustainable development<sup>15</sup>, and the Secretary of State recommends a model policy to address this. The model policy is not included in the Plan and this is rectified by **MM12**, **MM13**, and **MM14**.

#### *Site Selection Criteria*

37. In order to deliver the spatial strategy and maintain an adequate supply of minerals, particularly aggregates, Purbeck Stone and Ball Clay, site allocations will be made in a forthcoming Mineral Sites Plan (MSP). The suitability of sites for allocation will be assessed using the deliverability questions and site selection criteria set out in Appendix 1 of the Plan.
38. Submission Plan Policy SS1 – *Identification of Sites in the Minerals Sites Plan* (amended to SS2) makes no reference to the site selection criteria. As the criteria form the basis upon which sites will be selected, to justify the policy they should be incorporated into it. Main modification **MM15** achieves this.
39. Unallocated sites are also likely to come forward for a variety of minerals for which sufficient sites may not be allocated to meet the need throughout the Plan period. Submission Policy SS1 does not deal with unallocated sites in a sufficiently positive way. Therefore, to justify the policy, modification **MM15** is recommended, which is more positively worded and allows for permissions to be granted for unallocated sites where the need arises and delivery of allocated sites would not be prejudiced.
40. Although the Plan provides a set of DM policies against which planning applications will be assessed, in the interests of consistency, it would also be appropriate for applications for non-allocated sites to demonstrate consideration of the criteria in Appendix 1. Modification **MM188** is recommended to ensure that the criteria are taken into account, where relevant, when considering unallocated windfall sites. This appropriately flows from submission Policy SS1 and justifies the strategy.
41. The assessment of sites can be a complex task and a clear explanation of how the criteria scorings are ranked is needed to make them effective and give proper direction to applicants. The guidance within the Plan is wanting in this respect. Therefore, to avoid confusion and ensure deliverability, modifications **MM189** and **MM190** are recommended.
42. Some of the scoring criteria are meant to have a band referring to "Less significant adverse impact". However, the word "adverse" has been missed out and consequently these bands do not reflect their intended meaning,

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<sup>15</sup> The Framework ¶15

thereby rendering them ineffective. Accordingly, modifications **MM191** to **MM195**, and **MM197** to **MM206**, and **MM210** to **MM217** are suggested to rectify the omissions.

43. Criterion C6 relating to geodiversity does not specifically include geomorphological features which, given their importance within the Plan area, need to be included. Also the scoring bands should clearly relate to a range of geological impacts, which are not adequately covered. Therefore, to justify this criterion, Modification **MM196** is recommended, which inserts the required references.
44. Criterion C17 and its supporting text do not properly consider economic impacts and, in particular, omit a variety of benefits that might flow from minerals development. The Framework states that great weight should be given to the benefits of mineral extraction, including the economy<sup>16</sup> and, therefore, in order to redress the balance and ensure consistency with national policy, modifications **MM207** and **MM208** are recommended, which insert economic considerations.
45. Criterion C18 deals with impacts on sensitive human receptors, although visual intrusion and human health are unjustifiably omitted. Therefore, modification **MM209** is recommended, which adds such references to the supporting text to justify the criterion.

#### *Assessment*

46. Subject to the recommended MMs, I consider that the formulation of the Plan's key issues, high level strategies, and site selection criteria were systematic, comprehensive and convincing, resulting in the most appropriate options being taken forward. In addition, they reflect the three dimensions of sustainable development in the Framework<sup>17</sup> by encompassing economic, social and environmental roles. Their provisions are focussed and locally distinctive, and their robust and pragmatic approach is sufficiently flexible to accommodate all reasonable and foreseeable eventualities.
47. The spatial strategy and site selection criteria provide sufficient strategic guidance and spatial direction for making subsequent land allocations and determining planning applications. In conclusion, the evidence demonstrates that, with the recommended MMs, the key issues, vision, objectives, spatial strategy and site selection criteria are positively prepared, justified, effective, and consistent with national policy.

#### **Issue 2 – Whether sufficient account is taken of the potential impact of climate change.**

48. The MS contains a chapter devoted to climate change which addresses carbon emission reduction in the production of minerals, and provides for the effects of climate change. However, the Plan's requirement for Carbon Dioxide (CO<sub>2</sub>) reduction to be satisfactorily addressed extends to all minerals development, even that which is covered by permitted development rights. This is too onerous and is unenforceable, thereby making it ineffective. Consequently,

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<sup>16</sup> ¶ 144 1<sup>st</sup> bullet point

<sup>17</sup> ¶ 7

modification **MM16** rectifies the situation by clarifying that the requirement applies only to minerals development which requires planning permission.

49. Whilst Policy CC1 calls for an assessment of how climate change mitigation and adaptation measures are incorporated into the design and operation of proposed minerals development, this is limited to major minerals development and does not include aggregates recycling operations. Therefore, to fully comply with the Framework's requirement to adopt proactive strategies to mitigate and adapt to climate change<sup>18</sup>, modification **MM17** removes the "major" qualification from minerals development and extends the provision to recycled aggregates. Although FoE suggests that cumulative impacts should also be referred to, cumulative impacts are adequately covered elsewhere in the Plan such as at Policy DM1 (Key Criteria for Sustainable Minerals Development) and Policy HY2 (Proposals for Production Facilities and Ancillary Development).
50. Representations were also made indicating that the Plan's approach to climate change is too conservative, fails to reflect the gravity of climate change, and does not fully reflect the Framework's requirements. However, I am content that the Plan's provisions are sufficiently comprehensive for its purpose, address the main climate change issues relative to minerals including sea level rise, and comply with national policy. Therefore, I find the modified MS to be sound in its coverage of climate change.

### **Issue 3 – Whether sufficient opportunities are provided for a steady and adequate supply of aggregates, including recycled and secondary materials, in the most appropriate areas.**

#### *Recycled Aggregates*

51. The Plan recognises the importance of recycled aggregates and puts them at the top of its hierarchy for aggregates provision. To ensure that recycled aggregates are included within the provisions for "minerals development" throughout the Plan, and to justify the glossary, modification **MM187** is recommended to the definition of "minerals development".
52. The MS refers to the locational needs of recycling sites which, due to the aggregates' relatively low value, are generally in proximity to the sources of material to be recycled, and the markets and facilities they serve. Figure 7 reflects these locational needs by showing where aggregate recycling facilities currently exist. However, the Figure is ineffective as it does not show clearly that there are two strategic recycling facilities in north Poole. Modification **MM18** makes the necessary correction by showing both of these facilities more clearly in Figure 7.
53. As mentioned above under Issue 1, a key issue of the MS is to facilitate increased production of recycled aggregates, particularly in the west and the north of the county. However, this is unlikely to be deliverable as it is not expected that there will be any great demand for such facilities in the west and the north, due to lack of supply of materials in these areas and the cost of hauling potential recyclates long distances. Therefore, to make the strategy effective, modification **MM19** is recommended, which removes the steer to the

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<sup>18</sup> ¶ 94

west and the north and replaces it with a steer to areas where supply and demand exist.

54. There appears to be a particular market for high grade washed recycled aggregates emanating from the Plan area, and there is commercial interest in promoting facilities to produce these materials. Therefore, in view of the importance of recycling and its position in the aggregates hierarchy, such recyclates need to be specifically included in the recycled aggregates production policy. Consequently, to justify Policy RE1, modification **MM20** is recommended to specifically include high grade washed recycled aggregates.
55. Furthermore, the Plan aims to locate recycling facilities close to the sources of materials to be recycled, including active quarries. However, Policy RE1 promotes facilities close to "quarries", which includes all quarries, even those which are inactive, thereby making the policy ineffective. If left unaltered, this could result in facilities being located in unsustainable locations. Therefore, to rectify the policy, modification **MM20** is recommended, which amends the reference to "active quarries".

*Primary land-won sand and gravel*

56. The Framework<sup>19</sup> and the Government's *Guidance on the Managed Aggregate Supply System*<sup>20</sup> (MASS Guidance) require MPAs to prepare Local Aggregate Assessments (LAAs) based on a rolling average of 10 years sales data and other relevant local information, from which provision for the maintenance of landbanks should be made. The MS, however, uses an average of the last 10 years sales excluding the highest and lowest figures, and adds a 10% contingency onto this. Consequently, it does not accord with the Framework's methodology. In December 2012 the SWAWP advised the MPAs to simply apply the 10 years rolling average<sup>21</sup>, and in accordance with that advice and the Framework the MPAs suggest modifications, **MM22** and **MM23**.
57. For sand and gravel the Framework requires land banks of at least 7 years to be maintained, although longer periods may be appropriate in certain circumstances<sup>22</sup>. The MS provides for the supply of sand and gravel to the end of the Plan period, which is longer than the minimum 7 years and is, therefore justified.
58. The Framework makes a general statement that Plans should preferably be drawn up over a 15 year time horizon and should take account of longer term requirements<sup>23</sup>. With respect to aggregates, this is appropriately addressed on a rolling basis by the LAA, which allows flexibility and the means by which to respond to the ongoing monitoring of supply needs beyond the Plan period. Consequently, so long as the 7 year supply is topped up on a continuous basis as and when required by reference to the LAAs, there is no need for the Plan to estimate and project supply figures beyond the Plan period.
59. However, by applying the rolling 10 years average sales methodology, an

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<sup>19</sup> ¶ 145 1<sup>st</sup> bullet

<sup>20</sup> ¶ 6

<sup>21</sup> MSDCC-50

<sup>22</sup> ¶ 145 6<sup>th</sup> bullet

<sup>23</sup> ¶ 157 2<sup>nd</sup> bullet

annual average supply figure of 1.58 million tonnes (mt) is needed rather than the 1.78 mt suggested in the Plan. Consequently, to more appropriately reflect the annual supply requirement, modifications **MM21** and **MM24** are recommended. As the annual supply figure has decreased, the existing sand and gravel reserves will last longer. To reflect this situation and justify the Plan, modifications **MM25**, **MM35** and **MM36** are recommended, which together indicate a current supply of 11.1 years rather than the 9.5 years originally stated.

60. The annual supply figure is not fixed and will change on an ongoing basis according to the actual level of sales each year. Therefore, in order to ensure that the landbank is adequately maintained on an ongoing basis, the MPAs will need to assess remaining reserves annually in their LAA as provided by the Framework and MASS Guidance<sup>24</sup>. Accordingly, the MPAs have put forward modifications **MM26** and **MM27** to fully comply with national policy.
61. As current reserves are not estimated to last for the lifetime of the Plan, new sites will be needed to come forward during the Plan period. Whilst the MS indicates that the MSP will identify allocated sites to meet future needs, in order to ensure deliverability and flexibility, some provision needs to be made for unallocated windfall sites to come forward in certain circumstances. To make it clear that unallocated sites may contribute to the delivery of the aggregates provision strategy, modification **MM28** is recommended to make the Plan effective.
62. The MS calculates the estimated minimal total supply of sand and gravel needed for the Plan period to 2028, from which the required level of additional reserves is calculated. However, as the annual supply figure has been amended, this calculation must be revised to accurately show what additional amounts of sand and gravel are likely to be needed. Therefore, to ensure the Plan is effective, modification **MM29** is recommended, which makes the necessary adjustments to show that the minimum additional provision based on current data is likely to be 9.36mt.
63. Also, to demonstrate with reasonable certainty that an appropriate level of production can be achieved year on year in accordance with further assessments, sites may need to be identified to deliver more than the required minimum level of aggregates. Modification **MM30** provides for additional production to ensure appropriate deliverability.
64. The above modifications are to the supporting policy text, and therefore, to bring the relevant policy in line with these amendments, another MM is needed. This is achieved by modification **MM31**, which amends Policy AS1 (Provision of Sand and Gravel) to ensure deliverability and compliance with national policy, as previously explained.
65. Policy AS1 refers to sand and gravel sites coming forward from locations within the resource blocks identified on the Submissions Policies Map. These resource blocks are derived from the BGS Sand and Gravel Assessment<sup>25</sup> and, based on this evidence, generally seem appropriate. However, there is an

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<sup>24</sup> Framework ¶ 145 1<sup>st</sup> bullet; MASS guidance ¶ 6

<sup>25</sup> MSDCC-01

important resource that has been omitted, which is land in the interest of M B Wilkes at Henbury. Consequently, unless the resource blocks are delineated to include this land, Policy AS1 will be unjustified. Modifications **MM218** and **MM219** to the Submission Policies Map resolve the position. Figure 10, which shows the bedrock sand resource block, is similarly amended by modification **MM32** to bring it appropriately in line.

66. Sand and gravel is widely found within the Dorset Area of Outstanding Natural Beauty (AONB) and is currently extracted from within it. However, in accordance with the Framework, the Plan seeks to maintain sand and gravel landbanks as far as possible from areas outside of the AONB<sup>26</sup>. Nonetheless, the Dorset AONB is extensive and coincides with significant sand and gravel resources. Consequently, there is a delicate balance between protecting the AONB and overly restricting sand and gravel extraction. Whilst the Plan seeks to limit sand and gravel extraction in the AONB to small scale development, this is not the most appropriate way of protecting the AONB. A better way is to restrict extraction to exceptional circumstances and to allow assessment on a site by site basis. This is encapsulated in modifications **MM33** and **MM34**, which resolve this issue.
67. The Framework advises that separate landbanks should be calculated and maintained for aggregates of a specific type or quality which have a distinct and separate market<sup>27</sup>. There are various grades of sands and gravel within the Plan area that have separate markets, but to attempt to separate them all out would be over complex and unworkable. In broad terms the market is split between fine sands, which mostly come from the Poole Formation bedrock deposits, and coarse sands and gravels, which principally come from the River Terrace deposits. Consequently, it is convenient and effective to broadly separate the landbanks into Poole Formation sands and River Terrace sands and gravels.
68. Plan Policy AS2 commits to the maintenance of at least 7 years' supply of both Poole Formation and River Terrace aggregates. However, to take account of the lower annual production figure for aggregates and to accurately reflect the split in the markets, amendments to the calculations and supporting text are required. Therefore, to satisfy national policy and to be deliverable, modifications **MM38**, **MM39**, **MM40** and **MM43** are recommended, which together show a split of 64% for Poole Formation sand and 36% for River Terrace sand and gravels, indicating landbanks of 9.8 years for the former and 13.3 years for the latter.
69. By applying the relative proportions of Poole Formation and River Terrace aggregates to estimated reserves on an annual basis as required by the Framework<sup>28</sup> and MASS Guidance<sup>29</sup>, any shortfalls in provision of each category can be identified on an ongoing basis. To make this clear and fully compliant with national policy, modifications **MM41**, **MM42** and **MM44** are recommended.
70. Also, as national policy does not limit the amount of aggregates that may be

<sup>26</sup> ¶ 144 2<sup>nd</sup> bullet

<sup>27</sup> ¶ 145 8<sup>th</sup> bullet

<sup>28</sup> ¶ 145 1<sup>st</sup> bullet

<sup>29</sup> ¶ 6

extracted, but instead indicates minimum supply levels, the reference in the MS to no new permissions currently being needed is unjustified. This is resolved by recommended modifications **MM37** and **MM39**, which remove this reference and indicate that the stated relative levels of production are not intended to put a cap on future production.

71. With respect to deliverability, the BGS Sand and Gravel Assessment indicates that, taking account of the Plan area's constraints, there is a potential available resource of about 1,800 mt of Poole Formation sand and about 680 mt of River Terrace sand and gravel<sup>30</sup>. Although the MPAs believe that some of the deposits are so constrained as to prevent them coming forward, I am, nonetheless, satisfied that there is sufficient remaining resource to readily meet the requirements of the MS.

#### *Crushed Rock*

72. The Framework<sup>31</sup> and the MASS Guidance<sup>32</sup> require landbanks of crushed rock to be maintained of at least 10 years, based on the annual LAA rolling average of 10 years sales data and other relevant local information. The Plan does not calculate average annual production on this basis and also estimates reserves at the incorrect level of 20 mt rather than the 13 mt stated in the LAA<sup>33</sup>. Therefore, to rectify these inaccuracies and to comply with national policy, modification **MM45** is recommended, which shows an average annual output of about 265,000 tonnes (t).
73. Using the annual 10 years rolling average methodology, a production figure of 0.27 million tonnes per annum (mtpa) is obtained. However, the Plan refers to an apportionment figure of 0.30 mtpa. By applying the correct annual production figure of 0.27mt and the best estimate of reserves of 13 mt, a more appropriate calculation shows the existing landbank to be 48 years, being well beyond the Plan period. Modifications **MM46**, **MM47** and **MM48** put in place these amendments to comply with national policy.
74. Most of the crushed rock reserves come from Portland stone deposits on the Isle of Portland where the Plan's strategy is to relinquish planning permissions for extraction in certain areas. However, the background paper on Portland stone<sup>34</sup> indicates that crushed rock is unlikely to be affected by this relinquishing strategy. Consequently, it should not impact on crushed rock reserves.

#### *Marine Dredged Aggregates*

75. The Framework states that all supply options must be considered when preparing LAAs, including marine dredged sources<sup>35</sup>. Whilst marine dredged aggregates make a relatively small contribution to supply, they are nonetheless of importance.

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<sup>30</sup> MSDCC-1, Tables 4 & 6

<sup>31</sup> ¶ 145 1<sup>st</sup> and 6<sup>th</sup> bullets

<sup>32</sup> ¶ 6

<sup>33</sup> MSSD12 & 12a

<sup>34</sup> MSDCC-10

<sup>35</sup> ¶ 145 1<sup>st</sup> bullet



76. The management of marine sources of aggregates needs to take account of important marine wildlife, habitats, geology and geomorphology, and to minimise impacts on biodiversity and geodiversity, the Framework suggests mapping components of ecological networks<sup>36</sup>. The MS does not contain such a map for marine designations and, therefore, to remedy this deficiency modification **MM49** is recommended which adds in a Figure showing Marine Protected Areas and Recommended Marine Conservation Zones.

*Secondary Sand and Gravel associated with Ball Clay*

77. Extraction of sand and gravel associated with Ball Clay workings contributes to the aggregate landbanks. However, the Ball Clay deposits coincide with the Dorset AONB, from where the Plan seeks to limit aggregate extraction to protect this designated area. In balancing competing preservation and economic considerations, I take the view that the restriction on aggregate production to the overburden and interburden that must be dug to access the Ball Clay is justified. However, limiting the volumes that can be produced, or referencing the scale of production to other existing sites, is not.
78. It is more appropriate to assess acceptable volumes of sand and gravel on the merits of each proposal and in accordance with a comprehensive set of criteria. Accordingly, to justify the policy, modifications **MM74**, **MM75**, **MM76** and **MM77** to Policy BC3 (Extraction of Sand and Gravel in association with Ball Clay within the AONB) and its supporting text, encompass such changes and amend the relevant criteria.

*Transportation of Aggregates*

79. The use of rail depot and wharf facilities within the Plan area to service the movement of aggregates could contribute positively to the sustainable transport of minerals. Therefore, Plan Policy AS4 (Wharves and Depots) encourages new mineral handling rail depots and wharves. Nonetheless, given the limited opportunities for such facilities in the Plan area, to justify the policy, more positive wording is required. This is achieved by recommended modification **MM50**, which permits new depots and wharves where need can be demonstrated. However, to make it clear that such proposals are, nonetheless, subject to compliance with other Plan policies, and particularly to protect European sites, modification **MM51** is recommended, which more appropriately addresses these considerations.

*Assessment*

80. Subject to the identified MMs, the MS provides sufficient opportunities for a steady and adequate supply of aggregates, including recycled and secondary materials, in the most appropriate areas. I, therefore, find the modified aggregates strategies to be sound.

**Issue 4 - Whether the most appropriate balance has been reached in providing sufficient opportunities for the supply of Ball Clay, whilst maintaining a suitable level of protection for sensitive receptors.**

81. Ball Clay is of international importance and is relatively scarce globally. Hence

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<sup>36</sup> ¶1117 2<sup>nd</sup> bullet

its contribution to the area's economy is substantial. Commercial deposits within the UK are only found within the Wareham Basin and in two areas of Devon. However, a large part of the Wareham basin is within the Dorset AONB and its coastline forms a section of the Dorset and East Devon Coast World Heritage Site (WHS). It also contains the Purbeck Heritage Coast, as well as extensive areas designated for their national and international nature conservation importance including Ramsar sites, Special Protection Areas (SPAs), Special Areas of Conservation (SACs), Site of Special Scientific Interest (SSSI) and National Nature Reserves.

82. When considering these competing interests, it is helpful to understand spatially where the ecological designations lie in comparison to Ball Clay deposits. As the Framework advises that local ecological networks should be identified and mapped to minimise impacts on biodiversity and geodiversity<sup>37</sup> **MM52** is recommended, which inserts a plan showing Ball Clay sites and ecological designations.
83. A Landscape and Ecological Impact Assessment<sup>38</sup> was undertaken to consider the constraints associated with further Ball Clay extraction from Ball Clay bearing areas. In general terms it demonstrated that in these sensitive areas visual impacts would largely be severe or substantial, and effects on ecological designations would be adverse. However, the Assessment was done primarily at a strategic level and further detailed assessments will be required for allocations in the MSP and for planning applications. Therefore, to ensure effectiveness, modifications **MM56** and **MM57** are recommended to set out this intention.
84. There are no national guidelines for the supply of Ball Clay or landbank requirements. The MPAs have based estimates of future demand on historic trends as shown in the background paper on Ball Clay<sup>39</sup>, and on discussions with the industry. Provision of up to 250,000 tpa is agreed between the MPAs, the industry and Devon County Council<sup>40</sup> in whose administrative area the other UK Ball Clay deposits are situated, which are blended with grades of Ball Clay from the Wareham Basin. As this figure is higher than the past average of 220,000 tpa<sup>41</sup>, it should be justified by explaining that it provides flexibility, so that the industry can react to changing circumstances and market fluctuations, in accordance with the Government's commitment to secure economic growth through planning. This is achieved by modification **MM53**, which provides reasoned justification.
85. In order to assess the need for future additional reserves it is essential to understand what reserves already exist. The reserve figure stated in the MS is incorrect and requires amending from 1.2 mt to 1.5 mt which, if used at the rate of 250,000 tpa would give a projected lifespan of 6 years rather than the 5 to 6 years stated. If, however, the historical average continues, reserves will last longer than 6 years. Also, as the status of recent planning applications impacts on reserve levels, this should be brought up to date to indicate the current position. The Plan does not reflect this situation and,

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<sup>37</sup> ¶ 117 2<sup>nd</sup> bullet

<sup>38</sup> MSDCC-06

<sup>39</sup> MSDCC-04

<sup>40</sup> SoCG 01 & SoCG 06

<sup>41</sup> For the 7 year period 2005-2011 (MSDCC-04)

therefore to do so and to make the Plan effective, modifications **MM54**, **MM55** and **MM60** are recommended.

86. The MPAs have calculated the potential need for additional reserves to 2028, by stating the overall requirement and deducting estimated existing reserves. Taking the amended reserve figure of 1.5 mt, the overall additional demand for the Plan period comes to 2.5 mt rather than the 3.05 mt stated in the Plan. Therefore, to make the Plan effective, modification **MM58** is recommended, which appropriately reflects estimated demand.
87. Due to the identified constraints in the Plan area, there are issues with deliverability of this level of Ball Clay, as discussed below. Consequently, to ensure that the Plan is effective, modification **MM59** is recommended, which indicates that, rather than being a requirement, the production of 2.5 mt is an aspiration.
88. Economic constraints exist to identifying sites for allocation in the MSP. This is because of the significant investment involved in undertaking the complex geological investigations and environmental assessments required to have a site allocated. Consequently, the evidence suggests that insufficient sites will come forward to maintain production at 250,000 tpa throughout the Plan period.
89. Nonetheless, some potential sites have already been identified, which are likely to provide about 870,000 t. Taken together with existing reserves of 1.5 mt, the resulting overall supply level of 2.37 mt is said to be deliverable. This supply would last for just short of 10 years. However, 870,000 t is considerably less than the additional 2.5 mt required, and leaves a shortfall of 1.63 mt.
90. However, the Plan builds in flexibility for additional non-allocated sites to come forward, and I understand that the industry is confident that it will be able to identify additional viable Ball Clay deposits of about 2.0 mt<sup>42</sup>. If it cannot, then there are provisions to review the MS and set more achievable levels of provision. The Plan does not adequately explain this mechanism and therefore, to rectify this, modifications **MM60**, **MM61**, **MM62** and **MM64** are recommended, to ensure its effectiveness.
91. Whilst the MS aims to deliver a sufficient supply of Ball Clay without causing significant environmental effects, there could be circumstances where the economic benefits of extracting Ball Clay outweigh the harm, so that the planning balance tips in favour of the Ball Clay extraction. Although special protection is afforded to European sites<sup>43</sup> to ensure generally that their integrity is not affected<sup>44</sup>, in exceptional circumstances, where there are no alternative solutions, and imperative reasons of overriding public interest (IROPI) exist, development might be able to proceed, subject to compensatory measures being taken to ensure that the overall coherence of the Natura 2000

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<sup>42</sup> MSDCC-04

<sup>43</sup> As defined in the glossary to the Framework; ¶ 118 6<sup>th</sup> bullet also lists those sites which should be given the same protection as European sites

<sup>44</sup> Article 6(3) of the "Habitats Directive" 92/43/EEC, as implemented in England and Wales by the Conservation of Habitats and Species Regulations SI 2010 No. 490 (as amended)

network is maintained<sup>45</sup>.

92. As deliverability of the required amount of Ball Clay is uncertain for the full Plan period, in order to meet demand for particular grades of clay, deposits might have to be worked which could result in impacts on European sites. In such circumstances, and where the international importance of the Ball Clay reserve at any given site can be demonstrated, it might conceivably be considered to constitute IROPI, thereby justifying extraction, despite its harm to the integrity of a European site, albeit subject to no alternatives being available and compensatory measures being put in place.
93. The Framework indicates that local plans must reflect relevant European obligations and statutory requirements<sup>46</sup>. The MS does not clearly reflect the IROPI potential for Ball Clay and, therefore, modification **MM63** and **MM68** are recommended, which clarify that the environmental protection strategy is subject to HRA and acknowledges the IROPI tests in the Habitats Directive that apply, thereby fully reflecting national policy.
94. The Ball Clay resource is indicated as being within the Ball Clay Consultation Area, which was originally defined in 1953 and has recently been reviewed<sup>47</sup> in consultation with the Kaolin and Ball Clay Association, and takes account of a recent BGS mineral resource appraisal<sup>48</sup>. On this basis, I am satisfied that the Ball Clay resource is appropriately demarcated by the Ball Clay Consultation Area as depicted in Figure 13 and the Submission Policies Map.
95. Within this Consultation Area the MS defines "Areas of Least Environmental Sensitivity" (ALES) where, it is said, sites are more likely to be environmentally acceptable. However, because there are some environmentally sensitive areas within these ALES, to avoid conveying the wrong impression and to justify the description, it is proposed to change the name to "Areas of *Less* Environmental Sensitivity". This name change is reflected in modifications **MM65, MM66 and MM67**.
96. These ALES have been delineated taking account of the Landscape and Ecology Impact Assessment<sup>49</sup>. Nonetheless, there are areas within the ALES where extraction on any scale would be inappropriate, including Sites of Nature Conservation Interest (SNCIs). To justify the extent of the ALES, these sensitive areas need to be omitted. Modification **MM67** does this. Currently Figure 13, which depicts the ALES, inappropriately includes these sensitive areas. Therefore, to justify this figure, **MM71** is recommended, which removes them.
97. When identifying future sites, the Plan requires ALES to be the starting point, and Plan Policy BC1 expects large scale sites to come forward from within these ALES. However, the MPAs acknowledge that, due to their complex geology, restricting development to ALES would not allow for a steady supply of the range of grades of Ball Clay required. Consequently, provision should be made for sites to come forward from outside of the ALES in appropriate

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<sup>45</sup> Article 6(4) of the "Habitats Directive" 92/43/EEC

<sup>46</sup> Introduction ¶ 2

<sup>47</sup> MSDCC-15

<sup>48</sup> MSDCC-05

<sup>49</sup> MSDCC-06

circumstances, after taking particular account of any impact on nearby European sites.

98. Therefore, to make the MS effective, modification **MM72** is recommended, which removes the reference to ALES from Policy BC1 and indicates that provision of the targeted supply of up to 2.5 mt over the Plan period will come from within the Ball Clay Consultation Area subject to meeting certain criteria. Moreover, to justify the Plan, it also removes the reference to scale, and includes the IROPI exception test for impacts on European sites by referring to the Article 6(4) Habitats Directive<sup>50</sup>. As the ALES are omitted from Policy BC1, unless they are also removed from the Submission Policies Map, Policy BC1 will be unsound. Modification **MM218**, therefore, removes the ALES from the Submission Policies Map.
99. The supporting text also requires amendment to bring it in line with Policy BC1. Therefore, modifications **MM65**, **MM66**, **MM70** indicate that, whilst site investigation should be directed towards ALES, proposals will be required from the wider Ball Clay Consultation Area. Also, given the sensitivity of the area, they refer to the close proximity of potential Ball Clay sites to European sites, the role of HRA<sup>51</sup>, and the possible need for an AA.
100. However, the MS does not propose allocating sites that would adversely affect the integrity of European sites. To make this clear, and to ensure that the Plan conforms to the ecological protection measures in the Framework<sup>52</sup>, modification **MM69** is recommended.
101. Nonetheless, whilst acknowledging that sites may potentially come forward, for which the IROPI exception might need to be tested<sup>53</sup>, the MPAs wish to stress that, at present, there is no evidence to show that an adverse effect on the integrity of a European site is a real possibility, to the extent that it would create problems for the delivery of the strategy. Consequently, modification **MM68** is recommended to reflect this position and to justify the Plan.
102. With respect to the transportation of Ball Clay, the MS, in recognising the sensitivity of the Wareham Basin, seeks to control the impacts of transport by reducing road use. However, Policy BC2 (Ball Clay Transportation), simply refers to the expectation that alternative means of transport will be used without referring to any particular mode, thereby making it ineffective. Consequently, to render the policy effective, modification **MM73** is recommended to clarify that the intention is to promote alternatives to road borne transportation. Also, Policy BC2 requires such alternatives whenever there are "adverse impacts". This is too restrictive and lacks flexibility. Therefore, to justify the policy, modification **MM73** is recommended to amend the wording to "unacceptable adverse impacts".

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<sup>50</sup> In essence, Article 6(4) allows a plan or project to proceed if IROPI is demonstrated, in spite of a negative assessment of its implications for a European site, as long as there are no alternative solutions and provided that necessary compensatory measures are taken to ensure the overall coherence of Natura 2000.

<sup>51</sup> Under the Conservation of Habitats and Species Regulations SI 2010 No. 490 (as amended) which implements the Habitats Directive

<sup>52</sup> ¶ 17 (Core Principles) 7<sup>th</sup> bullet point; section 11 *Conserving and enhancing the natural environment*

<sup>53</sup> Under Article 6(4) of the Habitats Directive

103. The MS provides for an appropriate level of supply of Ball Clay. By flexibly allowing for extraction outside of the ALES, the supply levels stand a reasonable chance of being delivered. However, if deliverability becomes an issue, there are mechanisms built into the Plan to review the strategy. Given the sensitive nature of the Ball Clay bearing areas, the MS incorporates significant protection measures for sensitive receptors, although it recognises that in exceptional circumstances the importance of extracting Ball Clay could be overriding.

104. With the recommended modifications, the most appropriate balance has been reached in providing sufficient opportunities for the supply of Ball Clay, whilst maintaining a suitable level of protection for sensitive receptors. Therefore, I find that the modified MS is sound with respect to Ball Clay.

### **Issue 5 – Whether sufficient opportunities are provided in the most appropriate areas for an adequate, deliverable supply of Purbeck Stone.**

105. There are no national guidelines for the supply of Purbeck Stone. Therefore, the MPAs have based their estimate of future demand on historic trends. The evidence<sup>54</sup> shows that annual output over the period 2004 to 2010 varied from 15,000 t to 24,000 t, making the average about 18,000 tpa.

106. However, Policy PK1 (Provision of Purbeck Stone) requires at least 143,000 t to be supplied over the Plan period, based on around 25,000 tpa. This may not be deliverable. Therefore, through discussions with the industry, an average of at least 20,000 tpa has been agreed to be adequate<sup>55</sup>, whilst building in flexibility for growth. Therefore, taking account of existing reserves of about 238,000 t, the level of saleable Purbeck Stone required to the end of the Plan period is about 102,000 t<sup>56</sup>. However, this should expressly omit Purbeck Marble and Burr, for which I understand there is a separate small, unpredictable market. To incorporate the most appropriate figures and to properly reflect this position modifications **MM78, MM79, MM80** and **MM81** are recommended to the policy and its supporting text.

107. The MSP will be the main vehicle for making provision for the supply of Purbeck Stone through site allocations and, I understand, that sites are expected to come forward to meet the stated minimum level of demand. Nonetheless, to be flexible, the MS also provides for unallocated sites to come forward, albeit Policy PK2 states that allocated sites will be granted in preference to unallocated sites unless the latter is required to maintain supply.

108. However, for the Plan to be effective, further explanation is required of when this may occur. This is done by modifications **MM82, MM84** and **MM87** to Policy PK2 and its supporting text, which make it clear that provision for Purbeck Stone will be through identification of sites in the MSP, but that unallocated sites may be permitted in certain circumstances. These circumstances are where there is evidence that an allocated site will not be developed, or an allocated site does not contain sufficient workable stone, or there is a need for a specific bed of stone that cannot be delivered from existing permitted or allocated sites.

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<sup>54</sup> MSDCC-07 Background Paper on Purbeck Stone

<sup>55</sup> SoCG 04 between the MPAs and Lovell Purbeck Ltd

<sup>56</sup>  $(20,000 \times 17) - 238,000 = 102,000$

109. The whole of the Purbeck Stone resource lies within the Dorset AONB and partially within the Heritage Coast. To appropriately protect these and other sensitive areas, the MS generally requires proposals for new sites to come from the Area of Search (AoS) shown on the Submission Policies Map. This AoS is based on the "zone of least landscape and visual sensitivity" as delineated in the Purbeck Stone Resource Area Landscape and Visual Study<sup>57</sup> but excluding Durlston Country Park SNCI.
110. However, there are other constraints within the AoS such as access issues, proximity to residential receptors, areas already wholly or partially worked out, and the uncertain quality of the stone. Furthermore, the National Trust owns a proportion of the AoS and restricts the annual output of mineral from its land. Therefore, to provide sufficient quantities of the range of Purbeck Stone, it might be necessary to extract deposits from outside of the AoS.
111. Although Policy PK2 allows for small scale extraction from outside of the AoS, proposals generally are directed to within the AoS. This may be too restrictive to allow for a sufficient supply of the range of Purbeck Stone, and does not take account of environmental, economic, and social benefits that may result from certain applications outside of the AoS.
112. Consequently, to provide flexibility and ensure deliverability, and to take account of the three dimensions of sustainability within the Framework<sup>58</sup> the scope for extraction needs to be widened. To achieve this, modifications **MM83, MM84, MM86** and **MM87** to Policy PK2 and its supporting text, enable unallocated sites to come forward from outside of the AoS in certain circumstances and subject to amended criteria, whilst maintaining the AoS as the starting point for applications. The reference to small scale extraction is also removed. This provides a more appropriate balance by allowing development where, in essence, there is a need for a particular bed of stone, or it can be demonstrated that there would be a net environmental, economic or social benefit compared to similar development within the AoS, subject to satisfying criteria aimed largely at protecting the environment.
113. Additional guidance is required for Purbeck Marble and Burr, for which there are limited deposits that occur largely outside of the AoS. Therefore, it is unlikely that sufficient stone of these types will be available from within the AoS. Whilst the modifications to Policy PK2 provide opportunities for extraction outside of the AoS, modification **MM85** provides specific reference to the known areas of outcrops for both stone types, and gives consideration to their particular uses in Dorset settlements and for major historic buildings elsewhere. This renders the MS effective for Purbeck Marble and Burr.
114. Due to the Purbeck Stone resources being in a sensitive and fairly remote location it is important to control the adverse impacts of minerals development in this area. Consequently, the importation of stone is restricted as it can increase lorry movements and the visual impact associated with stone storage. However, Policy PK5 (Importation of Stone from Outside Purbeck) does not make it clear what is meant by "outside Purbeck" and could, therefore, prove confusing and undeliverable. Accordingly to rectify this deficiency,

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<sup>57</sup> MSDCC-08

<sup>58</sup> ¶ 7

modification **MM88** is recommended which clarifies that the restriction applies to stone arising from outside Purbeck Stone quarries.

115. With the recommended modifications, the MS provides for an adequate, deliverable supply of Purbeck Stone from the most appropriate areas. Accordingly, I find that the modified strategy for Purbeck Stone is sound.

### **Issue 6 – Whether the strategy for maintaining the supply of Portland Stone is the most appropriate.**

116. There are no national guidelines for the supply of Portland Stone. Therefore, the MPAs have based their estimate of future demand on historic trends and discussions with the industry. Permitted reserves stand at about 450,000 cubic metres<sup>59</sup> which, based on an output in the order of 10,000 cubic metres per annum, would last for about 45 years, well beyond the Plan period.

117. The Whitbed and Basebed are the main freestone beds used for dimension stone, with Roach being used far less due to its "shelly" appearance. Whilst the MPAs do not hold separate figures on the reserves of each of the stone beds, I am told that from estimates of gross volumes<sup>60</sup> of Whitbed and Basebed reserves, and based on historical average output, approximately 28% of both of these bed types would be used up during the plan period<sup>61</sup>. Consequently, overall provision of these two types of dimension stone during the Plan period seems adequate.

118. The areas covered by existing permissions are shown in Figure 17 of the MS. However, the planning permission for Bowers Mine has expired and, therefore, modification **MM89** is recommended to remove this site from Figure 17 to effectively reflect the current position.

119. Most Portland Stone is extracted under an extant composite planning permission granted in 1951, which covers a large part of the Isle of Portland, although other later permissions have also been granted. This 1951 permission has resulted in minerals operations having a significant impact on the landscape, ecology and living conditions, as confirmed in the "Isle of Portland Landscape Assessment"<sup>62</sup>. This Assessment also indicates that additional surface quarrying outside of permitted areas would have a negative cumulative impact on the island's character.

120. Although permitted quarrying at a number of sites has been modified under the Habitats Regulations, and legal agreements have restricted operations at others, a strategy is required to address the overall cumulative impact. Accordingly, the MS contains a presumption in favour of mining, which provides an opportunity for continued extraction of Portland Stone with less impact on the landscape and sensitive receptors.

121. To promote this strategy Policy PD1 (Underground Mining and High Wall Extraction of Portland Stone) permits mining and high wall extraction applications subject to certain criteria. However, to avoid confusion and to

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<sup>59</sup> Equivalent to 990,000t at a conversion rate of 2.2t per cubic metre

<sup>60</sup> Based on bed heights and workable area

<sup>61</sup> Assuming a 25% yield

<sup>62</sup> MSDCC-11



ensure the Policy is effective, modification **MM90** is recommended to clarify that the MPA will be the body who determines whether the criterion on impact avoidance and mitigation measures for mine entrance creation is met.

122. Potential areas for mining opportunities in the north and the south of the Isle of Portland are identified in Figures 18 and 19 respectively. Identification is based generally on the presence of Portland Stone, the practical potential for mining, and accessibility from existing quarries, mines or mining permissions<sup>63</sup>. However, Figure 18 should include an additional area south of Jordan's Mine and Reforne. Therefore, to justify the extent of the areas of opportunity, Figure 18 is modified by **MM91** to show this additional area.
123. To further justify the areas of opportunity and to avoid confusion over the strategy and ensure effectiveness, some explanation of the purposes of the areas of opportunity is required. This should include clarification that their identification does not imply a presumption in favour of granting planning permission or a presumption over other sites. Modifications **MM91** and **MM92** add appropriate explanatory text to Figures 18 and 19 respectively.
124. To promote the presumption in favour of mining further, the MS seeks to limit new surface quarrying permissions to proposals that can demonstrate exceptional circumstances. However, I am told that one of the two producers of Portland Stone on the Isle has recently invested large sums of money in plant and machinery geared towards its open cast operations, and cannot afford to switch to mining at this stage.
125. Consequently, there is a risk that such a restrictive policy could have significant economic implications for the Portland Stone industry, possibly resulting eventually in the Isle's duopoly becoming a monopoly. This would be contrary to the Framework, which encourages the building of a strong competitive economy<sup>64</sup>.
126. Therefore, to ensure consistency with national policy and to redress the balance, modifications **MM93** and **MM94** are recommended to Policy PD2 (Surface Quarrying of Portland Stone) and its supporting text, which remove the reference to exceptional circumstances whilst indicating that surface quarrying permissions will only be granted where proposals would result in a net environmental gain.
127. The MS also identifies areas within the 1951 permission that are sensitive to surface quarrying and categorises them as preferred areas for voluntary relinquishment and areas where the establishment of a buffer is preferred. These areas, based on a range of potential impacts including landscape, ecology, archaeology, living conditions and economy<sup>65</sup>, are shown in Figures 20 and 21 for the north and south of the Isle respectively. Whilst I am content that the areas are justified, they are not readily recognisable on the Figures and this could lead to confusion. Therefore, to ensure that they are effective, modification **MM95** depicts these areas more appropriately by showing the red line permission boundary as the top layer and by re-labelling indicative buffer areas.

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<sup>63</sup> MSDCC-10 Background Paper on Portland Stone

<sup>64</sup> ¶¶ 18 to 21

<sup>65</sup> MSDCC-10 Background Paper on Portland Stone

128. With respect to the areas where a stand-off is required, the Plan suggests that the MPA would expect the establishment of a substantial buffer. However, there may be circumstances where a substantial buffer will not be needed. Therefore, to introduce more flexibility, and in the interests of deliverability, modification **MM96** is recommended which changes "substantial" to "appropriate".
129. The Review of Old Mineral Permissions (ROMPs)<sup>66</sup> plays an important role on Portland and Plan Policy PD4 (Minimising Impacts of Existing Permissions on Portland) seeks to achieve various protection measures through the ROMP process and by voluntary agreement. However, it does not refer to Biodiversity Action Plan (BAP) priority habitats, which require protection and should be included in accordance with the biodiversity provisions of the Framework<sup>67</sup>. This is achieved by modification **MM97** to Policy PD4, which renders it consistent with national policy.
130. Furthermore, BAP priority habitats should be considered when restoration proposals are put forward for Portland quarries, as should the creation of the Portland Quarries Nature Park. Modifications **MM98**, **MM99** and **MM100** to Policy PD5 (Restoration of Sites on Portland) and its supporting text achieve this and justify the restoration strategy.
131. Overall the strategy for dealing with the various competing interests is justifiably balanced. On the one hand it provides sufficient opportunities in the right locations for extracting the stone, whilst on the other hand it seeks to achieve adequate protection for sensitive receptors and opportunities for enhancement of the landscape and local ecology. Accordingly, with the recommended modifications, I find that the strategy for maintaining the supply of Portland Stone is the most appropriate, and that the MS is sound in this respect.

**Issue 7 – Whether the strategy for producing onshore hydrocarbons strikes the right balance between economic considerations and protection of the environment.**

132. Although oil and gas operations are subject to licence issued by the Department of Energy and Climate Change, drilling and other sundry operations still require planning permission. Planning applications for hydrocarbons development should only come forward from within licensed areas, although the MS does not make this clear. Therefore, in order to be effective, modification **MM105** specifically explains this requirement.
133. Many of the current licensed areas are in environmentally sensitive areas containing designated sites including European Sites. Some licensed areas coincide with the Dorset AONB, and others are within the Dorset and East Devon Coast World Heritage Site. Consequently, it is crucial to ensure that adequate protection is afforded to these sensitive areas. To minimise impacts, and in accordance with the Framework<sup>68</sup>, designations should be identified and mapped. The hydrocarbons chapter of the MS does not contain such a map.

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<sup>66</sup> Introduced under the Environment Act 1995 and intended to bring old minerals permissions up to modern environmental standards by modifying conditions.

<sup>67</sup> See particularly section 11

<sup>68</sup> ¶ 117 2<sup>nd</sup> bullet

Consequently, **MM104** and **MM106** rectify this omission.

134. Oil and gas hydrocarbons are primary sources of energy, which support economic growth, and the MS appropriately supports their exploration, appraisal and production. When considering planning applications for these minerals an understanding of business need and the economic market is needed, thereby requiring account to be taken of the technical feasibility and economic viability of operations, as indicated in the Framework<sup>69</sup>. The Plan does not adequately provide for this. Therefore, despite FoE's representations, I am satisfied that recommended modification **MM107** is required to ensure consistency with national policy.
135. During the appraisal phase, it is often necessary to remove oil by tanker, and the MS indicates that tanker movements may need to be restricted. However, this may not always be reasonable and, therefore, it is unjustified. A more appropriate method of control would be to consider the number of tanker movements as part of the acceptability of a proposal. Therefore, modification **MM108** is recommended to rectify this defect.
136. Policy HY1 (Proposals for Exploration and Appraisal), and Policy HY2 (Proposals for Production Facilities and Ancillary Development) are criteria based policies for granting planning permission. One of the criteria requires mitigation of adverse impacts, but is silent on avoidance of such impacts. It would be more appropriate to require adverse impacts to be avoided or mitigated. Given the nature of oil and gas operations, there should also be a criterion which protects the underlying integrity of the geological structure. The policies do not adequately deal with this. Therefore, to justify Policies HY1 and HY2, modifications **MM109** and **MM110** are recommended, which appropriately amend the criteria.
137. The hydrocarbons strategy seeks in essence to prescribe the content of conditions that would be likely to be imposed on planning permissions. However, the MS is not the most appropriate place to deal with conditions, and the provision could reduce flexibility at the application stage when conditions are being negotiated. Consequently, to justify the strategy, modification **MM111** removes the reference to the specific matters proposed for conditioning.
138. The oil and gas fields in the Plan area are typically located in relatively remote places. Therefore, the MS seeks to transport hydrocarbons by pipelines and railways wherever practicable. However, pipeline movement is generally more feasible than rail. Consequently, it would be more appropriate to encourage pipelines in the first instance, and if this were not feasible, to consider rail or road. Accordingly, to justify the strategy, modifications **MM112** and **MM113** are recommended to Policy HY3 (Transportation of Hydrocarbons) and its supporting text to promote pipeline movements where feasible.
139. The Wytch Farm licensed area is interspersed with BAP priority habitats and, therefore, in accordance with the biodiversity provisions of the Framework<sup>70</sup>, restoration should aim for their enhancement. Whilst the Wytch Farm restoration provisions seek to improve protected areas, it would be more

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<sup>69</sup> ¶ 160 2<sup>nd</sup> bullet

<sup>70</sup> See particularly section 11

appropriate to make specific mention of BAP habitats and to aim for their creation as part of the restoration process. To achieve this, modification **MM114** is recommended, which seeks to maximise opportunities for habitat improvement and creation, thereby justifying the strategy.

140. The Framework encourages underground gas and carbon storage and associated infrastructure if local geological circumstances indicate its feasibility<sup>71</sup>. In Dorset it is known that there is a thick layer of Triassic rock salt with the necessary properties for underground gas storage, and suitable for the creation of salt caverns through solution mining. Planning permission has already been granted for underground salt cavern storage on Portland, which is expected to be constructed and brought into operation during the Plan period. There is further potential for increasing the capacity and, therefore, in accordance with national policy, Policy HY5 (Underground Gas Storage & Carbon Storage) sets down appropriate criteria for permitting underground storage facilities.
141. The hydrocarbons policies are able to cover shale gas extraction, should such an application be made, and there is no need for a separate policy on hydraulic fracturing. Whilst representations have been made by local residents about their concerns regarding ground stability and groundwater contamination amongst other things, the MS provides a robust and sufficiently comprehensive framework for assessing such impacts.
142. The onshore hydrocarbons strategy takes account of competing economic and environmental considerations and with the recommended modifications it strikes the right balance between them. On this basis I find the modified hydrocarbons section of the MS to be sound. In reaching this conclusion, I have fully considered FoE's objections to certain hydrocarbons MMs, although nothing within these representations persuades me that this modified section of the Plan is unsound.

### **Issue 8 – Whether appropriate opportunities are provided for the adequate supply of other minerals.**

#### *Other building stone excluding Purbeck and Portland Stone*

143. The Plan has a strategy for "other building stone extraction" excluding Purbeck and Portland Stone, and refers to a variety of limestones and sandstones which have historically been quarried and used to construct small towns and villages throughout Dorset. However, it has omitted to mention flint, which is used either as a building stone or as an aggregate. To ensure that flint is properly included and to justify the strategy, modification **MM101** is proposed, which explains the significance of flint.
144. The quarrying of local stone is important to maintain the distinctiveness of Dorset's small towns and villages, and this is a consideration which should be expressly stated in the Plan. Therefore, to justify the strategy, modification **MM102** is recommended which refers to local character.
145. There is a continued need for these "other building stones" although, given the extensive presence of historic quarries in Dorset, which hold a large variety of

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<sup>71</sup> ¶ 147 2<sup>nd</sup> bullet point

stone resources, it is difficult to predict future demand for any particular type of stone. Therefore, the most appropriate strategy for the Plan is to simply make provision for supply through a criteria based policy.

146. The MS makes provision for proposals for small scale building stone quarries other than Purbeck and Portland Stone, subject to the criteria in Policy BS1 (Building Stone Quarries). However, to provide the right balance and justify the policy it must be clear that all of the criteria need to be met. Modification **MM103** resolves this.

147. With the recommended modifications, the MS is sufficiently flexible to provide appropriate opportunities for the adequate supply of other building stone, excluding Purbeck and Portland Stone. In this regard the modified Plan is sound.

#### *Other minerals*

148. The MS covers three other mineral deposits found in the Plan area, namely, common clay (brick clay), chalk and silica sand (industrial sand). Figure 24 shows the locations of sites extracting these minerals, although it has omitted Masters Pit, which supplies silica sand. To justify the figure, modification **MM118** is recommended which rectifies this omission.

149. There is only one operational clay pit and brickworks in the Plan area, which is at Godlingston Brickworks, near Swanage. This is where Wealden clays are extracted for the on site production of bricks that are characteristic of the local area, and also for specialised markets.

150. The Framework requires MPAs to plan for the steady and adequate supply of brick clay by, amongst other things, providing a stock of at least 25 years of permitted reserves to support the level of actual and proposed investment for plant and equipment<sup>72</sup>. Current reserves at Godlingston are thought to be in excess of 25 years based on the geological understanding of the site. This is sufficient for the Plan period.

151. Given the small scale of brick production in the Plan area, there is no need for any specific policies on common clay. Should any applications come forward, they can be appropriately assessed against the Plan's DM policies.

152. Chalk is widely found in the Plan area, but demand is low. Due to its quality, its end uses have been generally limited to agricultural dressings, lime mortars and as a low grade fill material. There is only one permitted site, which is near Maiden Newton, and this supplies chalk for spreading on fields as an agricultural improver and to use on cow tracks and cattle shed floors. It is thought that this site has sufficient reserves for around 23 years. This is sufficient for the Plan period.

153. As chalk production in the Plan area is small scale and demand is low, it does not require any specific policies in the MS. Should any applications come forward, they can be appropriately assessed against the Plan's DM policies.

154. Silica sand in the Plan area is primarily supplied from the Poole Formation

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<sup>72</sup> ¶ 146 3<sup>rd</sup> bullet

deposits, which are also an important source of construction aggregate. Their industrial/semi-industrial uses are on a modest scale and include foundry sand, manufacture of fibre-glass, brick-facing, horticulture, equestrian and play area sand.

155. The Framework requires MPAs to plan for a steady and adequate supply of industrial minerals, which includes a requirement to provide a stock of permitted reserves of at least 10 years for individual silica sand sites<sup>73</sup>. There are no sites in the Plan area, which extract silica sand solely for industrial use, as site deposits are also used for aggregate purposes. Therefore, the MPAs have indicated that it is not possible to identify a 10 year silica landbank for any particular site based on the figures they have for combined output. Nonetheless, pragmatic measures should be put in place to attempt to address the issue, which is not adequately dealt with in the MS.
156. Consequently, to ensure that the Plan is consistent with national policy, modification **MM115** is recommended. This states that the MPAs will annually monitor the levels of output of both aggregate and non-aggregate sand, and for the latter, an average of the last three years production figures will be used to derive a 10 year landbank figure for each of the relevant sites<sup>74</sup>. By undertaking this exercise, it should be apparent whether there are sufficient reserves for future demand.
157. The extent of any particular site's landbank will be indicative of any need for a new planning permission, which should be subject to adverse impacts being satisfactorily dealt with. As this is not fully reflected in the Plan, modifications **MM116** and **MM117** are recommended to Policy IS1 (Industrial Sand) and its supporting text, which make this position clear and justify the Policy.
158. With the recommended modifications, the MS provides appropriate opportunities for the adequate supply of these other identified minerals, and is sufficiently flexible to properly deal with any uncertainties. On this basis, I find that this part of the modified Plan is sound.

### **Issue 9 – Whether the minerals safeguarding provisions are the most appropriate.**

159. The Framework requires Minerals Safeguarding Areas (MSAs) to be defined for specific mineral resources of local and national importance<sup>75</sup>, and in accordance with this provision, the MS identified MSAs for sand and gravel, building stones, Ball Clay and the existing brick clay reserve near Swanage<sup>76</sup>. Whilst hydrocarbons are also of importance, they are found so deep underground that the MPAs do not consider it necessary to safeguard this resource, although the sites where they are extracted and processed are safeguarded. From the evidence, I am satisfied that the selection of minerals for safeguarding is justified.
160. The purpose of MSAs is to avoid needless sterilisation of the identified minerals

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<sup>73</sup> ¶ 146 3<sup>rd</sup> bullet

<sup>74</sup> As set out in ¶ 53 of the Technical Guidance to the National Planning Policy Framework

<sup>75</sup> ¶ 143 4<sup>th</sup> bullet point

<sup>76</sup> The reasoning behind this selection is found in MSDCC-15 Background Paper on Safeguarding

at locations known to contain these specific resources<sup>77</sup>. The BGS suggests that MSAs should normally cover the whole resource and not be curtailed by other planning considerations<sup>78</sup>. However, the MS, whilst basing MSAs on BGS data<sup>79</sup>, does not safeguard the entire resource as the MPAs believe that this would be overly restrictive to other non-mineral developments and would place an unnecessary consultation burden on local planning authorities, particularly in urban areas where the viability of regeneration schemes and new proposals could be at stake.

161. The various MSAs are extensive without the excluded areas, and the coincidence of the excluded areas with the mineral resources is relatively small, thereby reducing the potential impact of the exclusions on minerals production. Furthermore, the economic considerations of non-mineral development in the excluded areas carry weight and, taking this into account, on balance, I find there is a need for the exclusions, and therefore, the MPAs' approach is justified.
162. The mineral resources excluded from MSAs in the Plan comprise a) previous and current workings, b) roads, c) urban areas, and d) proposed urban extensions. However, previous workings may still contain important viable resources and current workings could be encroached upon before mineral extraction was complete. Therefore, category a) should be amended so that it only excludes previous workings where the mineral resource is exhausted. Also the term "urban areas" is vague and, as the MPAs' intention is to exclude land within identified settlement boundaries, category c) should be amended to reflect this.
163. The sand and gravel MSA does not include the sand and gravel resource within the open operational land of Bournemouth International Airport. There is no justified reason to exclude this land. Therefore, the Plan should be amended to include this area, so that if at some time in the future any part of it is no longer required for airport use and is proposed for built development, it would be subject to the same assessment process for prior extraction as any other land within the MSA.
164. All the above amendments to the MSAs are achieved by modifications **MM119**, **MM120** and **MM121**, which justify the extent of the MSAs. The modified extent of the MSAs also needs to be reflected in the map of the MSAs, and modification **MM130** to Figure 25 is recommended to do this. Furthermore, unless the Submission Policies Map is altered to show the modified MSAs, Policy SG1 (Mineral Safeguarding Areas) will be unsound. Modification **MM218** makes the necessary amendments.
165. To justify the prior extraction of mineral resources in MSAs before non-mineral development is undertaken, the prior extraction should not leave the site incapable of development for non-mineral use. The Plan does not impose such a requirement. Therefore, to make it sound, modifications **MM122** and **MM125** to Policy SG1 (Mineral Safeguarding Areas) and its supporting text are recommended.

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<sup>77</sup> ¶ 143 4<sup>th</sup> bullet point

<sup>78</sup> MSDCC-53 BGS Good Practice Advice on Mineral Safeguarding in England

<sup>79</sup> MSLD-20 Mineral Resource Information for Development Plans: Phase One Dorset, Bournemouth and Poole; BGS

166. Representations from certain Local Planning Authorities identify potential conflict with their plans for urban extensions and the geographical co-occurrence of MSAs. The issue with Christchurch District Council is that an area of Suitable Alternative Natural Greenspace (SANG), which is required for a large housing development, is within the sand and gravel MSA. However, a SoCG<sup>80</sup> has been signed reflecting a suitable working relationship between Christchurch District Council and the MPAs to minimise any conflict between their respective Plans. Co-operative discussions have also taken place between the MPAs, North Dorset District Council and East Dorset District Council with respect to sand and gravel MSAs and urban expansion sites, and similarly between the MPAs and West Dorset District Council.
167. This co-operative strategy should be reflected within the MS to confirm how the MPA intends to approach potential conflicts of this nature, and to promote deliverability of the safeguarding strategy. Accordingly, modification **MM123** is recommended, which indicates that the MPA will co-operate with Districts and Boroughs to minimise conflicts and to ensure that relevant statutory responsibilities, including provision of SANGs, are discharged.
168. The Framework advises that prior extraction of minerals should be environmentally feasible<sup>81</sup>. However, the MS does not fully reflect this provision. Therefore, to provide balance and ensure consistency with national policy, modification **MM124** is recommended.
169. There is no requirement within the Framework to link prior extraction of minerals to MSAs and, therefore, the question arises as to whether the MS should provide for prior extraction outside of MSAs. There is nothing within the Plan which prevents prior extraction outside MSAs, although this would most likely occur on the basis of negotiation rather than requiring compliance with the Plan.
170. Whereas, a separate policy requiring prior extraction on any mineral bearing land could be included in the Plan, the MPAs take the view that this would place an unreasonable burden on non-mineral development proposals, which could affect their viability. Under these circumstances, and given the wide extent of the MSAs, I am satisfied that there is no need for any such additional policy to make the MS sound.
171. The Plan defines Mineral Consultation Areas (MCAs) based on the MSAs, as advised in the Framework<sup>82</sup>, although they do not apply to Bournemouth and Poole because these Boroughs are MPAs in their own right. Policy SG2 (Mineral Consultation Areas) does not explain this and, therefore, modification **MM126** is recommended to make it clear and to justify the policy. Pragmatically, the MS excludes the curtilage of existing property from the MCAs.
172. Policy SG2 refers to the requirement of District and Borough Councils to consult the MPA on non-minerals proposals within designated MCAs as shown on the Submission Policies Map. However, the Submission Policies Map only shows the Ball Clay Consultation Area. Therefore, unless it is amended to

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<sup>80</sup> SoCG-07

<sup>81</sup> ¶ 143 bullet point 5

<sup>82</sup> ¶ 143 bullet point 3



show all of the MCAs, Policy SG2 will be unsound. Modification **MM218** rectifies this deficiency.

173. As required by the Framework<sup>83</sup>, besides safeguarding the mineral resources, the MS also safeguards mineral facilities through Policy SG3 (Safeguarding of Mineral Sites and Facilities). Whilst the supporting text sets out a fairly comprehensive list of the types of site and facility that are included in this provision, it does not refer to oil and gas distribution facilities. Also, it includes "existing and permitted but not yet worked out quarries", which reads as though these quarries should actually be in existence for the provision to apply. However, other permitted quarries that are not yet in existence should also be covered. Modification **MM127** rectifies the list and justifies the policy.
174. Policy SG3 sets out circumstances which might constitute an exception to the rule, thereby introducing an element of flexibility into the safeguarding measures. The policy indicates that safeguarding is not required when an alternative site can be provided within an acceptable distance. However, it would be more appropriate to also include the provision of an alternative facility as an exception. Furthermore, the policy does not require unused or dormant sites to be safeguarded if they are unlikely to come back into use "during the lifetime of the Plan". It would be more appropriate to remove the reference to the "lifetime of the Plan" as such sites should be safeguarded if they are likely to be brought back into use at a later date. Therefore, to justify the Policy, modification **MM129** is recommended.
175. Moreover, the supporting text to Policy SG3 indicates that the safeguarding requirement may be set aside where it can be demonstrated, amongst other things, that there will be no adverse impacts on the "production of minerals". It would be more appropriate to extend this to "minerals or minerals products". Modification **MM128** makes this amendment to justify the supporting text to Policy SG3.
176. Overall the modified safeguarding strategy strikes the right balance between non-minerals development and safeguarding, and is robust and flexible, and capable of responding to conflicting circumstances. The modified MSAs are the most appropriate to safeguard mineral resources and associated sites and facilities, and the MCAs are the most appropriate areas within which to require consultation on non-minerals development. On this basis, subject to the identified modifications, I find this part of the MS to be sound.

**Issue 10 – Whether sufficient opportunities are provided for an appropriate range of restoration and aftercare schemes that are deliverable.**

177. The Plan's strategy for restoration and aftercare is based on landscape character types from which landscape guidelines have been produced<sup>84</sup>. Policy RS1 (Restoration, Aftercare and Afteruse of Minerals Development) requires restoration schemes to have regard to these guidelines and also sets out a list of criteria that must be met. One criterion encourages phased restoration to minimise landscape impacts, but makes no reference to environmental impacts. Environmental considerations are important when assessing

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<sup>83</sup> ¶ 143 bullet point 4

<sup>84</sup> MSDCC-16 Background Paper on Restoration

restoration schemes, and it would be appropriate to include them in this criterion.

178. The Framework encourages the use of minerals waste, as this helps to make the best use of minerals resources and to secure their long term conservation<sup>85</sup>. Therefore, when inert waste is to be used for landfill, it would be appropriate, as far as reasonably possible, to remove that waste which is capable of being used in the production of high quality washed recycled aggregates. An additional criterion should be included in the policy to reflect this.
179. Furthermore, the Framework requires restoration and aftercare to be carried out at the earliest opportunity<sup>86</sup>. This does not feature in the criteria and, therefore, in this respect, an amendment would be appropriate.
180. In order to ensure that Policy RS1 is justified and consistent with national policy, modifications **MM141** and **MM137** are recommended, which incorporate the above amendments to the restoration criteria and the Policy's supporting text.
181. Most of the minerals development within the Plan area occurs in rural areas where agriculture is the predominant land use, and often sites are restored back to agriculture. Nonetheless, there are other sustainable land-use practices to which sites could be restored in appropriate circumstances, some of which are set out in Policy RS1. Therefore, to ensure the deliverability of Policy RS1, modification **MM140** is recommended to its supporting text to indicate that there is no expectation that minerals sites should be restored to agricultural use.
182. Dorset contains an impressive range of geological and geomorphological structures, many of which contain fossils of varying significance. Dorset's Local Geodiversity Action Plan (LGAP)<sup>87</sup> seeks to maintain and enhance this earth heritage and, restoration schemes could provide appropriate opportunities to contribute to achieving this aim.
183. The Framework requires Plan policies for restoration and aftercare of minerals sites to include geodiversity<sup>88</sup>. Although Policy RS1 requires geological exposures to be retained where appropriate, the MS should be consistent with and more appropriately relate to the LGAP. Therefore, Policy RS1's supporting text should seek to encourage restoration schemes that enhance geodiversity interest, and accord with the Local Geodiversity Action Plan. To achieve this and to justify the Policy, modifications **MM132**, **MM133**, **MM134** and **MM138** are recommended.
184. Circumstances might arise where overburden and interburden from one site is removed for the restoration of another site, and this could create transport issues and have waste management implications. The MS does not refer to how such impacts would be assessed. Therefore, to justify the strategy, modification **MM136** is recommended, which adds supporting text to indicate

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<sup>85</sup> ¶¶ 142 and 143 2<sup>nd</sup> bullet point

<sup>86</sup> ¶ 143 8<sup>th</sup> bullet point

<sup>87</sup> MSLD-26

<sup>88</sup> ¶ 143 8<sup>th</sup> bullet point

that impacts will be assessed against the Plan's environmental criteria.

185. The Framework states that bonds or other financial guarantees to underpin planning conditions should only be sought in exceptional circumstances<sup>89</sup>. Whilst the restoration criteria in Policy RS1 mirror this provision, the supporting text refers to financial guarantees being required "where it is considered necessary". The text needs amending to make it consistent with national policy, and modification **MM135** does this.
186. When considering options for restoration, the MS seeks to encourage the minerals industry to involve local communities and parish councils in discussions. However, given the wide presence of ecological designations within the Plan area, it would be appropriate to also expressly include local nature partnerships. To achieve this and to justify the strategy, modification **MM139** is recommended.
187. The Plan also appropriately provides for the establishment of local liaison groups within Policy RS3 (Local Liaison Groups), and these are intended to run for the lifetime of any minerals extraction site. However, such groups should also be established for aggregates recycling operations. Therefore, to justify the policy, modification **MM142** is recommended which makes this addition.
188. By encouraging a range of restoration options in consultation with interested bodies, the MS provides flexibility. With the recommended modifications, sufficient opportunities are provided for an appropriate range of schemes, which should be deliverable. On this basis, I find that the Plan's modified restoration strategy is sound.

### **Issue 11 – Whether the Development Management policies provide the most appropriate guidance for determining minerals planning applications.**

189. Policy DM1 (Key Criteria for Sustainable Minerals Development) gauges the extent to which proposals deliver sustainable development against a set of criteria. However, it is somewhat onerous in requiring the "maximum possible" social, economic and environmental benefits. Therefore, to redress the balance and to ensure deliverability, modification **MM143** is recommended, which requires the delivery of such benefits to simply be supported.
190. The supporting text to Policy DM1 provides for the incorporation of an appropriate buffer between residents and mineral workings. However, with respect to this Plan's area, a minimum buffer is generally justified to safeguard living conditions and human health, which must be protected in accordance with the Framework<sup>90</sup>. Therefore, to justify the policy's supporting text, modification **MM144** is recommended, which introduces a minimum buffer of 100 metres, whilst retaining the flexibility of a lesser buffer where adverse impacts can be avoided.
191. Policy DM2 (Managing Impacts on Amenity) sets down a set of appropriate criteria against which minerals development proposals will be assessed. However, it unjustifiably restricts assessments of impacts to neighbouring land

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<sup>89</sup> ¶ 144 6<sup>th</sup> bullet point

<sup>90</sup> ¶ 144 3<sup>rd</sup> bullet point

and property. Amenity impacts can be experienced at some distance from a minerals development and not just in the vicinity of a site. Therefore, to justify the policy, modification **MM145** is recommended which removes this restriction.

192. Policy DM3 (Managing the impact on Surface Water and Ground Water Resources) is sound without any amendments.
193. Policy DM4 (Protection and Enhancement of Landscape Character and the Countryside) appropriately refers, amongst other things, to the Cranborne Chase and West Wiltshire AONB, the Dorset AONB and the New Forest National Park. However, to effectively seek their protection and enhancement, the policy's supporting text should make reference to the special qualities that underpin the AONBs' designation, and the statutory purposes of National Parks. This is achieved by modifications **MM146** and **MM147**.
194. Policy DM5 (Biodiversity and Geological Interest) seeks to protect the natural environment. Its supporting text sets out what comprises features of biodiversity and geological interest, but fails to include a range of sites associated with or awaiting European/international designation, which should also be included in accordance with the Framework<sup>91</sup>. Therefore, to accord with national policy, modifications **MM148** and **MM149** are recommended to the text.
195. Policy DM5 prevents minerals development which would adversely affect the integrity of European, Ramsar, or other internationally designated sites. However, as the MPAs acknowledge, Ball Clay sites might come forward, which could affect the integrity of such designations. Given the economic importance of Ball Clay, it might be appropriate in exceptional circumstances to allow a Ball Clay application, despite such adverse effects, subject to there being no feasible alternatives, IROPI, and suitable compensatory measures being demonstrated, in accordance with Article 6(4) of the Habitats Directive<sup>92</sup>. Consequently, to provide flexibility and to ensure consistency with the Framework's requirement of promoting EU obligations<sup>93</sup>, modifications **MM152** and **MM150** are recommended to Policy DM5 and its supporting text, which provide for habitats appraisal in accordance with the Habitats Directive.
196. A recent Secretary of State decision<sup>94</sup> took a risk based approach to an area containing more than 1% of the UK breeding populations of particular Annex 1 bird species<sup>95</sup> and, whilst this area was not identified as a SPA, treated it as such for the purposes of habitats appraisal. Consequently, to reflect this risk based approach and to justify the strategy, modification **MM151** is recommended.
197. The first part of Policy DM6 (Dorset and East Devon Coast World Heritage Site) is negatively worded in not permitting minerals development within the WHS.

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<sup>91</sup> ¶ 118 6<sup>th</sup> bullet point

<sup>92</sup> Implemented by the Conservation of Habitats and Species Regulations SI 2010 No. 490 (as amended)

<sup>93</sup> ¶ 2

<sup>94</sup> MSLD-27 APP/L3055/V/09/2102006 Land at Former Rufford Colliery, Rainworth; May 2011

<sup>95</sup> Annex 1 of the Birds Directive 2009/147/EC

Nonetheless, the other parts of the policy are permissive of development outside of the WHS boundary provided that the integrity of the WHS is preserved and impacts are satisfactorily mitigated. This introduces some flexibility. Also, coupled with the Framework's requirement of providing landbanks of non-energy minerals from outside World Heritage sites<sup>96</sup>, and the wide extent of minerals resources in the Plan area that exist outside of the WHS, the negative wording of the first part of Policy 6 is justified.

198. The cliffs which form the WHS are the only place in the world where over 185 million years of the Earth's geological history can be seen along a near continuous stretch of coastline, spanning the Triassic, Jurassic and Cretaceous periods<sup>97</sup>. Consequently, it is extremely sensitive and important. Therefore, in accordance with the Framework, the WHS requires the highest level of protection so that development must be wholly exceptional<sup>98</sup>.
199. However, Policy DM6 precludes "mineral extraction" from within the WHS boundaries, and the WHS extends into Devon. Therefore, to justify the policy, it should be modified to prevent all "minerals development" within Dorset as the Plan cannot control areas beyond its boundaries. This is achieved by modification **MM153**.
200. Policy DM7 (The Historic Environment) seeks the conservation of heritage assets and their settings. However, it does not reflect the Framework's requirement of conserving such assets in a manner appropriate to their significance<sup>99</sup>. Accordingly, to ensure consistency with national policy, modification **MM154** is recommended.
201. Policy DM8 (Transport and Minerals Development) seeks to promote sustainable transport and to minimise adverse impacts on the road network. The supporting text to the policy refers to the lack of a defined Strategic Freight Network in Dorset to indicate the most appropriate routes for Heavy Goods Vehicles (HGVs) to use, and suggests that the primary and distributor routes, as defined in the Bournemouth, Dorset and Poole Structure Plan, should be used. Figure 26 also provides a map of these routes. However, the Bournemouth, Dorset and Poole Structure Plan has since been revoked and, therefore, this supporting text and map are ineffective and should be deleted. Main modification **MM155** removes the relevant text from the MS.
202. Freight constraints mapping for the Plan area has recently been produced and the Dorset Freight Map now indicates the designated road freight network for Dorset. Accordingly, to ensure that Figure 26 is effective, it is amended by modification **MM157** to show the strategic and primary route network based on the Dorset Freight Map. Modification **MM156** provides appropriate text to accompany this.
203. Policy DM8 requires certain criteria to be satisfied through a Transport Assessment. However, it does not include a criterion relating to impacts on the road network, which it needs to do. Furthermore, account should be taken of the Dorset Rural Roads Protocol, which is not mentioned in the strategy.

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<sup>96</sup> ¶ 144 2<sup>nd</sup> bullet point

<sup>97</sup> MSLD-13 Dorset and East Devon Coast World Heritage Site Management Plan

<sup>98</sup> ¶ 132

<sup>99</sup> ¶ 126

Therefore, these additions are recommended through modifications **MM159** and **MM158** which justify the policy and its supporting text.

204. Policy DM9 (Extraction and Restoration within Airfield Safeguarding Areas) is sound without any modifications.
205. Policy DM10 (Planning Obligations) sets out the circumstances when legal agreements might be required to render an application acceptable, and gives appropriate guidance to developers. However, it only encompasses development consisting of the winning or working of minerals, and should more appropriately also include handling of minerals and the recycling of aggregates. Modification **MM160** achieves this and justifies the policy.
206. Policy DM11 (Review of Old Mineral Planning Permissions) sets out how the MPAs will seek to determine ROMP applications. Whilst the supporting text to the policy refers to the intention to bring permissions up to modern environmental standards, the policy, more onerously, requires "optimum" working and restoration standards. To achieve a more appropriate balance and justify the policy, it is recommended that the requirement be replaced by "up to date and relevant" standards as set out in modification **MM161**.
207. The DM policies address the Plan's key issues and carry through its objectives to the planning application stage. The modified criteria based policies are comprehensive and balanced, and are the most appropriate to deliver minerals production in a sustainable way. Therefore, I find the DM section overall to be positively prepared, effective, justified and consistent with national policy.

**Issue 12 – Whether the implementation and monitoring arrangements are fit for purpose.**

208. The implementation and monitoring section sets out the mechanisms for delivering the MS, collecting data and monitoring. However, to more appropriately reflect its range of functions, management and enforcement of permitted minerals development, and minerals and waste management/disposal sites should be included. To resolve these omissions and justify the strategy, modifications **MM162** and **MM163** are recommended.
209. The MPAs will publish monitoring reports to enable assessments to be made of what impacts the policies are having, and whether any sections of the MS need adjusting or replacing through formal review. All policies are subject to a set of key indicators and targets reflecting SA recommendations, and allow their direct and indirect effects on the Plan's strategic objectives to be monitored. The various implementation partners are noted, and trigger points for correction or mitigation are set out. Any other implementation issues are referenced.
210. However, due to the large numbers of modifications and additions made to the policies, Table 5 which sets out the monitoring framework requires a number of modifications to make it consistent and effective. Modifications **MM164** to **MM186** achieve this.
211. With the modifications recommended, the Plan contains sufficient realistic, achievable targets, indicators and milestones to monitor the performance and

delivery of the vision, strategic objectives and policies. It provides for proper, regular assessment of how effective the policies are proving to be in meeting their objectives, thereby facilitating the identification of any changes needed. Consequently, I conclude that the implementation and monitoring strategy is fit for purpose and sound.

## **Overall Conclusion and Recommendation**

212. The Plan has a number of deficiencies in relation to soundness and/or legal compliance for the reasons set out above which mean that I recommend non-adoption of it as submitted, in accordance with Section 20(7A) of the Act. These deficiencies have been explored in the main issues set out above.

213. The MPAs have requested that I recommend main modifications to make the Plan legally compliant and/or sound and capable of adoption. I conclude that with the recommended main modifications set out in the Appendix the Bournemouth, Dorset and Poole MS satisfies the requirements of Section 20(5) of the 2004 Act and meets the criteria for soundness in the National Planning Policy Framework.

*Elizabeth C Ord*

Inspector

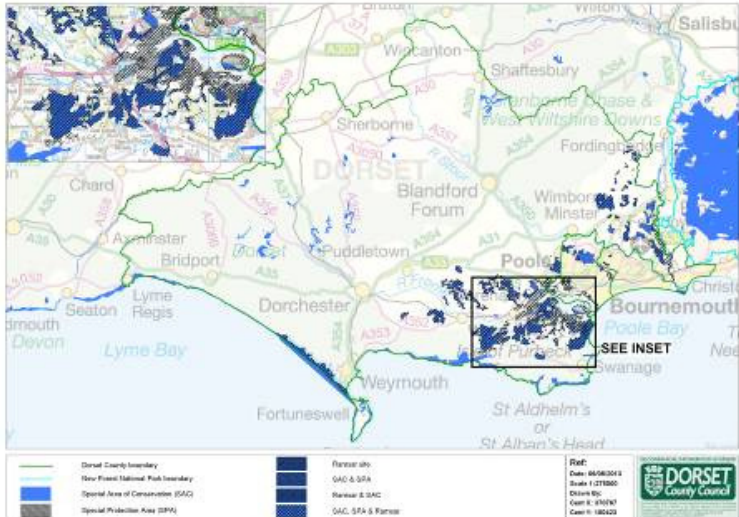
This report is accompanied by the Appendix containing the Main Modifications

# Bournemouth, Dorset and Poole Minerals Strategy

## Appendix - Main Modifications

The modifications below are expressed in the form of a red ~~strikethrough~~ for deletions and blue underlining for additions of text. Other instructions are set out in *italics*.

The page numbers and paragraph numbering below refer to the publication local plan, and do not take account of the deletion or addition of text.

Ref.	Page No. (From MCS Pre-Submission Draft)	Policy/ Para. No. (From MCS Pre-Submission Draft)	Modification
<b>Chapter 3 - Spatial Characteristics</b>			
<b>MM1</b>	25	Figure 4	<p><i>Replace Figure 4:</i></p> <p><i>No amendments have been made to the designations on the plan. The colours have been changed to improve the clarity of the plan and the plan will be included in the adopted plan as A3.</i></p> 
<b>MM2</b>	28-29	Key Issue 1	<p><i>Amend as follows:</i></p> <p>Facilitating the increased production of recycled aggregates in the most suitable locations, <del>particularly in the west and north of the county</del></p>
<b>MM3</b>	28-29	New Key Issue 7	<p><i>Addition of new Key Issue:</i></p> <p><u>Maintaining a continued supply of onshore hydrocarbons from within licensed areas, whilst safeguarding and enhancing landscape, areas of ecological importance and amenity interests.</u></p>
<b>MM4</b>	28-29	New Key Issue 8	<p><i>Inclusion of a key issue on Restoration to reflect its strategic importance</i></p>

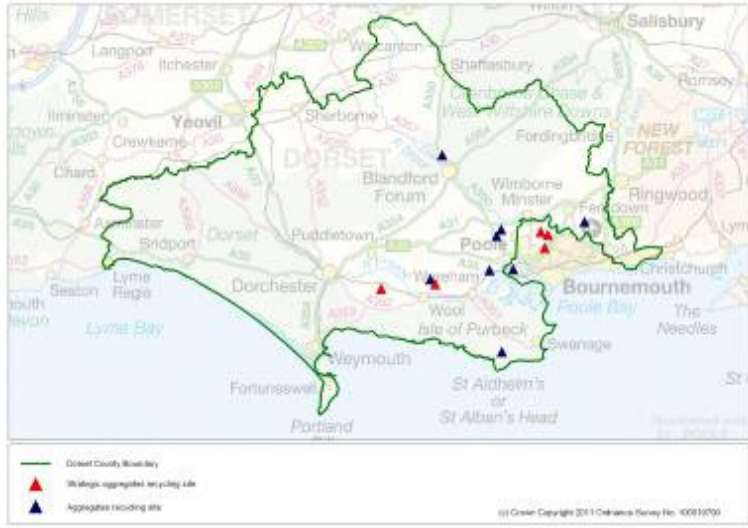


Ref.	Page No. (From MCS Pre-Submission Draft)	Policy/ Para. No. (From MCS Pre-Submission Draft)	Modification
			<a href="#">Achieving high quality restoration, at the earliest possible opportunity, as an integral part of all minerals development. Ensuring restoration and afteruse is considered within the context of, and contributes to, the surrounding landscape character and local ecological interests.</a>
<b>Chapter 4 - Vision and Objectives for Mineral Extraction in Dorset</b>			
MM5	32	Vision	<p><i>Amend paragraph 1 and 3 as follows:</i></p> <p>By 2028, the supply of minerals from and into Dorset will have supported <del>the area's</del> <a href="#">Bournemouth, Dorset and Poole's</a> continuing economic and population growth (which will be concentrated in South East Dorset) and the development of sustainable communities.</p> <p>An adequate and steady supply of Dorset's minerals will have been secured efficiently and in environmentally acceptable ways.</p> <p>The plan will have supported the sustainable production of oil and gas and the extraction of aggregates and ball clay, <del>with ball clay extraction being concentrated in the least sensitive areas of the Wareham Basin.</del></p>
MM6	32	Vision	<p><i>Amend paragraph 6 of the vision as follows:</i></p> <p>The above will have been achieved whilst protecting <del>and enhancing</del> <a href="#">local communities, enhancing the places in which people live, and protecting and enhancing</a> the area's unique natural and built environment, including the AONBs, the Jurassic Coast World Heritage Site, the internationally and nationally designated ecological and geological sites and Dorset's many heritage assets.</p>
MM7	33-34	Objective 4	<p><i>Amend as follows:</i></p> <p>To maximise the opportunities for environmental enhancement offered through the restoration of worked sites and outside worked areas to enhance Bournemouth, Dorset and Poole's unique environment, historic environment and potential for recreation. <a href="#">This will be achieved at the earliest possible opportunity.</a></p>
MM8	34	Objective 5	<p><i>Amend as follows:</i></p> <p>To ensure that adverse impacts of mineral working on the environment, local communities, businesses and tourism are minimised <a href="#">and that Natura 2000 sites are protected and enhanced appropriately in accordance with the Habitats Regulations.</a></p>
<b>Chapter 5 - The Overall Strategy for Minerals Provision</b>			
MM9	37	Spatial Strategy iii	<p><i>Amend as follows:</i></p> <p><b>Maintaining an adequate and steady supply of ball clay</b> - Ball clay is an industrial mineral which is of national and international importance because of its special qualities and rare occurrence. Its presence within the Wareham Basin (one of</p>

Ref.	Page No. (From MCS Pre- Submission Draft)	Policy/ Para. No. (From MCS Pre- Submission Draft)	Modification
			only three locations in the country) coincides with heathlands of European importance and the Dorset AONB. Further extraction of ball clay is supported to ensure provision of the range of grades demanded by industry, within environmental constraints. Provision will be made <del>for up to 2.5 million tonnes about 1.3 million tonnes up to a maximum of 3.05 million tonnes</del> of ball clay during the plan period, through the identification of specific sites in the Minerals <del>Sites Plan Allocations Document</del> . <u>Extraction will be directed towards the 'Areas of Less Sensitivity' although to ensure an adequate and steady supply of the range of grades of clay sites will be required within the wider ball clay consultation area. As far as possible, this provision will be made from identified areas of least environmental sensitivity. A criteria-based policy provides the framework to address any shortfall in supply towards the end of the plan period.</u>
MM10	37	Spatial Strategy iv	<i>Amend fourth sentence:</i> Provision will be made for an average of <del>25,000</del> <u>at least 20,000</u> tonnes per year, taking into account landscape, environmental and other constraints, equating to <del>around 143,000 102,000 to 187,000</del> tonnes in total over the plan period.'
MM11	38	Spatial Strategy v	<i>Amend as follow:</i> 'Quarrying of the nationally important Portland Stone is a long established industry <u>and continued extraction is supported</u> . Due to the history of the consents, there have been continuing impacts on the environment and local amenity. <del>Continued stone extraction of this important resource is supported</del> <u>Whilst there are existing permitted reserves of dimension stone sufficient to cover the plan period, however</u> mining as an alternative to surface quarrying is actively encouraged in order to minimise impacts...'
MM12	38	New paragraph before 5.9	<i>Insert new paragraph before paragraph. 5.9 to read:</i> <u>The National Planning Policy Framework sets out a presumption in favour of sustainable development which places an onus upon planning authorities to take a positive and proactive approach to development that improves economic, social and environmental conditions in the area. The Minerals Strategy has been prepared having regard to the importance of planning positively to support sustainable development in accordance with the NPPF'</u>
MM13	38	5.9-5.11	<i>Delete paragraphs as follows:</i> <del>When considering development proposals the Mineral Planning Authority will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. It will always work proactively with applicants jointly to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.</del>

Ref.	Page No. (From MCS Pre- Submission Draft)	Policy/ Para. No. (From MCS Pre- Submission Draft)	Modification
			<p><del>Planning applications that accord with the policies in this plan will be approved without delay, unless material considerations indicate otherwise.</del></p> <p><del>Where there are no policies relevant to the application or relevant policies are out of date at the time of making the decision then the Mineral Planning Authority will grant permission unless material considerations indicate otherwise, taking into account whether:</del></p> <ul style="list-style-type: none"> <li><del>• Any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the National Planning Policy Framework taken as a whole; or</del></li> <li><del>• Specific policies in the Framework indicate that development should be restricted.</del></li> </ul>
MM14	38	New Policy SS1	<p><i>New Policy SS1</i></p> <p><b><u>Policy SS1: Presumption in favour of sustainable development</u></b></p> <p><u>When considering development proposals the Mineral Planning Authority will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. It will always work proactively with applicants jointly to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.</u></p> <p><u>Planning applications that accord with the policies in this Local Plan (and, where relevant, with polices in neighbourhood plans) will be approved without delay, unless material considerations indicate otherwise.</u></p> <p><u>Where there are no policies relevant to the application or relevant policies are out of date at the time of making the decision then the Mineral Planning Authority will grant permission unless material considerations indicate otherwise – taking into account whether:</u></p> <ul style="list-style-type: none"> <li><u>• Any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the National Planning Policy Framework taken as a whole; or</u></li> <li><u>• Specific policies in that Framework indicate that development should be restricted.</u></li> </ul>
MM15	40	Policy SS1	<p><i>Renumber policy to SS2 and amend as follows:</i></p> <p>The Mineral Planning Authority will use the Minerals <del>Sites Plan</del> <u>Allocations Document</u> as the vehicle for the identification of specific sites wherever possible, having regard to the policies in the Minerals <del>Core</del> <u>Strategy</u> <u>the site selection criteria</u> and the</p>

Ref.	Page No. (From MCS Pre- Submission Draft)	Policy/ Para. No. (From MCS Pre- Submission Draft)	Modification
			<p>presumption in favour of sustainable development as set out in the National Planning Policy Framework.</p> <p>Specific sites will be where viable mineral resources are known to exist, where landowners are supportive of mineral development and where any planning applications made are likely to be acceptable</p> <p>in planning terms.</p> <p><del>Where adequate provision has been made through the identification of sites to achieve the spatial strategy, priority will be given to identified sites over and above other windfall sites.</del>  <u>Permission will be granted for unallocated (windfall) sites where it can be demonstrated that there is a need that cannot be met within allocated sites and where development would not prejudice the delivery of allocated sites.</u></p>
<b>Chapter 6 - Climate Change</b>			
<b>MM16</b>	43	6.7	<p><i>Amend paragraph:</i></p> <p>Reducing this <del>significant</del> carbon footprint in the face of accelerating demand for commodities and construction materials is a major challenge facing the minerals industry and its regulators both now and in the future. To assist in meeting this challenge, proposals for minerals development <u>which require planning permission</u> will be required to demonstrate that the wider issue of climate change, including reduction of CO<sub>2</sub>, has been satisfactorily addressed.</p>
<b>MM17</b>	43	Policy CC1	<p><i>Amend Policy:</i></p> <p>'Proposals for <del>major</del> mineral developments <u>and aggregates recycling operations</u> should be supported by an assessment of how climate change mitigation and adaptation measures have been incorporated in the design and operation of the proposed development and considered in its location.'</p>
<b>Chapter 7 - The Strategy for Aggregates Extraction</b>			
<b>MM18</b>	50	Figure 7	<p><i>Amend Figure 7 in order to make it clear that there are two strategic recycling facilities in close proximity in north Poole.</i></p>


Ref.	Page No. (From MCS Pre-Submission Draft)	Policy/ Para. No. (From MCS Pre-Submission Draft)	Modification
			
MM19	51	7.19	<p><i>Amend paragraph:</i></p> <p>Based on the information collected, there is scope for increased production <u>at existing sites. New sites are also encouraged, and particularly in west and north Dorset which are both within the permitted sites and through new sites. The latter will be encouraged particularly in areas currently not well served by aggregates recycling facilities such as west and north Dorset. Such sites will only can be expected to arise where supply and demand exist.</u></p>
MM20	52	Policy RE1	<p><i>Amend Policy:</i></p> <p>Production of recycled aggregates, <u>including high grade washed recycled aggregate, particularly in the west and the north of the county,</u> will be facilitated through permitting long term or permanent facilities at locations which:</p> <ol style="list-style-type: none"> <li>are near to the source of material to be recycled and in locations favourable to the production of recycled aggregates (for example industrial locations, existing <u>active</u> quarries or waste sites, urban fringe and brownfield sites); or</li> </ol>
MM21	57	7.36	<p><i>Delete paragraph:</i></p> <p><del>Taking into consideration consultation responses, historic trends and the potential difficulties that may be faced bringing forward future sites including impacts on nature conservation and/or the landscape, it would appear that the regional apportionment figure of 1.97 mt is still too high. On balance it is considered that a more realistic yet robust position would be to plan for a level of provision of (Further detail on the various scenarios that were considered before the decision on level of provision was reached can be found in Background Paper 2) <b>1.78 million tonnes per annum.</b></del></p>

Ref.	Page No. (From MCS Pre- Submission Draft)	Policy/ Para. No. (From MCS Pre- Submission Draft)	Modification
MM22	57	7.37	<p><i>Delete paragraph:</i></p> <p><del>This figure is an average of the sales of the last 10 years excluding the highest and lowest figure. This approach removes any extremes of production and is a suitable length of time to develop an acceptable average production figure. This figure also includes an additional 10% as an appropriate level of contingency. This approach will allow the Plan enough flexibility to react to changing circumstances. It should not risk under provision and will support economic growth. The Minerals Sites Plan Allocations Document will identify sufficient sites to achieve this level of provision. Additional flexibility will be built in through a reduction in need for primary aggregates from the increased use of recycled and secondary aggregates.</del></p>
MM23		New Paragraph	<p><i>Add paragraph after 7.37:</i></p> <p><u>The National Planning Policy Framework advises that Mineral Planning Authorities should plan for a steady and adequate supply of aggregates by preparing a Local Aggregates Assessment (LAA), based on a rolling average of 10 years sales data along with other relevant local information and an assessment of all supply options. This is a different basis for the calculation of appropriate future mineral supply than the previous apportionment process.</u></p>
MM24		New Paragraph	<p><i>Add paragraph after 7.37:</i></p> <p><u>Total aggregate sales during the period 2002 to 2011 (the last 10 years) amount to approximately 15.78 mt, giving an annual average of 1.58 mt. For the purposes of the Minerals Strategy it is assumed that steady and adequate provision will continue to be made up to and including 2028, applying the annual production figure of 1.58 mt. It is recognised that this figure is not fixed and <del>is likely to</del> will vary annually with changing production figures, reflecting increases and decreases in levels of production. The 'rolling basis' of the methodology set out in the NPPF means that the appropriate annual supply for aggregates will be regularly revised by the Mineral Planning Authority through the LAA.</u></p>
MM25		New Paragraph	<p><i>Add paragraph after 7.37:</i></p> <p><u>To maintain the necessary level of provision, the NPPF advises Mineral Planning Authorities to ensure that there is a stock of mineral planning permissions which will satisfy the annual supply requirement for a period of at least 7 years. This is known as the landbank - the total remaining quantity of mineral reserve with planning permission for extraction. At the end of 2011 there were just over 17.5 million tonnes (mt) of permitted sand and gravel reserves in Dorset. At the current level of average production (1.58 mtpa) this landbank would last just over 11 years if no further permissions were granted:</u></p> <p style="text-align: center;"><b><u>Permitted Reserves / Level of Provision = Remaining landbank</u></b></p> <p style="text-align: center;"><u>17.5 mt / 1.58 mtpa = 11.1 years</u></p>

Ref.	Page No. (From MCS Pre- Submission Draft)	Policy/ Para. No. (From MCS Pre- Submission Draft)	Modification
<b>MM26</b>		New Paragraph	<p><i>Add paragraph after 7.37:</i></p> <p><u>In order to assess the adequacy of the landbank on an on-going basis, the co-operation of the industry will be needed to provide sufficient information to the Mineral Planning Authority each year on production and remaining reserves at each quarry. Since sand and gravel production and permitted reserve levels will be monitored and reviewed annually through the Annual Monitoring Report, the Minerals Strategy and Mineral Sites Plan, it is not considered necessary to plan for the maintenance of a landbank beyond the end of the plan period.</u></p>
<b>MM27</b>	57	7.38	<p><i>Amend paragraph:</i></p> <p><del>Annual monitoring will indicate if the level of sales exceeds the level of provision. If this is consistent, it will trigger a mechanism to identify additional sites. The requirement to produce a Local Aggregates Assessment annually will ensure that aggregate production levels are monitored and reported on regularly. This will indicate if and when the level of sales exceeds the level of provision. If sales are shown to exceed provision consistently, a review of the provision of aggregates will be triggered, although this is considered unlikely to occur during the plan period. Alternatively, if sites allocated within the Minerals Site Allocations Document are exhausted the Minerals Strategy will provide a sound basis for assessing applications, due to the identification of resource areas and through the Development Management policies.</del></p>
<b>MM28</b>		New Paragraph	<p><i>Add paragraph after 7.38:</i></p> <p><u>The Mineral Sites Plan, when adopted, will identify the sites required to deliver the aggregates provision strategy. If sites allocated through the Mineral Sites Plan become exhausted the Minerals Strategy will provide a sound basis for assessing new applications within the identified resource areas through application of the development management policies. In addition, should any exception ('windfall') sites come forward under Policy AS2 during the lifetime of the Plan, these will contribute to the delivery of the aggregates provision strategy.</u></p>
<b>MM29</b>	57	7.39	<p><i>Amend text:</i></p> <p>The amount of sand and gravel that will need to be provided for through the Minerals <del>Core</del> Strategy and the Mineral Sites <u>Plan Allocations Document</u> can be calculated as:</p> <p><b>Annual production figure x Years covered by the plan (<del>18</del> <u>17</u> years, <del>2010-2011</del> to 2028) - Existing Permitted Reserves <u>(at the end of 2011)</u> = Requirement for new sites</b></p> <p><del>(1.78</del> <u>1.58</u>mt x <del>18</del> <u>17</u> years) - <del>17</del> <u>17.5</u>mt = <del>15.04</del> <u>9.36</u> mt</p>

Ref.	Page No. (From MCS Pre- Submission Draft)	Policy/ Para. No. (From MCS Pre- Submission Draft)	Modification
MM30	57	7.40	<p><i>Amend text:</i></p> <p>There will be a need to identify new sand and gravel sites containing around <del>15.04</del> <u>at least 9.36</u>mt in the Minerals Sites Plan <del>Allocations Document</del>. <del>It may be necessary appropriate,</del> <u>following further assessment, to identify more than 9.36 mt of future allocations in the Mineral Sites Plan. Deliverability of annual aggregate supply is a key issue. It is not enough to simply identify a lump sum figure which is adequate to meet future needs over the long term - the Mineral Sites Plan must demonstrate with reasonable certainty that the appropriate annual level of production can be achieved year upon year. This may require identification of more than the minimum level of future production.</u> Every effort will be made to ensure an appropriate split in provision, based on past trends, between sand from the Poole Formation and sand and gravel from river terrace or plateau deposits in order to avoid shortages of particular types of aggregate.</p>
MM31	60	Policy AS1	<p><i>Amend Policy:</i></p> <p><del>The Mineral Planning Authority will make adequate and steady provision for the maintenance of a landbank of sand and gravel equivalent to at least 7 years' worth of supply over the period to 2028, based on the current agreed local annual supply requirement for Bournemouth, Dorset and Poole. supply of 1.78 million tonnes of sand and gravel per annum over the period of 2010 to 2028 from sites</del></p> <p><u>An adequate and steady supply of locally extracted sand and gravel will be provided by maintaining a landbank of permitted sand and gravel reserves equivalent to at least 7 years' worth of supply over the period to 2028, based on the current agreed local annual supply requirement for Bournemouth, Dorset and Poole. This will be achieved from:</u></p> <ul style="list-style-type: none"> <li>i. <u>Remaining reserves at existing permitted sites;</u></li> <li>ii. <u>New sand and gravel sites, including extensions to existing permitted sites, as identified in the Mineral Sites Plan;</u></li> <li>iii. <u>New sites not identified in the Mineral Sites Plan, provided:</u> <ul style="list-style-type: none"> <li>a. <u>Monitoring indicates that the sites identified in ii. above are unlikely to meet Bournemouth, Dorset and Poole's landbank requirements; or</u></li> <li>b. <u>The proposed development is for the prior extraction of aggregate in advance of non-minerals development; or</u></li> <li>c. <u>The development is part of a proposal for another beneficial use; or</u></li> <li>d. <u>The development is for a specific local requirement.</u></li> </ul> </li> </ul> <p><u>Future sites required to contribute to meeting this supply will be</u></p>

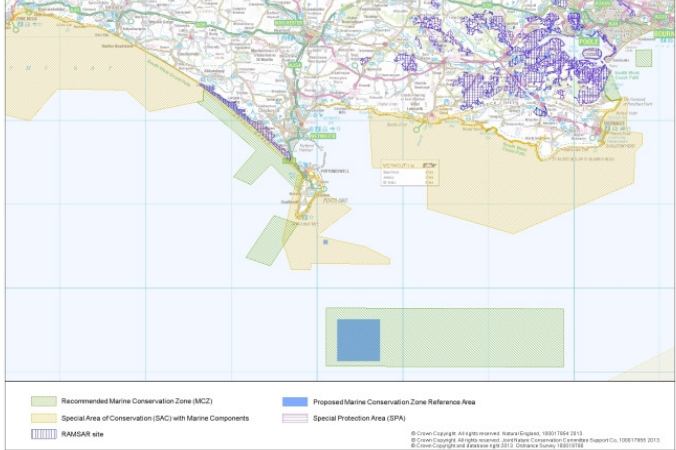
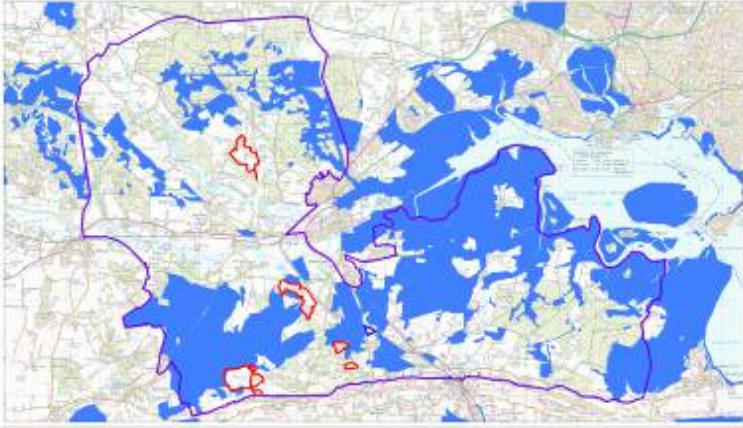


Ref.	Page No. (From MCS Pre-Submission Draft)	Policy/ Para. No. (From MCS Pre-Submission Draft)	Modification
			<p><u>located</u> within the resource blocks identified on the Submission Policies Map.</p> <p>Sites will only be considered where it has been demonstrated that possible effects (<u>including those</u> related to hydrology, displacement of recreation, species, proximity, land management and restoration) that might arise from the development would not adversely affect the integrity of the Dorset Heaths SAC, Dorset Heathlands SPA and Dorset Heathland Ramsar site either alone or in combination with other plans or projects.</p>
MM32	62	Figure 10 Bedrock Sand Resource block	<p>Amend Figure 10 Bedrock Sand Resource Block to include land in the interest of M B Wilkes, at Henbury.</p>  <p>The map shows a geographical area with various land uses and features. A specific region in the Henbury area is highlighted in yellow, indicating the location of the Bedrock Sand Resource Block. The map includes labels for roads, rivers, and other geographical features.</p>
MM33	63	7.51	<p>Amend paragraph:</p> <p>'Major <del>mineral</del>-extraction <u>of sand and gravel</u> in Areas of Outstanding Natural Beauty is generally discouraged because of its potential to cause serious harm to the landscape.'</p>
MM34	63	7.52	<p>Amend paragraph:</p> <p>'Where there is no harm to the AONB or where the harm is minimal and can be satisfactorily mitigated against, then <del>small scale limited</del> extraction of sand and gravel may be appropriate <u>in exceptional circumstances</u>.'</p>
MM35	63	7.53	<p>Delete paragraph:</p> <p><del>A landbank is the total remaining quantity of mineral reserve with planning permission for extraction. The NPPF states that landbanks of permitted reserves should be used in order to indicate when new permissions for extraction are likely to be needed. It states for sand and gravel that Mineral Planning Authorities should endeavour to maintain a landbank that will last for at least 7 years at the current level of provision.</del></p>

Ref.	Page No. (From MCS Pre- Submission Draft)	Policy/ Para. No. (From MCS Pre- Submission Draft)	Modification
MM36	63	7.54	<p><i>Delete paragraph:</i></p> <p><del>At the end of 2010 there were just under 17 million tonnes (mt) of permitted sand and gravel reserves in Dorset. This landbank would last 9.5 years if no further permissions were granted:</del></p> <p><del>Permitted Reserves / Level of Provision = Remaining landbank</del></p> <p><del>17mt / 1.78mt = 9.5 years</del></p>
MM37	63	7.55	<p><i>Delete paragraph:</i></p> <p><del>This figure comprises the landbank for both Poole Formation sand and river terrace sand and gravel. The figure of 9.5 years indicates that no new permissions are currently needed. However, as production continues, the landbank could fall below the required 7 year level unless more permissions are granted.</del></p>
MM38	63	7.56	<p><i>Amend paragraph:</i></p> <p>Poole Formation sand and river terrace/plateau sand and gravels <u>are geologically different</u> <del>have different properties and uses</del>, and it is considered appropriate to monitor their supply separately. <u>This will ensure that, should there be a decline in either type of aggregate, this will not be masked by overall production and the level of the combined landbank. The Mineral Planning Authority would be able to take appropriate action to address a decline. Further analysis, based on production from quarries within the different geological deposits,</u> makes it possible to identify separate landbanks. <del>The overall apportionment figure of 1.78 mtpa can be split pro rata as follows, derived from actual production levels in 2009:</del></p> <ul style="list-style-type: none"> <li><del>• one third for River Terrace/plateau sand and gravel (1.78/3 = 0.59 mtpa)</del></li> <li><del>• two thirds for Poole Formation sand (1.78/2 = 1.19 mtpa)</del></li> </ul>
MM39		New paragraph	<p><i>Add new paragraph after 7.56:</i></p> <p><u>At the end of 2011, the average of the previous ten years of production was 1.58 mtpa. This comprised 1.01 mtpa or 64% of Poole Formation and 0.57 mtpa or 36% of River Terrace sand/gravel. The figures of 36% for River Terrace and 64% for Poole Formation represent relative levels of production of the different types of aggregate. They are not intended to comprise a cap on future production levels. As the ten year rolling average varies year by year relative production levels may also vary.</u></p>

Ref.	Page No. (From MCS Pre- Submission Draft)	Policy/ Para. No. (From MCS Pre- Submission Draft)	Modification
<b>MM40</b>	63	7.57	<p><i>Delete paragraph:</i></p> <p><del>When these separate apportionments are applied to the 2010 reserves, this gives indicative landbanks of 13.05 years for River Terrace/plateau sand and gravel and 7.75 almost 10 years for Poole Formation sand. The monitoring of the production of these separate types of sand and gravel against level of provision will alert the Mineral Planning Authority to possible shortfalls. Policy AS2 commits to the maintenance of at least a 7 year landbank for each type of sand/sand and gravel.</del></p>
<b>MM41</b>	64	7.58	<p><i>Delete paragraph:</i></p> <p><del>In order to assess the adequacy of either landbank on an ongoing basis, the co-operation of the industry will be needed to provide sufficient information to the Mineral Planning Authority each year on production and remaining reserves at each quarry</del></p>
<b>MM42</b>	64	7.59	<p><i>Delete paragraph:</i></p> <p><del>If provision were to be made for a sand and gravel landbank of at least 7 years to exist throughout the entire plan period, additional sites would need to be identified in the Minerals Sites Plan Allocations Document sufficient for a further 7 years beyond the end of the plan period. This would increase the total quantity sought from 15.04 mt to 27.5 mt. However, since sand and gravel production and permitted reserve levels will be monitored and reviewed annually through the Annual Monitoring Report and the Minerals Core Strategy and Minerals Sites Plan Allocations Document revised before 2028, it is not necessary to plan for the maintenance of a landbank beyond the end of the plan period.</del></p>
<b>MM43</b>		New Paragraph	<p><i>Add new paragraph after 7.59:</i></p> <p><u>Applying these relative proportions to the estimated reserves [Mineral with a current permission for extraction, but not yet extracted] (at the end of 2011) of River Terrace (approximately 7.6 mt) and Poole Formation (approximately 9.9 mt) aggregate gives indicative landbanks of 13.3 years for River Terrace/plateau sand and gravel and almost 10 years for Poole Formation sand.</u></p> <ul style="list-style-type: none"> <li>• <u>River Terrace: 7.6mt/0.57mtpa = 13.3 years</u></li> <li>• <u>Poole Formation: 9.9mt/1.01mtpa = 9.8 years</u></li> </ul>
<b>MM44</b>		New paragraph	<p><i>Add new paragraph after 7.59:</i></p> <p><u>This exercise will be repeated annually to identify possible shortfalls in provision. Policy AS2 commits to the maintenance of at least a 7 year landbank for each type of sand/sand and gravel.</u></p>

Ref.	Page No. (From MCS Pre- Submission Draft)	Policy/ Para. No. (From MCS Pre- Submission Draft)	Modification
MM45	65	7.64	<p><i>Amend paragraph:</i></p> <p>Annual output of crushed rock from Dorset varies according to demand. Total sales in 2011 were approximately 150,000 tonnes and remaining reserves at the end of the year were conservatively estimated to be <del>in excess of 20</del> <u>approximately 13</u> million tonnes. Average annual production of crushed rock since 1999 is approximately 290,000 tonnes, <u>while the average of the last 10 years of production is approximately 265,000 tonnes</u>. Current reserves are made up entirely of stone from Portland and Purbeck.</p>
MM46	66	7.66	<p><i>Delete paragraph:</i></p> <p><del>The South West Aggregate Working Party has suggested an annual sub-regional apportionment figure for crushed rock provision from within the plan area of 0.30 million tonnes. Average annual production of crushed rock over the 10 year period 1999 to 2011 was 0.29 million tonnes per annum. As this is close to the suggested apportionment figure, the South West Aggregate Working Party figure will be used.</del></p>
MM47	66	7.67	<p><i>Delete paragraph:</i></p> <p><del>With permitted reserves at the end of 2011 conservatively estimated to be well in excess of 20 million tonnes, this is sufficient for at least 65 years productions at the rate of 0.30 million tonnes per annum. This is well beyond the life of the Core Strategy and it is therefore considered that there is no need to identify any further sources of crushed rock at the present time.</del></p>
MM48		New paragraph	<p><i>Add new paragraph after 7.67:</i></p> <p><u>The key issue to resolve is the amount of crushed rock production needed over the plan period. National Planning Policy Framework (paragraph 145) requires the Mineral Planning Authority to make provision for a minimum of 10 years' worth of supply for crushed rock. This is to ensure on-going supply for the construction industry. Average annual production of crushed rock over the ten year period 2002 to 2011 was approximately 0.27 million tonnes per annum. Using this figure as the basis for the 10-year rolling average methodology and with permitted reserves at the end of 2011 conservatively estimated to be approximately 13 million tonnes, this is sufficient for around 48 years of production. This comprises the crushed rock landbank as it stands at the end of 2011. The period of 48 years is well beyond the life of the Minerals Strategy and it is therefore considered that there is no need to identify any further sources of crushed rock at the present time.</u></p> <p style="text-align: center;"><b><u>Permitted Reserves / Level of Provision = Remaining landbank</u></b></p> <p style="text-align: center;"><u>13 mt / 0.27 mtpa = 48 years</u></p>

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MM49		Figure added after paragraph 7.84	<p>Figure added to show Marine Protected Areas and Marine Conservation Zones within this section.</p> 
MM50	72	Policy AS4	<p>Amend Policy as follows:</p> <p>The Mineral Planning Authority will <del>permit</del> <b>encourage</b> new mineral handling rail depots and wharves, and the expansion and/or modernisation of existing sites, where the need for the facility can be demonstrated.'</p>
MM51	72	7.96	<p>Amend as follows:</p> <p><del>To ensure that European wildlife sites are safeguarded from any effects of development, proposals should comply with Policy DM5 (Chapter 16). Where activities require planning permission, proposals should comply with Policy DM5, to ensure that European wildlife sites are safeguarded from any effects of development, as well as other relevant policies in this plan.</del></p>
<b>Chapter 8 - The Strategy for Ball Clay</b>			
MM52		New Plan before Plan 13	<p>Insert additional Plan of the ecological designations of the Wareham basin</p> 

Ref.	Page No. (From MCS Pre- Submission Draft)	Policy/ Para. No. (From MCS Pre- Submission Draft)	Modification
MM53	79	Was paragraph 8.16 – moved to paragraph 8.15	<p><i>Amend as follows:</i></p> <p><del>8.15</del> Annual production of ball clay has fluctuated <del>over the past 5 years</del> largely due to the global economic downturn, <del>from a high of 320,000 tpa in 2007 to a low of 150,000 tpa in 2008-09.</del> Considering production trends over the last 30 years and from discussions with <del>the ball clay industry</del> <del>Imerys</del> it is anticipated that future average annual demand for ball clay in Dorset will <del>is anticipated to</del> be around 250,000 tpa. <u>This figure is higher than in previous years but would allow the Plan and the ball clay industry to adapt to changing circumstances and market fluctuation and allow for growth. This reflects the Government's commitment to securing economic growth through positive planning.</u></p>
MM54	79	Was paragraph 8.15 – moved to paragraph 8.16	<p><i>Amend as follows:</i></p> <p><del>8.16</del> Estimated reserves at the five permitted ball clay sites totalled <del>1.2 million tonnes in November 2011</del> <u>1.5 million tonnes in July 2012.</u> <del>Total estimated output from these sites in 2010 was 214,500 tonnes, giving</del> <u>Based on an assumed anticipated annual demand of 250,000 tpa this gives an overall</u> theoretical life of <del>between 5 and 6 years.</del> <del>Permission was granted for an extension to Povington Pit in 2012 providing an additional reserve of 350,000 tonnes. However, because a variety of factors may influence this, such as demand for different blends or grades.</del> Each individual site is important in contributing towards the current product range required by the market. <u>It is misleading to give a figure for the overall life of Dorset ball clay reserves, but</u> <del>the</del> figure gives an indication of the scale of permitted reserves, demonstrating the need for further reserves to be found to ensure continued supply. The larger sites, Doreys, Povington and Trigon, produce key ingredients or grades for producing the majority of clay products. The grades found at Furzeyground are more limited than those found at the larger operational sites and so make a lesser contribution to the overall longevity of the business in Dorset.</p>
MM55	79	8.17	<p><i>Amend as follows:</i></p> <p><del>As of March 2012, Imerys have submitted an application for an extension to Povington and are soon to submit an application for an extension to Doreys. The MPA is aware that an application has been submitted for an extension to Doreys.</del> If permitted <del>these</del> <u>this</u> extensions will provide additional life and <u>contribute to the range of clay blends produced in Dorset</u> <del>enable the continued production of the range of clays needed to provide clay blends from Dorset.</del> Notwithstanding <del>these</del> <u>this</u> extensions, if ball clay production is to continue, further reserves will be required.</p>
MM56	81	8.24	<p><i>Add an additional sentence at the end of paragraph as follows:</i></p> <p><u>It should be noted that the assessment was undertaken primarily at a strategic level and that further detailed assessments will be needed through the development of the</u></p>

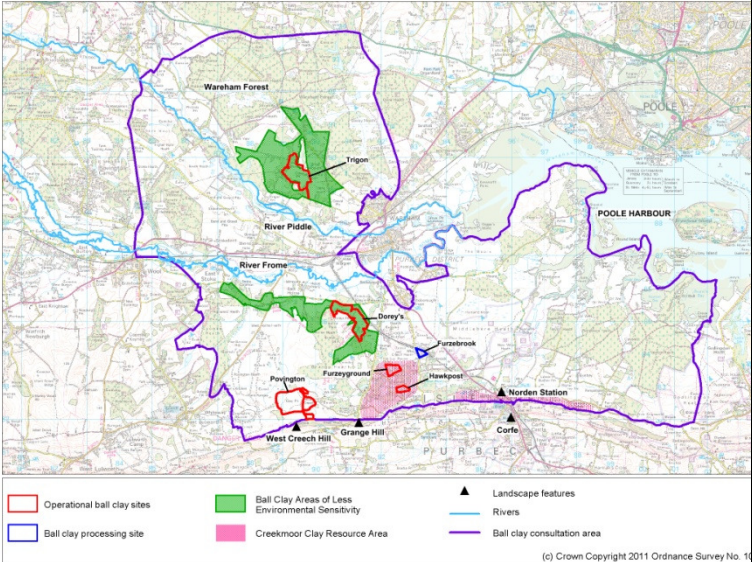
Ref.	Page No. (From MCS Pre- Submission Draft)	Policy/ Para. No. (From MCS Pre- Submission Draft)	Modification
MM57	81	8.25	<p><u>Mineral Sites Plan and/or applications.</u></p> <p><i>Delete paragraph</i></p> <p><del>The assessment was centred around the following separate resource sub areas supplied by Imerys, based on geological knowledge:</del></p> <ul style="list-style-type: none"> <li><del>• land north west of Wareham including Wareham Forest and the existing operations at Trigon;</del></li> <li><del>• a band of land west of the existing Doreys Pit and an area of land running parallel to the Purbeck Ridge east of the existing Povington Pit to the A35 including Furzyground and Hawkpost (within the AONB); and</del></li> <li><del>• land east of the A351 (within the AONB).</del></li> </ul>
MM58	81-82	8.28	<p><i>Amend as follows:</i></p> <p>Unlike aggregates, there are currently no national guidelines on future ball clay demand/provision or landbank requirements. Future demand relies on industry figures, supported by BGS <a href="#">information Footnote *Background Paper 06 - BGS Ball Clay: A Geological Appraisal to Inform Resource Planning*</a>. The amount of ball clay for which the Minerals <del>Core</del> Strategy and the Minerals <del>Sites Plan Allocations Document will need to provide</del> <a href="#">should plan for</a> can be calculated as:</p> <p><b>Requirements for new sites = Anticipated annual demand x Years covered by the Plan – Existing permitted reserves</b></p> <p><del>Requirement for new sites: (250,000 x 17) – 1.2 million tonnes = 3.05 million tonnes</del></p> <p><a href="#">Requirement for new sites = (250,000 x 16) – 1.5 million tonnes</a></p> <p><a href="#">Requirement for New Sites = 2.5 million tonnes</a></p>
MM59	82	8.29	<p><i>Amend as follows:</i></p> <p>Work has been undertaken to establish whether the <a href="#">aspiration requirement</a> of <del>3.05</del> <a href="#">2.5</a> million tonnes is an achievable figure given the highly constrained environment of the ball clay bearing area. A 'Call for Sites' exercise was carried out asking industry to put forward potential future sites for consideration by the Mineral Planning Authority. This exercise provided evidence which has been developed through further discussions and the identification of further reserves for consideration.</p>
MM60		Add two new paragraphs following 8.29	<p><i>New Paragraphs</i></p> <p><a href="#">The level of demand being planned for within this strategy is higher than historic levels to allow for growth. Actual demand over a 7 year period (2005-2011) equates to an average of 220,000 tpa. If this trend continues levels of permitted reserves will last longer than the 6 years suggested in para 8.16.</a></p> <p><a href="#">The strategy for the extraction of ball clay supports a steady supply to ensure provision of the range of grades demanded by</a></p>

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			<p><a href="#">the industry. However, this is in the context of the environmental constraints. The Mineral Planning Authority will work with and encourage the ball clay industry to identify and bring forward sites for allocation in the Minerals Sites Plan to ensure that provision can be maintained. It is acknowledged that significant investment is needed to undertake the complex geological investigation and environmental assessments required to allocate sites. It is therefore accepted the Mineral Sites Plan will be unlikely to identify sufficient sites to allow provision to be maintained at a level of 250,000 tpa during the plan period. However, the plan contains a suite of policies to assess planning applications as they come forward. This flexibility should allow ball clay to be delivered throughout the plan period, subject to sites meeting rigorous testing requirements set out within the relevant policies. If the industry is unable to come forward with sustainable sites then there will be a need to review the Plan and the level of provision being planned for.</a></p>
MM61	82	8.30	<p><i>Amend as follows:</i></p> <p><del>Currently permitted sites and known</del> Potential future sites for ball clay extraction are considered to be capable of delivering about <del>1.3 million</del> <u>870,000</u> tonnes of reserves. <del>(this includes 350,000 tonnes permitted as an extension to Povington Pit in 2012).</del> When combined with existing permitted reserves (<del>1.2</del><u>1.5</u> million tonnes), this would provide <del>about just short of</del> ten years of supply if the assumed <del>level of demand</del> <u>extraction rate</u> of 250,000 tonnes is maintained. Beyond this amount, the supply of ball clay is less certain, principally due to the landscape and ecological sensitivity of the area in which ball clay tends to be found. <del>However, it is also the case that identifying ball clay extraction sites with an appropriate range and quality of clay is complex and difficult to achieve. These circumstances could have a significant bearing upon average extraction rates over the plan period unless sufficient reserves can be delivered in an environmentally acceptable manner.</del></p>
MM62	82	8.31	<p><i>Amend as follows:</i></p> <p><del>For now, therefore, The Minerals Core Strategy is confident that around 1.3 million tonnes of ball clay will be brought forward through current and future applications, leaving a potential shortfall of 1.75 million tonnes.</del></p> <p><del>Current and</del> future applications likely to provide <u>around 1.3 million 870,000</u> tonnes</p> <p><b>Remaining shortfall</b> = Requirement for new sites - <del>current and</del> future applications</p> <p><b>Remaining shortfall</b> <del>3.05</del> <u>2.5</u> mt - <del>1.3 mt</del> <u>870,000</u> tonnes = <del>1.75</del> <u>1.63</u> million tonnes</p>



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MM63	82	8.32	<p><i>Amend as follows:</i></p> <p><del>Meeting the shortfall will require d</del> Detailed testing of specific sites through the Minerals Sites <u>Plan Allocations Document, and the planning applications process</u>, including consideration of mitigation measures, <u>will be required</u> to demonstrate that delivering the <u>strategy reserves</u> can be achieved without causing significant environmental impacts, <u>unless otherwise justified through</u>. <del>It is considered that the Minerals Site Allocations Document, together with the consideration of planning applications, Habitat Regulations Assessment, will be the mechanisms for delivering this.</del> Total provision over the plan period, based on anticipated extraction rate of 250,000 tpa, should not exceed <del>3.05</del> <u>2.5</u> million tonnes (excluding existing permitted reserves). <u>Although the plan covers a period up to the end of 2028 it is likely that a review will take place well before this time. This review will enable any issues with regards to the deliverability of all grades of ball clay beyond 2028 to be identified.</u></p>
MM64	82	8.34	<p><i>Amend as follows:</i></p> <p>If monitoring highlights that the overall strategic aim of maintaining a steady supply of ball clay is unlikely to be delivered, it may become necessary to review this element of the Minerals Core Strategy in order to include <u>more</u> achievable and realistic levels of provision. This revision could consider a gradual reduction in the production or could reassess the constraints of the ball clay bearing area and possible mitigation which may allow extraction to take place. Conversely, if monitoring highlights that actual production is lower than the anticipated rate of 250,000 tpa this can be taken into account when considering the need to bring forward further sites.</p>
MM65	83	8.36	<p><i>Amend as follows:</i></p> <p>Future sites will <u>therefore</u> need to be identified <u>throughout within</u> the <del>wider</del> ball clay consultation area. Potential areas identified through the landscape and ecology assessment, and shown on figure 13 as 'Areas of <u>Less Least</u> Environmental Sensitivity', are an important starting point for the industry to investigate further <u>as land within this area is generally less constrained than the wider Ball Clay Consultation Area. Sites in these general locations are more likely to be environmentally acceptable.</u> Careful attention should be paid when considering <u>sites on the fringe of the 'Areas of Less Environmental Sensitivity' that may lie in close proximity to European sites and could be indirectly affected by minerals development.</u></p>
MM66	83	8.37	<p><i>Amend as follows:</i></p> <p><u>Although extraction-site investigation should will be directed towards the These 'Areas of Less Least Environmental Sensitivity' proposals for sites, both within and outside the 'Areas of Less Environmental Sensitivity' will be required in order to deliver an adequate and steady supply of all grades of ball clay. Sites will be considered on their individual merits in accordance with the policies in this plan. Formal Appropriate</u></p>

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			<u>Assessment may be required for some sites when further detail is known either at the allocations or planning application stage.</u> <del>are most likely to contain new sites of a large scale comparable to the existing sites of Furzeground and Hawkpost. Due to the sensitivity of the ball clay bearing areas it is extremely unlikely that another site on the scale of Dereys or Povington will be able to be found at an acceptable environmental cost.</del>
<b>MM67</b>  Note: this modification was amended on 07 August 2013 see addendum sheet MSMod01a	83	8.38	<i>Delete paragraph as follows:</i>  'Impact on amenity and access considerations are <u>also</u> likely to limit the number of sites that come forward from within the identified 'Areas of <u>Less Least</u> Environmental Sensitivity'. <del>There will also be land within the 'Areas of Less Environmental Sensitivity' where extraction of any scale would be inappropriate. This includes</del> <u>The Areas of Less Environmental Sensitivity do not include</u> Trigon Heath SNCI and Old Farm Plantation which are being managed for their heathland wildlife for the duration of the Trigon landfill planning consent.'
<b>MM68</b>	83	New Paragraph after 8.40	<i>Insert new paragraph as follows:</i>  <u>There is currently no evidence to show that an adverse effect on the integrity of European sites is a real possibility, such that it would create problems for the delivery of the strategy. However, it is acknowledged that for ball clay a situation may arise in the latter part of the plan period where the tests of Article 6 (4) may need to be considered and Government guidance 'Habitats and Wild Birds Directives: Guidance on the application of article 6 (4)' Defra (2012) should be followed in such an instance.</u>
<b>MM69</b>	84	8.41	<i>Amend as follows:</i>  No sites will be <u>allocated within the Mineral Sites Plan brought forward</u> for ball clay extraction which fall within and/or are shown likely to <u>adversely affect the integrity of</u> European designated nature conservation sites. Detailed assessment of ecological and hydrological implications of ball clay extraction close to European sites will be required for sites to be taken forward into the Minerals Site Allocations Document or the subject of application. <del>Where significant doubts remain over possible effects on European sites, a precautionary approach will be taken.</del>
<b>MM70</b>	84	New Paragraph after 8.41	<i>New Paragraph as follows:</i>  <u>Further safeguards exist. It is a matter of law that at the site allocation stage, and at the application stage, further Habitats Regulations Assessment will be necessary.</u>
<b>MM71</b>	85	Figure 13	<i>Insert Revised Figure 13</i>  <i>Removal of two areas from the 'Area of Less Environmental Sensitivity'</i>  <i>Remove SNCI's from the Area of less environmental sensitivity.</i>

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			<p><del>Delete 'Creekmoor Clay Potential Area' and replace with 'Creekmoor Clay Resource Area'</del></p>  <p>(c) Crown Copyright 2011 Ordnance Survey No. 14</p>
MM72	86	Policy BC1	<p><i>Amend as follows:</i></p> <p><b>Policy BC1 – Provision of Ball Clay</b>                      The Mineral Planning Authority will <u>aim to</u> ensure an adequate and steady supply of all grades of ball clay through the provision of <del>at least 1.3 million tonnes up to a maximum of 3.05</del> <u>up to 2.5</u> million tonnes of reserves over the plan period <u>from within the Ball Clay Consultation Area</u>.</p> <p><del>Sites of a large scale will be expected to come forward from within the 'Areas of Least Environmental Sensitivity', as shown on the Submission Policies Map.</del></p> <p>The sensitive environment of the ball clay bearing areas should be recognised and permission will be granted for the extraction of ball clay where <u>all of</u> the following specific criteria are met:</p> <ol style="list-style-type: none"> <li>The scale, nature, location and duration of the proposal would not have a significant impact on the landscape character and quality of the AONB.</li> <li>Where sites are situated within the AONB, the scale and method of working should be appropriate in scale and specifically tailored to reduce harm.</li> <li>Where it has been demonstrated that possible effects (<u>including those</u> related to hydrology, displacement of recreation, species, proximity, land management and restoration) that might arise from the development would not adversely affect the integrity of the Dorset Heaths SAC, Dorset Heathlands SPA and Dorset Heathland Ramsar site either alone or in combination with other plans or projects, <u>unless the</u></li> </ol>

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			<p><a href="#">tests set out Article 6(4) of the Habitats Directive are met.</a></p> <p>d. A detailed restoration and aftercare scheme demonstrates how the enhancement of landscape, nature conservation habitats and geodiversity interest will be achieved, as appropriate.</p> <p>Where there are sites allocated in the <del>MSAD</del> <a href="#">Mineral Sites Plan</a> and applications are for additional sites, the need for a particular grade of clay should be demonstrated.</p>
MM73	87	Policy BC2	<p><i>Amend policy as follows:</i></p> <p>'Where the Mineral Planning Authority has identified <u>unacceptable</u> adverse impacts arising from <u>road-borne transportation of ball clay</u> <del>transportation</del>, operators will be expected to use alternative mean of transport for the movement of ball clay to and from Furzebrook and for the onward distribution of ball clay from Furzebrook where practical.</p>
MM74	88	8.53	<p><i>Amend as follows:</i></p> <p>Extraction of sand and gravel <del>as a secondary resource</del> in association with ball clay is currently occurring at Trigon. Annual output is around 50,000 tonnes per annum. However, the clay extraction causes a much larger tonnage to be dug and stored. As Trigon is situated outside the AONB and with relatively good transport links, this is seen as an acceptable level of activity. <u>Sand and gravel extraction is also occurring at Dorey's Pit.</u> Doreys is situated within the AONB and specific controls exist on this site restricting output of sand and gravel to 30,000 tonnes per annum. <u>Although these examples of current permitted extraction levels are a useful guide, and demonstrate the sensitivity of the AONB, each proposal for sand and gravel extraction will be considered on its merits taking into account all material planning considerations relevant to the individual site before reaching any planning decision.</u></p>
MM75	88	8.55	<p><i>Amend as follows:</i></p> <p>The strategy for dealing with future extraction of sand <u>and gravel</u> from ball clay sites <u>gives appropriate consideration to acceptable volumes</u> <del>is to limit volumes</del> from sites within the AONB. It is not appropriate to specify a numerical limit for what is considered an acceptable level of extraction. Suitable levels will be considered on a site by site basis, bearing in mind how the site is proposed to be worked, arrangements for stockpiling and processing and access arrangements. <u>Mineral extracted within the AONB will comprise only the interburden and overburden sand which is necessarily dug in order to access the ball clay.</u></p>
MM76	89	8.56	<p><i>Delete paragraph:</i></p> <p><del>Future levels of extraction of sand and gravel within the AONB would be in the region of levels currently produced at Doreys, which is considered a 'reasonable scale'. Mineral extracted within the AONB will comprise only the interburden and overburden sand which is necessarily dug in order to access the ball clay.</del></p>


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MM77	89	BC3	<p><i>Amend as follows:</i></p> <p>Extraction of sand and gravel in association with ball clay workings within the Dorset AONB will be permitted where it can be demonstrated that:</p> <ol style="list-style-type: none"> <li>the material is derived from the overburden and interburden;</li> <li>the operation is of a reasonable scale;</li> <li><u>any adverse visual and landscape impacts are avoided or capable of mitigation can be managed to the satisfaction of the MPA an acceptable level;</u></li> <li>restoration of the site would not be compromised, maintaining <u>and enhancing</u> the area's landscape character <u>and ecology;</u></li> <li>the road network can safely accommodate the additional vehicle movements without significant environmental or amenity impact; and</li> <li>any <u>adverse impacts on the</u> ecology, amenity and recreational areas <del>impacts are acceptable</del> <u>capable of mitigation to the satisfaction of the MPA.</u></li> </ol>
<b>Chapter 9: The Strategy for Purbeck Stone Extraction</b>			
MM78	99	9.28	<p><i>Amend first sentence:</i></p> <p>Average sales <del>in recent years indicate that provision should be made for around from 2004 to 2010 were around</del> <u>18,000 tonnes</u> of saleable stone per year.</p> <p><i>Amend final sentence:</i></p> <p>The Minerals Core Strategy therefore proposes to make provision of Purbeck Stone (including Purbeck-Portland, but excluding Purbeck Marble) of <del>around 25,000 tonnes a year. at least 20,000 tonnes per annum on average over the plan period. To achieve this it is possible that the net capacity of allocated and permitted sites may be capable of delivering a higher overall production rate as sites will not all be worked at the same time, nor will they contain identical grades of stone. It is also the case that amounts will vary from year to year in response to demand, and some years may see production up to or even exceeding 25,000 tonnes.</del></p>
MM79	100	9.35	<p><i>Amend calculation:</i></p> <p><b>Annual requirement x Years covered by the Plan - Existing permitted reserves = Requirement for new sites</b>  <del>(25,000t - 20,000t x 17) - (282,000 - or 238,000) = 143,000t</del>  <del>187,000 - 102,000 tonnes</del></p>
MM80	100	9.36	<p><i>Amend first sentence:</i></p> <p>Provision will therefore be made for an average of <del>25,000</del> <u>at least 20,000</u> tonnes of saleable Purbeck Stone per year, which equates to <del>around 143,000 to 187,000</del> <u>102,000</u> tonnes to ensure that there are adequate supplies up until 2028.</p>
MM81	101	Policy PK1	<p><i>Amend second sentence:</i></p>

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			Provision will be made for <u>an average of</u> at least <u>20,000</u> <del>143,000 tonnes</del> tonnes per annum of saleable Purbeck Stone, <u>excluding Purbeck Marble and Burr</u> <del>(around 25,000 tonnes per annum) within the Area of Search.</del>
MM82	101	9.39	<i>Amend:</i>  <del>Figure 16 shows the area of search for Purbeck Stone, within which this provision will be made. The area of search has been developed based on British Geological Survey (BGS) mapping of the Purbeck Stone resource, excluding built up areas and areas considered unlikely to be suitable for quarrying activity due to the presence of ecological and archaeological designations and to landscape and visual sensitivity. Provision will be made for Purbeck Stone through the identification of specific sites within the Mineral Sites Plan.</del>
MM83	103	9.42	<i>Amend:</i>  <del>The Minerals Site Allocations Document will identify specific sites to contribute towards the provision of Purbeck Stone. Identification of sites will depend on the provision of the best available evidence to demonstrate that sites contain usable stone of the type required by operators and this is relatively close to the surface to avoid excessive overburden having to be moved and stored. This will provide the industry with a high level of certainty that applications made within identified sites and in accordance with policies in this Plan will be permitted. Preference will be given to the development of these identified sites, in accordance with Policy SS1 (Chapter 5) and Policy PK2.</del>
MM84	103	9.44	<i>Amend:</i>  To provide sufficient flexibility and ensure that the strategy, as expressed in Policy PK1, is deliverable, <del>a series of criteria are proposed to enable other sites to be permitted within the area of search during the plan period, if suitable applications are made.</del> <u>an area of search has been identified. The area of search is a broad area where knowledge of mineral resources is less certain. Within the area of search, planning permission for particular sites could be granted to meet any shortfall in supply, in accordance with Policy PK2, if suitable applications are made.</u> In these cases, <del>justification must be provided, including demonstrating why the Mineral Planning Authority will need to be satisfied that identified sites allocated in the Minerals Sites Plan would not deliver what is needed by an operator. maintain a sufficient supply of stone in accordance with Policy PK1. This will require evidence that: an allocated site will not be developed during the plan period; an allocated site does not contain sufficient workable stone; or that there is a need for a specific bed of stone that cannot be delivered from existing permitted or allocated sites.</del>
MM85	104	9.47	<i>Amend:</i>  Purbeck Marble <u>and burr</u> is known to outcrop on the north facing slope north of Kingston Road as far west as Kingston.

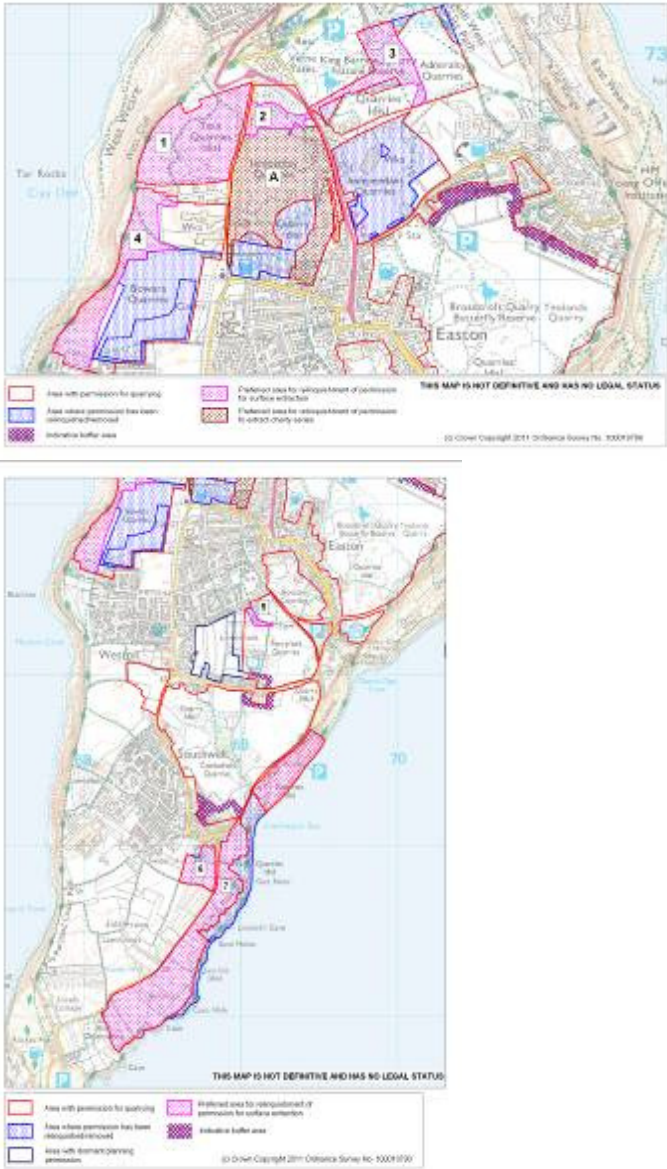
Ref.	Page No. (From MCS Pre- Submission Draft)	Policy/ Para. No. (From MCS Pre- Submission Draft)	Modification
			<p>There may be opportunities within this area for limited extraction of Purbeck Marble <u>or burr, or where there is a need for a specific bed of stone,</u> outside of the area of search, but it is acknowledged that this area is particularly sensitive visually. <u>In considering need, the Mineral Planning Authority will have regard to whether the application is principally for a bed of stone which is a significant building material for settlements in Dorset, or major historic buildings elsewhere, but does not occur within existing permitted sites or the Area of Search.</u></p>
MM86	104	New paragraphs following Paragraph 9.47	<p><i>Add new paragraphs to follow Paragraph 9.47:</i></p> <p><u>Where no need for a specific bed of stone can be justified, any proposal for an unallocated site outside of the Area of Search will be resisted unless there is clear evidence that it would deliver a net environmental, economic or social benefit over the granting of a comparable site within the Area of Search. Economic benefit in relation to this policy will be considered in the context of maintaining the overall supply of Purbeck Stone set out in this Plan. The applicant must satisfy the Mineral Planning Authority that the proposal would meet this requirement when considered against all of criteria a-f of Policy PK2 and other relevant policies in this plan.</u></p> <p><u>Stone extraction is important to the economy in a number of ways. It employs local people and supports a range of skilled jobs. It also provides a supply of stone to various construction projects, including those where the type of stone is vital to maintaining local character or architectural integrity. These economic benefits and maintaining a viable stone industry are therefore important considerations when considering proposals against Policy PK2.</u></p>
MM87	104	Policy PK2	<p><i>Amend:</i></p> <p><b>Policy PK2 – Considerations for Purbeck Stone Proposals Quarries</b></p> <p><u>Provision for Purbeck Stone will be made by:</u></p> <ol style="list-style-type: none"> <li data-bbox="762 1525 1485 1585">i. <u>identifying suitable sites within the Minerals Sites Plan;</u></li> <li data-bbox="762 1585 1485 1738">ii. <u>permitting applications for non-allocated sites within the Area of Search, as shown on the Submission Policies Map, if they are needed to meet a shortfall in supply that cannot be met through existing permitted or allocated sites; and</u></li> <li data-bbox="762 1738 1485 1951">iii. <u>permitting applications for non-allocated sites outside of the Area of Search if it can be demonstrated that there is a need for a specific bed of stone that cannot be met by (i) and (ii), or that they would offer a net environmental, economic or social benefit compared with similar development within the Area of Search.</u></li> </ol> <p><del>Proposals for Purbeck Stone quarries within the Area of Search, as shown on the Submission Policies Map, will be permitted</del></p>

Ref.	Page No. (From MCS Pre- Submission Draft)	Policy/ Para. No. (From MCS Pre- Submission Draft)	Modification
			<p><del>where they must</del> meet all of the following criteria:</p> <ol style="list-style-type: none"> <li><del>Their scale, and</del> extent <u>and location</u> are such that adverse impacts upon the environment <del>or and</del> amenity can be avoided, <u>minimised</u> or <u>adequately</u> mitigated to an acceptable level <u>to the satisfaction of the Mineral Planning Authority</u>;</li> <li><del>They</del> are accompanied by details of anticipated overburden and evidence of how this will be accommodated within the landform so as not to have a significant impact on the landscape character and quality of the Dorset AONB;</li> <li>there will not be an unacceptable cumulative impact on the landscape character or amenity having regard to activities within the proposed site and other sites within the area;</li> <li>existing characteristic landscape features, such as stone walls, are retained in situ unless the stone is incapable of being viably worked without disturbance to such features. Where disturbance is unavoidable proposals must include measures to minimise disturbance and/or mitigate the impact to an acceptable degree;</li> <li>there would not be unacceptable impacts on the highway network <u>or and neighbouring properties amenity</u> arising from transporting stone from the quarry to the service area; <u>and</u></li> <li><u>in the case of applications for non-allocated sites, they would not prevent or constrain the delivery of an existing permitted or allocated site, having regard to the potential for cumulative impacts to occur.</u></li> </ol> <p><del>Applications for sites allocated in the Minerals Site Allocations Document will be granted in preference to a non-allocated site, unless it can be demonstrated by the applicant that a non-allocated site is required to maintain an adequate and steady supply in accordance with the Spatial Strategy.</del></p> <p><del>Small scale extraction of Purbeck Marble will be permitted outside of the Area of Search, where the scale, nature, location and duration of the proposal would not have a significant adverse impact (including cumulative impact) on the environment or local amenity and where it would comply with the above criteria.</del></p>
<b>MM88</b>	108	Policy PK5	<p><i>Amend:</i></p> <p>The Mineral Planning Authority will only permit the processing and storage and resale of stone arising from outside Purbeck <u>Stone quarries</u> where it can be demonstrated that this is necessary to maintain employment and/or masonry skills and where this would be no more than a minor activity of a scale which does not undermine the viability of the Purbeck Stone or generate unacceptable impacts upon amenity or the highway network.</p>
<b>Chapter 10 - The Strategy for Portland Stone Extraction</b>			
<b>MM89</b>	115	Figure 17	<p><i>Amendment of current Figure 17: Bowers Mine boundary removed from plan to reflect the fact that the planning permission for extraction has expired:</i></p>

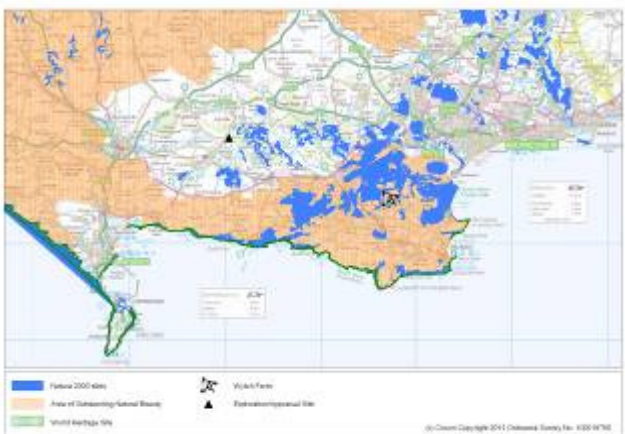


Ref.	Page No. (From MCS Pre-Submission Draft)	Policy/ Para. No. (From MCS Pre-Submission Draft)	Modification
			
MM90	119	Policy PD1	<p><i>Amend first sentence:</i></p> <p>Proposals for underground mining and high wall extraction of Portland dimension stone, on the Isle of Portland, will be permitted where <del>all the following criteria can be met</del> <u>they meet all of the following criteria:</u></p> <p><i>Amend criterion b:</i></p> <p>any adverse impacts from the creation of a mine entrance can be avoided or mitigated to <del>an acceptable level</del> <u>the satisfaction of the Mineral Planning Authority;</u></p>
MM91	121	Figure 18	<p><i>Amend map to identify an additional area of opportunity for mining, located south of Jordan's Mine and Reforne, at Royal Manor tennis courts as shown below.</i></p> <p><i>Map also updated to reflect expiry of Bowers Mine permission.</i></p> <p><i>Add text to key to clarify purpose of Areas of Opportunity:</i></p> <p><u>*The identification of these areas does not imply a presumption in favour of granting planning permission or over other sites, and does not constitute a proposal or allocation in the plan.</u></p>

Ref.	Page No. (From MCS Pre-Submission Draft)	Policy/ Para. No. (From MCS Pre-Submission Draft)	Modification
			<p><b>THIS MAP IS NOT DEFINITIVE AND HAS NO LEGAL STATUS</b></p> <p>*The identification of these areas does not imply a presumption in favour of granting planning permission or over other sites, and does not constitute a proposal or allocation in the plan.</p> <p>(c) Crown Copyright 2011 Ordnance Survey No. 100019790</p>
MM92	122	Figure 19	<p><i>Add text to key to clarify purpose of Areas of Opportunity:</i></p> <p><u>*The identification of these areas does not imply a presumption in favour of granting planning permission or over other sites, and does not constitute a proposal or allocation in the plan.</u></p> <p><b>THIS MAP IS NOT DEFINITIVE AND HAS NO LEGAL STATUS</b></p> <p>*The identification of these areas does not imply a presumption in favour of granting planning permission or over other sites, and does not constitute a proposal or allocation in the plan.</p> <p>(c) Crown Copyright 2011 Ordnance Survey No. 100019790</p>
MM93	123	10.33	<p><i>Amend:</i></p> <p>Policy PD2 sets out a presumption against further surface quarrying of Portland Stone, <u>unless such a proposal would result in a net environmental gain.</u></p>

Ref.	Page No. (From MCS Pre-Submission Draft)	Policy/ Para. No. (From MCS Pre-Submission Draft)	Modification
<b>MM94</b>	123	Policy PD2	<p><i>Amend:</i>  <del>In exceptional circumstances,</del> The Mineral Planning Authority will <u>only</u> grant permission for surface quarrying of Portland Stone on the Isle of Portland if:</p>
<b>MM95</b>	126-127	Figures 20 & 21	<p><i>Show red line of permission boundary as top layer.</i>  <i>Re-label purple hatched areas on key as follows:</i>  <i>“Indicative <u>buffer</u> area <del>where buffer needed</del>”</i></p> 
<b>MM96</b>	128	10.45	<p><i>Amend fourth and fifth sentences:</i></p> <p>The Mineral Planning Authority would expect to be able to require full modern conditions including the establishment of an <u>substantial appropriate</u> buffer. It is considered that the site could be mined as an alternative to surface quarrying and so it is identified as an area of opportunity for mining <del>under</del> in Figure 19.</p>

Ref.	Page No. (From MCS Pre- Submission Draft)	Policy/ Para. No. (From MCS Pre- Submission Draft)	Modification
MM97	130	Policy PD4	<p><i>Amend criterion d:</i></p> <p>secure the protection of the Isle of Portland Site of Special Scientific Interest, the Isle of Portland <del>Regionally Important Local</del> Geological <del>and or</del> Geomorphological Site, Sites of Nature Conservation Interest, <u>BAP Priority Habitats</u> and the habitats of protected species</p>
MM98	133	10.51	<p><i>Add new paragraph:</i></p> <p><u>The emerging West Dorset, Weymouth &amp; Portland Local Plan allocates areas of quarried land on the northern part of Portland to form a 'Portland Quarries Nature Park'. The proposed park aims to secure the long term future of the island's most important disused quarries, ensuring public access, long term management and interpretation of these culturally important sites. Restoration in line with the above would enable an appropriate afteruse that contributes to the Portland Quarries Nature Park.</u></p>
MM99	133	10.52	<p><i>After 2<sup>nd</sup> sentence, add additional sentence:</i></p> <p><u>Such areas may also be suitable for restoration to BAP priority habitat.</u></p>
MM100	133	Policy PD5	<p><i>Amend first sentence:</i></p> <p>Schemes for the restoration of <u>mineral</u> sites on Portland should achieve the following:</p> <p><i>Amend criterion b:</i></p> <p>Safeguarding, enhancement and where necessary reinstatement of significant ecological and geological interests <del>within permission boundaries</del></p> <p><i>Add sentence following criterion g:</i></p> <p><u>Proposals for the afteruse of sites will be expected to contribute to the aims of the Portland Quarries Nature Park where relevant.</u></p>
<b>Chapter 11 - The Strategy for Other Building Stone Extraction</b>			
MM101	136	Add new paragraph following Paragraph 11.4	<p><i>Add new paragraph:</i></p> <p><u>Flint, found as nodules in the Middle and Upper Chalk, has also been extensively used throughout the whole Chalk Downland area, traditionally gathered from ploughed fields. It has also been obtained from the Clay with Flints, found on top of parts of the Chalk Downlands, as the clay was prepared for brickmaking. Flint has also been extracted from Woodsford Quarry in the Frome Valley, taken from the Terrace Gravels. Flint can be used as either a building stone material or as an aggregate.</u></p>
MM102	136	Add new paragraph following Paragraph 11.5	<p><i>Add new paragraph:</i></p> <p><u>In order to maintain local built character, quarrying of local stone is essential.</u></p>


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MM103	139	Policy BS1	<p><i>Amend Policy:</i></p> <p>Proposals for small-scale building stone quarries, other than Portland and Purbeck Stone, will be permitted, <del>if all of the following apply</del> <u>where they meet all of the following criteria:</u></p> <ol style="list-style-type: none"> <li>the stone is of a type historically used for building in the local area and is to be used to maintain the fabric or character of individual buildings or settlements in the local area, or a significant historic building elsewhere;</li> <li>the proposal would be of a type, scale and output appropriate to the market identified in (a) above; and</li> <li>the proposal would not individually or cumulatively with any other sites result in a level of mineral activity, or traffic generation, which would have an unacceptable effect on landscape, the environment or local amenity.</li> </ol>
<b>Chapter 12 - The Strategy for Hydrocarbons</b>			
MM104	142	12.5	<p><i>Amend first sentence to:</i></p> <p>The <u>current</u> licensed areas in the county mainly cover south and south east Dorset, including Purbeck.</p> <p><i>Add new sentence following third sentence:</i></p> <p><u>The designations are illustrated on Figure x. (New Figure)</u></p>
MM105	142-143	12.5	<p><i>Add two new sentences at end of paragraph:</i></p> <p><u>Applications for hydrocarbons development may only come forward within licensed areas at any given time. Policies for hydrocarbons development in Dorset will apply within the licensed areas.</u></p>
MM106	143	12.5 Insert new plan	<p><i>Addition of plan following paragraph 12.5 to show locations of Natura 2000 sites, Areas of Outstanding Natural Beauty and World Heritage Site in the general area coinciding with current license blocks:</i></p> 
MM107	144	12.15	<p><i>Add additional sentence after second sentence:</i></p> <p><u>Technical feasibility and economic viability needs to be taken into account alongside consideration of potential impacts.</u></p>

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MM108	144	12.19	<p><i>Amend third sentence:</i></p> <p>The number of tanker movements <del>may need to be restricted to an acceptable level</del> would need to be considered as part of <u>determining the acceptability of a proposal.</u></p>
MM109	146	Policy HY1	<p><i>Amend Policy:</i></p> <p>Proposals for exploration and appraisal of onshore oil and gas will be permitted where <del>all of the following apply</del> <u>they meet all of the following criteria:</u></p> <ol style="list-style-type: none"> <li>a. well sites and associated facilities are sited in the least sensitive location from which the target reservoir can be accessed;</li> <li>b. it has been demonstrated that possible effects that might arise from the development would not adversely affect the integrity of any SAC, SPA or Ramsar site either alone or in combination with other plans or projects; and</li> <li>c. any adverse impacts can be <u>avoided or</u> mitigated to <del>an acceptable level</del> <u>the satisfaction of the Mineral Planning Authority</u>, with safeguards to protect environmental and amenity interests put in place as necessary;</li> <li>d. it can be demonstrated <u>that there would be no adverse impact on the underlying</u> integrity of the geological structure <del>is suitable</del>;</li> <li>e. an indication of the extent of the reservoir and the extent of the area of search within the reservoir is provided to the Mineral Planning Authority;</li> <li>f. exploration and appraisal operations are for an agreed, temporary length of time; and</li> <li>g. well sites and associated facilities are restored at the earliest practicable opportunity if oil and gas is not found in economically viable volumes, or they are developed within a time frame agreed.</li> </ol>
MM110	148	Policy HY2	<p><i>Amend Policy:</i></p> <p>Proposals for hydrocarbon production well sites and facilities, and other related ancillary development, will be permitted where they meet all of the following criteria:</p> <ol style="list-style-type: none"> <li>a. a full appraisal programme for the oil and gas field has been completed to the satisfaction of the Mineral Planning Authority;</li> <li>b. a framework for the full development of the field is submitted for approval by the Mineral Planning Authority;</li> <li>c. facilities required for hydrocarbon production sit within the agreed development framework, are justified in terms of their number and extent, and are progressively installed wherever possible;</li> <li>d. extraction, processing, dispatch and transport facilities</li> </ol>


Ref.	Page No. (From MCS Pre- Submission Draft)	Policy/ Para. No. (From MCS Pre- Submission Draft)	Modification
			<p>are sited, designed and operated to minimise environmental and amenity impacts and provide proportionate environmental enhancements;</p> <p>e. any adverse impacts, both individual and cumulative, can be <del>avoided or</del> mitigated to <del>an acceptable level</del> <u>the satisfaction of the Mineral Planning Authority</u>;</p> <p>f. it has been demonstrated that possible effects that might arise from the development would not adversely affect the integrity of any SAC, SPA or Ramsar site either alone or in combination with other plans or projects;</p> <p>g. <u>it can be demonstrated that there would be no adverse impact on the underlying integrity of the geological structure</u>;</p> <p>h. existing facilities are used for the development of any additional fields discovered unless the applicant satisfies the Mineral Planning Authority that this would not be <del>technically</del> feasible and any adverse impacts can be mitigated;</p> <p>i. where a proposal uses existing production facilities, the integrity of the existing infrastructure can be demonstrated, having regard to local environmental factors.</p>
MM111	148	12.35	<p><i>Delete paragraph:</i></p> <p><del>Where planning permission is granted, conditions are likely to be imposed governing, amongst other things, the timing and method of gas flaring, the direction of vehicles leaving the site, noise emissions, prevention of pollution, means of disposal of unwanted gas and the method by which the end product is to be transported from the well site or gathering station.</del></p>
MM112	149	12.40	<p><i>Amend first sentence:</i></p> <p>Since there is the potential for further production in Dorset and since oil and gas fields are typically located in relatively remote areas, policy HY3 directs movement to pipelines <del>and railway</del> wherever practicable.</p>
MM113	150	Policy HY3	<p><i>Amend first and second sentence:</i></p> <p><del>Hydrocarbons</del> <u>Developments for hydrocarbons production</u> will be required to use <u>pipelines or rail haulage</u>. Where it can be demonstrated that this is not feasible, economically and/or environmentally, <u>rail or</u> road transport will be considered.”</p>
MM114	151	12.45	<p><i>Amend second and third sentence:</i></p> <p>The area is interspersed with internationally and nationally protected heathlands, which are <u>BAP priority habitats</u> and the subject of ongoing management. Restoration should therefore strive to achieve favourable condition within such designated areas and opportunities for habitat improvement <u>and creation</u> within the wider area should be maximised.”</p>

Ref.	Page No. (From MCS Pre- Submission Draft)	Policy/ Para. No. (From MCS Pre- Submission Draft)	Modification
<b>Chapter 13: Other Minerals</b>			
MM115		New paragraph.	<p><i>Add new paragraph after 13.16:</i></p> <p><u>The NPPF ( para 146) requires a landbank of at least 10 years for silica sand sites. In Dorset, silica sand sites produce sand for both aggregate (i.e. construction related) and non-aggregate (i.e. industrial sand) purposes. It is therefore not possible to identify a 10 year silica sand landbank for any one site based on the entire output of that site. To address this issue the Mineral Planning Authority will, at sites producing silica sand for industrial purposes, annually monitor the levels of output of both aggregate and non-aggregate sand and for the latter use the average of the last three years [Footnote: Technical Guidance to the NPPF (March 2012, para 53) states that landbank requirements for silica sand should be calculated by multiplying the average of the last three years production for which figures are available by the appropriate number of years, having regard to the quality of sand and the use to which the material is put.] to derive a 10 year landbank for industrial silica sand for the relevant site. This will indicate whether there is an adequate permitted reserve for future production of industrial silica sand.</u></p>
MM116	157	13.17	<p><i>Amend paragraph:</i></p> <p><del>Due to the national need for silica sand, it is important that each production site maintains an adequate landbank unless exceptional circumstances prevail. To achieve this, the relative size of the industrial sand landbank will be indicative of the need for new permissions and the</del> Mineral Planning Authority will aim to ensure that a landbank of at least 10 years <u>for industrial silica sand</u> is maintained for <u>relevant</u> individual sites. The need for the mineral must be balanced against environmental and amenity constraints and there may be overriding environmental and/or amenity reasons why the stock of permitted reserves at some sites may not be replenished as they are used up. <del>In practice, there could be difficulties as production data may be confidential at site level, but it will be difficult to calculate landbanks or to make specific provision in mineral local plans without this information.</del></p>
MM117	158	Policy IS1	<p><i>Amend Policy:</i></p> <p>The Mineral Planning Authority will ensure that an appropriate contribution is made to the national requirement for silica sand for industrial uses. This will be achieved <u>within the Bedrock Sand Resource Block</u> through existing production sites, extensions to such sites and/or at new sites, provided that:</p> <p><del>a. the necessary resources are available and located within the Bedrock Sand Resource Block; and</del></p> <p><del>b. a. the a</del> <u>need for the mineral industrial silica sand which cannot be met through the existing landbank at each relevant site can be demonstrated; and</u></p> <p><del>c. b.</del> <u>any adverse impacts associated with extraction, processing or transportation can be avoided or satisfactorily mitigated.</u></p>



Ref.	Page No. (From MCS Pre- Submission Draft)	Policy/ Para. No. (From MCS Pre- Submission Draft)	Modification
			Sites will only be considered where it has been demonstrated that possible effects (including those related to hydrology, displacement of recreation, species, proximity, land management and restoration) that might arise from the development would not adversely affect the integrity of the Dorset Heaths SAC, Dorset Heathlands SPA and Dorset Heathland Ramsar site either alone or in combination with other plans or projects.
MM118	159	Fig 24 Locations of Sites for Chalk, Clay Industrial Sand	<p>Amend Figure 24 to include Masters Pit as an Industrial Sand site.</p> 
<b>Chapter 14: Safeguarding</b>			
MM119	163	14.8	<p>Amend paragraph:</p> <p>In Bournemouth, Dorset and Poole, the MSA <b>predominantly</b> comprises the proven mineral resource (based on mapping prepared by the British Geological Survey) and amended to exclude:</p> <ol style="list-style-type: none"> <li>previously worked land <b>and current workings</b> (<a href="#">provided the mineral resource is exhausted</a>)</li> <li>roads</li> <li><b>urban areas</b> <a href="#">land within settlement boundaries</a> and</li> <li>proposed urban extensions (where these coincide with the safeguarded building stone resource).</li> </ol>
MM120	163	14.11	<p>Amend paragraph:</p> <p>For Portland Stone, Purbeck Stone and other building stones, the areas to be safeguarded are the outcrops of these minerals as identified by British Geological Survey resource mapping, with roads, <a href="#">and land within settlement boundaries</a>, <b>urban areas and existing mineral permissions</b> removed.</p>
MM121		New paragraph.	<p>Add new paragraph after paragraph 14.11:</p> <p><a href="#">The open operational land of Bournemouth International Airport is included in the MSA, while the areas covered by built development are excluded. If at some time in the future the open operational land (or any part of it) is no longer required and is proposed for built development, it will be subject to the same assessment process for prior extraction as any other land within the MSA.</a></p>

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MM122	164	14.12	<p><i>Amend paragraph:</i></p> <p>Non-mineral development within the MSA must demonstrate that the sterilisation of proven mineral resources will not occur as a result of the proposed development, and that the development would not pose a serious hindrance to future extraction or processing in the vicinity. If <a href="#">this is not possible and</a> there is a clear and demonstrable need for the non-minerals development to go ahead, the Mineral Planning Authority will work with the relevant district/borough and/or the developer to assess the feasibility of, and where possible ensure, prior extraction of an agreed proportion of the mineral resource before it is sterilised. <a href="#">Proposals for prior extraction of minerals must demonstrate that the site will not be left incapable of development for non-mineral use.</a></p>
MM123		New paragraph.	<p><i>Add new paragraph after paragraph 14.13:</i></p> <p><a href="#">The Mineral Planning Authority and the districts and boroughs of Dorset will cooperate to minimise conflict between development options and proposals within their existing and emerging planning documents and to ensure that relevant statutory responsibilities, including provision of SANGs, are discharged.</a></p>
MM124		New paragraph.	<p><i>Add new paragraph after paragraph 14.13:</i></p> <p><a href="#">Proposals for prior extraction are required to be environmentally feasible [Footnote: Paragraph 143, bullet point 5 of the National Planning Policy Framework.] and potential impacts will be assessed on a site-by-site basis, using the environmental criteria set out in this Plan and taking into consideration the scale and timescale of the proposed built development and the proposed level of prior extraction.</a></p>
MM125		Policy SG1	<p><i>Amend Policy:</i></p> <p>Where this cannot be demonstrated, and where there is a clear and demonstrable need for the non-minerals development, prior extraction will be sought where practicable <a href="#">and where it would not leave the site incapable of non-mineral use.</a></p>
MM126	165	Policy SG2	<p><i>Amend Policy:</i></p> <p><a href="#">A Minerals Consultation Area is defined within Dorset County Council only. It has the same boundaries as the Minerals Safeguarding Area.</a> District and Borough Councils will consult the County Council as Mineral Planning Authority on proposals for non-minerals development within the designated Mineral Consultation Area, as shown on the Submission Policies Map. The Mineral Planning Authority will resist inappropriate development within the Mineral Consultation Area.</p>

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MM127	165	14.17	<p><i>Amend paragraph:</i></p> <p>...(including pipelines); industrial processes utilising minerals (such as roadstone coating plants and concrete batching and concrete product plants); aggregate rail depots and wharves; <del>existing and</del> permitted but not yet worked quarries, mines <u>and associated plant and facilities associated with existing quarries or mines;</u> existing oil and gas production <u>and distribution</u> facilities; aggregate recycling facilities; and any sites proposed through the Minerals and Waste Development Framework for any <u>of these</u> <del>such</del> uses.</p>
MM128	165	14.18	<p><i>Amend paragraph:</i></p> <p>The Minerals Strategy safeguards all such sites <u>and facilities</u> in Bournemouth, Dorset and Poole. There should be no non-minerals development within or in the vicinity of a safeguarded minerals site or <del>location-facility</del> that could encroach on the minerals operation and/or prevent or prejudice the working or processing of minerals in any way. This is intended to protect both the mineral and the non-mineral uses. This safeguarding requirement may be set aside where it can be demonstrated that there will either be no adverse impacts on the production of minerals <u>or mineral products</u>, or any adverse impacts can be satisfactorily mitigated.</p>
MM129	166	Policy SG3	<p><i>Amend policy:</i></p> <p>a. an alternative <u>new site or facility</u> within an acceptable distance can be provided, which is at least as appropriate for the use as the safeguarded location (and there would be no break in operations); or</p> <p>c. it can be demonstrated that the site is unused or dormant and is unlikely to come back into use <del>during the lifetime of the plan.</del></p>
MM130	167	Fig 25, Mineral Safeguarding Area	<p><i>Amend Figure 25 to include open areas of Bournemouth Airport Area and permitted mineral sites, together with minor adjustments to MSA boundary around some urban areas.</i></p> 
<b>Chapter 15: Restoration, Aftercare and Afteruse</b>			
MM131	170	New	<p><i>Add Key Issue text in box at start of Chapter.</i></p> <p><u>Achieving high quality restoration, at the earliest possible opportunity, as an integral part of all minerals development. Ensuring restoration and afteruse is considered within the context of and contributes to the surrounding landscape character and local ecological interests.</u></p>

Ref.	Page No. (From MCS Pre- Submission Draft)	Policy/ Para. No. (From MCS Pre- Submission Draft)	Modification
MM132	170	15.1	<p><i>Amend paragraph:</i></p> <p>...habitats, particularly through providing re-created linkages between fragmented blocks of specific habitat types, such as heathland. <a href="#">Retaining some geological exposures may also enhance the geodiversity interest.</a></p>
MM133	170	15.4	<p><i>Amend paragraph:</i></p> <p>...which are appropriate to the local landscape, <del>and</del> <a href="#">biodiversity and geodiversity</a> contexts.</p>
MM134	170	15.6	<p><i>Amend paragraph:</i></p> <p>...typical of the relevant landscape type <a href="#">as well as delivering geodiversity benefits, particularly those that are in line with the Local Geodiversity Action Plan (LGAP).</a></p>
MM135	171	15.11	<p><i>Amend paragraph:</i></p> <p>"The Mineral Planning Authority will, in <a href="#">exceptional</a> circumstances <del>where it is considered necessary</del>, require financial guarantees to ensure satisfactory and timely restoration".</p>
MM136		New paragraph.	<p><i>Add new paragraph after 15.12:</i></p> <p><a href="#">In cases where, as part of a mineral extraction operation, overburden or interburden is removed and not subsequently required for restoration of the site from which they were originally taken, it may be possible that they can be transported to another site to contribute to the restoration or after-use of that site. Moving material in this way may cause transport and other impacts and will be assessed using the environmental criteria of this Plan to ensure that any adverse impacts are avoided or mitigated to an acceptable level. These movements may also have waste management implications and may require additional waste regulation/permitting.</a></p>
MM137	172	15.14	<p><i>Amend paragraph:</i></p> <p>As far as <a href="#">reasonably</a> possible recyclable material <a href="#">capable of producing high quality washed recycled aggregates</a> should already have been removed from inert material to be used in site restoration.</p>
MM138		New paragraph.	<p><i>Add new paragraph after 15.16:</i></p> <p><a href="#">Any mineral extraction has the potential to be of geological interest. The exposures created can be valuable for scientific study and specimen collection, with assessment and records made on site as working progresses. Restoration can, where appropriate, ensure that the geological exposures created are retained to enhance Dorset's geodiversity interests. Retained rock exposures can enhance geodiversity and create new habitats. Important features may be valuable for education and future research or even for designation at the local or national level.</a></p>

Ref.	Page No. (From MCS Pre- Submission Draft)	Policy/ Para. No. (From MCS Pre- Submission Draft)	Modification
MM139	174	15.26	<p><i>Amend paragraph:</i></p> <p>...communities, <del>and</del> parish councils <u>and local nature partnerships</u> when considering...</p>
MM140	174	15.27	<p><i>Amend paragraph:</i></p> <p>Minerals development in Dorset generally occurs in rural areas where agriculture is the predominant land use and often sites will be restored to agriculture/forestry. <u>There is no expectation that minerals sites should be restored to an agricultural use as their location may be neither suitable nor appropriate for agriculture. Nevertheless, in many cases it is an option and can help to</u> <del>Agricultural restoration can</del> deliver biodiversity gains through creation of BAP Priority Habitats (such as hedgerows, ponds and arable field margins) and features for BAP species associated with agriculture (such as skylark strips). <u>Other sustainable land-use practices would be appropriate in certain circumstances.</u> In addition, where the most appropriate after-use is identified as agricultural purposes, the growing of non-food crops such as bio-mass energy crops should be considered given the benefit this brings in mitigating the effects of climate change.</p>
MM141	175-176	Policy RS1	<p><i>Amend policy:</i></p> <p><b>Restoration</b></p> <ol style="list-style-type: none"> <li>Where possible the restoration scheme incorporates phased restoration of the site that will minimise the period of operations to protect settlements and residential amenity and to minimise the duration of landscape <u>and environmental</u> impacts;</li> <li>Measures will be taken to ensure that soil quality will be adequately protected and maintained throughout the life of the development and, in particular, during stripping, storage and management of soils, subsoils and overburden arisings as a result of site operations;</li> <li>There is an available supply of appropriate materials to be used for restoration purposes, as required to implement the proposed restoration scheme;</li> <li><u>Where inert waste is to be used in restoration the constituent parts capable of use in the production of high quality washed recycled aggregates have, as far as reasonably possible, already been removed;</u></li> <li>The restoration scheme will maximise the potential of the site for the successful adoption of the proposed after-use and where necessary offer flexibility for a range of potential after-uses;</li> <li><u>Restoration will be undertaken at the earliest opportunity and</u> <del>The restoration scheme indicates</del> the amount of time expected to be required for restoration of the site <u>will be indicated;</u></li> </ol>
MM142	177	Policy RS3	<p><i>Amend Policy:</i></p> <p>The Mineral Planning Authority will encourage the establishment of local liaison groups to run for the lifetime of any minerals extraction site <u>or aggregates recycling operation.</u></p>

Ref.	Page No. (From MCS Pre- Submission Draft)	Policy/ Para. No. (From MCS Pre- Submission Draft)	Modification
<b>Chapter 16: Development Management</b>			
MM143	181	Policy DM1	<p><i>Amend Policy:</i></p> <p>Proposals for minerals development should <a href="#">support the delivery of</a> <del>provide the maximum possible</del> social, economic and environmental benefits whilst any adverse impacts should be avoided or mitigated to an acceptable level.</p> <p>In order to achieve this, all proposals for minerals development must demonstrate that all the following criteria have been addressed satisfactorily:</p> <ol style="list-style-type: none"> <li>a. Minimisation of impacts which could increase the effects of climate change;</li> <li>b. Protection and, where appropriate, enhancement of local amenity;</li> <li>c. Protection and, where <a href="#">possible appropriate</a>, enhancement of biodiversity and geodiversity, including nationally and internationally designated sites;</li> <li>d. Protection and, where appropriate, enhancement of heritage assets;</li> <li>e. Protection and, where appropriate, enhancement of landscape, including the avoidance and/or mitigation of visual and landscape impacts through sensitive design, screening or other means;</li> <li>f. Preparation of a scheme of working <del>that</del> that will keep production of mineral waste to a minimum, while ensuring availability of an adequate amount of material for timely restoration of workings;</li> </ol>
MM144	182	16.6	<p><i>Amend a):</i></p> <p>The incorporation of an appropriate buffer between residents and mineral workings; <del>this should be a minimum of 100 metres from the nearest sensitive receptor(s) unless a smaller buffer would be achievable without causing adverse impacts;</del></p>
MM145	184	Policy DM2	<p><i>Amend Policy:</i></p> <p>Proposals for minerals development in Bournemouth, Dorset and Poole will only be permitted where the proposals demonstrate that, for the life-cycle of the proposed development, any potential adverse impacts <del>on neighbouring land and property</del> associated with the following considerations are avoided and/or adequately mitigated to an acceptable level:</p>
MM146	187	16.20	<p><i>Amend paragraph:</i></p> <p>... Any built structures and ancillary buildings associated with minerals development should be sited and designed to minimise their visual impact, through the appropriate use of scale and form. <a href="#">Development should not result in unacceptable landscape and visual impacts, or unacceptable impacts upon the special qualities that underpin the AONB designation, including aspects such as tranquillity and remoteness, an undeveloped rural character, dark skies, panoramic views and stark contrasts of landform.</a></p>


Ref.	Page No. (From MCS Pre- Submission Draft)	Policy/ Para. No. (From MCS Pre- Submission Draft)	Modification
MM147		New paragraph.	<p><i>Add paragraph after 16.20:</i></p> <p><a href="#">The New Forest National Park lies adjacent to Dorset. National Parks have the highest level of protection in relation to landscape and scenic beauty. This places a duty on all relevant authorities to have regard to the two statutory purposes of National Parks in making decisions which could impact on them. The two Park purposes are: to conserve and enhance the natural beauty, wildlife and cultural heritage of the National Park; and to promote opportunities for public understanding and enjoyment of the special qualities of the National Park.</a></p>
MM148	190	16.25	<p><i>Amend paragraph:</i></p> <p>The Plan area comprises a rich source of biodiversity and geodiversity, with 22 internationally protected nature conservation sites (SAC, SPA and Ramsar), the Dorset and East Devon Coast World Heritage Site, 141 Sites of Special Scientific Interest (SSSIs), some 63 <a href="#">Local Geological Sites</a> [<a href="#">Footnote: Formerly known as Regionally Important Geological and Geomorphological Sites</a>] and around 9 National Nature Reserves. Unless effectively managed, minerals development could potentially result in adverse impacts on features of biodiversity and geological interest. The Mineral Planning Authority considers features of biodiversity and geological interest to comprise:</p> <p>Sites and species of European and international importance:</p> <ol style="list-style-type: none"> <li>a. Special Areas of Conservation (SACs)</li> <li>b. Special Protection Areas (SPAs)</li> <li>c. Ramsar sites</li> <li>d. European Protected Species</li> <li>e. Dorset and East Devon Coast World Heritage Site</li> </ol> <p><a href="#">Sites to be given the same protection as European sites, for the purposes of Policy DM5:</a></p> <ol style="list-style-type: none"> <li>f. <a href="#">Possible SACs</a></li> <li>g. <a href="#">Potential SPAs</a></li> <li>h. <a href="#">Proposed Ramsar sites</a></li> <li>i. <a href="#">Candidate SACs and areas which would meet the criteria needed to justify designation as an SPA</a></li> <li>j. <a href="#">Sites identified, or required, as compensatory measures for adverse effects on European sites or those listed in f-j</a></li> </ol> <p>Sites and species of national importance:</p> <ol style="list-style-type: none"> <li>k. Sites of Special Scientific Interest</li> <li>l. Habitats and Species of Principal Importance This term is derived from the Natural Environment and Rural Communities (NERC) Act. Section 41 (S41) of the Act requires the Secretary of State to publish a list of habitats and living organisms which are of principal importance for the conservation of biodiversity in England. The list has been drawn up in consultation with Natural England, as required by the Act. The S41 list is used to guide decision-makers such as public bodies,</li> </ol>

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			<p>including local authorities, in implementing their duty under section 40 of the Natural Environment and Rural Communities Act 2006, to have regard to the conservation of biodiversity in England, when carrying out their normal functions.</p> <p>m. National Nature Reserves</p> <p>Sites and species of regional and local importance:</p> <p>n. <del>Local Geological Sites Regionally Important Geological and Geomorphological Sites</del></p> <p>o. Dorset Biodiversity Strategy habitats and species</p> <p>p. Sites of Nature Conservation Interest (SNCI)</p> <p>q. Local Nature Reserves</p> <p>r. Ancient Woodland and Veteran Trees</p> <p>together with any area / habitat that could be considered to be essential to connect / support habitats or species such as those listed above.</p>
MM149		New paragraph.	<p><i>Add paragraph after 16.25:</i></p> <p><u>Policy DM5 will apply to sites which have yet to receive a European/international designation if they meet the necessary qualifying features and the Government has given initial approval to their proposed designation. Sites which could qualify as SPAs but which have yet to be brought forward for consideration are considered in paragraph 16.33.</u></p>
MM150		New paragraph.	<p><i>Add paragraph after 16.26:</i></p> <p><u>Policy DM5 seeks to avoid adverse effects on the integrity of European sites. Any proposal likely to have a significant effect on a European site, either individually or in combination with other proposals, must undergo an Appropriate Assessment to determine its implications for the site's conservation objectives. The competent authorities can only agree to the proposal after having ascertained that it will not adversely affect the integrity of the site concerned (in accordance with Article 6 (3) of the Habitats Directive). In exceptional circumstances a plan or project may still be allowed to go ahead, in spite of a negative assessment, provided that three sequential tests are met (under Article 6(4) of the Habitats Directive):</u></p> <ul style="list-style-type: none"> <li>• <u>There must be no feasible alternative solutions to the plan or project which are less damaging to the affected European site(s)</u></li> <li>• <u>There must be 'imperative reasons of overriding public interest' (IROPI) for the plan or project to proceed</u></li> <li>• <u>All necessary compensatory measures must be secured to ensure that the overall coherence of the network of European sites is protected.</u></li> </ul> <p><u>It is considered that the avoidance of adverse effects on European sites will be achievable in almost all cases. Nevertheless it is acknowledged that for ball clay a situation may arise in the latter part of the plan period where the tests of</u></p>



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			<p><a href="#">Article 6 (4) may need to be considered and Government guidance 'Habitats and Wild Birds Directives: Guidance on the application of article 6 (4)' Defra (2012) should be followed in such an instance.</a></p>
MM151	192	16.30	<p><i>Amend paragraph:</i></p> <p>Some areas of land currently support <a href="#">nationally significant numbers of Annex 1 bird species such as nightjar and woodlark</a> <del>large enough populations of birds to meet the criteria for that area of land to be designated as SPA, although the land in question has not as yet been brought forward for consideration for designation.</del> A decision made by the Secretary of State in 2011 [Footnote: See: Town and Country Planning Act 1990 – Section 77. Application by VEOLIA ES Nottinghamshire Ltd. Land at former Rufford Colliery, Rainworth, Nottinghamshire NG21 0ET. Application Ref: 3/07/01793/CMW] will have the effect of encouraging decision-makers to carefully examine the possible effects of a development proposal on such land. <a href="#">Therefore, taking a risk based approach to minerals development within such areas will help to reduce the risk of any significant effects occurring.</a></p>
MM152	193	Policy DM5	<p><i>Amend Policy:</i></p> <p>Proposals for minerals development must not adversely affect the integrity of European or Ramsar or other internationally designated sites either alone or in combination with other plans and projects, <a href="#">unless the tests set out under Article 6(4) of the Habitats Directive are met.</a></p> <p>Proposals for minerals development which do not adversely affect the integrity of European or Ramsar sites or other internationally designated sites will only be permitted where adverse impacts on biodiversity and/or geodiversity will be:</p> <ol style="list-style-type: none"> <li>i. Avoided; or</li> <li>ii. Where an adverse impact cannot be avoided, the impact will be adequately mitigated; or</li> <li>iii. Where adverse impacts cannot be avoided or adequately mitigated, compensation will result in the</li> </ol>

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			<p>maintenance or enhancement of biodiversity / geodiversity.</p> <p>Where possible, proposals should <del>seek to</del> enhance biodiversity and geological interest.</p> <p>Proposals for minerals development must be accompanied by an objective assessment of the potential effects of the development on features of biodiversity and/or geological interest, taking into account cumulative impacts with other development and the potential impacts of climate change.</p> <p>In addition, the assessment must have particular regard to the need to protect, maintain and / or enhance sites and species of international and national importance, in accordance with the relevant statutory requirements. It should also consider the potential for existing habitats on the site to be restored to higher quality habitats, during and after mineral working.</p> <p>The assessment must also <u>demonstrate how the proposal intends to address</u> <del>consider carefully</del> the <del>potential need</del> to maintain and / or enhance features of local and regional importance <u>including Sites of Nature Conservation Interest</u> <del>and</del> <del>‡</del>The proposals should seek to achieve this wherever possible and consistent with viable development.</p>
MM153	195	Policy DM6	<p><i>Amend Policy:</i></p> <p>Minerals <del>extraction</del> <u>development</u> will not be permitted within the boundaries of the World Heritage Site <u>within Dorset</u>.</p>
MM154	197	Policy DM7	<p><i>Amend Policy:</i></p> <p>Proposals for minerals development in Bournemouth, Dorset and Poole will only be permitted where it can be demonstrated through an authoritative process of assessment and evaluation that heritage assets and their settings will be conserved <del>and where appropriate enhanced</del> <u>in a manner appropriate to their significance</u>.</p>
MM155	198	16.54	<p><i>Delete paragraph:</i></p> <p><del>There is currently no defined Strategic Freight Network in Dorset to indicate the most appropriate routes for HGVs to use. In the absence of this, HGVs are encouraged to use the strategic highway network as originally defined in the Bournemouth, Dorset and Poole Structure Plan and illustrated below, comprising trunk roads or other primary routes, together with county distributor roads, which are more likely satisfactorily to accommodate such traffic. This network includes two categories of road: primary routes, which are defined by government, and county distributor routes which link towns and major centres of activity to each other and to the primary network. These strategically important routes cater for longer distance journeys and lorry movements.</del></p>
MM156	198	16.55	<p><i>Amend paragraph:</i></p>

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			<p>Figure 26 is based on the Dorset Freight Map [Footnote: <a href="http://www.dorsetforyou.com/freight-map">http://www.dorsetforyou.com/freight-map</a>] and indicates the designated road freight network for Dorset, including strategic routes managed by the Highways Agency. Encouraging minerals traffic to use this higher quality network will reduce environmental and safety problems on less suitable roads. Sites will not be encouraged where access is required through residential areas or other sensitive land uses. The Highways Agency does not normally permit new accesses to be established onto the strategic network, and as far as possible developments should seek to utilise existing accesses onto the strategic network. <del>Freight Constraints mapping for the county is currently under preparation, and will highlight the locations where there are constraints for HGVs. It will be available online at the Dorset Explorer website. See: <a href="http://explorer.geowesssex.com/">http://explorer.geowesssex.com/</a>.</del></p>
MM157	199	Figure 26	<p>Re-title Figure 26 <a href="#">Dorset Strategic Road Network and Primary Route Network</a> and amend to incorporate elements of the Dorset Freight Map as amended by comments from the Highways Agency.</p>  <p>The map shows the Dorset Strategic Road Network and Primary Route Network. It includes a legend with categories: Primary Route Network (thick blue line), Regional Routes (green line), Strategic Routes (red line), and Other Routes (thin black line). The map also shows the coast of Dorset and the surrounding areas.</p>
MM158	200	16.57	<p>Amend text of paragraph:</p> <ul style="list-style-type: none"> <li>Identify any mitigation or compensatory works directly related to the development that may need to be funded by the developer in conjunction with the proposal.</li> <li>Take into consideration the requirements of the <a href="#">Dorset Rural Roads Protocol</a> (see: <a href="http://www.dorsetforyou.com/ruralroads">http://www.dorsetforyou.com/ruralroads</a>)</li> </ul>
MM159	201	Policy DM8	<p>Amend Policy:</p> <ul style="list-style-type: none"> <li>a safe access to the proposed site will be provided;</li> <li>there will be no adverse impact on the Strategic, Primary and/or Local road network;</li> <li>developers will provide the funding for any...</li> </ul>
MM160	204	Policy DM10	<p>Amend Policy:</p> <p>In cases where:</p> <ol style="list-style-type: none"> <li>restrictions upon, or measures required to mitigate the</li> </ol>

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			impacts of, the winning or working <u>or handling</u> of minerals <u>and the recycling of aggregates</u> are essential for proper planning; and
<b>MM161</b>	205	Policy DM 11	<p><i>Amend Policy:</i></p> <p>The Mineral Planning Authority will, through the determination of applications made under the Review of Old Mineral Planning Permissions legislation, seek to achieve <u>up to date and relevant</u> <del>the optimum</del> working and restoration standards achievable by the imposition of appropriate planning conditions and, where necessary, through voluntary agreements and planning obligations.</p>
<b>Chapter 17 - Implementation and Monitoring</b>			
<b>MM162</b>	208	Paragraph 17.1	<p><i>Add additional sentence as follows:</i></p> <p>Development plans should set out how they are going to be delivered and their performance measured. This section outlines proposed mechanisms for delivering the Minerals <del>Core</del> Strategy, collecting data and a framework for monitoring its effectiveness. <u>This section also considers the management and enforcement of permitted minerals development.</u></p>
<b>MM163</b>	211	New paragraph s following 17.13	<p><i>Add new section as follows:</i></p> <p><u>Enforcement of Planning Control</u></p> <p><u>In addition to monitoring the performance of the Minerals Strategy, the Mineral Planning Authority is also responsible for monitoring the progress of Minerals and Waste Management/Disposal sites and the enforcement of planning permissions imposed on those sites.</u></p> <p><u>Once an application has been granted the monitoring and enforcement team monitor sites to ensure that operations comply with conditions attached to planning permissions. The Town and Country Planning (Fees for Applications and Deemed Applications) (Amendments) (England) Regulations 2006 brought in a charging system for monitoring mining and landfill sites. This places a requirement on the MPA to undertake up to eight site visits per year to active sites, depending on their size, type and complexity of conditions.</u></p> <p><u>Within its monitoring report the Mineral Planning Authority provides details on the number of chargeable site visits that were undertaken in the reporting period the number of Planning Contravention Notices, Enforcement Notices, Stop Notices and Temporary Stop Notices, or Breach of Condition Notices that were issued.</u></p>
<b>MM164</b>	211	Table 5 New Policy SS1	<p><i>Additional row within Table 5 to reflect new Policy SS1 as follows</i></p> <p>Key Indicator – '<u>Number of applications refused</u>' Target – '<u>All permissions consistent with this policy reflecting the presumption in favour of sustainable development</u>' Implementation Partners – '<u>This is a procedural policy, all</u></p>

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			<a href="#">implementation partners listed within this framework will contribute to sustainable development</a> Trigger Point – ' <a href="#">Any approval not consistent with this policy and not reflecting sustainable development</a> ' Implementation Issues – ' <a href="#">This is a procedural policy and there are no issues identified that may affect implementation.</a> '
MM165	211	Table 5 Policy SS1 (re- numbered to SS2)	Add reference to Marine Management Organisation within the section titled 'Implementation Partners'
MM166	211	Table 5 Policy CC1	Amend text in column titled 'Target' as follows: All <del>major</del> applications to be supported by a climate change assessment <a href="#">or a statement to confirm that an assessment is not needed</a>
MM167	213	Table 5 Policy AS1	Add reference to Marine Management Organisation within the section titled 'Implementation Partners'
MM168		Table 5 Policy AS1	Amend text in column titled 'Target' as follows: To identify sufficient sites within the <a href="#">Mineral Sites Plan MSAD</a> to deliver production at a level of <del>15.04-9.36</del> million tonnes (average of <del>1.58-1.78</del> million tonnes per annum) of sand and gravel per annum
MM169	214	Table 5 Policy AS4	Add reference to Marine Management Organisation within the section titled 'Implementation Partners'
MM170		Table 5 Policy BC1	Amend text in column titled 'Key Indicator' as follows: Tonnage of material identified within the <del>areas of least sensitivity included in the Mineral Sites Plan MSAD</del> <del>Tonnage of material identified from sites outside of the areas of least environmental sensitivity included in the Mineral Sites Plan MSAD</del> Total quantity of ball clay as permitted reserves Actual sales/production of ball clay annually
MM171		Table 5 Policy BC1	Amend text in column titled 'Implementation Issues' as follows: Due to the sensitive location of the ball clay resource delivery of this strategy will rely on proposals demonstrating that there would be no effects on <a href="#">designations unless the provisions of Article 6(4) of the Directive apply and there are no feasible alternatives, there are imperative reasons of overriding interest and compensatory measures are secured</a>
MM172		Table 5 Policy PK1	Amend text in column titled 'Target' as follows: Sites identified in the Minerals Sites Plan to meet requirement of <del>143,000-102,000</del> tonnes (an average of <del>25,000-20,000</del> tpa)
MM173		Table 5 Policy PK4	Amend text in column titled 'Key Indicators' are replace with new text as follows: <del>Amount of Purbeck Stone allowed to be crushed as a result of permissions being granted</del> <a href="#">Conditions attached to permissions restricting crushing activity</a>
MM174		Table 5 Policy PK5	Amend text in column titled 'Target' as follows:

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			No permissions <a href="#">contrary to policy</a> for storage and resale of imported stone
MM175		Table 5 Policy PD1	<i>Amend second paragraph:</i> Quantity of reserve <a href="#">permitted for surface quarrying</a> relinquished
MM176		Table 5 Policy HY3	<i>Amend text in first and second columns:</i> Number of developments permitted that use pipelines <del>or rail haulage</del> for the transportation of hydrocarbons All developments use pipelines <del>or rail haulage</del>
MM177	225	Table 5 Policy IS1	Delete text under heading 'Target' as follows: <del>All permissions consistent with this policy.'</del>
MM178	225	Table 5 Policy IS1	<i>Add text under the heading 'Target' as follows:</i> <a href="#">'Maintenance of a 10 year landbank through mineral permissions, particularly extensions.'</a>
MM179	225	Table 5 Policy IS1	<i>Add text under the heading 'Trigger Point for correction and/mitigation' as follows:</i> <a href="#">If it is clear that the identified need is unlikely to be delivered then the size of the landbank will fall and the policy may need revising.</a>
MM180	225	Table 5 Policy IS1	<i>Add text under the heading 'Implementation Issues' as follows:</i> <a href="#">This policy requires new sites to be brought forward by the minerals industry/ landowners for appraisal and those sites being considered acceptable for inclusion in the Minerals Sites Plan'</a> <a href="#">Monitoring may be challenging as production data may be confidential at a site level.</a>
MM181	228	Table 5 Policy RS1	<i>Add reference to Local Nature Partnership within the section titled 'Implementation Partners'</i>
MM182	228	Table 5 Policy RS1	<i>Amend text under heading 'Key Indicators' as follows:</i> <del>Number of schemes</del> <a href="#">Area of land</a> achieving habitat creation <a href="#">and/or</a> delivering objectives of Biodiversity Action Plan ( <a href="#">Where information is available</a> )
MM183	228	Table 5 Policy RS2	<i>Add reference to Local Nature Partnership within the section titled 'Implementation Partners'</i>
MM184	228	Table 5 Policy DM1	<i>Add reference to Local Nature Partnership within the section titled 'Implementation Partners'</i>
MM185	228-229	Table 5 Policy DM2	<i>Add reference to Local Nature Partnership within the section titled 'Implementation Partners'</i>
MM186	231-232	Table 5 Policy	<i>Add reference to Local Nature Partnership within the section titled 'Implementation Partners'</i>

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		DM5	
<b>Glossary</b>			
<b>MM187</b>	241		<p><i>Amend definition of 'Minerals Development' as follows:</i></p> <p><a href="#">Throughout the text of the Bournemouth, Dorset and Poole Minerals Strategy</a>, the winning and working of minerals, including extraction, tipping, processing, reclamation and ancillary operations <a href="#">is considered to include the production of recycled aggregates</a>.</p>
<b>Appendix 1 – Proposed Minerals Site Assessment Criteria</b>			
<b>MM188</b>	248	Appendix 1 Para 1	<p><i>Include reference to how windfall sites will be considered in relation to the site selection criteria (text to be added to end of para. 1):</i></p> <p>The site selection criteria, set out in this section, are a means of testing the suitability of individual mineral sites. The criteria have been developed in order to ensure a standardised approach which will be used to assess each site being considered for inclusion in the Minerals Sites <del>Plan. Allocations Document</del>. This will provide consistency and a clear audit trail to demonstrate how assessments have been undertaken. <a href="#">The intention of the site selection criteria is to assess potential positive and negative impacts of their allocation and where necessary the identification of suitable mitigation. The development management policies in the Minerals Strategy are intended to ensure that the range of matters covered by the site specific criteria will also be taken into account, where relevant, when non-allocated sites are considered. Hence it will be in the interests of applicants for non-allocated (windfall) sites to demonstrate that these criteria have been considered when the application is submitted.</a></p>
<b>MM189</b>	248	Appendix 1 Paragraph 2	<p><i>Amend as follows:</i></p> <p>The assessment of sites is, by its nature, a complex task that deserves in-depth consideration. If an assessment contains a 'red' or even a series of reds this does not indicate absolute constraints that will automatically rule the site out from further consideration. <a href="#">The number of red scores one site may have over another should not be used as a guide to rank its preference. #Red scores</a> will however indicate where further work is required to identify whether and how an impact can be mitigated. <del>Such a qualitative approach is considered preferable to the suggested use of a quantitative scoring system. It provides a more reasoned assessment than assigning a numerical score.</del></p>
<b>MM190</b>	248	Appendix 1 Paragraphs 8 and 9	<p><i>Delete paragraphs 8 and 9 as follows:</i></p> <p><del>The site selection criteria have been developed with input from various stakeholders and specialists, such as the county ecologist and Environment Agency. Stakeholders also debated the criteria during a workshop session and many of the suggestions made were incorporated. The site selection criteria</del></p>

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			<p><del>were further improved following consultations on the Minerals Core Strategy.</del></p> <p><del>In developing the criteria, discussion on the grading system and the weighting of criteria took place. Various options were debated. It is considered that criteria incorporating more negative (red) than positive (green) elements is appropriate since the impacts of developing minerals sites are likely to be more negative than positive. The intention of the site selection criteria is to assess potential impacts and breaking down the negative impacts enables a finer split, a more useful assessment of impacts and therefore the identification of suitable mitigation.</del></p>
MM191		Criterion C1	<p><i>Amend as follows:</i></p> <p>C: Less significant <u>adverse</u> impact</p>
MM192		Criterion C2	<p><i>Amend as follows:</i></p> <p>C: Less significant <u>adverse</u> impact</p>
MM193		Criterion C3	<p><i>Amend as follows:</i></p> <p>C: Less significant <u>adverse</u> impact</p>
MM194		Criterion C4	<p><i>Amend as follows:</i></p> <p>C: Less significant <u>adverse</u> impact</p>
MM195		Criterion C5	<p><i>Amend as follows:</i></p> <p>C: Less significant <u>adverse</u> impact</p>
MM196		Criterion C6	<p>A: Very significant adverse impact</p> <ul style="list-style-type: none"> <li>• Site would adversely affect the outstanding universal value of the Dorset <u>and</u> East Devon Coast World Heritage Site or <u>result</u> in the loss of or damage to an important <u>geological or geomorphological feature exposure or feature of interest</u></li> </ul> <p>B: Significant adverse impact</p> <ul style="list-style-type: none"> <li>• Site would have a detrimental impact on a <u>Local Geological Site (LGS, formerly known as RIGS)</u> <del>or Geological SSSI</del>, or on the setting of the Dorset <del>to</del> <u>and</u> East Devon Coast World Heritage Site.</li> </ul> <p>C: <del>Less significant</del> <u>No</u> impact</p> <ul style="list-style-type: none"> <li>• Site would have no <u>impact on the conservation of geological or geomorphological features and there is no potential for geodiversity enhancements</u> <del>direct</del></li> </ul>

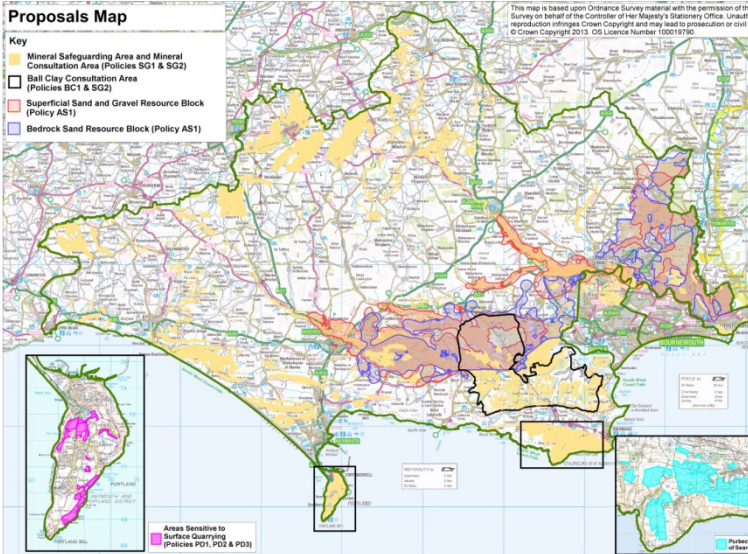


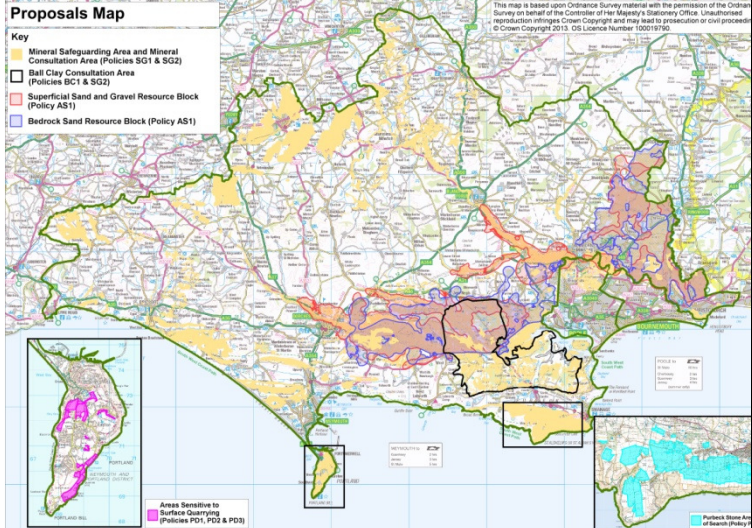
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			<p><del>impact on the conservation of geological exposures</del></p> <p>D: <del>No significant impact/negligible</del> <u>Some positive impact</u></p> <ul style="list-style-type: none"> <li>Site contains <u>known features of interest that may be modified but not damaged or lost by the proposals. Geological exposures and/or geomorphological features represent an ongoing interest</u> <del>no significant features of importance for geology in the landscape</del></li> </ul> <p>E: Positive impact</p> <ul style="list-style-type: none"> <li>Site has potential <u>to create new and significant opportunities for scientific research and geological conservation</u> <del>for enhancement by the creation of new exposures within important geological sequences.</del></li> </ul>
MM197		Criterion C7	<p><i>Amend as follows:</i></p> <p>C: Less significant <u>adverse</u> impact</p>
MM198		Criterion C8	<p><i>Amend as follows:</i></p> <p>C: Less significant <u>adverse</u> impact</p>
MM199		Criterion C9	<p><i>Amend as follows:</i></p> <p>C: Less significant <u>adverse</u> impact</p>
MM200		Criterion C10	<p><i>Amend as follows:</i></p> <p>C: Less significant <u>adverse</u> impact</p>
MM201		Criterion C11	<p><i>Amend as follows:</i></p> <p>C: Less significant <u>adverse</u> impact</p>
MM202		Criterion C12	<p><i>Amend as follows:</i></p> <p>C: Less significant <u>adverse</u> impact</p>
MM203		Criterion C13	<p><i>Amend as follows:</i></p> <p>C: Less significant <u>adverse</u> impact</p>
MM204		Criterion C14	<p><i>Amend as follows:</i></p> <p>C: Less significant <u>adverse</u> impact</p>
MM205		Criterion C15	<p><i>Amend as follows:</i></p> <p>C: Less significant <u>adverse</u> impact</p>
MM206		Criterion	<p><i>Amend as follows:</i></p>

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		C16	C: Less significant <u>adverse</u> impact
MM207		Criterion C17 Supporting Text	<p><i>Amend as follows:</i></p> <p><del>Does the proposal have any impact on economic development? What are the relevant economic considerations?</del></p> <p><u>The successful delivery of the Minerals Strategy, through the supply of minerals, will support the area's continuing economic and population growth and development of sustainable communities. Significant weight in the Plan is placed upon their continued provision.</u></p> <p><u>The need for the various minerals is set out in the relevant chapters and minerals proposals that come forward to meet these identified needs will, if acceptable, be key to deliverability of the strategy and achievement of the overall vision. Whether a proposal is in conformity with the Minerals Strategy is the first of the deliverability questions which are considered even before potential impacts are assessed through the site selection criteria.</u></p> <p>The contributions that minerals developments make to the local and national economy are <del>noted</del> <u>highlighted</u> throughout the Minerals Core Strategy, in particular in relation to Portland Stone, Purbeck Stone, ball clay and hydrocarbons. <del>The need for their continued provision (and that of other minerals needed by society) is established throughout the Minerals Core Strategy and so will not be reconsidered here.</del></p> <p><u>There are many aspects to a proposal that may have a positive and/or negative impact on the economy. This section will enable these issues to be drawn out and balanced against other considerations.</u></p> <p>In order to assess the economic contribution of a minerals proposal <u>consideration should be made to issues such as: locally, an assessment will be made as to</u> the level of employment that would be created <u>or maintained both directly and indirectly, how important the site may be to the delivery of a steady and adequate supply of minerals, the wider contribution the site may make to the economy, the rarity of the mineral and its potential markets and any economic impacts (both negative and positive) that the proposal may have such as on tourism.</u> <del>This will include consideration of whether the proposal would maintain existing employment (for example if it comprises a site extension or a replacement site for a company within the area) or whether employment levels would be increased. Consideration will also be given to whether the proposed site would have a negative impact on the local economy of the vicinity.</del></p>

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			<p><u>The assessment should consider the entire life of the proposal and where opportunities exist through restoration and afteruse. Economic benefits may arise if restoration leads to habitat creation, the provision of agricultural land or employment uses and opportunities for inward investment associated with recreation and tourism.</u></p>
MM208		Criterion C17	<p><i>Amend as follows:</i></p> <p><u>A: Not applicable</u></p> <p><del>Very significant adverse impact</del></p> <p><del>Site would result in permanent loss of significant employment in the surrounding area as a result of working the minerals which would not be replaced through employment opportunities from mineral working</del></p> <p>B:Significant adverse impact <u>on the economy locally or nationally</u></p> <ul style="list-style-type: none"> <li>• Site may result in long-term <u>or permanent</u> reduction in employment <del>in the surrounding area</del> as a result of working the minerals <u>at this site.</u></li> <li>• <u>Extraction may result in wider negative impacts in the locality which have significant adverse impacts on the economy</u></li> <li>• <u>Afteruse proposed would have significant adverse impacts on the economy compared to its pre-extraction land use – for example removing land from agriculture to nature conservation afteruse</u></li> </ul> <p>C: Less <u>or no</u> significant impact <u>on the economy locally or nationally</u></p> <ul style="list-style-type: none"> <li>• The site is not essential to <u>the delivery of an adequate and steady supply of the mineral type but would make a limited contribution to supply.</u></li> <li>• Site may result in <u>reduced or delayed</u> <del>reduction in</del> employment <u>opportunities</u> in the surrounding area as a result of working the minerals</li> <li>• <u>Site maintains employment opportunities and local skills</u></li> <li>• <u>Afteruse proposed would have limited or no impact on the economy compared to its pre-extraction land use</u></li> </ul> <p>D:<del>No significant</del> <u>Positive</u> impact <del>/negligible—</del> <u>on the economy locally or nationally</u></p> <ul style="list-style-type: none"> <li>• <u>The site would have a positive impact on the delivery of an adequate and steady supply of the mineral type.</u></li> <li>• Site maintains <u>and/or</u> creates <u>employment opportunities and local skills</u></li> </ul>

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			<ul style="list-style-type: none"> <li>• <a href="#">Proposed afteruse provides positive economic benefits</a></li> </ul> <p>E:<a href="#">Significant</a> Positive impact <a href="#">on the economy locally or nationally</a></p> <ul style="list-style-type: none"> <li>• <a href="#">The site would have a significant positive impact on the delivery of an adequate and steady supply of the mineral type.</a></li> <li>• <del>New</del> <a href="#">The site that creates significant employment and local skills development opportunities both directly and indirectly</a></li> <li>• <a href="#">The proposal would make a wider contribution to the local and/or national economy from the delivery of minerals.</a></li> <li>• <a href="#">Proposed afteruse provides significant positive benefits to the economy</a></li> </ul>
MM209		Criterion C18 Supporting text	<p><i>Amend supporting text as follows:</i></p> <p>Sensitive human receptors are places where people may be affected by minerals developments and for the purposes of the assessment include, but are not limited to, residential areas, dwellings, schools, churches, visitor/tourist attractions, recreational areas, hospitals, hospices, travellers sites, cemeteries and prisons.</p> <p>A description of the sensitive human receptors that may be affected and how, together with a description of the existing natural environment and ways in which the details of the development may reduce adverse impacts, will be given. For example if the extraction is shallow and the site would be worked progressively the impact on the sensitive human receptors may only be for a very short period. Mitigation will also be considered before a colour grading is given. Factors such as prevailing wind direction and existing physical features will be taken into consideration. Noise, dust, lighting, <a href="#">visual intrusion</a> and impacts on amenity <a href="#">and/or human health</a>, including impacts from lorry traffic, will be included here, as well as any physical features such as spoil heaps that may create a visual impact on sensitive human receptors. A positive benefit could include a beneficial restoration for the local community or a benefit through planning obligations.</p>
MM210		Criterion C18	<p><i>Amend as follows:</i></p> <p>C: Less significant <a href="#">adverse</a> impact</p>
MM211		Criterion C19	<p><i>Amend as follows:</i></p> <p>C: Less significant <a href="#">adverse</a> impact</p>
MM212		Criterion C20	<p><i>Amend as follows:</i></p> <p>C: Less significant <a href="#">adverse</a> impact</p>

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MM213		Criterion C21	<p><i>Amend as follows:</i></p> <p>C: Less significant <a href="#">adverse</a> impact</p>
MM214		Criterion C22	<p><i>Amend as follows:</i></p> <p>C: Less significant <a href="#">adverse</a> impact</p>
MM215		Criterion C23	<p><i>Amend as follows:</i></p> <p>C: Less significant <a href="#">adverse</a> impact</p>
MM216		Criterion C24	<p><i>Amend as follows:</i></p> <p>C: Less significant <a href="#">adverse</a> impact</p>
MM217		Criterion C25	<p><i>Amend as follows:</i></p> <p>C: Less significant <a href="#">adverse</a> impact</p>
<b>Appendix 3 - Submission Policies Map</b>			
MM218	290	Submission Policies Map	<p><i>Amend Submission Policies Map to reflect revised: Bedrock Resource Block, Ball Clay Areas of Least Environmental Sensitivity and Mineral Safeguarding Area.</i></p> <p><i>Removal of the 'Areas of Least Environmental Sensitivity' from the Policies Map.</i></p> <p><i>Amend title as follows '<del>Submission</del>-Policies Map'</i></p>  <p>The image is a map titled 'Proposals Map' showing various mineral resource areas. A key in the top left identifies four categories: Mineral Safeguarding Area and Mineral Consultation Area (Policies SG1 &amp; SG2) in yellow, Ball Clay Consultation Area (Policies BC1 &amp; BC2) in white, Superficial Sand and Gravel Resource Block (Policy AS1) in pink, and Bedrock Sand Resource Block (Policy AS1) in blue. The map shows these areas overlaid on a detailed topographic map of the Bournemouth, Dorset, and Poole region. An inset map in the bottom left shows the location of the study area within the larger context of the South West of England. A legend in the bottom right indicates 'Areas Sensitive to Surface Quarrying (Policies PD1, PD2 &amp; PD3)' in purple. A small text box in the top right corner states: 'This map is based upon Ordnance Survey material with the permission of the Survey on behalf of the Controller of Her Majesty's Stationery Office. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil litigation. © Crown Copyright 2013. OS Licence Number 100019790.'</p>

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MM219	Appendix 3, p.290	Submission Policies Map	<p><i>Amend Submission Policies map to reflect amendment to Bedrock Sand Resource Block, to include land in the interest of M B Wilkes, at Henbury</i></p>  <p><b>Proposals Map</b></p> <p>This map is based upon Ordnance Survey material with the permission of the Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings. © Crown Copyright 2013. OS Licence Number: 100019780</p> <p><b>Key</b></p> <ul style="list-style-type: none"> <li>Mineral Safeguarding Area and Mineral Consultation Area (Policies SG1 &amp; SG2)</li> <li>Ball Clay Consultation Area (Policies BC1 &amp; SG2)</li> <li>Superficial Sand and Gravel Resource Block (Policy AS1)</li> <li>Bedrock Sand Resource Block (Policy AS1)</li> </ul> <p>Areas Sensitive to Surface Quarrying (Policies PD1, PD2 &amp; PD3)</p> <p>Purbeck Stone Area of Special Interest</p>