



OXFORD ARCHAEOLOGICAL
ASSOCIATES LIMITED

Directors: Catherine A.F. Laoué
Simon N. Colcutt

1 DIVINITY ROAD
OXFORD OX4 1LH

Telephone (01865) 247374

Email aaa-consult@btconnect.com

***PROPOSED MINERALS ALLOCATIONS
(AS19, AS25 & AS26)
MORETON AREA
DORSET***

HISTORIC ENVIRONMENT APPRAISAL

Produced by Oxford Archaeological Associates Limited
under the direction of

S.N. Colcutt
MA(Hons) DEA DPhil FSA

Commissioned by
Frome Residents Against Mineral Extraction (FRAME)

23rd. October 2015

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1. INTRODUCTION

1.1 Background

- 1.1.1 In September 2015, Oxford Archaeological Associates Limited (OAA) were commissioned by the local group, Frome Residents Against Mineral Extraction (“FRAME”), to report upon historic environment (cultural heritage) issues arising through proposals to make Minerals Allocations in the Moreton Area, Dorset.
- 1.1.2 The proposed Allocation Sites (see Fig.1.1) - AS19 Woodsford (North East Extension), AS25 Station Road Moreton and AS26 Hurst Farm Moreton - all lie within the Dorset Minerals Planning Authority boundary; the first Site is within West Dorset District, whilst the other two are within Purbeck District. Substantive matters arising in the three Sites are dealt with separately, from west to east, in Sections 4 (AS19), 5 (AS26) and 6 (AS25) below; the proximity of the Sites means that repetition is unavoidable to make these sections (along with the general material in Sections 1-3 and 7-8 applying to all three Sites) as useful as possible, should they be required as ‘stand-alone Site modules’.
- 1.1.3 This report addresses a range of historic environment matters, that is, archaeology, built cultural heritage features and Historic Landscape Character.
- 1.1.4 The relevant studies have been carried out in accordance with the Code of Conduct, Standards and Guidelines issued by the Chartered Institute for Archaeologists. This having been said, the current work is here characterised as an ‘appraisal’ (rather than as an ‘assessment’), since considerable difficulties were encountered in assembling the relevant data (although Ms. Pinder, the County HER Officer, has done her best to respond to queries). Throughout the course of the present work, (a) the Dorset Explorer has not shown the full range of assets in the area and the link with the Heritage Gateway has been broken, (b) the Heritage Gateway itself has not shown any entries at all from the Dorset HER and even searches for the National List material in the area have returned ‘error’ signals for blocks of days at a time and (c) the present author has not been able to examine directly the proposed Allocation Sites or any of the assets controlled by the Allocation nominees. The conclusions reached in this report are as robust as possible but they are likely to underestimate the likely effects of the proposed

Allocations on the historic environment.

- 1.1.5 This appraisal was written by S.N. Collcutt ¹ *MA(Hons) DEA DPhil FSA*. It should be noted that, whilst our clients are ‘objectors’ in respect of the proposed Allocations, Dr. Collcutt is a cultural heritage surveyor and expert witness ², whose role is to provide professional advice upon the likely implications for the historic environment should the development proceed; it is not his role to attempt to comment upon the overall Planning balance and he is not an advocate for any particular position.

1.2 Site & Development Type

- 1.2.1 The proposed Allocation Sites are for the purposes of sand & gravel extraction. Their boundaries and physical characteristics are as shown by the Mineral Planning Authority in the pro forma for each proposed Site, being described further below at the beginning of each Site module as necessary.
- 1.2.2 As proposed Site Allocations only, few details of how the eventual minerals workings would be designed are available, save for suggestions of main entrance location and proximal transport routes. In terms of cultural heritage impact, the proposals are ones for mixed permanent and irreversible development (in respect of archaeology in and immediately around the Sites, historic landscape character and some setting issues in respect of standing assets) and, arguably, temporary and reversible development (some setting issues).

¹ Declaration: Ms. Deborah Collcutt (of Moreford Hall, Moreton), a member of FRAME, is the second cousin once removed of the author of this report; Dr. Collcutt and Ms. Collcutt had not met or otherwise communicated before the instigation of the present project. Dr. Collcutt is satisfied that he is able to carry out his professional duties in this case without prejudice or favour.

² As well as being a qualified geoarchaeologist, formerly also a Fellow of the Geological Society.

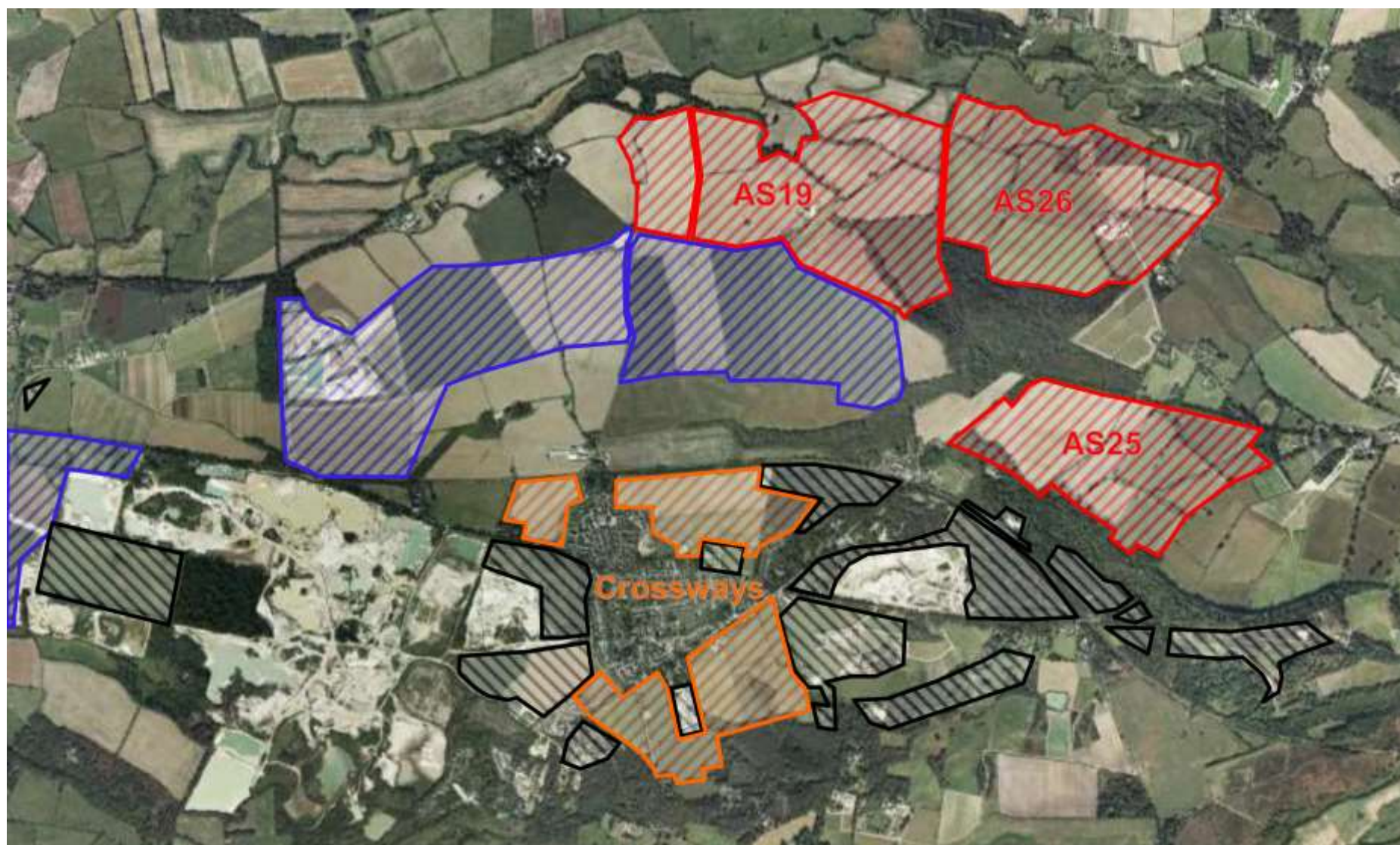


Fig.1.1 Past (black), present (as shown), permitted (blue) and proposed (red & labelled) Minerals Sites, Moreton Area; Crossways housing priority sterilisation avoidance (orange); some additional safeguarding areas (not shown); all but northernmost strip within Minerals Area of Search (background courtesy of Google Earth, image 1/1/2009).

1.3 Cultural Heritage Consultations

- 1.3.1 The present author has consulted Mr. T. Badley (Dorset County Council, Minerals Planning), Mr. M. Clitherow (West Dorset District Council, Building Conservation), Mr. B. Webb (Purbeck District Council, Building Conservation), Mr. S. Wallis (Senior Archaeologist) and Ms. C. Pinder (HER Officer) (Dorset County Council, Historic Environment), the kind assistance of all of whom is gratefully acknowledged here. However, it should be noted that these consultations were on technical/procedural points only (see, in particular, Section 7 below); all substantive professional opinions on the proposed development itself are (or shortly will be) contained in appropriate written responses in the public domain.
- 1.3.2 Professional historic environment consultation responses posted on the Council website at the time of writing of this appraisal are as follows:
- R. Torkildsen, Historic England (dated 070915, responses for all three proposed Allocation Sites).
- 1.3.3 Summarised comments from Dorset County Council (assumed to involve S. Wallis, Senior Archaeologist DCC) appear in the “Sustainability Appraisal for the Bournemouth, Dorset and Poole Draft Mineral Sites Plan” (July 2015), repeated in the individual “Site Assessment pro forma”. Copies of the actual consultation responses have been requested; Mr. Bradley (pers.comm.) has responded that each Site pro forma contains the “complete responses to that stage of the assessment”.
- 1.3.4 No consultation response from the District Conservation Officers (Built Heritage) has yet been posted on the draft Minerals Sites Plan consultation portal; Mr. Webb (Purbeck District CO) and Mr. Clitherow (West Dorset District CO) report that have not been asked for any such consultation (pers.comm. 061015 and 131015 respectively).

2. PRINCIPAL CULTURAL HERITAGE POLICY & STATUTE CONSIDERATIONS

2.1 Local Policies

2.1.1 The Bournemouth, Dorset & Poole Minerals Strategy was adopted in 2014. The following explanatory text and Policy are relevant in the present context:

The Historic Environment

16.43 [...].

16.44 *Some features are of national importance, recognised or designated in some way, while others may not be designated but following assessment may be shown to be of national importance. Other elements of the historic environment may be of less than national significance and in some cases without any statutory protection. Together they make an important contribution to creating a sense of place, local identity and distinctiveness.*

16.45 *The principal objective of Policy DM7 is to ensure that Bournemouth, Dorset and Poole's historic environment is afforded the appropriate level of conservation and enhancement in conformity with national policy. As part of the process of preparing planning applications for new development, assessment (including archaeological and historic landscape assessment where appropriate) should be used by developers to inform the preparation of a mitigation strategy for proposed minerals development.*

16.46 *Since minerals can only be worked where they exist, their development can lead to a conflict between the provision of essential mineral resources and the protection of the evidence of Bournemouth, Dorset and Poole's past for the benefit of future generations. The Minerals Strategy has an important role to play in both protection of the historic environment and planning for the provision of minerals to restore, repair and protect the historic environment. [...]*

16.47 *Inappropriately designed and managed minerals extraction can result in disturbance to and/or loss of the historic environment. National policy assigns considerable importance and weight to the conservation of designated heritage assets. However, features and aspects of the historic environment do not have to be formally designated to be of national importance. Appropriate consideration is to be given to those elements of the historic environment not designated or of national importance, depending on the result of assessment.*

16.48 *In order to properly assess the potential impacts upon the historic environment that may result from a proposed development, the Mineral Planning Authority will require developers submitting proposals for new minerals development to undertake an appropriate assessment and/or evaluation which will include:*

- a. consideration of whether the area proposed for development has the potential to contain previously unknown heritage assets;*
- b. consultation of the relevant Historic Environment Record (including the Record of other authorities in areas close to the county boundary);*
- c. provision of a description of the significance of heritage assets (both known and previously unknown) and their settings that may be affected by the proposed development and the contribution of their setting to that significance;*
- d. carrying out field evaluation where desk-based assessment is insufficient to properly assess interests, or indicates that field evaluation is necessary;*
- e. consideration of potential adverse impacts on the historic landscape and the settings of the heritage assets.*

16.49 Developers will be expected to consult the Mineral Planning Authority's historic environment adviser regarding the scope of the assessment. It is expected that Historic Landscape Characterisation will form a part of the assessment process [...].

16.50 The results of the assessment should be used by developers to prepare a mitigation strategy for the proposed minerals development. Where initial investigations indicate that heritage assets of national importance are likely to be disturbed or affected, developers will be expected to agree to a scheme of preservation in situ or further mitigation measures to take place prior to or concurrently with the minerals development. Where investigations indicate that heritage assets of other than national importance are likely to be disturbed or affected, developers will be expected to agree to a scheme of preservation either in situ or by record or further mitigation measures to take place prior to or concurrently with the minerals development.

16.51 There should be a presumption in favour of the conservation of designated heritage assets and the more significant the designated heritage asset, the greater the presumption in favour of its conservation should be. Once lost, heritage assets cannot be replaced and their loss has a cultural, environmental, economic and social impact. The significance of a heritage asset can be harmed or lost through its alteration, destruction or development within its setting. Loss affecting any designated heritage asset should require clear and convincing justification. Substantial harm to or loss of a grade II listed building, park or garden should be exceptional. Substantial harm to or loss of designated heritage assets of the highest significance, including scheduled monuments, grade I and II* listed buildings and grade I and II* registered parks and gardens and the World Heritage Site should be wholly exceptional.

Policy DM7 - The Historic Environment

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 in a manner appropriate to their significance. Adverse impacts should be avoided or mitigated to an acceptable level.

Where the presence of historic assets of national significance is proven, either through designation or a process of assessment, their preservation in situ will be required.

Any other historic assets should be preserved in situ if possible, or otherwise by record.

2.1.2 The Minerals Strategy also notes:

7.38 [...] the Mineral Sites Plan must demonstrate with reasonable certainty that the appropriate annual level of production can be achieved year upon year [...]

7.46 It will be the task of the Mineral Sites Plan to identify sufficient sites for the extraction of sand and gravel, from within the resource blocks, to meet future needs. When specific sites are brought forward they will be judged on their individual merits following the site selection criteria (see Appendix 1) and will need to comply with all the relevant policies in the plan. Sites identified in the Mineral Sites Plan will be preferred for mineral extraction over other non-identified sites. Planning applications for development within identified sites are likely to be considered as acceptable.

2.1.3 The above provisions in the Minerals Strategy set up a clear presumption that enough should be known about a site to allow the full range of policies in the Strategy to be brought to bear, including those governing the historic environment, enough, that is, to

allow the proposition: “Planning applications for development within identified sites are likely to be considered as acceptable”. Thus, in Appendix 1 “Site Selection Criteria”, one finds the following:

2. 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. The number of red scores one site may have over another should not be used as a guide to rank its preference. Red scores will however indicate where further work is required to identify whether and how an impact can be mitigated.

2.1.4 To paraphrase, the process involves assessing “whether [...] an impact can be mitigated”.

2.1.5 The draft “Dorset, Bournemouth & Poole Minerals Sites Plan” (DMSP) appeared in July 2015.

4.4 The summary of key information associated with the Inset Map for each site in Appendix A includes a section entitled ‘Development Considerations’. These Development Considerations are derived from the Sustainability Appraisal which has been carried out for each site. They identify the key issues or likely impacts associated with the development of that site. The Inset Map and associated information and Development Considerations are integral with the policy to which each one relates. Each site allocation policy must be read along with the associated Inset Maps and Development Considerations for the sites to which the policy relates.

2.1.6 In Appendix A, the DMSP covers the three Allocation Sites under appraisal here. In each case, the historic environment is listed as a “key issue” and the relevant “development consideration” is given as: “Impacts on heritage/archaeology to be assessed and appropriate mitigation identified”. As already noted by Historic England³, this proposition is materially inconsistent with the Minerals Strategy, as well as with District Local Plan policies and national Planning policy (see below).

2.1.7 Relevant policies in the District Local Plans are also material.

2.1.8 The West Dorset, Weymouth & Portland Draft Local Plan has passed Examination in Public and, as of August 2015, incorporates the Inspector’s main modifications; this emerging Plan therefore carried considerable weight. The combined historic environment policy (accompanied by useful informative text) is as follows:

³ R. Torkildsen, Historic England (consultation response 070915).

Policy ENV 4: Heritage Assets

- i) *The impact of development on a designated or non-designated heritage asset and its setting must be thoroughly assessed against the significance of the asset. Development should conserve and where appropriate enhance the significance.*
- ii) *Applications affecting the significance of a heritage asset or its setting will be required to provide sufficient information to demonstrate how the proposals would positively contribute to the asset's conservation.*
- iii) *A thorough understanding of the significance of the asset and other appropriate evidence including conservation area character appraisals and management plans should be used to inform development proposals including potential conservation and enhancement measures.*
- iv) *Any harm to the significance of a designated or non-designated heritage asset must be justified. Applications will be weighed against the public benefits of the proposal; if it has been demonstrated that all reasonable efforts have been made to sustain the existing use, find new uses, or mitigate the extent of the harm to the significance of the asset, and; if the works proposed are the optimum required to secure the sustainable use of the asset.*
- v) *The desirability of putting heritage assets to an appropriate and viable use that is consistent with their conservation will be taken into account.*
- vi) *Where harm can be justified, appropriate provision will be required to capture and record features, followed by analysis and where appropriate making findings publically available.*

2.1.9 The document “Planning Purbeck’s Future; Purbeck Local Plan (Part 1)” was adopted in November 2012. The combined historic environment policy (accompanied by useful informative text) is as follows:

Policy LHH: Landscape, Historic Environment and Heritage

Proposals for development and other works will be expected to conserve the appearance, setting, character, interest, integrity, health and vitality of landscape (including trees and hedgerows) and heritage assets - be these locally, nationally or internationally designated or otherwise formally identified by the Local Planning Authority. In considering the acceptability of proposals the Council will assess their direct, indirect and cumulative impacts relative to the significance of the asset affected, and balance them against other sustainable development objectives.

Wherever appropriate, proposals affecting landscape, historic environment or heritage assets will be expected to deliver enhancement and improved conservation of those assets.

Proposals that would result in an unacceptable impact of light pollution from artificial light on intrinsically dark landscapes and nature conservation will not be permitted.

2.2 Legislation & National Policies

- 2.2.1 The principal cultural heritage legislation relevant to the present case is the Planning (Listed Buildings & Conservation Areas) Act 1990. In advance of the discussion of the implications of this statute (as made clear in recent case law) which will be necessary below (paragraph 3.2.2), it must be noted that the Adopted Minerals Strategy and the Draft Minerals Sites Plan, perhaps unwisely, remain wholly silent on the matter.
- 2.2.2 National policies regarding the historic environment are to be found in the National Planning Policy Framework (NPPF), principally in Section 12 and particularly in paragraphs 128-135 (see below). There is accompanying advice in the Planning Practice Guidance (PPG).

2.3 The Proper Construction of Presumptions in Policy & Statute

- 2.3.1 There is a presumption in favour of sustainable development in the National Planning Policy Framework (NPPF):

*14. At the heart of the National Planning Policy Framework is a **presumption in favour of sustainable development**, which should be seen as a golden thread running through both plan-making and decision-taking.*

*For **plan-making** this means that:*

- *local planning authorities should positively seek opportunities to meet the development needs of their area;*
- *Local Plans should meet objectively assessed needs, with sufficient flexibility to adapt to rapid change, unless:*
 - *any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or*
 - *specific policies in this Framework indicate development should be restricted.*⁹

*For **decision-taking** this means:*¹⁰

- *approving development proposals that accord with the development plan without delay; and*
- *where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:*
 - *any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or*

- *specific policies in this Framework indicate development should be restricted.*⁹

[Original footnotes]

9 *For example, those policies relating to sites protected under the Birds and Habitats Directives (see paragraph 119) and/or designated as Sites of Special Scientific Interest; land designated as Green Belt, Local Green Space, an Area of Outstanding Natural Beauty, Heritage Coast or within a National Park (or the Broads Authority); designated heritage assets; and locations at risk of flooding or coastal erosion.*

10 *Unless material considerations indicate otherwise.*

- 2.3.2 It will be noted that the express exceptions to the presumption (as set out in footnote 9, which bears at two points in paragraph 14 of the NPPF) include the specific policies in the Framework restricting development in respect of effects upon designated heritage assets. Policies for supply of, and applications for, minerals should be considered in the context of the presumption in favour of sustainable development (NPPF paragraphs 142ff, specifically in respect of minerals, and paragraphs 151 and 197 in general) but only in as much as particular cases are not subject to any of the exceptions noted in paragraph 14 (and exemplified in footnote 9). This last matter is reflected, NPPF paragraph 143, 6th bullet-point:

In preparing Local [Minerals] Plans, local planning authorities should:

[...]

- *set out environmental criteria, in line with the policies in this Framework, against which planning applications will be assessed so as to ensure that permitted operations do not have unacceptable adverse impacts on the natural and historic environment or human health, including from noise, dust, visual intrusion, traffic, tip- and quarry-slope stability, differential settlement of quarry backfill, mining subsidence, increased flood risk, impacts on the flow and quantity of surface and groundwater and migration of contamination from the site; and take into account the cumulative effects of multiple impacts from individual sites and/or a number of sites in a locality;*

[...]

- 2.3.3 In any case, and without detracting in the slightest from the above analysis, the presumption in favour of sustainable development is subject to the “core land-use Planning principles” set out in NPPF paragraph 17, which, as part of the overarching roles of the Planning system, include the duty to “conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations [...]”. Even disallowing the possibility of a theoretical ‘presumption in favour of (otherwise) sustainable development ahead of any analysis of effects upon designated heritage assets’, it is evident that material harm to a heritage asset is, in its own right, unsustainable.

- 2.3.4 There are other relevant presumptions, specifically covering certain designated heritage assets, imported into Planning through statute and explanatory case law. It will be useful here to deal with these matters in some detail.
- 2.3.5 There is a statutory duty for the decision-maker, in respect of a “*development which affects a listed building or its setting*” to have “*special regard to the desirability of preserving the building or its setting*” at s.66(1) of the *Planning (Listed Buildings & Conservation Areas) Act 1990*.
- 2.3.6 There is a statutory duty for the decision-maker with respect to “*any buildings or other land in a conservation area*”, namely that “*special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area*”, at s.72(1) of the *Planning (Listed Buildings & Conservation Areas) Act 1990*.
- 2.3.7 The Courts have provided insight into how the *P(LB&CA)A 1990* duties should be understood, mainly in the context of the determination of Planning applications.
- 2.3.8 In *Barnwell Manor*⁴, Sullivan LJ first allowed (at paragraph 16) that it “*is common ground that, despite the slight difference in wording, the nature of the duty is the same under both enactments*”, namely, s.66(1) and s.72(1). It should be noted, however, that it is the character and appearance, not the setting, which are the subjects of the duty in the case of CAs, a duty which applies to buildings or land within the CA, as explicitly stated in s.70(1-2) (cf. also the legal authorities quoted in paragraphs 19-20 in *Barnwell Manor*).
- 2.3.9 In *Barnwell Manor*, Sullivan LJ then went on to consider a series of general principles that pertain in this context, which may be summarised⁵ as follows:
- The degree of harm and the weight of harm are separate concepts (paragraph 22).
 - There is a strong presumption against harm to a Listed Building or Conservation Area (paragraph 23).

⁴ *Barnwell Manor v East Northamptonshire District Council and English Heritage and the National Trust and the Secretary of State for Communities & Local Government* [2014] EWCA Civ 137; [2014] J.P.L. at 731.

⁵ This summarisation is the work of the present author, an experienced cultural heritage practitioner but a ‘lay person’ in respect of the law; this analysis has nevertheless been found to be robust under examination and cross-examination by a number of barristers and after presentation to Planning Inspectors at appeal, as well as to two Secretaries of State and a Welsh Minister. The paragraphs of the judgment from which the principles are derived are marked.

- The duties under s.66(1) and s.72(1) of the Act must be part of the balancing exercise (paragraphs 28 & 29).
- Whilst the duties under s.66(1) and s.72(1) of the Act must create a strong presumption against allowing harm (see above), both the importance of the asset and the degree of harm serve to calibrate that strong presumption, diminishing it in proportion to the degree to which these other two factors are assessed as being 'lower' (paragraph 28).
- The decision-maker must acknowledge (preferably expressly), and in any case must make practical allowance for, the need, if harm to the setting of Listed Buildings is found, to give considerable weight to the desirability of preserving the setting of those buildings (paragraphs 23 and 29).

2.3.10 It is understood by the present author that Sullivan LJ is (a) using the term degree of harm to equate with the common assessment term 'magnitude of (adverse) effect/impact' and he is (b) using the term weight of harm to equate with the common assessment concept of 'overall significance of effect'. It would be the latter, 'overall significance of effect', that would then attract the descriptors, "*material harm*", "*less than substantial harm*" and "*substantial harm*" discussed below (subsection 2.3). This allows the completion of the assessment analogy by the suggestion that the common assessment term 'importance of receptor' is the parameter in which one would place the intrinsic importance (the 'specialness') of the heritage asset, a parameter which would underpin the need to recognise the strong presumption against harm and the considerable weight to be given to the desirability of preservation. Basically, a Listed Building or a Conservation Area is intrinsically of considerable public interest.

2.3.11 It can be seen that it is necessary to assess the degree of harm and to consider this against the 'importance of the asset'.

2.3.12 The first point, concerning degree of harm, derives support from an earlier judgment ⁶ by Keene LJ:

[...] While the objective of protecting conservation areas [and the setting of Listed Buildings, as explicitly expressed elsewhere in this same judgment] is undeniably given a high priority in national planning policies, the weight to be attached in any given case to the effect of a proposal on a conservation area

⁶ *First Secretary of State and West End (Properties) Ltd v Sainsbury's Supermarkets Ltd* [2007] EWCA Civ 1083; [2008] J.P.L. 973 at 39.

must depend upon the gravity of the adverse effect. The impact may be great or it may be small. That is a matter of judgment [...].

2.3.13 It had already been confirmed in *South Lakeland*⁷ that ‘preserve’, as used in the *P(LB&CA)A* 1990, means ‘keep from harm’. The matter of the lower threshold of ‘material harm’ has been noted above. In the specific context of the duties under the Act, the decision-maker may wish to review all non-negligible effects on Listed Buildings and Conservation Areas, although, even in respect of statutory duties, the basic principle of ‘material harm’ (see Section 3 below) is still recognised (for example, in the High Court in *Trillium*⁸ or in the Court of Appeal in *Garner*⁹).

2.3.14 The second point, concerning the importance of the asset, can best be understood through an earlier judgment¹⁰ by Sullivan LJ himself:

22. [...] it is important to bear in mind that SSSIs are only one among many areas or features that may be designated because of their special environmental qualities. By way of example, the Secretary of State lists buildings that are of special architectural or historic interest, schedules ancient monuments that are of national importance, and designates areas of archaeological importance that appear to him to merit treatment as such. Local planning authorities designate as Conservation Areas those parts of their area that are of special architectural or historic interest the character or appearance of which it is desirable to preserve or enhance. Natural England has power to designate Areas of Outstanding Natural Beauty (AONBs) and, subject to confirmation by the Secretary of State, National Parks.

23. The common thread running through all of these provisions is that they “flag up” the special interest of the feature, and impose, or enable the imposition, of more stringent controls than would otherwise be imposed by the “normal” planning process over any activities which might harm it, thereby ensuring that before any plan or project that is likely to have an adverse impact upon it is authorised, full account will have been taken of that which is of special interest. [...]

2.3.15 Stepping back further in time, a comment by Bridge LJ in *South Lakeland*¹¹, referring to a Conservation Area, already implied the point later made more explicit by Sullivan LJ:

⁷ *South Lakeland DC v Secretary of State for the Environment* [1991] 2 P.L.R. 97; *South Lakeland District Council v Secretary of State for the Environment and Carlisle Diocesan Parsonages Board* [1992] 2 A.C. 141; [1992] 2 W.L.R. 204; [1992] 1 P.L.R. 143, HL.

⁸ *Trillium (Prime) Property GP Limited v London Borough of Tower Hamlets* [2011] EWHC 146 (Admin).

⁹ *Garner v Elmbridge Borough Council and Gladedale Group Ltd and Network Rail Infrastructure* [2011] EWCA Civ 891.

¹⁰ *R (on the application of Boggis and East Bavents Conservation) v Natural England* [2009] EWCA Civ 1061.

¹¹ *South Lakeland District Council v Secretary of State* [1992] 2 AC 141; at 150F.

It is entirely right that in any such area a much stricter control over development than elsewhere should be exercised with the object of preserving or, where possible, enhancing the qualities in the character or appearance of the area which underlie its designation as a conservation area under section 277 [of the Town and Country Planning Act 1971, the precursor of s72 of the P(LB&CA)A 1990]. [...]

2.3.16 The clear reasoning here is echoed in the Planning usage of the concept labelled ‘special interest’ or ‘heritage-significance’. A further general principle may therefore be derived from the judgments of Sullivan LJ:

- It is the special interest which makes a Listed Building or Conservation Area special; the ‘specialness’ does not derive from the act of designation, an act which simply ‘recognises’ that ‘specialness’. The special interest justifies the imposition of more stringent (‘non-normal’) Planning controls.

2.3.17 Lindblom J has given a recent summary of how these duties should be approached in *Forge Field*¹²:

49. This does not mean that an authority’s assessment of likely harm to the setting of a listed building or to a conservation area is other than a matter for its own planning judgment. It does not mean that the weight the authority should give to harm which it considers would be limited or less than substantial must be the same as the weight it might give to harm which would be substantial. But it is to recognize, as the Court of Appeal emphasized in Barnwell, that a finding of harm to the setting of a listed building or to a conservation area gives rise to a strong presumption against planning permission being granted. The presumption is a statutory one. It is not irrebuttable. It can be outweighed by material considerations powerful enough to do so. But an authority can only properly strike the balance between harm to a heritage asset on the one hand and planning benefits on the other if it is conscious of the statutory presumption in favour of preservation and if it demonstrably applies that presumption to the proposal it is considering.

2.3.18 As was noted above, the majority of relevant case law has arisen in the context of the determination of Planning applications. To consider how the Act is engaged at the Plan-

¹² *R (on the application of The Forge Field Society & Ors) v Sevenoaks District Council & Ors* [2014] EWHC 1895 (Admin); [2015] J.P.L. at 22. In passing, an additional point was raised by Lindblom J in this case, one which may apply to developments which do not benefit from a ‘policy exemption’ from the need to consider alternative sites: “61. [...] *If there is a need for development of the kind proposed, which in this case there was, but the development would cause harm to heritage assets [specifically Listed Buildings & Conservation Areas], which in this case it would, the possibility of the development being undertaken on an alternative site on which that harm can be avoided altogether will add force to the statutory presumption [in the P(LB&CA)A 1990] in favour of preservation. Indeed, the presumption itself implies the need for a suitably rigorous assessment of potential alternatives.*”

making stage, it is necessary to look at the exact wording of the statute, first with respect to Listed Buildings:

Special considerations affecting planning functions

66.—(1) In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or exercise of any features of special architectural or historic interest which it possesses.

2.3.19 The phrase “In considering whether to grant planning permission [...]” does not restrict the duty simply to the ‘final decision over the granting of Planning permission’. Where a presumption in favour of granting permission is to be established through a specific site allocation in a Development Plan (as in the present Dorset case), the decision-maker must bear the duty in mind when taking this first step ‘in considering whether to grant Planning permission’. To ignore the duty would be an error in law.

2.3.20 The statute in respect of Conservation Areas is more complex:

72.—(1) In the exercise, with respect to any buildings or other land in a conservation area, of any powers under any of the provisions mentioned in subsection (2), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

(2) The provisions referred to in subsection (1) are the planning Acts and Part I of the Historic Buildings and Ancient Monuments Act 1953.

2.3.21 First, one is dealing with ‘the exercise of powers’, the powers most relevant here being those deriving from the ‘Planning Acts’, which include the enactments under which all Development Plans are made. Then, one is dealing with ‘the exercise of powers with respect to any building or other land in a Conservation Area’, that is, not just additionally designated elements (e.g. Listed Buildings, Scheduled Monuments, etc.) and only those elements within a Conservation Area. Where Planning powers are exercised to create a specific site allocation in a Development Plan (such as the Dorset Minerals Sites Plan), the decision-maker must bear the duty in mind if the allocation site would intersect with a Conservation Area. To ignore the duty would be an error in law. Arguably, the duty could also be engaged if the allocation might not be close enough to intersect but might still affect the setting of the Conservation Area or of any of its components if that setting interacts significantly with character and appearance.

3. ASSESSMENT METHODOLOGY & KEY CRITERIA

3.1 Heritage-Significance

3.1.1 The National Planning Policy Framework states:

[Annex 2: Glossary]

Heritage asset: *A building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest. Heritage asset includes designated heritage assets and assets identified by the local planning authority (including local listing).*

Significance (for heritage policy)¹³: *The value of a heritage asset to this and future generations because of its heritage interest. That interest may be archaeological, architectural, artistic or historic. [...]*

128. *In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. [...]*

3.1.2 The most up-to-date advice may be found in current Historic England documents¹⁴ but all the underlying principles were already well established in 2014.

3.1.3 The most relevant NPPF paragraphs often concern 'determining Planning applications' but they can also refer to 'considering proposed development'. At the very least, these principles embody best practice:

131. *In determining planning applications, local planning authorities should take account of:*

[...]

- *the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and*

[...]

132. *When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the*

¹³ The use, in policy and guidance, of common words in restricted, technical senses can sometimes create a barrier to communication, especially when those senses differ in different documents or contexts. Where it is necessary to make the distinction, the term 'heritage-significance' will be used to cover the combined special interest of an asset.

¹⁴ Historic England 2015. *Managing Significance in Decision-Taking in the Historic Environment* Historic Environment Good Practice Advice in Planning: 2; Heritage England 2015. *The Setting of Heritage Assets* Historic Environment Good Practice Advice in Planning: 3.

asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification. Substantial harm to or loss of a grade II listed building, park or garden should be exceptional. Substantial harm to or loss of designated heritage assets of the highest significance, notably scheduled monuments, protected wreck sites, battlefields, grade I and II listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.*

[...]

134. Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

135. The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that affect directly or indirectly non designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

3.2 Harm to Heritage-Significance

3.2.1 The usage and meaning of the concept of **material harm** are well established in case law and leading appeal decisions on the historic environment ¹⁵. Such harm occurs whenever an adverse impact cannot reasonably be dismissed as 'negligible', 'trivial' or 'minimal'. The NPPF (see paragraphs quoted above) then sets up two separate categories "less than substantial harm" and "substantial harm", the finding of one or the other requiring different Planning tests or outcomes.

3.2.2 A recent High Court case ¹⁶ is cited to show the proper definition of the 'boundary' between these two categories. If one may distil the key elements of the *Bedford* judgment on the point in question, Jay J finds (a) that the test for 'substantial harm' applies to both fabric and setting effects and (b) that the threshold of 'substantial harm' has to be set high - the words and phrases Jay J uses are clear and there would certainly be no merit in a gloss upon them here. However, it is worth noting that, whilst Jay J in his paragraph 24 is obviously construing the Inspector's meaning, he (Jay J) is giving his own explicit judgment on a point of claim (not simply an *obiter dictum*) in his paragraph

¹⁵ See also paragraph 65 of the NPPF.

¹⁶ *Bedford Borough Council v Secretary of State for Communities & Local Government and Nuon UK Ltd* [2013] EWHC 4344 (Admin).

25: “[...] One was looking for an impact which would have such a serious impact on the significance of the asset that its significance was either vitiated altogether or very much reduced”. It is also worth noting that, although the *Bedford Borough Council* case predated the *Barnwell Manor* case (see Section 2 above) and although, on some issues, the latter (in the Court of Appeal) has replaced the former, the judgments of Jay J in respect of the meaning of “*substantial harm*” have not been superseded.

- 3.2.3 The general result of the current appraisal will be given in the Conclusion (Section 8). The finding of “substantial harm” is a very high test and it seems unlikely that there is (yet) sufficient evidence in the case of the Moreton Area proposed Allocations to justify a suggestion of such a severe impact. What one must certainly not take from more conservative findings, however, is any misapprehension that “less than substantial harm” would not be material harm.

3.3 Relevance of Views & Viewing Points

- 3.3.1 Before looking at the substantive issues in the present case, and noting that ‘indirect’ effects (that is, effects upon the setting of heritage assets) are likely to be involved as well as ‘direct’ effects (upon the fabric of heritage assets), it will be useful to consider the general relevance of different types of views and viewing points.
- 3.3.2 On the matter of public access, the contribution that setting makes to heritage-significance does not depend on there being an ability to access or experience the setting on the part of the public¹⁷; for instance, a designed view is precisely that, whether or not there is someone currently appreciating it. However, accessibility for the public, and other factors such as the availability of explanatory material (guide books, interpretation boards, etc.) and the authenticity or relevance of the *ambiance*, do indeed bear upon the way development effects influence heritage-significance. Clearly, especially with a temporary development and when there is no reasonable expectation that the access status of an asset is likely to change, lack of access for the public limits the degree to which the asset can be experienced and appreciated; if a serious public interest is not engaged, there is no jurisdiction for the Planning system. In the case of permanent

¹⁷ As recognised (at paragraph 37) by Sullivan LJ in *Barnwell Manor v East Northamptonshire District Council and English Heritage and the National Trust and the Secretary of State for Communities & Local Government* [2014] EWCA Civ 137. See also: *National Planning Practice Guidance* at 18a-013-20140306.

development, any currently ‘private’ effect upon setting is likely to be irreversible and would thus frustrate any and all future attempt to bring that aspect of the heritage-significance into public appreciation. Longer-term and only partially reversible development would have intermediate repercussions. It is explicit in current government guidance ¹⁸ that the actual development impact assessment must take into account effects upon appreciation:

[...]

A thorough assessment of the impact on setting needs to take into account, and be proportionate to, the significance of the heritage asset under consideration and the degree to which proposed changes enhance or detract from that significance and the ability to appreciate it.

[...]

- 3.3.3 It is a long-standing maxim in Planning law that ‘there is no right to a view’. However, just as loss of residential amenity (for individuals) is material in Planning, interference with an individual resident’s ability to appreciate heritage-significance in views is now taken as contrary to the general public interest. This is clear in recent Planning Inspectors’ reports, for instance ¹⁹:

287. [...] a Grade II mid 18th century stone farmhouse [...] The setting of the listed building would be substantially altered for the occupants who would experience the impact every day going about their day to day activities [...].

[...]

293. The heritage implications for those who live in a listed property or a CA [Conservation Area] who also have a view of the proposed [... development] is a material consideration. Frequently, those who choose to live in a heritage asset such as a CA or a listed building do so because they appreciate the particular qualities of their surroundings and the materials and workmanship of a previous age. If the development not only has a serious impact on the setting of their house but also imposes on the day to day visual amenity of the occupants because of orientation [...] or distance, going about their daily lives, there is every reason to suppose that they would find the effect on significance reinforced and amplified. [...]

- 3.3.4 Since, in Planning terms, the current proposals at AS19, AS25 and AS26 are far from ‘short-term temporary’, it is appropriate for certain relevant viewing points that are

¹⁸ National Planning Practice Guidance at 18a-013-20140306.

¹⁹ The Planning Inspectorate (JACKSON, P.K.) 2015. Report APP/R1010/A/14/2212093 Land east of Rotherham Road, Bolsover, Derbyshire (recommendation to dismiss, Roseland Community Wind Farm, Bolsover), DCLG; The Secretary of State for Communities & Local Government, 2015 (12 March). Decision APP/R1010/A/14/2212093 Land east of Rotherham Road, Bolsover, Derbyshire (dismissed, Roseland Community Wind Farm, Bolsover), DCLG. Note that the actual visual amenity effects (‘imposition’) in this case were found to be likely to be “considerable” but would not (in the express judgement of the Inspector) become “oppressive or overbearing” in any instance.

currently inaccessible to the general public also to be included in the present appraisal, in particular, those involving potentially affected views outwards from heritage assets.

3.4 Relevance of Duration

- 3.4.1 Even when a development is more or less totally reversible, longer-term propositions usually attract criticism, especially if they border on the criterion of ‘a generation for most people’²⁰:

11. The Secretary of State does not agree with the Inspector that weight should be given to the potential for the land to return to agricultural use after 25 years, leaving the setting of heritage assets unaffected after that time (IR [...]). Whilst the harm caused would be both temporary and reversible, the Secretary of State regards 25 years as a significant length of time over which harm to the setting of [... a heritage asset] would be endured. Accordingly he considers that the reversibility of the scheme should not be an influential factor in determining this appeal.

3.5 Relevance of Cumulative Effects

- 3.5.1 A single ‘extensive’ development may have cumulative effects in its own right upon a number of different assets²¹:

17. The Secretary of State has also given careful consideration to the Inspector’s findings regarding the other designated heritage assets that would be affected by the appeal scheme and which the Inspector considers would suffer from significant but less than substantial harm to their intrinsic value (IR [...]). While the Secretary of State accepts that each of these assets may well suffer from less than substantial harm if considered separately as being the only asset of any significance, he takes the view that, looking at the sum total of the impact on so many and varied assets, the harm caused is arguably greater than the sum of its parts. [...]

²⁰ The Secretary of State for Communities & Local Government, 2014 (22 May). Decision APP/J3530/A/13/2193911 *Hore Close, Church Farm, Hacheston Suffolk IP13* (dismissed, Wind Farm, Suffolk Coastal District), DCLG.

²¹ The Secretary of State for Communities & Local Government, 2014 (14 March). Decision APP/Y2430/A/13/2191290 *Former Asfordby Mine/Existing Asfordby Business Park* (dismissed, Wind Farm, Melton), DCLG.

3.5.2 There has been much debate over what the Secretary of State meant by the phrase “greater than the sum of its parts” (repeated in many decisions). It has been pointed out that, if the ‘baseline’ against which a ‘proportionate’ loss of heritage-significance is increased, the over ‘proportion’ of loss remains the same – if two, or ten, assets each lose 50%, 50% of the overall heritage-significance still remains. However, this argument does not hold if one thinks more in terms of the ‘total heritage baseline’ for a given local area: this is a ‘finite’ resource and, if development with increasingly ‘extensive’ reach affects more and more of this resource, to a greater and greater degree, clearly there is an increasing cumulative effect. Whilst the formulation ‘more than the sum of its parts’ is perhaps just a common turn of phrase, this cumulative, tending towards ‘blanket’, effect is perhaps the result to which the Secretary of State has been referring.

4. **PROPOSED ALLOCATION AS19 – WOODSFORD (NORTH EAST EXTENSION)**

4.1 **Preamble**

- 4.1.1 On the 1st October 2015, the present author sent the following request to the Manager of Woodsford Farms Limited:

We have been commissioned by a group of local residents to provide them with an Appraisal of Historic Environment issues arising from the currently proposed Mineral Allocations in the Moreton Area.

Accordingly, I am seeking your permission to conduct a walkover survey of Allocations AS19 which I believe is under your management. Naturally, there would be no question of removing anything from the land or of any physical intervention.

May I also seek your permission to visit the farm buildings, where I would wish to take a few photographs from any upper east-facing windows in the Listed Buildings and from outside from within their curtilage.

- 4.1.2 On the 8th October 2015, the following reply was received from D.K. Symes (of D.K. Symes Associates):

Your letter of the 1st of October has been passed to me as I act on behalf of Woodsford Farms regarding mineral related matters.

I am sure you are aware of the mineral planning process and that Dorset CC are evaluating a number of sites in order to meet their requirement to maintain a supply of minerals.

The Plan process looks to the mineral planning authorities to carry out a balanced assessment of all of the sites for a range of disciplines. It is not normal practice to allow different consultants representing different interested parties to visit the proposed sites as this level of background work is more appropriately done by the MPA in order to ensure a consistent approach. In light of the above I believe it would be inappropriate to agree to your request as the archaeological / historic environment impacts will be fully considered through the Plan process.

However, a desk based assessment has been carried out as part of the background / baseline work commissioned by the landowner and as this is in the public domain I attach a copy in case you do not have one.

- 4.1.3 Taking a contrary view on the appropriateness of allowing the public the (statutory) right to participate in the Plan process, the present author regrets that he is unable to conduct the present appraisal as thoroughly as he would have wished. The copy of the desk-

based assessment ¹ (written by the contractors who have been carrying out the main archaeological excavations on the previous phases of the Woodsford Quarry to the south since December 2008) is nevertheless most welcome, since, to the present author's knowledge, it had not previously appeared in any public database (e.g. the Dorset HER or the TVAS website listing) or on the MPA webpages in connection with the Minerals Sites Plan process.

- 4.1.4 On the 13th October, Mr. Badley (Dorset County Council, Minerals Planning) also copied the TVAS assessment to the present author, following a request for available information on the Historic Environment topic; Mr. Badley indicated that the assessment had been requested from the site nominee in May 2014. In response to a further question, Mr. Badley replied (14th October 2017) that the report had been submitted to County in March 2015.

4.2 Pleistocene Deposits

- 4.2.1 TVAS state ²:

[...] Consideration has to be given to the possibility of Palaeolithic finds and deposits within, and possibly even beneath the gravel. However, the potential for Palaeolithic archaeology is clearly very limited for this site in that the gravel deposits forming the floor of the Frome Valley are of relatively recent origin (terraces 1 and 2), dating from the end of the last glaciation - a period after Palaeolithic activity had ceased. [...]

- 4.2.2 This statement is incorrect. Fig.*** below shows the approximate boundaries of proposed Allocation Site AS19 overlaid upon the relevant extract of the current BGS Onshore GeoIndex, with the 'superficial' (Quaternary = Pleistocene + Holocene) deposits labelled (on the BGS website itself, they are identified by clicking on the map); the limits of the various Pleistocene fluvial terraces are shown by green lines. The River Frome thalweg ('centre-line') has been migrating downstream (grossly eastwards) for at least the last 400,000 years, which, in this particular reach, on the right bank at the beginning of a wide right-hand bend, means that younger terraces are encased progressively to the

¹ TABOR, R. & WEALE, A. 2015. *Land at Woodsford Lower Dairy, Woodsford, Dorchester, Dorset: Archaeological desk-based assessment* Unpublished report (Ref. WFE14/152) by Thames Valley Archaeological Services (South West) on behalf of Woodsford Farms Limited, February 2015. See also: <http://www.tvas.co.uk/news/woodsford.html>.

² Ibid. (Tabor & Weale 2015), p.12.

northeast. T1 (youngest) is not represented at all in AS19, whilst T2 occupies only a relatively small area in the northeastern part of the Site. T3 occupies the central 'diagonal' strip but approximately half of AS19 is underlain by T4 (oldest).

- 4.2.3 Earlier in the Pleistocene, during cold periods ('glaciations'), when sea levels were low, the Frome was a headward tributary of an ancient major watercourse now known as the 'Solent River', which originally reached the (then) 'Channel River' having passed eastwards, north of and around the (now) Isle of Wight. At some point, roughly during the period 400,000 to 200,000 years ago, the western waters of this system breached the Chalk ridge (anticline) which had previously joined Purbeck to Wight. The new watercourse (including the Frome) is sometimes called the 'Western Solent River', the rest of the catchment, still flowing eastwards at that time, retaining the name 'Solent River'. After many changes in detail (which need not be considered here), during the high sea level of the last (Ipswichian) Interglacial (also known as Marine Isotope Stage 5e, or MIS 5e), the 'Solent' was at least partially flooded and, during the current (Flandrian) Interglacial (Holocene, MIS 1) the sea rose progressively, giving the Solent its current broad extent.

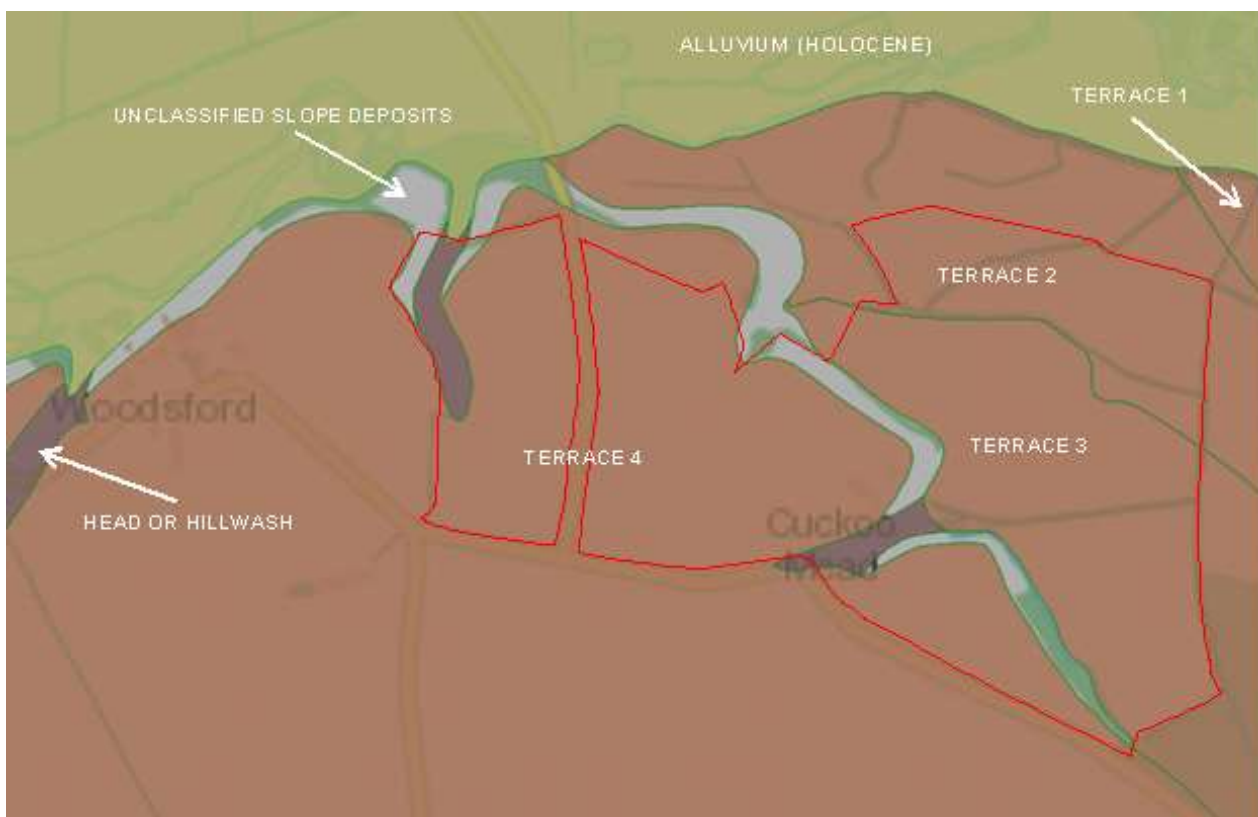


Fig.4.1 BGS geological mapping for AS19 (Quaternary deposits, see text) (Crown Copyright).

- 4.2.4 This complex history over many hundreds of thousands of years, involving substantial changes between the terrestrial/fluvial domain and the marine domain, especially in most of the areas where major tributaries once met the main line of the Solent River, has often resulted in the total destruction of key locations, making it extremely difficult to correlate different sequences of terraces in the different (originally related but now disjunctive) river valleys that remain. And mention has not even been made of other complicating factors known to have been involved, such as faulting and regional tilting. There has been much research over the last few decades to try to improve the understanding of this Pleistocene chronology ³ but the great majority of the work has been concentrated on the better exposures of regions well to the west of the area of interest in the present case. Study of the terraces in the Woodsford area of the Frome Valley has its own particular problems, since the area is close to (just downstream of) a major change in bedrock lithology, from harder Chalk to softer Tertiary deposits (often sandy clays here, cf. the Poole Formation), meaning that both sediment availability and erosive capability were often (in transitions to and from cold periods) high; the terrace gradients on the Chalk are relatively steep but they are much lower over the erodible Tertiaries, with the absolute heights of the terraces coming much closer together just downstream of the Chalk outcrop. Nevertheless, the terraces here have been reasonably well differentiated (due to their morphostratigraphy and to the petrographic compositions of their gravels) but they are still extremely vaguely dated, which little or no biostratigraphical or geochronological control.
- 4.2.5 In this part of the Frome (in which most of the Quaternary fluvial deposits are now classified as the Frome-Piddle Formation ⁴), early geological mapping distinguished between two broad groups of terraces, often separated by the most marked break(s) of slope, which were termed 'Plateau Gravels' (or sometimes 'Higher Terrace Gravels') and 'Floodplain Gravels'. These designations are still quite useful, in the Woodsford area with T6 (surface outcrops over c.55 m AOD) and above belonging to the former and T3-1 (surface outcrops below c.35 m AOD) belonging to the latter. T6 and/or T7 (mapped as the West Knighton Member) are known to contain Lower Palaeolithic material, a regional

³ Cf. ALLEN, L.G. & GIBBARD, P.L. 1993. Pleistocene evolution of the Solent River of southern England. *Quaternary Science Reviews* 12:503–528; BRIDGLAND, D.R. 1996. Quaternary river terrace deposits as a framework for the Lower Palaeolithic record. In: *The English Palaeolithic Reviewed* C.S. Gamble & A.J. Lawson (eds), 23-39. Wessex Archaeology: Salisbury.

⁴ GIBBARD, P.L. & PREECE, R.C. Chapter 5: South and Southeast England. In: *A Revised Correlation of Quaternary Deposits in the British Isles* D.Q. Bowen (ed), pp.59-65. Geological Society Special Report No.23.

“super-site” lying just down-valley at Moreton-Crossways⁵; the best available estimate of an age (but still without direct dating evidence) would be MIS 10 or earlier (older than c.340,000 years ago). The ‘Floodplain Gravels’ (T3-1) are almost certainly of last (Devensian) glacial age (c.75,000-10,000, MIS 4-2). The ‘Intermediate’ gravels (often subsumed with the ‘Floodplain Gravels’) of T5-4 certainly do lie stratigraphically (and thus chronologically) between the two main groups, although it is not known how these terraces correlate to specific stages nor how ‘continuous’ the record might be (remembering that, as a rule of thumb, the bulk of Pleistocene gravels were laid down during cold stages but that the finer-grained deposits in more localised channels of the warmer stages, both interglacials and interstadials, usually contain better preserved archaeological and palaeontological sites).

- 4.2.6 This geological digression was particularly necessary because of the major stratigraphic error made by TVAS, presumably an error which has also governed the understanding of the rest of Woodsford Quarry (which is largely underlain by T5-4 gravels)⁶. Various Lower, Middle and Upper Palaeolithic ‘cultures’ were present in southern England (including Dorset) during the deposition of these fluvial deposits and also during the periods after which the terrace surfaces had emerged as dry land. Since observation of gravels (and of any capping head, wash or other slope deposits) by qualified archaeologists has been concentrated (almost exclusively) in the older quarries, most of which were in higher terraces usually requiring less pumping⁷, the true potential for Palaeolithic archaeology of these younger terraces (whether as secondary/tertiary accumulations re-deposited in the active river channels or as near-primary contexts, perhaps with associated palaeontological remains, in protected backwaters) is unknown. Indeed, the highest potential may lie close to terrace margins, either on what would have been banks/bluffs on the ‘older side’ or in what would have been the least reworked sediment and possibly shallowest water on the ‘younger side’; there are long stretches of such zones across AS19, sometimes complicated (possibly masked) by slope deposits. One may note two bifaces recorded from southwest of Woodsford, reportedly from the

⁵ ASHTON, N. and HOSFIELD, R. 2010. Mapping the human record in the British early Palaeolithic: evidence from the Solent River system. *Journal of Quaternary Scienc*, 25(5):737-753.

⁶ The present author has not been able to find any TVAS reports for Woodsford Quarry in the public domain which deal with the Pleistocene deposits.

⁷ Cf. the find in the West Knighton Member of a biface by Phil Harding, this time slightly up-valley of Woodsford at SY740888 (Wessex Archaeology 1993 *The Southern Rivers Palaeolithic Project - Report No.1 1991-1992: The Upper Thames Valley, the Kennet Valley and the Solent drainage system* See p.116. Wessex Archaeology: Salisbury).

“Worgret Member” but (from the general location of SY 76 90) almost certainly from T4⁸. Certainly, the very broadly correlative deposits in other, better studied, parts of the region (around Bournemouth and Christchurch or in the Test Valley, for instance) contain highly significant Palaeolithic sites⁹.

- 4.2.7 Since the Pleistocene gravel deposits constitute a context for Palaeolithic archaeology, a substrate upon which Palaeolithic and all later archaeology would have been laid down and an aquifer governing the watertable likely to be relevant to deeper ‘cut’ archaeological features (e.g. former pits), the depth of the gravels needs some consideration. There is a large 1988 set of borehole data, and a smaller ‘infill’ set of 1993 data, on the BGS GeoIndex for AS19 but all these are commercially confidential. There is one public borehole record in T2, SY79SE12 at NRG SY 78100 90950 just north of the AS19 boundary, which reported 3.9 m thickness of gravel, with water struck at 0.7 m into that gravel (through 0.3 m of soil/overburden), in 1978. There is another public borehole record in T4, SY79SE9 at NRG SY 77080 90160 immediately south of the AS19 boundary, which reported 3.0 m thickness of gravel, with water struck at 2.3 m into that gravel (through 0.9 m of soil/“alluvium”), in 1978. The only other broadly relevant public record is SY79SE6, from SY 76320 90120 just under 500 m southwest of AS19 in T4, which reported 2.9 m thickness of gravel, with water struck at 1.7 m into that gravel (through 1.4 m of soil/overburden), in 1978. These public data are from August and, in any case, water-strike is usually lower (sometimes significantly so) than equilibrium level. It therefore seems reasonable to assume that some deeper archaeological contexts within AS19 may have waterlogged conditions, with the possibility of survival of organic artefacts and palaeoenvironmental material. The nominee has reported a likely yield of 2.1 million tonnes from an area of approximately 90 ha, which (assuming a bulk density of 1.6 tonnes/m³) would indicate an ‘average’ depth of workable mineral of some 1.46 m. Clearly, the nominee, with the benefit of the private borehole data, is able to make a more realistic estimate of the mineral resource (in all three dimensions), although this means that the present author cannot be certain how the eventual impact will be distributed across AS19 as a whole. It would have been part of the professional standard for TVAS to request access to all borehole data, private as well as public, but no mention is made

⁸ ROE, D.A. 1968. *A Gazetteer of British Middle and Lower Palaeolithic Sites* CBA Research Report no.8, p.55; Wessex Archaeology 1993, *ibid.*

⁹ Cf. ROE, D.A. 1981. *The Lower and Middle Palaeolithic Periods in Britain* Routledge & Kegan Paul: London; BARTON, R.N.E. 1992. *Hengistbury Head: the Upper Palaeolithic and Early Mesolithic Sites* 2 Vols. University of Oxford; WYMER, J. 1999. *The Lower Palaeolithic Occupation of Britain* 2 Vols. Wessex Archaeology & English Heritage.

of any relevant deposit or watertable information (or of the archaeological implications) in their report.

4.3 Holocene Archaeology

4.3.1 Fig.*** contains the HER entries for the proposed AS19 Allocation Site; the general area for each entry is shown, plus basic cropmark/earthwork mapping when relevant. General details for these entries are as follows:

MDO23812 – Pillbox, part of the River Frome Defence Line; western of a former pair of round brick boxes (qualified as a “very rare” type by members of the Pillbox Study Group) that stood on either side of a ‘road block’. [Not mentioned in the AS19 County Site Assessment; apparently mentioned as guarding the bridge but incorrectly mapped by TVAS; no HER description available].

MDO30458 – HER description: “A system of post medieval water meadows is visible as earthworks on aerial photographs of the 1940s and as cropmarks on aerial photographs of 2004 to the east of Woodsford. The earthworks can be seen over an area measuring approximately 380 m by 200 m. The water meadows are probably a continuation of an extensive area to the north (see MDO30457 [within Allocation Site AS26]).” [unspecified watermeadows mentioned in the AS19 County Site Assessment; not mentioned or mapped by TVAS.]

MDO30634 – HER description: “Two medieval or post medieval extractive pits are visible as cropmarks on aerial photographs of 2004 to the south east of Woodsford Lower Dairy. The pits are located on an area of silty clay and measure between 20 by 16 m and 30 m by 30 m.” [Not mentioned in the AS19 County Site Assessment; mentioned and mapped by TVAS.]

MDO30667 – HER description: “Enclosures, trackways and field boundaries, possibly forming a settlement and field system of later prehistoric to Roman date, are visible as cropmarks on aerial photographs dating to between 1989 and 2004 to the east of East Woodsford and to the west of Watery Lane. The features cover an area measuring approximately 68 m by 435 m. Two sub-oval enclosures are located at SY 7687 9061 and SY 7690 9087. A double ditched trackway either cuts or underlies the southern enclosure. Areas of possible field boundaries lie between the two enclosures and to the east and south of the southern enclosure. A second double ditched trackways is located to the south of the field boundaries and enclosures. It is oriented approximately east-west and extends for a distance of 147 m, before turning to the south for a distance of 28 m. Numerous small pits, possibly either used for extraction or storage, are distributed within and around the other features. [...] Two other areas of trackways and pits, possibly associated with the area of settlement, are located nearby: to the east of Watery Lane (see MDO30668) and to the south of East Woodsford (see MDO30669).” [Not mentioned in the AS19 County Site Assessment; mentioned and mapped by TVAS.]

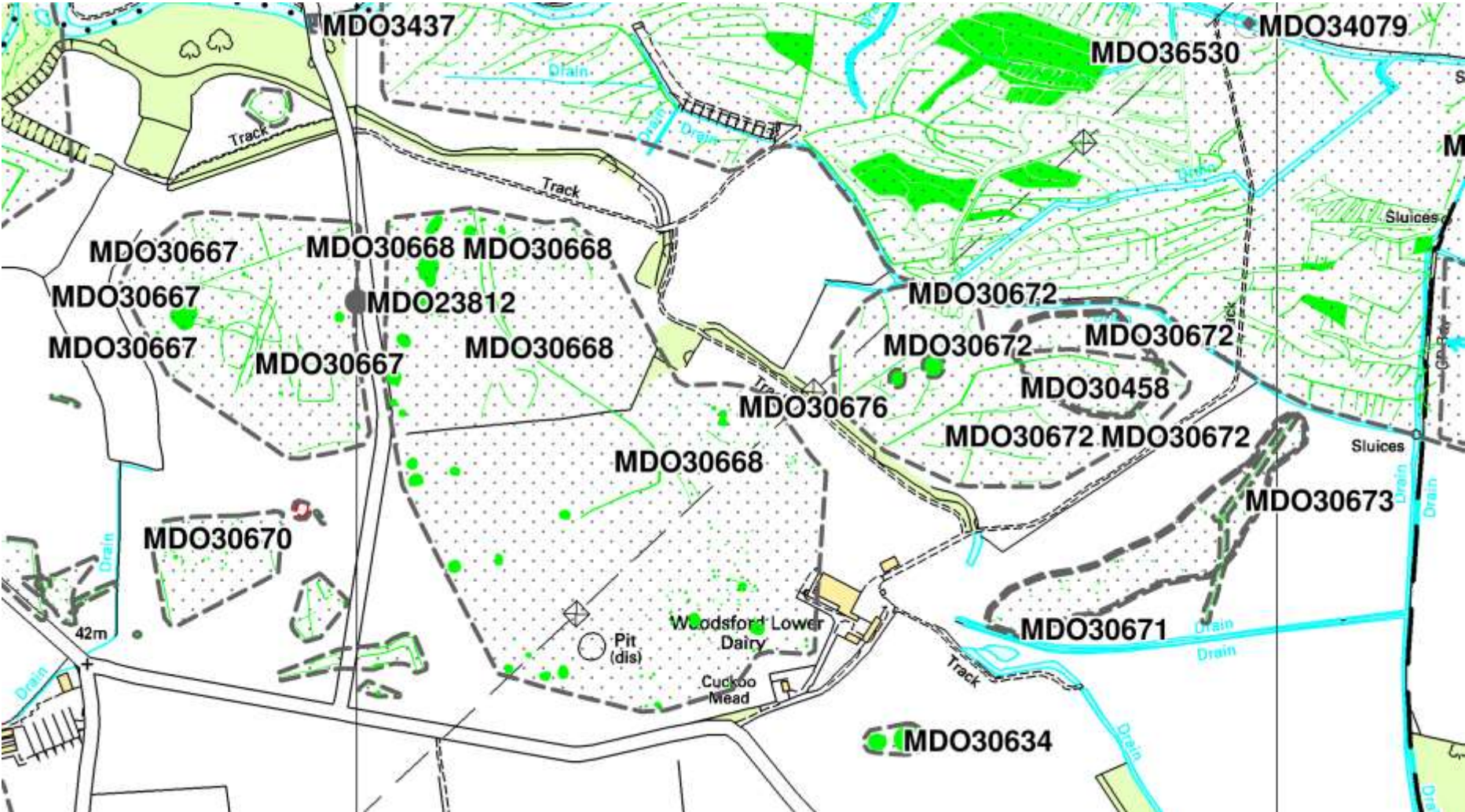


Fig.4.2 Extract from the Dorset Historic Environment Record (DCC Copyright) October 2015.



Fig.4.3 Watery Lane Round Pillbox, MDO23812 (Lorraine & Keith Bowdler, 140510, www.geograph.org.uk).

MDO30668 – HER description: “Trackways, field boundaries and pits, possibly associated with a nearby settlement of later prehistoric to Roman date (see MDO30667), are visible as cropmarks on aerial photographs dating to between 1989 and 2004 to the east of East Woodsford and to the east of Watery Lane. The features cover an area measuring approximately 595 m by 400 m. A double ditched trackway, oriented approximately north-south, extends for a distance of 150 m, before continuing as a single ditch to the south east for a distance of 225 m. It then turns to the west for a distance of 95 m. Fragmentary field boundaries formed of narrow ditches, are located on either side of the trackway. Numerous small pits, possibly either used for extraction or storage, are distributed within and around the other features. [...] Another area of trackways and pits, possibly associated with this site and the settlement to the west, are located nearby to the south of East Woodsford (see MDO30669).” [Mentioned and mapped by TVAS.]

MDO30670 – Cropmarks, including linear features and hut circles [no HER description available]. [Not mentioned in the AS19 County Site Assessment; mentioned and mapped by TVAS.]

MDO30671 – HER description: “An area of numerous small extractive pits, which may date to between the later prehistoric to medieval periods, are visible as cropmarks on aerial photographs of 2004 to the east of Woodsford Lower Dairy. The pits are located on an area of silty clay and measure approximately 2 m by 2 m. They are visible over an area measuring approximately 400 m by 65 m. [...] A trackway runs through the centre of the area of pits (see MDO30673) and may be associated with them.” [Not mentioned in the AS19 County Site Assessment; mentioned and mapped by TVAS.]

MDO30672 – HER description: “An area of numerous small extractive pits, which may date to between the later prehistoric to medieval periods, are visible as cropmarks on aerial photographs of 2004 to the north east of Woodsford Lower Dairy. The pits are

located on an area of silty clay and measure approximately 2 m by 2 m. They are visible over an area measuring approximately 160 m by 110 m.” [Not mentioned in the AS19 County Site Assessment; mentioned and mapped by TVAS.]

MDO30673 – HER description: “A trackway which may date to between the later prehistoric to medieval periods, is visible as a cropmark on aerial photographs of 2004 to the north east of Woodsford Lower Dairy. The trackway is formed of a linear ditch which extends from SY 7792 9031 to the north east for a distance of 245 m. [...] It is located within an area of small pits (see MDO30671), with which it may be associated.” [Not mentioned in the AS19 County Site Assessment; mentioned and mapped by TVAS.]



Fig.4.4 Cropmarks east and west of Watery Lane (looking N), MDO30667, 30668, 30670 etc. (Extract from NMR23563-15, 15th June 2004, NLAP Swindon).

MDO30675 – [Obscured by other labels on PDF version of HER map in Fig.***; located at SY 7762 9058] HER description: “A possible Bronze Age round barrow is visible as a cropmark on aerial photographs of 2004 to the north east of Woodsford Lower Dairy. The possible barrow is formed of a ring ditch measuring 19 m in diameter.” [Not mentioned in the AS19 County Site Assessment; mentioned and mapped by TVAS.]

MDO30676 – HER description: “A possible medieval or post medieval extractive pit is visible as a cropmark on aerial photographs of 2004 to the north east of Woodsford Lower Dairy. The pit is located on silty clay. It is sub-circular and measures 14 m in diameter.” [Not mentioned in the AS19 County Site Assessment; mentioned and mapped by TVAS.]



Fig.4.5 Cropmarks east and west of Watery Lane (looking SW), MDO30667 & 30668 (Extract from NMR23563-11, 15th June 2004, NLAP Swindon).



Fig.4.6 Cropmarks west of Watery Lane (looking SSW), MDO30667 (NMR-23489-15, 15th June 2004) ¹⁰

4.3.2 Whilst TVAS question a number of the cropmark interpretations (from photographs commissioned by the then English Heritage and subsequently interpreted as part of their Wild Purbeck Mapping Project) and they do not mention identification of likely archaeological cropmarks at least as early as 1993 ¹¹, TVAS do reach the following conclusions:

In considering the archaeological potential of the study area, various factors must be taken into account, including previously recorded archaeological sites, previous land-use and disturbance and future land-use including the proposed extraction.

The site is around 6km east of areas of national and international importance for Neolithic, Bronze Age, Iron Age and Roman archaeology in and around Dorchester. Barrow cemeteries occupy some of the land in between, overlooking the River Frome, and the long tam investigations at Warmwell Quarry and more recently Woodsford have identified Bronze Age settlement features. Until recently the area east of Woodsford Castle was virtually a blank area in archaeological terms, but in the past decade investigations in advance

¹⁰ Source: www.historicengland.org.uk/research/research-results/recent-research-results/south-west/wild-purbeck-nmp/

¹¹ Andrew Miller/15-FEB-1993/RCHME: AP Primary Recording Project.

of gravel extraction have identified Iron Age, Roman and Medieval field systems. The air photographic evidence gives every indication that these or similar systems continue within the site, at least covering its western half.

Map regression and air photography shows that the most the site's eastern half was watermeadow until at least the early 1960s. Some of that land has been ploughed subsequently, as was noted during the site visit. The western half of the site has probably been ploughed for much longer although the presence of successive dairies and field names such as Cow Lease suggest that it may equally have a long history as pasture [...].

Given the extent of the area which would be affected, evidence from air photography and recent fieldwork, and the depth of excavation required for mineral extraction any archaeological features or deposits present would be destroyed. [...]

- 4.3.3 The cropmarks on the western (T4) side of AS19 indeed suggest a complex palimpsest of archaeological features (cf. Figs. *** - ***) which, from cross-cutting relationships and other geometrical discordances, certainly suggests multi-phase archaeology. For instance, looking at Fig.***, at least four separate phases can be seen, probably starting in the prehistoric period (cf. the large curvilinear enclosure), just in this relatively small part of the Site. There are traces of such cropmarks in most areas on the western (Terrace 4) part of the Site.



Fig.4.7 Cropmarks NE of Woodsford Lower Dairy (looking SE), MDO30671, 30672, 30673 & 30675 (NMR-23489-10, 15th June 2004, NLAP Swindon)

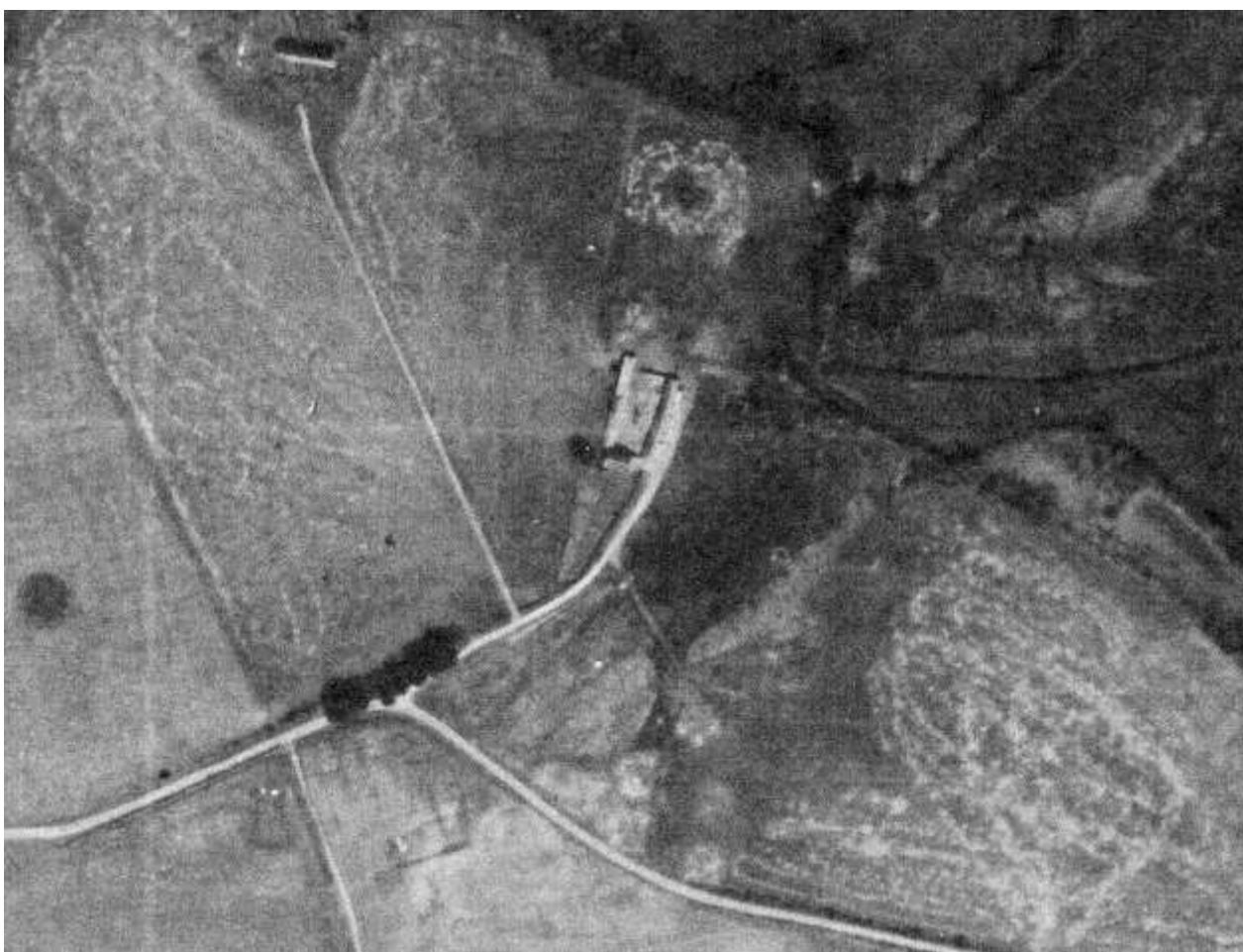


Fig.4.8 Area around Woodsford Lower Dairy (Extract from vertical RAF/CPE/UK/2018, 4045, 17th April 1947, NLAP Swindon).

- 4.3.4 Looking at some of the available aerial photographs, it even appears possible that there are yet more features that have not been identified to date. For instance, Fig.*** shows a detail of the area around Woodsford Lower Dairy. There is an orthogonal cropmark pattern within the northward 'kink' of the road (i.e. just outside AS19) that could indicate an as yet unknown building, together with some local alignments and other, more rounded forms, in the adjacent part of AS19 to the eastnortheast.
- 4.3.5 Such observation is made in the context of the generally poor visibility of archaeological sites as cropmarks in this vicinity. The existing Woodsford Quarry is working from west to east, currently on Terrace 4. There were no extensive cropmarks noted in the initial desk-based assessment ¹² and those that were recognised have mostly turned out to be

¹² Cotswold Archaeological Trust, 1999. *Land at Woodsford, Dorset: Cultural Heritage Assessment* CAT Report No. 99985, Cirencester.

of post-Medieval date. Fieldwalking results suggested more extensive archaeology¹³ and trial trenching showed many more features, especially towards the western end of the Quarry¹⁴. The actual fieldwork in advance of quarrying has been carried out by TVAS (as noted above) and there does not appear to be a public domain report¹⁵. However, the TVAS website does have some information about the results in the plant site and first extraction phase of the Quarry¹⁶, together with the plan of features appearing after soil-stripping, reproduced here as Fig.***.

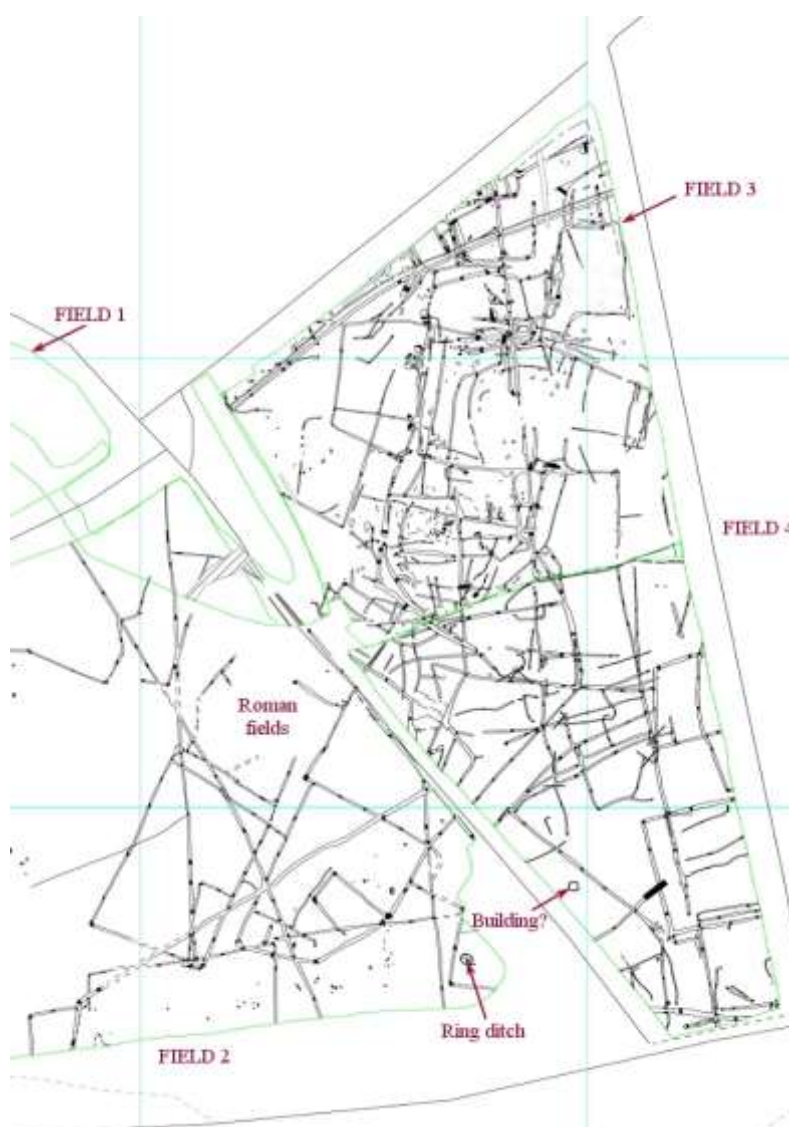


Fig.4.9 TVAS plan of archaeological features at Woodsford Quarry (200 m grid shown).

¹³ Brett, M. 2005. *Land at Woodsford, Dorset, archaeological fieldwalking survey* Cotswold Archaeology Report No. 05002, Cirencester.

¹⁴ Brett, M. 2006. *Land at Woodsford. archaeological evaluation* Cotswold Archaeology Report No. 06020, Cirencester.

¹⁵ The TVAS website notes a publication in preparation: "Pine, J and Weale, A (in prep), Roman occupation at Woodsford Quarry, Dorset, [TVAS monograph ?]".

¹⁶ www.tvas.co.uk/news/woodsford.html.

- 4.3.6 The features in Fig.*** are mostly of Roman date (with at least three separate phases of use identified by TVAS) but there are also Iron Age and Bronze Age features. TVAS themselves state (as quoted above) that “similar systems” are likely to appear on the western side of AS19. And just to reinforce this impression, one may note the two Romano-British spindle whorls (not reported by TVAS in their assessment) recovered from a point between Woodsford Castle and Woodsford Village ¹⁷, even closer than the current quarrying.



Fig.4.10 Watermeadows north and east of Woodsford Lower Dairy (Extract from US/7PH/GP/LOC138, 5009, 4th January 1944, NLAP Swindon).

¹⁷ www.british-history.ac.uk/rchme/dorset/vol2/pp592-621.

- 4.3.7 TVAS have not assessed the fact that there “is potential for surviving earthworks and structures associated with the management of watermeadow systems” (AS19 County Site Assessment).
- 4.3.8 There is an apparent assumption by TVAS that the recent presence of watermeadows on the eastern side of AS19 (on Terraces 2-3) indicates that there can be no other archaeological interest. This is to ignore the fact that this form of land-management involved ‘warping’, that is, the temporary ponding of water to allow settling of silts, often with significant build-up over time. Thus, older archaeological material may well underlie the watermeadow system(s), this potential covering all the T1-3 land in this vicinity, with the added interest of a higher watertable and a greater chance of organic preservation.
- 4.3.9 Having set out their discussion of potential (quoted at *** above), TVAS then say:
- [...] The direct physical impact upon as yet unknown potential heritage assets can be mitigated with routine measures.
[...]
It is recommended that archaeological investigation should be undertaken prior to mineral extraction. This could be secured by an appropriately worded condition attached to any planning consent granted and would need to be carried out in accordance with a written scheme of investigation agreed in advance by the archaeological adviser to the minerals planning authority. Such work would need to be carried out by a competent archaeological contractor.
- 4.3.10 Thus, TVAS say that enough is already known about the archaeology of the site, without any field investigation whatsoever (fieldwalking, geophysics, augering and/or trial trenching), to allow an assertion that a Planning Permission may safely be granted. TVAS do add, however, that pre-development (post-Permission) archaeological work will be needed, to be carried out by “a competent archaeological contractor”. The present author notes that, to his knowledge, there is no response to this proposition from the County’s Senior Archaeologist in the public domain.

4.4 **Listed Buildings**

- 4.4.1 In their assessment of AS19, TVAS state:

The closest listed building to the site is an undated bridge [...] across the River Frome only 140m north along the modern road between fields 1 and 2. Despite its proximity trees on either side of the road obscure it entirely from the site.

The Grade II-listed group over 350m to the west [...] are at a broadly similar height above Ordnance Datum to the site hence intervisibility with them is very much restricted by intervening hedgerows (Pl.1). The Grade I listed 14th century Woodsford Castle [...] is also at a similar height and at c. 900m to the west has even more restricted views. Cliffe House is a listed building visible from the site but is at a distance of over 1km to the north (Pls. 3 and 5).

4.4.2 TVAS do not conduct a full setting analysis and do not mention Listed Buildings at all in their concluding “Discussion”.

4.4.3 There are a number of Listed Buildings in relative proximity, the following being within the village itself:

- The **Church of St. John the Baptist, Woodsford** (National List No. 1155283, NGR: SY 76210 90569) is a Grade II GV Listed Building, with C13 origin but largely rebuilt in 1862-3. There is a tower, the lower part of which is C13, raised in C19, with saddleback top.
- The **Unidentified Monument in the Churchyard 15 m East of the East Wall of the Church of St. John the Baptist, Woodsford** (National List No. 1119847, NGR: SY 76216 90589) is a Grade II GV Listed Building, a table tomb possibly of the C18.
- The more westerly of the two buildings known as **Woodsford House, including Attached Stable on North** (National List No. 1119848, NGR: SY 76176 90526) is a Grade II GV Listed Building, a former vicarage of the mid-C19.
- **Glebe Cottage, Woodsford** (National List No. 1155306, NGR: SY 76180 90595) is a Grade II GV Listed Building, a former rectory, probably C17 in origin, with C20 extensions.
- The more westerly of the two buildings known as **Woodsford House (formerly ‘Woodford Manor’)** (National List No. 1303391, NGR: SY 76248 90583) is a Grade II GV Listed Building. This is a farmhouse, possibly originally the manor house, of c1600 origin, altered and enlarged to rear in C19; it has two main floors and an attic, with frontage to the south and a central gabled projecting staircase tower.
- The **Coach House and Stable immediately East of Woodsford Manor** (National List No. 1155353, NGR: SY 76251 90612) is a Grade II GV Listed Building, probably mid-C19.
- The **Barn 20 m East of Woodsford Manor** (National List No. 1323649, NGR: SY 76269 90616) is a Grade II GV Listed Building, dated to c.1600.
- The **Old School House, Woodsford** (National List No. 1323648, NGR: SY 76239 90450) is a Grade II Listed Building, a former school and schoolhouse of the mid-C19; looking eastwards from west side of School Lane.



Fig.4.12 Looking west from footpath at SY 76386 90620 towards Woodsford Manor (OAA 151015).



Fig.4.13 Looking east from footpath at SY 76386 90620 towards AS19 (OAA 151015).



Fig.4.14 Looking from footpath towards Woodsford Manor and its Listed Buildings (OAA 151015).



Fig.4.15 Woodsford Quarry Stockpiles - DorsetBlogger, 060509, www.geograph.org.uk; photographer SY 752 891, subject SY 752 898, looking due north (Woodsford village out of frame to right)..

- 4.4.4 Due to extensive tree planting (often evergreen) and to intervening buildings (both modern and historic in their own right), the visibility between these Listed Buildings and AS19 is indeed restricted. However, it is not insignificant. It will be recalled that the present author has not been able to visit the buildings or curtilage of the Woodford Manor (Woodsford Farm) group. Fig.*** shows a view looking west from the public footpath; note the high window in the ‘Manor’. Fig.*** shows a view towards AS19 (a 180° rotation from Fig.***); the Allocation starts at the tree/hedge line beyond the foreground field. It seems most likely that AS19 will indeed be visible from the ‘Manor’ and it cannot be accepted that the intervening field would “create a buffer sufficient that there will be no impact from site to the buildings” (AS19 County Site Assessment). Indeed, Fig.*** shows other high windows, which may afford a view over the modern agricultural shed at the edge of the farm. Fig.*** shows how quarrying in this area may appear.
- 4.4.5 If most of the Listed Buildings within the village are unlikely to experience visual impact, the same cannot be said of noise, which is bound to affect the setting of these designated assets given the tranquil baseline and such a nearby quarry as would be the case in AS19. There is also the issue of cumulative impact, since the permitted Woodsford Quarry will pass only 250 m south of the Grade I Listed Woodsford Castle (which may well have views of the Quarry from upper windows) and about 300 m south of the main village (cutting across a public footpath); the addition of AS19 would ‘surround’ the historic village, whether or not the impact was localised but extended in time by means of phasing.
- 4.4.6 Moving northwards and across the River Frome, there will be other Listed Buildings which will be largely screened by intervening trees (assuming these remain) but which will likely suffer increased noise effects with winds from the south and southwest:
- **Frome Bridge** (National List No. 1425414, NGR: SY 76953 90959) is a Grade II Listed Building, a three-arched C19 road bridge across the Frome.
 - **Saxon Meade, Tincteton** (National List No.1154944, NGR: SY 76838 91801) is a Grade II Listed Building, a thatched cottage, probably C18.
 - The **Church of St. John the Evangelist, Tincteton** (National List No.1154894, NGR: SY 77581 91821) is a Grade II Listed Building, built 1849, only low belfry.
 - The **Bwthyn, Affpuddle Pallington** (National List No.1172061, NGR: “SY 78710 91226” [NGR and location on National List map do not match description]) is a Grade II Listed Building, a thatched cottage with a datestone marked "Fisher's Tenement, 1765"; actually appears to be the building at NGR: SY 78621 91265.

4.4.7 However, there are two Buildings which will probably also suffer some visual impact:

- The **Post Office House, Tincton** (National List No.1323624, NGR: SY 77186 91968) is a Grade II Listed Building, a former post office, mid-C19.
- **Clyffe House (Clyffe Manor House, and Nos. 1, 2 and 3), Pallington** (National List No.1303596, NGR: SY 78150 92135) is a Grade II GV (see also garden walls, courtyard, keeper's cottage) Listed Building, a country house (2 storeys plus attic) built in 1842, standing at c.60 m AOD.

4.4.8 The view 'alongside' the Old Post Office is shown in Fig. ***; AS19 stretches to just this side of the pylons in this view. Fig.*** shows the Listed Building itself, which stands close enough to the non-designated Yew Tree Cottage (see below) for the view from the latter to be representative also for the Post Office.

4.4.9 As TVAS have noted, Clyffe House is visible from 'within' AS19; Fig.*** shows this asset from Watery Lane. The view back south from the top floor of the House is shown in Fig.***; the proposed quarrying at AS19 (and at AS26) would greatly mar what is very much a designed view, by the architect Benjamin Ferrey FSA FRIBA (a student of Pugin).



Fig.4.16 Looking south from the Listed Old Post Office, Tincton (OAA 151015).



Fig.4.17 The Listed Old Post Office, Tingleton (OAA 151015).



Fig.4.18 Clyffe House from Watery Lane, 'within' AS19 (OAA 151015).



Fig.4.19 Designed view southwards from Clyffe House (OAA 151015); AS26 (left) and AS19 (right) would stretch right across this view at about the level of the three pylons on the right.

4.5 Non-Designated Standing Heritage Assets

- 4.5.1 The Watery Lane Pillbox has already been mentioned above (***)¹⁸; the westward view in Fig.*** would be completely blocked by AS19, negating the concept of designed field of fire.
- 4.5.2 The Woodsford Lower Dairy (NGR: SY 77516 90286), non-designated, appears to comprise a house and one long (former) cowshed surviving from an earlier courtyard arrangement (see the 1947 aerial photograph above and the current views in Fig.***Figs.*** - ***). The buildings now surviving were certainly present in 1944 aerial photographs, and apparently so on the 1888 OS map and the 1842 Tithe map; the Tithe map also shows another building (with a small ‘outhouse’) some 300 m to the northnorthwest, a building (then the only one shown in the vicinity) labelled “Dairy House” on a 1776 Estate map (see fig.6 in the TVAS assessment of AS19). It will be recalled that the present author has not been able to visit the buildings within AS19. Whilst the surviving Woodsford Lower Dairy has obviously had its roof and window frames replaced, has been partially rendered and has had some apertures bricked-up, those architectural details which are visible would seem to be consistent with a late C18 date, although the matter clearly merits deeper research. The ‘new’ dairy house thus took over from the ‘old’ one (already marked as merely a “house and garden” on the Tithe apportionment), which presumably still survives as an archaeological site. One may note in passing that the 1861 Census records eight members of the Parnell Family at Woodsford Lower Dairy, the parents (“dairyman” and “dairywoman”), two daughters (“dairymaids”), two sons (“agricultural labourers”) and two younger sons (“dairyboys”); the son John later (1881 Census) turns up as a “dairyman” living as a lodger in Clyffe Tincton. It may be noted that, whilst TVAS mention Woodsford Lower Dairy at many points during their detailed map regression, it does not appear in a single one of their fifteen photographs; they never treat it as a standing heritage asset and thus never consider the likely fate, well within AS19, of its surviving fabric, setting and historical associations.

¹⁸ Whilst non-designated, this is a SHINE (Selected Heritage Inventory for Natural England) site, DO18940.



Fig.4.20 Woodsford Lower Dairy from the southwest (OAA 151015); the dairyhouse is seen gable-end-on and the cowshed is the long, low building in the foreground to the right.



Fig.4.21 Woodsford Lower Dairy (OAA 151015); outer, southeastern, wall of the cowshed with the dairy beyond.



Fig.4.22 Woodsford Lower Dairy (OAA 151015); main, northeast, face.



Fig.4.23 Woodsford Lower Dairy (OAA 151015); part of the inner, northwestern, wall of the cowshed.



Fig.4.24 Woodsford Lower Dairy (OAA 151015); from the west.



Fig.4.25 Woodsford Lower Dairy (OAA 151015); looking southeast from Watery Lane.

- 4.5.3 **Yew Tree Cottage, Tincleton** (NGR: SY 77127 91982), non-designated, is a former farm workers Cottage built in mid-C19 in Tincleton (shown in Fig.***), with far-reaching views (see Fig.***) to the Frome and beyond, apparently present on 1888 map. Whilst this is a non-designated asset, the view from the first floor is also representative of the nearby Listed Old Post Office (see above).



Fig.4.26 Yew Tree Cottage, Tincleton (OAA 151015).

- 4.5.4 Pallington Lakes (just inside Purbeck District from West Dorset) were established during the 1970s, within (and concordant with) an existing unit of spring-fed watermeadows, as a fishery; the full extent of the lakes are mapped by the OS by 1988. **Sculpture by the Lakes** (sculpture park, garden and gallery) (NGR: SY 78565 91175 covering 10.5 ha) was begun by the sculptor, Simon Gudgeon, in 2007, in order to give his work landscape context and perhaps also to give the landscape wider associations and meaning. As such, although as yet it has little time-depth, this feature satisfies all the criteria to qualify as a non-designated heritage asset, a designed landscape with strong artistic interest ¹⁹

¹⁹ Planning Policy Statement 5: Planning for the Historic Environment, Department of Communities & Local Government, 2010, p13 (superseded by the NPPF): “[...] interest in the design and general aesthetics of a place. It can arise from conscious design or fortuitously from the way the place has evolved. More specifically, architectural interest is an interest in the art or science of the design, construction, craftsmanship and decoration of buildings and structures of all types. Artistic interest is an interest in other human creative skill, like sculpture.”

²⁰. One of the principal themes of Gudgeon's work involves quiet contemplation of questions that are often 'larger' than the individual. Whilst Sculpture by the Lakes would probably be most affected by AS26 (see the illustrations of impact in Section 5 of this report), the western end of the sculpture park will also be only 150 m from the nearest point of the boundary of AS19. Fig.*** shows the wider context of the sculpture park.



Fig.4.27 Yew Tree Cottage (OAA 151015); AS19 would run from the hedgeline at the base of the central pylon.

Planning Policy Statement 5: Planning for the Historic Environment, Department of Communities & Local Government, 2010, p13 (superseded by the NPPF):

English Heritage 2008. Draft Heritage Protection Bill 2008: Commentary by English Heritage, April 2008 "17. [...] Artistic interest has a simple justification: it was considered that whilst architectural interest covers all design interest in buildings and structures, including what could be more purely described as engineering or industrial design, it did not so comfortably encompass the pure artistry of statues and other works of art".

The National Planning Policy Framework, Annex 2: Glossary: "Significance (for heritage policy): The value of a heritage asset to this and future generations because of its heritage interest. That interest may be archaeological, architectural, artistic or historic. [...]".

²⁰ Of primary interest here is how these sculptures interact with the landscape to constitute a heritage asset in this locality. Nevertheless, it should be noted that pieces by Simon Gudgeon are conserved in the Royal Collection and have been exhibited at the RHS Chelsea Flower Show (winning a five star tradestand award in 2015). Gudgeon also has one of the three key sculptures in the sculpture trail of America's National Museum of Wildlife Art. Gudgeon is the only living sculptor with a work ("Isis") standing, since 2009, in the Grade I RP&G, Hyde Park (London); to complete the circle, one may note that there is also a version of this particular work at Pallington. Therefore, returning to the sculpture park itself, one may note: 2014 Winner Dorset Tourism Awards, Small Visitor Attraction; 2014 Winner South West Tourism Awards - Small Visitor Attraction; 2014, runner up in Visit England Tourism Awards; *Tripadvisor*, Dorchester, Top visitor attraction, and Dorset, in the top five with over 600 reviews; listed in *Sculpture Parks and Trails of Britain and Ireland* by Alison Stace (2013, Bloomsbury); coverage in national and international publications, including *Weekend Telegraph*, *Country Life*, *New York Times*.

4.6 Historic Hedgerows

4.6.1 TVAS note in their assessment of AS19:

The boundary along the eastern side of the site is that between the modern parishes of Woodsford and Moreton and was clearly shown as such on the estate map of 1776 and the tithe map of 1842. The hedgerows along the east side of the site also match (broadly) the 1776 boundaries and are all highly developed, with mature trees, including oaks. As such they appear likely to meet the criteria to qualify as 'important' as defined by Schedule 1 of the Hedgerows Regulations 1997.

4.6.2 Whilst it is not legally necessary for a development requiring a Planning Permission to satisfy the Hedgerow Regulations, it is indeed the normal professional usage to employ the criteria in these Regulations to recognise 'historic hedgerows' in any context. In fact, the parish boundary definitely meets the Schedule I Part II criterion 1, whilst most of the other surviving hedgerows, right across AS19 (even within the former watermeadow area), meet criterion 5 (pre-dating the Inclosure Acts or equivalent, in this area, the first decade of the C19). It is also the case that some of these hedgerow lines were obviously associated with both the 'old' and 'new' dairies (see above).

4.6.3 Removal of these hedgerows would degrade the historic landscape (see below) and would sever the two dairy sites (standing buildings and archaeological site) from their proper context.

4.7 Historic Landscape

4.7.1 In their assessment of AS19, TVAS mention Historic Landscape in the context of the current Minerals Strategy advocating "consideration of potential adverse impacts on the historic landscape". They then fail to apply such consideration.



Fig.4.28 Sculpture by the Lakes looking south (OAA 151015); quarrying in AS26 (left) and AS19 (right) would appear right across this view, from half-way up the panorama.

- 4.7.2 The Dorset Historic Landscape Classification divides AS19 into two, broadly along the line of the edge of Terrace 4. The lower areas to the north and east are characterised as “water association, watermeadows”, whilst nearly all the higher land of T4 is characterised as “enclosed, other regular”. Whilst there is not yet a completed commentary on the Dorset HLC ²¹, it is reasonable to take the enclosed nature of both the T2-3 area (former watermeadows with enclosures along principle carriers, often still surviving as ditches) and the T4 area as to represent the relevant historic character.
- 4.7.3 Just as with the case of hedgerows, removal of these enclosures would degrade the historic landscape and would sever the two dairy sites (standing buildings and archaeological site) from their proper context.
- 4.7.4 The AS19 County Site Assessment states:

*The restoration proposals [...]. There is an opportunity, identified by the County Ecologist to enhance the water meadow management of land beside the river and thus enhance the historic environment of this proposal.
D – no significant impact.*

- 4.7.5 In respect of the restoration proposals, one cannot know whether they might or might not have a positive effect upon the historic environment, since the proposals are not in the public domain (beyond the ‘generic’ suggestion in the MPA Assessment Pro Forma of “agriculture/wet grassland/lakes”). Certainly, watermeadow restoration would be an advantage in historical terms but it is simply not economically credible that such restoration could occur, in an area which has already lost all its functional and relic (earthwork) watermeadows to modern arable farming, save for some of the main ‘plot-edge’ carriers. Some restoration may be possible close to the River Frome itself (in or adjacent to the SSSI) but this zone is outside AS19 and an agreement to sponsor such a step by the nominee would not be related to the proposed mineral development and thus would not weigh in Planning.

4.8 Cultural Associations

- 4.8.1 As a young ‘would-be’ architect in 1856-7, Thomas Hardy worked with his father at the restoration of Woodsford Castle, attracting the eye of owner-architect, John Hicks, to

²¹ Pers.comm. Ms. C. Pinder (DCC HER Officer).

whom he was subsequently articulated in Dorchester. Indeed, there were Hardys generally around this landscape – Thomas’s paternal great-grandparents were married in Woodsford in 1777 and there was another “Thomas Hardy” christening his son in Woodsford in 1860. Re-naming the village “Shadwater”, Thomas Hardy (the author) used his Woodsford experiences to provide the central location in his novel, “Return of the Native” (1878), with the weirs, ponds and watermeadows (with their hatches) along the river a crucial theme. The Castle also turns up in the poem “On a Discovered Curl of Hair” (1913).

- 4.8.2 Whilst it is widely suggested that Hardy used Lower Lewell Farm (just west of Woodsford) as his inspiration for “Talbothays Dairy” in “Tess of the D’Urbervilles” (1891), it is clear that he was referring to this whole section of the Frome Valley when he had Tess arrive from the high ground to the north (Chapter 16):

[...] the Valley of the Great Dairies, the valley in which milk and butter grew to rankness, and were produced more profusely, if less delicately, than at her home — the verdant plain so well watered by the river Var or Froom. It was intrinsically different from the Vale of Little Dairies, Blackmoor Vale, which, save during her disastrous sojourn at Trantridge, she had exclusively known till now. The world was drawn to a larger pattern here. The enclosures numbered fifty acres instead of ten, the farmsteads were more extended, the groups of cattle formed tribes hereabout; there only families. These myriads of cows stretching under her eyes from the far east to the far west outnumbered any she had ever seen at one glance before. The green lea was speckled as thickly with them as a canvas by Van Alstoot or Sallaert with burghers. The ripe hue of the red and dun kine absorbed the evening sunlight, which the white-coated animals returned to the eye in rays almost dazzling, even at the distant elevation on which she stood.

- 4.8.3 It is plausible that Hardy might have known the Parnells at Woodsford Lower Dairy. Whatever the details, the land within AS19 certainly fitted Hardy’s characterisation at the time and still does fit it, in its field pattern and surviving dairy buildings. He may even have known John Parnell later in Tingleton (which Hardy called “Stickleford” – “I was going to marry a dairyman at Stickleford [...]” says the heroine in *Tess of the D’Urbervilles* (1891, Chapter 23)). “Stickleford” also turns up in *Return of the Native* and in the short story, *The Withered Arm*. Although the outward view is largely obscured by conifer plantation nowadays, one may also note Pallington Clump, growing on a Bronze Age burial mound above Clyffe House; in the poem, *Yell’Ham-Wood’s Story*, Hardy called this “Clyffe-Hill Clump” – it was the image chosen for the 1990 Hardy commemorative stamp. This landscape has Hardy connections wherever one turns.



Fig.4.29 Hardy commemorative stamp, 1990.

4.8.4 Certainly a friend of Hardy’s was a ‘local’, Henry Joseph Moule (the first Director of the Dorset County Museum); the Museum website notes that “Moule’s sketches strongly evoke the Wessex of Thomas Hardy’s books” (Figs. 4.30 – 6.43).



Fig.4.30 From Woodsford Castle (sketch), by Henry Joseph Moule (not to be separately reproduced) By permission of Dorset County Museum (with the kind assistance of Anna Butler & David James).



Fig.4.31 Tinkleton Heath, from Woodsford (sketch August 1883), by Henry Joseph Moule
(not to be separately reproduced)
By permission of Dorset County Museum (with the kind assistance of Anna Butler & David James).



Fig.4.32 Between Woodsford & Tinkleton (sketch 28 April 1885), by Henry Joseph Moule
(not to be separately reproduced)
By permission of Dorset County Museum (with the kind assistance of Anna Butler & David James).



Fig.4.33 At Woodsford (sketch 10 August 1886), by Henry Joseph Moule
(not to be separately reproduced)
By permission of Dorset County Museum (with the kind assistance of Anna Butler & David James).



Fig.4.34 Woodsford Castle (sketch 10 August 1886), by Henry Joseph Moule
(not to be separately reproduced)
By permission of Dorset County Museum (with the kind assistance of Anna Butler & David James).

4.8.5 The AS19 County Site Assessment states:

*The restoration proposals are sufficient to conform with the literary associations of this part of Dorset, in particular the Valley of the Dairies character created by Thomas Hardy. [...]
D – no significant impact.*

4.8.6 Again, one cannot know whether the restoration proposals might or might not be “sufficient to conform” with the cultural landscape associated with Thomas Hardy, since the proposals are not in the public domain (beyond the ‘generic’ suggestion in the MPA Assessment Pro Forma of “agriculture/wet grassland/lakes”). However, it seems very unlikely, indeed implausible, that any feasible restoration could undo the unavoidable damage from quarrying.

5. **PROPOSED ALLOCATION AS26 – HURST FARM MORETON**

5.1 **Preamble**

- 5.1.1 On the 1st October 2015, the present author sent the following request to R. Frampton Hobbs of Moreton House:

We have been commissioned by a group of local residents to provide them with an Appraisal of Historic Environment issues arising from the currently proposed Mineral Allocations in the Moreton Area.

Accordingly, I am seeking your permission to conduct a walkover survey of Allocations AS25 and AS26 which I believe are in your ownership; if you are not adverse to this, please let me have contact details for your tenants (I believe one may be Mr. Chandler at Hurst Farm) and I will then seek direct permission from them. Naturally, there would be no question of removing anything from the land or of any physical intervention.

May I also seek your permission to visit Moreton House, where I would wish to take a few photographs from upper west-north-west-facing windows in the main building.

- 5.1.2 Mr. Frampton Hobbs replied that he wished the matter to be dealt with by his Managing Agent, P. Tory. The present author contacted Mr. Tory. Mr. Tory indicated that he wished to have a meeting at his office in Moreton to get a better understanding of the present author's needs. The present author responded that all his needs were set out in his initial letter but that he would be happy to meet with Mr. Tory should he wish. Mr. Tory responded, requesting proposed dates/times, noting that at the "meeting we can then discuss any possible next steps and the timings for anything else happening". The present author noted that he was a consultant based in Oxford and that he could not justify charging his clients for coming to Dorset for the sole purpose described, concluding: "I do not believe that there is anything further I can usefully tell you about my needs, although I will do my best to explain should you wish to put additional questions, either by email or by phone". Since a meeting of FRAME was scheduled for the evening of the 15th. October, the present author requested a meeting with Mr. Tory on that day, "as early as possible, preferably first thing in the morning". Mr. Tory offered a meeting in the afternoon. The present author, re-iterating the constraints upon him, noted that an afternoon meeting could not leave enough time for the requested access; he asked for an early morning meeting on some other day. Mr. Tory offered a morning meeting on the

26th October, the first working day after the close of the public consultation period allowed by the MPA.

5.1.3 The present author regrets that he is unable to conduct the present appraisal as thoroughly as he would have wished.

5.1.4 On the 14th October, Mr. Badley (Dorset County Council, Minerals Planning), replying to a request for information from the present author, indicated that a Historic Environment assessment had been requested from the site nominee in May 2014 but that no such assessment had yet been received.

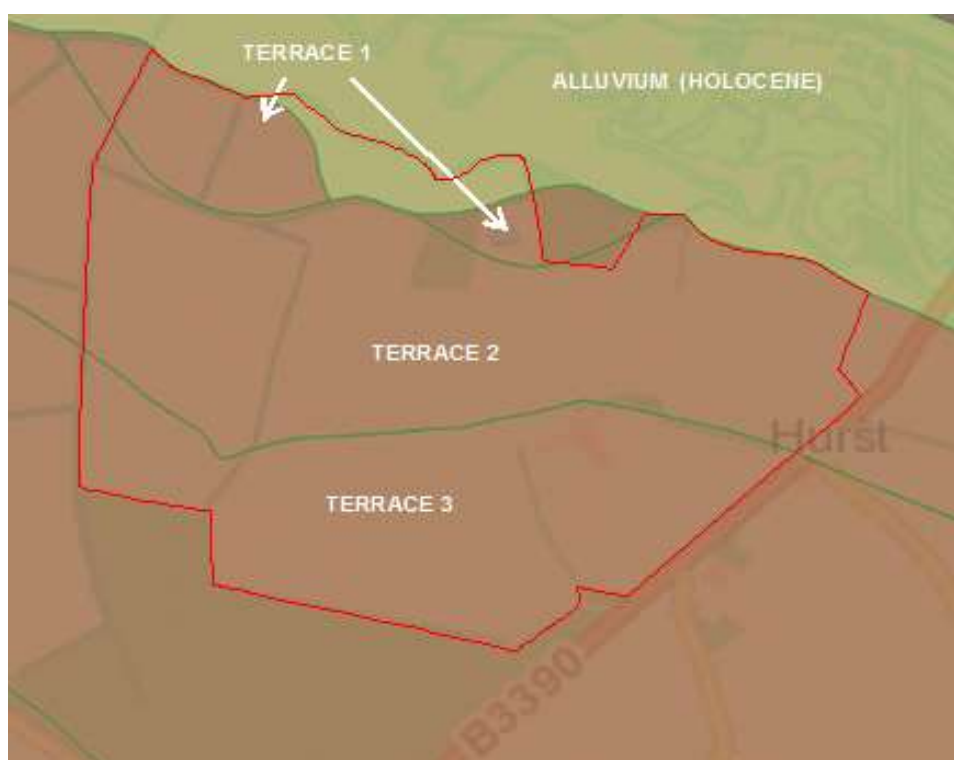


Fig.5.1 BGS geological mapping for AS26 (Quaternary deposits, see text) (Crown Copyright).

5.2 Pleistocene Deposits

5.2.1 Fig.5.1 shows the approximate boundaries of proposed Allocation Site AS26 overlaid upon the relevant extract of the current BGS Onshore GeoIndex, with the 'superficial' (Quaternary = Pleistocene + Holocene) deposits labelled (on the BGS website itself, they are identified by clicking on the map); the limits of the various Pleistocene fluvial terraces are shown by green lines. The River Frome thalweg ('centre-line') has been migrating

downstream (grossly eastwards) for at least the last 400,000 years, which, in this particular reach, on the right bank at the beginning of a wide right-hand bend, means that younger terraces are encased progressively to the northnortheast. T1 (youngest) is present at the northern edge of AS26 and continues under the Holocene (<10,000 years old) alluvium, whilst T2 and T3 (oldest) occupy the majority of AS26.

- 5.2.2 In this part of the Frome (in which most of the Quaternary fluvial deposits are now classified as the Frome-Piddle Formation ¹), early geological mapping distinguished between two broad groups of terraces, often separated by the most marked break(s) of slope, which were termed 'Plateau Gravels' (or sometimes 'Higher Terrace Gravels') and 'Floodplain Gravels'. These designations are still quite useful, in the Moreton area with T6 (surface outcrops over c.55 m AOD well to the south of AS26) and above belonging to the former and T3-1 (surface outcrops below c.35 m AOD) belonging to the latter. The 'Floodplain Gravels' (T3-1) are almost certainly of last (Devensian) glacial age (c.75,000-10,000, also known as Marine Isotope Stage, or MIS, 4-2, during the Middle and Upper Palaeolithic periods), although it is not known how these terraces correlate to specific stages nor how 'continuous' the record might be (remembering that, as a rule of thumb, the bulk of Pleistocene gravels were laid down during cold stages but that the finer-grained deposits in more localised channels of the warmer stages, 'interstadials', usually contain better preserved archaeological and palaeontological sites).
- 5.2.3 Various Lower, Middle and Upper Palaeolithic 'cultures' were present in southern England (including Dorset) during the deposition of the fluvial deposits in the area and also during the periods after which the terrace surfaces had emerged as dry land. Since observation of gravels (and of any capping head, wash or other slope deposits) by qualified archaeologists has been concentrated (almost exclusively) in the older quarries, most of which were in higher terraces usually requiring less pumping, the true potential for Palaeolithic archaeology of these younger terraces (whether as secondary/tertiary accumulations re-deposited in the active river channels or as near-primary contexts, perhaps with associated palaeontological remains, in protected backwaters) is unknown. Indeed, the highest potential may lie close to terrace margins, either on what would have been banks/bluffs on the 'older side' or in what would have been the least reworked sediment and possibly shallowest water on the 'younger side'; there are long stretches of

¹ GIBBARD, P.L. & PREECE, R.C. Chapter 5: South and Southeast England. In: *A Revised Correlation of Quaternary Deposits in the British Isles* D.Q. Bowen (ed), pp.59-65. Geological Society Special Report No.23.

such zones across AS26 (some of these margins can be seen on Fig.5.2). Certainly, the very broadly correlative deposits in other, better studied, parts of the region (around Bournemouth and Christchurch or in the Test Valley, for instance) contain highly significant Palaeolithic sites².



Fig.5.2 Satellite imagery of AS26 (courtesy of Google Earth) 2009.

5.2.4 Since the Pleistocene gravel deposits constitute a context for Palaeolithic archaeology, a substrate upon which Palaeolithic and all later archaeology would have been laid down and an aquifer governing the watertable likely to be relevant to deeper ‘cut’

² Cf. ROE, D.A. 1981. *The Lower and Middle Palaeolithic Periods in Britain* Routledge & Kegan Paul: London; BARTON, R.N.E. 1992. *Hengistbury Head: the Upper Palaeolithic and Early Mesolithic Sites 2* Vols. University of Oxford.

archaeological features (e.g. former pits), the depth of the gravels needs some consideration. There are no borehole data sets marked as commercially confidential on the BGS GeoIndex for AS26. There is one public borehole record in T3, SY79SE16 at NRG SY 78550 90100 towards the south of AS26, which reported 1.8 m thickness of gravel, with no water-strike until well into the underlying clayey Tertiary sands, in 1978. There is a public borehole record in T2, SY79SE15 at NRG SY 79120 90500 towards the northern side of AS26, which reported 2.9 m thickness of gravel, with water struck at 1.2 m into that gravel (possibly higher, since the log fails to show any 'soil'), in 1978. There is another public borehole record in T2, SY79SE415 at NRG SY 79456 90386 in the northeastern corner of AS26 (adjacent to Hurst Dene Cottage), but there are no geological details given. The public data from the first two boreholes are from August and, in any case, water-strike is usually lower (sometimes significantly so) than equilibrium level. It therefore seems reasonable to assume that some deeper archaeological contexts within AS26 may have waterlogged conditions, with the possibility of survival of organic artefacts and palaeoenvironmental material. The nominee has reported a likely yield of c.2.5 million tonnes from an area of 72 ha, which (assuming a bulk density of 1.6 tonnes/m³) would indicate an 'average' depth of workable mineral of some 2.17 m. Judging from the public data, it would be necessary to extract all the mineral from the whole proposed Allocation Site to achieve this high total yield, with no significant allowance for stand-offs or loss to any other constraint.

5.3 Holocene Archaeology

5.3.1 Fig.5.3 contains the HER entries for the proposed AS26 Allocation Site; the general area for each entry is shown, plus basic cropmark/earthwork mapping when relevant. General details for these entries are as follows:

MDO7850 – A single prehistoric flint artefact found at SY 785 903.

MDO30457 – An extensive system of post medieval water meadows is visible as earthworks on aerial photographs of the 1940s to the north of Woodsford and south of Ilsington, extending between the B3390 in the east and Watery Lane in the west. The earthworks can be seen over an area measuring approximately 3475m by 940 m. The water meadows continue to the west (see MDO30455) and to the east (see MDO30458).

5.3.2 The known archaeology of AS26 is therefore minimal in the extreme.

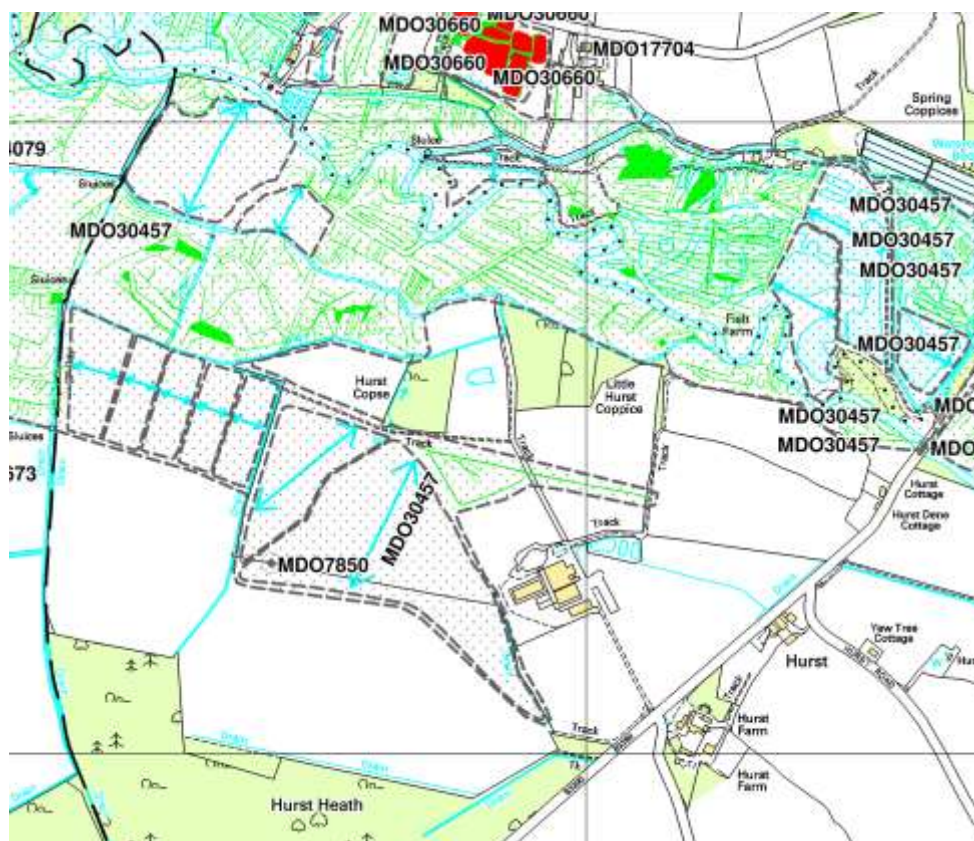


Fig.5.3 Extract from the Dorset Historic Environment Record (DCC Copyright) October 2015.

- 5.3.3 The former watermeadows in the area can be seen in Figs. 5.3 and 5.4 and “map evidence suggests that there may well be remains of a watermeadow system on the northern part of this site” (AS26 County Site assessment). In fact, there appear to have been at least two generations of water-control systems, the irregular carriers (floating-upwards systems) showing closer to the river and the more regular bedwork further south possibly being the younger ³. There is certainly the impression that floating-upwards systems (by then ploughed out) were partially overlain in places by the bedworks seen in Fig.5.4.
- 5.3.4 However, it should not be assumed that the recent presence of watermeadows across much of AS26 (on Terraces 2-3) indicates that there can be no other archaeological interest. This is to ignore the fact that this form of land-management involved ‘warping’, that is, the temporary ponding of water to allow settling of silts, often with significant build-up over time. Thus, older archaeological material may well underlie the watermeadow

³ Cf. BETTEY, J.H. 1977. The development of water meadows in Dorset during the seventeenth century. *Agricultural History Review* 25(1):37-43. SMITH, N. & STAMPER, P. 2013. *Introduction to Heritage Assets: Water Meadows* English Heritage (Heritage England).

system(s), this potential covering all the former T1-3 land in this vicinity, with the added interest of a higher watertable and a greater chance of organic preservation.



Fig.5.4 Watermeadows within AS26 (Extract from US/7PH/GP/LOC138, 5009, 4th January 1944, NLAP Swindon).

5.4 Listed Buildings

5.4.1 There are a number of Listed Buildings in the vicinity which are likely to remain sufficiently screened by vegetation in all seasons not to suffer any visual impact from AS26. However, they are still near enough that it is likely that quarry noise would affect the setting of these designated assets given the tranquil baseline and such a nearby quarry as would be the case in AS26:

- **Bwthyn, Affpuddle Pallington** (National List No.1172061, NGR: “SY 78710 91226” [NGR and location National List map do not match description]) is a Grade II Listed Building, a thatched cottage with a datestone marked "Fisher's Tenement, 1765"; actually appears to be the building at NGR: SY 78621 91265.
- **Pallington Farm House** (National List No.1323308, NGR: SY 78960 91084) is a Grade II Listed Building, a farmhouse built in 1780 (diary of James Frampton).
- **Summer Cottage, the Common, Moreton** (National List No.1120445, NGR: SY 79228 89651) is a Grade II Listed Building (in CA), a thatched cottage, probably C18.
- **Beehive Cottage, Moreton** (National List No.1323351, NGR: SY 79212 89681) is a Grade II Listed Building (in CA), a thatched cottage probably C18.

5.4.2 A further set of Listed Buildings probably would suffer a visual impact from AS26.

5.4.3 **Clyffe House (Clyffe Manor House, and Nos. 1, 2 and 3), Pallington** (National List No.1303596, NGR: SY 78150 92135) is a Grade II GV (see also garden walls, courtyard, keeper's cottage) Listed Building, a country house (2 storeys plus attic) built in 1842, standing at c.60 m AOD. Clyffe House is likely to be visible from 'within' AS26. The view back south from the top floor of the House is shown in Fig.5.5; the proposed quarrying at AS26 (and at AS19) would greatly mar what is very much a designed view, by the 'gothic revival' architect Benjamin Ferrey FSA FRIBA (a student of Pugin).

5.4.4 **Hurst (South) Bridge** (National List No.1425777, NGR: SY 79536 90485) is a Grade II Listed Building, 8-span bridge over the Frome (B3390), built in 1834; there seems to be no documentation to support the County's suggestion (AS26 County Site Assessment) that it is a Scheduled Monument. The List entry has the following comments:

Hurst (South) Bridge, the largest of originally three bridges over the River Frome, built in 1834 to designs by Dorset's County Surveyor, William Evans, is listed at Grade II for the following principal reasons:

** Architectural and engineering interest: as a good and representative early-C19 intact example of a large, multi-span bridge in a rural setting designed by a named local engineer; * Historic interest: as an interesting example of an early-C19 development of an important local causeway over the water meadows of the River Frome, funded through public subscription; * Intactness: the bridge has survived well.*



Fig.5.5 Designed view southwards from Clyffe House (OAA 151015); AS26 (left) and AS19 (right) would stretch right across this view at about the level of the three pylons on the right.



Fig.5.6 Hurst Bridge South, looking southwest (OAA 161015); note Hurst Dene Cottage visible beyond the bridge.

- 5.4.5 One notes that it is necessary to determine “the impact on [...] the setting of Hurst Bridge” (AS26 County Site Assessment). Fig.5.6 shows that the proposed quarrying would be extremely visible from the bridge, cutting across most of its rural setting, immediately beyond the first hedgeline.
- 5.4.6 **Hurst Dairy House** (National List No.1120454, NGR: SY 79326 90215) is a Grade II Listed Building, and the **Barn East of Hurst Dairy House** (National List No.1152105, NGR: 79324 90181) is also a Grade II Listed Building. According to the List entry, these buildings are “probably early C19”; they are certainly present on the 1811 OS Surveyor’s Draft map ⁴ and on the 1835 Tithe map 1835 (Fig.5.22). However, there are historical and architectural reasons for linking these buildings with the (non-designated) Hurst Farm (see below), with the group probably dating from the 1780s. Figs. 5.7 and 5.8 show the barn behind the dairy (which should be compared with Fig.5.19 showing one of the Hurst Farm barns, see below). The proximal setting of the Dairy is currently diminished by the rather haphazard distribution of cars and parts in the adjacent garage on the B3390 (Fig.5.9). There will nevertheless be a view straight into AS26 from an upper window (Fig.10). Quarrying in AS26 would sever the Dairy from the main part of the Hurst Farm holding and would curtail the setting more or less to the curtilage alone.
- 5.4.7 **Primrose Cottage, the Common, Moreton** (National List No.1120444, NGR: SY 79287 89712) is a Grade II Listed Building (in CA), a thatched cottage, probably C18. There would probably be some oblique views of AS26 from upper windows, especially in winter.
- 5.4.8 **Hurst Green, Green Road** (National List No.1120446, NGR: SY 79576 90153) is a Grade II Listed Building, late C18 or early C19. The frontage looks northwest across dropping land; there would probably be at least glimpses of AS26 from upper windows, with any marginal bunds certainly visible.
- 5.4.9 One notes the proposition that the “two closest historic buildings look away from the site and are screened from it by hedges and trees. There is therefore no significant impact on these buildings or their settings” (AS26 County Site assessment). The two closest Listed Buildings are those at Hurst Dairy; the dairy house itself is certainly not fully screened (see above). As has been noted, there would be significant harm from AS26 upon a number of Listed Buildings and (see below) upon non-designated assets in its vicinity.

⁴ Moreton Conservation Area Appraisal, fig.3.



Fig.5.7 Rear of Hurst Dairy Barn (OAA 151015).



Fig.5.8 Hurst Dairy Barn, western side (OAA 161015).



Fig.5.9 Hurst Dairy, seen from the B3990 (OAA 161015).



Fig.5.10 View of Hurst Meadows (in AS26) from upper window of Hurst Dairy (191015).

5.5 Non-Designated Standing Heritage Assets

5.5.1 Pallington Lakes (just inside Purbeck District from West Dorset) were established during the 1970s, within (and concordant with) an existing unit of spring-fed watermeadows, as a fishery; the full extent of the lakes are mapped by the OS by 1988. **Sculpture by the Lakes** (sculpture park, garden and gallery) (NGR: SY 78565 91175 covering 10.5 ha) was begun by the sculptor, Simon Gudgeon, in 2007, in order to give his work landscape context and perhaps also to give the landscape wider associations and meaning. As such, although as yet it has little time-depth, this feature satisfies all the criteria to qualify as a non-designated heritage asset, a designed landscape with strong artistic interest^{5 6}. One of the principal themes of Gudgeon's work involves quiet contemplation of questions that are often 'larger' than the individual. Whilst Sculpture by the Lakes would probably be most affected by AS26, the western end of the sculpture park will also be only 150 m from the nearest point of the boundary of AS19. Fig.5.11 shows the wider context of the sculpture park. Fig.5.12 shows the uninterrupted view from the river bank in the sculpture park. Figs. 5.13 to 5.16. show four specific sculptures, each currently drawing from its rural setting and each likely to be significantly harmed should AS26 go ahead.

⁵ Planning Policy Statement 5: Planning for the Historic Environment, Department of Communities & Local Government, 2010, p13 (superseded by the NPPF): "[...] interest in the design and general aesthetics of a place. It can arise from conscious design or fortuitously from the way the place has evolved. More specifically, architectural interest is an interest in the art or science of the design, construction, craftsmanship and decoration of buildings and structures of all types. Artistic interest is an interest in other human creative skill, like sculpture."

Planning Policy Statement 5: Planning for the Historic Environment, Department of Communities & Local Government, 2010, p13 (superseded by the NPPF):

English Heritage 2008. Draft Heritage Protection Bill 2008: Commentary by English Heritage, April 2008 "17. [...] Artistic interest has a simple justification: it was considered that whilst architectural interest covers all design interest in buildings and structures, including what could be more purely described as engineering or industrial design, it did not so comfortably encompass the pure artistry of statues and other works of art".

The National Planning Policy Framework, Annex 2: Glossary: "Significance (for heritage policy): The value of a heritage asset to this and future generations because of its heritage interest. That interest may be archaeological, architectural, artistic or historic. [...]"

⁶ Of primary interest here is how these sculptures interact with the landscape to constitute a heritage asset in this locality. Nevertheless, it should be noted that pieces by Simon Gudgeon are conserved in the Royal Collection and have been exhibited at the RHS Chelsea Flower Show (winning a five star tradestand award in 2015). Gudgeon also has one of the three key sculptures in the sculpture trail of America's National Museum of Wildlife Art. Gudgeon is the only living sculptor with a work ("Isis") standing, since 2009, in the Grade I RP&G, Hyde Park (London); to complete the circle, one may note that there is also a version of this particular work at Pallington. Therefore, returning to the sculpture park itself, one may note: 2014 Winner Dorset Tourism Awards, Small Visitor Attraction; 2014 Winner South West Tourism Awards - Small Visitor Attraction; 2014, runner up in Visit England Tourism Awards; *Tripadvisor*, Dorchester, Top visitor attraction, and Dorset, in the top five with over 600 reviews; listed in *Sculpture Parks and Trails of Britain and Ireland* by Alison Stace (2013, Bloomsbury); coverage in national and international publications, including *Weekend Telegraph*, *Country Life*, *New York Times*.



Fig.5.11 Sculpture by the Lakes looking south (OAA 151015); quarrying in AS26 (left) and AS19 (right) would appear right across this view, from half-way up the panorama.



Fig.5.12 Sculpture by the Lakes (OAA 151015); AS26 from the hedgeline and into the 'light green' field beyond .



Fig.5.13 Sculpture by the Lakes, "Origins" (OAA 151015); AS26 would cut the bird at neck level.



Fig.5.14 Sculpture by the Lakes, "Diving Otters" (OAA 151015); AS26 would be in the 'light green' field just above the top otter's tail.



Fig.5.15 Sculpture by the Lakes, "Search for Enlightenment" (OAA 151015); AS26 would cut the man at chin/lip level.



Fig.5.16 Sculpture by the Lakes, "Pears" (OAA 151015); AS26 would start at the hedgeline.

- 5.5.2 **Hurst Dene Cottage, Hurst** (NGR: SY 77516 90286), non-designated, comprises a thatched cottage (Fig.5.17) with a recent rear wing; the current buildings are certainly present in 1944, apparently so on the 1888 OS map and the 1835 Tithe map. Fig.5.18 shows the view from an upper window in the original building, which would be curtailed by AS26.
- 5.5.3 **Hurst Farmhouse & Barns** (NGR: SY 79326 90215) is a non-designated farmhouse, with a set of courtyard barns just to the northwest, all in excellent condition. The Frampton Family held the Manor of “Moreton & Hurst”, certainly holding tenements at Hurst by the middle of the C17; most of Hurst Meadow belonged to the Framptons by the middle of the C18 ⁷. It seems likely from the general history of the area and from the architecture observable from a distance (remembering that the present author has not been able to record these buildings in detail from their curtilage) that the Farm and barns were constructed as a unit, probably with the Dairy and its barn, in the 1780s. The 1811 OS Surveyor’s Draft map ⁸ shows both Hurst Farm and Hurst Dairy and there are leases for Hurst Farm extant from 1813 ⁹. Both the main buildings and their barns are clear on the 1835 Tithe map (Fig.5.22). The 1881 Census lists four families explicitly at “Hurst Farm” (presumably the Farm and the other associated units): the Burch Family (the main tenant farmer “of 420 Acres [170 ha] emp 5 Men & 3 Boys”, with 5 family members in residence), the Howard Family (headed by the “Dairy Woman”, with her children, two “dairy lads” and a “dairy girl”), the Riggs Family (an agricultural labourer and his 8 family members) and the Ellis Family (another agricultural labourer and his 6 family members). The full layout is clear in the 1888 6-inch OS map (Fig.5.21). The northeasterly Hurst Barn is shown in Fig.5.19; it appears comparable to, although larger and in better condition than, the Listed Hurst Dairy Farm (see above). The Farmhouse faces northwestwards, straight towards AS26, of which there would be clear views from at least the upper windows (see Fig.5.20, in which AS26 is just across the main B3990 road at 180° to the view shown). Quarrying in AS26 would sever all the historic buildings of the Farm group from the main part of the holding and would curtail the setting more or less to the curtilage alone.

⁷ Dorset Records Office, Frampton of Moreton Archive.

⁸ Moreton Conservation Area Appraisal, fig.3.

⁹ DRO, D-FRA/E/35.



Fig.5.17 Hurst Dene Cottage (OAA 161015).



Fig.5.18 Hurst Dene Cottage (OAA 161015); AS26 would start at the base of the wooden pole on the left.



Fig.5.19 One of the Hurst Farm barns (OAA 151015).



Fig.5.20 Hurst Farmhouse (OAA 151015).



Fig.5.21 Hurst Farm and associated buildings, extract from OS 6-inch 1888.

5.6 Historic Hedgerows

- 5.6.1 Whilst it is not legally necessary for a development requiring a Planning Permission to satisfy the Hedgerow Regulations 1997, it is indeed the normal professional usage to employ the criteria in these Regulations to recognise ‘historic hedgerows’ in any context. Some (perhaps approximately half) of the surviving hedgerows across AS26 (even within the former watermeadow area), meet criterion 5 (pre-dating the Inclosure Acts or equivalent, in this area, the first decade of the C19). It is also the case that some of these hedgerow lines were obviously associated with the Hurst Farm holding (see above).
- 5.6.2 Removal of these hedgerows would degrade the historic landscape (see below) and would sever the Hurst Farm group from its proper context.



Fig.5.22 Hurst, extract from the 1835 Tithe map.

5.7 Historic Landscape

5.7.1 The Dorset Historic Landscape Classification divides AS26 into two larger areas, also with small areas of coppice woodland. The lower areas to the north and west are characterised as “water association, watermeadows”, whilst nearly all the higher land in the ‘centre’ (mostly Terrace 3) is characterised as “enclosed, piecemeal”. The AS26 County Site assessment restricts its comment on HLC to former watermeadows but it is not appropriate to ignore the rotating pasture and arable enclosures. Whilst there is not yet a completed commentary on the Dorset HLC ¹⁰, it is reasonable to take the (early) enclosed nature of most of this landscape to represent the relevant historic character.

¹⁰ Pers.comm. Ms. C. Pinder (DCC HER Officer).

- 5.7.2 The historic dimension of this part of the Frome Valley is recognised by the Mineral Planning Authority ¹¹:

19. Mid Frome

Valley Pasture: High medium value and level of importance due to the areas overall intactness throughout the valley with key ecological features and areas of cultural and historical importance. [...] Part of setting of Moreton [...] Conservation Area. Medium High [Sensitivity] [p.13]

[...]

Landscape Condition

In general this is an intact landscape whose integrity is enhanced by the grazed flood plain meadows and the unifying presence of the river, its many tributaries and associated trees, woods and other vegetation. It has significant ecological value and culturally the importance of the flood meadows, estate landscape and the other built historic features all contribute to its overall condition.

Condition: Good to Moderate. [pp.72]

- 5.7.3 Just as with the case of hedgerows, removal of these enclosures would degrade the historic landscape and would sever the Hurst Farm group from its proper context.

5.8 Cultural Associations

- 5.8.1 Whilst it is widely suggested that Thomas Hardy used Lower Lewell Farm (just west of Woodsford) as his inspiration for “Talbothays Dairy” in “Tess of the D’Urbervilles” (1891), it is clear that he was referring to this whole section of the Frome Valley when he had Tess arrive from the high ground to the north (Chapter 16):

[...] the Valley of the Great Dairies, the valley in which milk and butter grew to rankness, and were produced more profusely, if less delicately, than at her home — the verdant plain so well watered by the river Var or Froom.

It was intrinsically different from the Vale of Little Dairies, Blackmoor Vale, which, save during her disastrous sojourn at Trantridge, she had exclusively known till now. The world was drawn to a larger pattern here. The enclosures numbered fifty acres instead of ten, the farmsteads were more extended, the groups of cattle formed tribes hereabout; there only families. These myriads of cows stretching under her eyes from the far east to the far west outnumbered any she had ever seen at one glance before. The green lea was speckled as thickly with them as a canvas by Van Alsloot or Sallaert with burghers. The ripe hue of the red and dun kine absorbed the evening sunlight, which the white-coated animals returned to the eye in rays almost dazzling, even at the distant elevation on which she stood.

¹¹ Bournemouth, Dorset and Poole Draft Mineral Sites Plan: Proposed Sand and Gravel Area of Search - Landscape & Ecological Impact Assessment August 2015.

- 5.8.2 In this context, one must note Hardy's friendship with the Staffordshire painter, Frederick Whitehead, whose paintings of the Moreton area speak for themselves (Figs. 5.23 to 5.26). Another friend was 'local', Henry Joseph Moule (the first Director of the Dorset County Museum); the Museum website notes that "Moule's sketches strongly evoke the Wessex of Thomas Hardy's books" (Figs. 5.27 – 5.28).
- 5.8.3 In the 1884 short story, *The Fiddler of the Reels*, Hardy described a journey from "Stickleford to Moreford", his names for Tincleton and Moreton¹². Although the outward view is largely obscured by conifer plantation nowadays, one may also note Pallington Clump, growing on a Bronze Age burial mound above Clyffe House; in the poem, *Yell'Ham-Wood's Story*, Hardy called this "Clyffe-Hill Clump" – it was the image chosen for the 1990 Hardy commemorative stamp (Fig.5.29). "Carriford Road Station" in *Desperate Remedies* (1896) is probably at least partially Crossways. This landscape has Hardy connections wherever one turns. And one may also remember that Hardy was a friend of T.E. Lawrence.



Fig.5.23 Near Moreton, Dorset, by Frederick William Newton Whitehead
Leamington Spa Art Gallery & Museum, acquired 1956 (probably painted 1920s),

¹² PINION, F.B. 1968. *A Hardy Companion* Palgrave Macmillan.



Fig.5.24 The River Frome near Moreton, Dorset, by Frederick William Newton Whitehead
Private Collection, painted 1901.



Fig.5.25 Near Moreton, Dorset, by Frederick William Newton Whitehead
Dorset Natural History & Archaeological Society, painted 1920,



Fig.5.26 Oaks and Brambles near Moreton, Dorset, by Frederick William Newton Whitehead
Dorset Natural History & Archaeological Society, painted 1920.



Fig.6.27 Near Morton (sketch), by Henry Joseph Moule (not to be separately reproduced)
By permission of Dorset County Museum (with the kind assistance of Anna Butler & David James).



Fig.6.28 At Hurst (sketch), by Henry Joseph Moule (not to be separately reproduced)
By permission of Dorset County Museum (with the kind assistance of Anna Butler & David James).



Fig.5.29 Hardy commemorative stamp, 1990.

6. **PROPOSED ALLOCATION AS25 – STATION ROAD MORETON**

6.1 **Preamble**

- 6.1.1 On the 1st October 2015, the present author sent the following request to R. Frampton Hobbs of Moreton House:

We have been commissioned by a group of local residents to provide them with an Appraisal of Historic Environment issues arising from the currently proposed Mineral Allocations in the Moreton Area.

Accordingly, I am seeking your permission to conduct a walkover survey of Allocations AS25 and AS26 which I believe are in your ownership; if you are not adverse to this, please let me have contact details for your tenants (I believe one may be Mr. Chandler at Hurst Farm) and I will then seek direct permission from them. Naturally, there would be no question of removing anything from the land or of any physical intervention.

May I also seek your permission to visit Moreton House, where I would wish to take a few photographs from upper west-north-west-facing windows in the main building.

- 6.1.2 Mr. Frampton Hobbs replied that he wished the matter to be dealt with by his Managing Agent, P. Tory. The present author contacted Mr. Tory. Mr. Tory indicated that he wished to have a meeting at his office in Moreton to get a better understanding of the present author's needs. The present author responded that all his needs were set out in his initial letter but that he would be happy to meet with Mr. Tory should he wish. Mr. Tory responded, requesting proposed dates/times, noting that at the "meeting we can then discuss any possible next steps and the timings for anything else happening". The present author noted that he was a consultant based in Oxford and that he could not justify charging his clients for coming to Dorset for the sole purpose described, concluding: "I do not believe that there is anything further I can usefully tell you about my needs, although I will do my best to explain should you wish to put additional questions, either by email or by phone". Since a meeting of FRAME was scheduled for the evening of the 15th. October, the present author requested a meeting with Mr. Tory on that day, "as early as possible, preferably first thing in the morning". Mr. Tory offered a meeting in the afternoon. The present author, re-iterating the constraints upon him, noted that an afternoon meeting could not leave enough time for the requested access; he asked for an early morning meeting on some other day. Mr. Tory offered a morning meeting on the

26th October, the first working day after the close of the public consultation period allowed by the MPA.

6.1.3 The present author regrets that he is unable to conduct the present appraisal as thoroughly as he would have wished.

6.1.4 On the 14th October, Mr. Badley (Dorset County Council, Minerals Planning), replying to a request for information from the present author, indicated that a Historic Environment assessment had been requested from the site nominee in May 2014 but that no such assessment had yet been received.

6.2 Pleistocene Deposits

6.2.1 A modest but significant concentration of Lower Palaeolithic artefacts (bifaces, “handaxes”) has been noted from the old pits south and southwest of proposed Allocation Site AS25:

To the west, the Rivers Frome and Piddle might be regarded as minor survivals of part of the upper course of the ancestral Solent. Extensive deposits of Higher Terrace Gravel remain and are dug on a large scale at West Knighton, Moreton, and Crossways and at least 70 hand-axes have been found in them. [...] [p.107]

*[...] There is also the problem of the relatively prolific sites higher up the Frome Valley at Moreton Crossways. These are mapped as in ‘Higher Terrace Gravels’ of the proto-Solent. At least 70 hand-axes are known from this or nearby pits. A period 2 date is likely but cannot be demonstrated, but is more likely to be earlier than later. [p.110].*¹

Gravel Pit near Moreton Station [...] Further material thought to be in private hands.^{2 3}

Major sites dominate the otherwise very low artefact counts from the River Frome and River Avon. For the Frome virtually all the artefacts come from the Moreton Gravel pits, mapped as West Knighton Gravel. [...]

‘Super-sites’ are defined as assemblages that contribute more than 10% of the total handaxes from an individual study area. The dominance of such sites

¹ WYMER, J.J. 1999. *The Lower Palaeolithic Occupation of Britain* 2 Vols. Wessex Archaeology & English Heritage.

² ROE, D.A. 1968. *A Gazetteer of British Middle and Lower Palaeolithic Sites* CBA Research Report no.8, p.51.

³ Incidentally, Roe did not know where Red Bridge Pits, probably the major source of bifaces, were located; the main pit was centred at SY788886, just east of the railway line and just north of the point where the Jubilee Trail reaches Redbridge Road.

potentially bias the archaeological record by reflecting collection opportunities rather than patterns of artefact distribution. [...] It is also worth investigating the nature of the 'supersites' and where they occur in the landscape, which is often just downstream of the Chalk/Tertiary bedrock boundaries [...]. The explanation for this phenomenon is in part due to an abundance of fluvial gravels at and below this juncture. The abundance can be explained by the steeper gradients of the rivers through the Chalk, with steeper-sided valleys and with few terrace gravels surviving in these areas. The consequence was the offloading of the gravel once the rivers reached the Tertiary bedrock where there were shallower river gradients. On the Tertiary bedrock the rivers appear to have migrated laterally, which allowed for the preservation of the terrace deposits discussed above [...] The rich gravels in these Chalk/Tertiary boundary areas would have created good raw material sources for early humans, which partly explains the existence of large assemblages in these areas. [...] Finally, the gravels were a rich resource for modern aggregate companies, who in the late 19th and early 20th centuries exposed these gravels to handaxe hunters and the consequent proliferation of large collections.

*The effect of biases in collecting [...]. Other than the Moreton Pits, collecting opportunities in the Frome Valley were extremely limited. [...]*⁴

*Two Palaeolithic hand-axes found in a gravel pit near Moreton Station. Palaeolithic implements and have also been found near the station. At least 70 Lower Palaeolithic handaxes have come from the Moreton Pits. A large collection of palaeoliths were found by Reverend M H Marsden probably from the area. The objects were found in an area which includes old 1920's and 1930's working as well as more recent workings including Red Bridge Pits; Moreton Station Pit; Birds Pit, Elliot's Pit and Councils pits. The objects were found in an area of West Knighton Gravel.*⁵

- 6.2.2 Fig.6.1 below shows the approximate boundaries of proposed Allocation Site AS25 overlaid upon the relevant extract of the current (2000) BGS mapping, with the 'superficial' (Quaternary = Pleistocene + Holocene) deposits indicated (save for areas marked "Pool" where Tertiary Poole Formation is at outcrop), principally with the T (terrace) number but also with a band of head or hillwash; old quarries are hatched (open) or cross-hatched (filled) (these are now mapped as Poole Formation, since the original Pleistocene gravels have been removed).

⁴ ASHTON, N. & HOSFIELD, R. (2010) Mapping the human record in the British early Palaeolithic: evidence from the Solent River system. *Journal of Quaternary Science*, 25(5): 737-753; citations from Authors' Accepted Manuscript at <http://centaur.reading.ac.uk/16456/>.

⁵ Historic England, *Pastscape* Entry 453930 (NMR No. SY 78 NE 21).

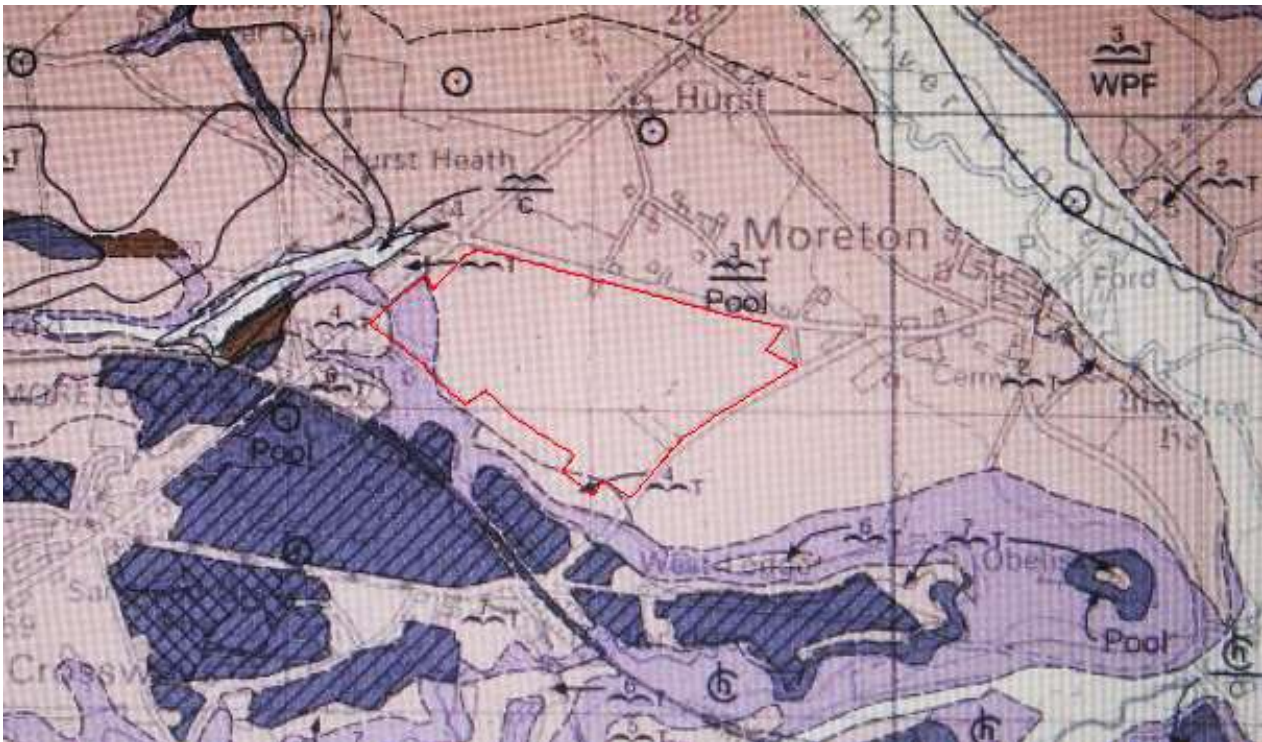


Fig.6.1 BGS geological mapping, Dorchester Sheet 328 originally 1:50,000 (2000) Photographic extract (1 km grid) (Quaternary deposits, see text; = head or hillwash) (Crown Copyright).

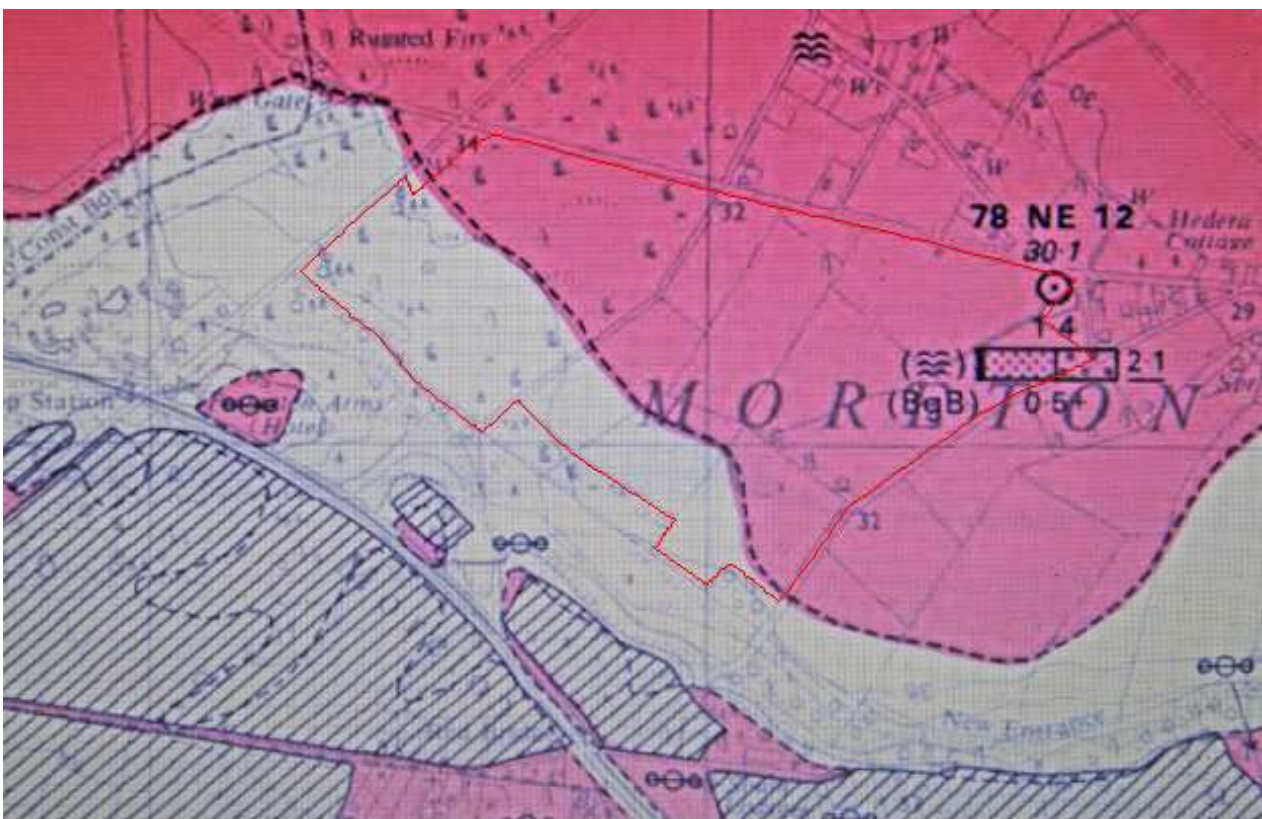


Fig.6.2 BGS Sand & Gravel Resources. Photographic Extract (1 km grid) (1982) (Crown Copyright).

- 6.2.3 The River Frome thalweg ('centre-line') has been migrating downstream (grossly eastwards) for at least the last 400,000 years, which, in this particular reach, on the right bank well into a wide right-hand bend, means that younger terraces are encased progressively to the northeast. T1 (youngest) is not represented at all in outcrop here (it underlies the recent alluvium), whilst T2 occupies only relatively small parts of the mapped area. Site AS25 is underlain mostly by T3, with very small zones of T4 (oldest) in 'corners' to the southwest.
- 6.2.4 Earlier in the Pleistocene, during cold periods ('glaciations'), when sea levels were low, the Frome was a headward tributary of an ancient major watercourse now known as the 'Solent River', which originally reached the (then) 'Channel River' having passed eastwards, north of and around the Isle of Wight. At some point, roughly during the period 400,000 to 200,000 years ago, the western waters of this system breached the Chalk ridge (anticline) which had previously joined Purbeck to Wight. The resulting watercourse (including the Frome) is sometimes called the 'Western Solent River', the rest of the catchment, still flowing eastwards at that time, retaining the name 'Solent River'. After many changes in detail (which need not be considered here), during the high sea level of the last (Ipswichian) Interglacial (also known as Marine Isotope Stage 5e, or MIS 5e), the 'Solent' was at least partially flooded and, during the current (Flandrian) Interglacial (Holocene, MIS 1) the sea rose progressively, giving the Solent its current broad extent.
- 6.2.5 This complex history over many hundreds of thousands of years, involving substantial changes between the terrestrial/fluvial domain and the marine domain, especially in most of the areas where major tributaries once met the main line of the Solent River, has often resulted in the total destruction of key locations, making it extremely difficult to correlate different sequences of terraces in the different (originally related but now disjunctive) river valleys that remain. And mention has not even been made of other complicating factors known to have been involved, such as faulting and regional tilting. There has been much research over the last few decades to try to improve the understanding of this Pleistocene chronology ⁶ but the great majority of the work has been concentrated on the better exposures of regions well to the west of the area of interest in the present case. Study of

⁶ Cf. ALLEN, L.G. & GIBBARD, P.L. 1993. Pleistocene evolution of the Solent River of southern England. *Quaternary Science Reviews* 12:503–528; BRIDGLAND, D.R. 1996. Quaternary river terrace deposits as a framework for the Lower Palaeolithic record. In: *The English Palaeolithic Reviewed* C.S. Gamble & A.J. Lawson (eds), 23-39. Wessex Archaeology: Salisbury.

the terraces in the Moreton area of the Frome Valley has its own particular problems, since the area is close to (just downstream of) a major change in bedrock lithology, from harder Chalk to softer Tertiary deposits (often sandy clays here, cf. the Poole Formation), meaning that both sediment availability and erosive capability were often (in transitions to and from cold periods) high; the terrace gradients on the Chalk are relatively steep but they are much lower over the erodible Tertiaries, with the absolute heights of the terraces coming much closer together just downstream of the Chalk outcrop. Nevertheless, the terraces here have been reasonably well differentiated (due to their morphostratigraphy and to the petrographic compositions of their gravels) but they are still extremely vaguely dated, which little or no biostratigraphical or geochronological control.

- 6.2.6 In this part of the Frome (in which most of the Quaternary fluvial deposits are now classified as the Frome-Piddle Formation ⁷), early geological mapping distinguished between two broad groups of terraces, often separated by the most marked break(s) of slope, which were termed 'Plateau Gravels' (or sometimes 'Higher Terrace Gravels') and 'Floodplain Gravels'. These designations are still quite useful, in the Moreton area with T6 (surface outcrops over c.55 m AOD) and above belonging to the former and T3-1 (surface outcrops below c.35 m AOD) belonging to the latter. T6 and/or T7 (mapped as the West Knighton Member) are known to contain Lower Palaeolithic material, as noted in the quotations at paragraph 5.2.1 above; the best available estimate of an age (but still without direct dating evidence) would be MIS 10 or earlier (older than c.340,000 years ago) ⁸. The 'Floodplain Gravels' (T3-1) are almost certainly of last (Devensian) glacial age (c.75,000-10,000, MIS 4-2). The 'Intermediate' gravels of T5-4 certainly do lie stratigraphically (and thus chronologically) between the two main groups, although it is not known how these terraces correlate to specific stages nor how 'continuous' the record might be (remembering that, as a rule of thumb, the bulk of Pleistocene gravels were laid down during cold stages but that the finer-grained deposits in more localised channels of the warmer stages, both interglacials and interstadials, usually contain better preserved archaeological and palaeontological sites).

- 6.2.7 In the specific case of Site AS25, the gross downstream migration of the river line through time has also been accompanied by increased lateral 'swing' at this point in the wide

⁷ GIBBARD, P.L. & PREECE, R.C. Chapter 5: South and Southeast England. In: *A Revised Correlation of Quaternary Deposits in the British Isles* D.Q. Bowen (ed), pp.59-65. Geological Society Special Report No.23.

⁸ Wymer's term "Period 2" in the text quoted above is his shorthand for the range MIS 11-8.

overall bend, such that the younger river of T3 times (and probably also the river of T4 times beforehand) has eroded back strongly, cutting out large parts of some of the older terraces. Thus, at this point, there is a steeper than usual side-slope, and T5 and T4 are represented only by small remnants. The resulting slope has a more substantial band of head and hillwash as its foot than is usually the case in this reach of the valley. Furthermore, having 'bitten' back to the southwest, the T3 river has accreted deposits progressively towards the modern line, probably with what is termed a 'feather-edge' at the back of the T3 gravels, that is, only a rather thin and discontinuous gravel deposit. The repercussions can be seen in Fig.6.2, in which BGS have mapped (in pink) the sand & gravel reserve they have judged to be viable ⁹.

- 6.2.8 This geological digression was necessary in order to assess the potential for Palaeolithic archaeology at Site AS25. Various Lower, Middle and Upper Palaeolithic 'cultures' were present in southern England (including Dorset) during the deposition of these fluvial deposits and also during the periods after which the terrace surfaces had emerged as dry land. Since observation of gravels (and of any capping head, wash or other slope deposits) by qualified archaeologists has been concentrated (possibly exclusively) in the older quarries, all of which were in higher terraces usually requiring less pumping ¹⁰, the true potential for Palaeolithic archaeology of these younger terraces (whether as secondary/tertiary accumulations re-deposited in the active river channels or as near-primary contexts, perhaps with associated palaeontological remains, in protected backwaters) is unknown. Indeed, the highest potential may lie close to terrace margins, either on what would have been banks/bluffs on the 'older side' or in what would have been the least reworked sediment and possibly shallowest water on the 'younger side'. In the case of AS25, significant Lower Palaeolithic material in any but tertiary context (i.e. repeatedly reworked material) would probably be absent, save perhaps on the peripheral remnants of T4, sometimes complicated (possibly masked) by slope deposits. However, the 'feather-edge' of T3 could have significant potential for later Middle Palaeolithic and Upper Palaeolithic finds and associated palaeontological material. Certainly, the very broadly correlative deposits in other, better studied, parts of the region (around

⁹ MATHERS, S.J. 1982 *Sand and gravel resources of the country between Dorchester and Wareham, Dorset* IGS Mineral Assessment Report 103.

¹⁰ Even in recent years. Cf. the find in the West Knighton Member of a biface by Phil Harding, this time slightly up-valley of Woodsford at SY740888 (Wessex Archaeology 1993 *The Southern Rivers Palaeolithic Project - Report No.1 1991-1992: The Upper Thames Valley, the Kennet Valley and the Solent drainage system* See p.116. Wessex Archaeology: Salisbury).

Bournemouth and Christchurch or in the Test Valley, for instance) contain highly significant Palaeolithic sites ¹¹.

- 6.2.9 Since the Pleistocene gravel deposits constitute a context for Palaeolithic archaeology, a substrate upon which Palaeolithic and all later archaeology would have been laid down and an aquifer governing the watertable likely to be relevant to deeper ‘cut’ archaeological features (e.g. former pits), the depth of the gravels needs some consideration. There is only one nearby public borehole record on the BGS GeolIndex, SY78NE12 at NRG SY 79620 89290 at the eastern extremity of AS25 but still in T3, which reported 2.1 m thickness of gravel, with water struck at the very top of the economic mineral (through 0.3 m of soil and 1.1 m of “clay, sandy with flint pebbles, grey” overburden), in 1978. This log is from August and, in any case, water-strike is usually lower (sometimes significantly so) than equilibrium level; in the present instance, with a ‘clay’ cap, the main watertable may even be partially confined, at least seasonally. It therefore seems reasonable to assume that some deeper archaeological contexts within AS19 may have waterlogged conditions, with the possibility of survival of organic artefacts and palaeoenvironmental material. The nominee has reported a likely yield of 2.4 million tonnes from an area of approximately 59 ha, which (assuming a bulk density of 1.6 tonnes/m³) would indicate an ‘average’ depth of workable mineral of some 2.54 m. This suggestion does not fit with the BGS reporting, which suggests (see Fig.6.2) economic mineral will only occur with approximately two-thirds of AS25; even assuming that the single borehole available represents a reasonable estimate for the ‘average’ thickness across some 40 ha (that is, the zone shown by BGS to the northeast of AS25, nearer Moreton Village and right up to the proposed Allocation boundaries), this would produce a total yield of 1.34 million tonnes. In reality, there will need to be stand-offs and there is reason to think that some mineral has already been removed in the northwestern part of the Site (see below), further reducing the accessible economic mineral.

¹¹ Cf. ROE, D. 1981. *The Lower and Middle Palaeolithic Periods in Britain* Routledge & Kegan Paul: London; BARTON, R.N.E. 1992. *Hengistbury Head: the Upper Palaeolithic and Early Mesolithic Sites 2* Vols. University of Oxford; WYMER, J. 1999. *The Lower Palaeolithic Occupation of Britain 2* Vols. Wessex Archaeology & English Heritage.

6.3 Holocene Archaeology

6.3.1 Fig.6.3 contains the HER entries for the proposed AS25 Allocation Site; the general area for the single entry is shown, plus basic cropmark/earthwork mapping when relevant. General details for these entries are as follows:

MDO32033 – A large area of medieval or post medieval extractive pits is visible as cropmarks on aerial photographs of 2002 to the north east of Moreton Pit, Moreton. The pits are visible over an area measuring approximately 410 m by 205 m. The pits measure between 9 m and 28 m in diameter.



Fig.6.3 Extract from the Dorset Historic Environment Record (DCC Copyright) October 2015.

6.3.2 Unfortunately, the aerial photograph source for this entry (Pan Government Agreement, 06-APR-2002, *Next Perspectives PGA Imagery*) was not available in the National Collection for examination by the present author, although some of the features may be showing in the earlier AP in Fig.6.4. If this extensive extraction is Medieval or later, as suggested, it may well be related to various construction phases of the village and/or the local roads. If the pitting is older, it would suggest the proximity of a Romano-British or prehistoric settlement.

6.3.3 Other available imagery does not indicate any obvious archaeological cropmarks. However, Fig.6.4 and the two satellite images in Figs. 6.5 and 6.6 show the traces of two former streamways, both commencing in the south close to Moreford Hall. The first passed northwest towards that corner of AS25. The second took a sinuous route northeastwards towards the village, the line being subsequently adopted (more or less precisely) by field boundaries. The channel-forms involved were relatively wide (perhaps 20 m in places). Their curving morphology suggests two different Holocene ages but it is not possible to be more precise than to note that they are not shown on any historical map. There may even be traces of ‘intermediate’ (in space and time) routes, more directly northwards, in the rather ‘fan-like’ structure seen northeast of Moreford Hall. Such streamways could have attracted human activity, even settlement, at any period.



Fig.6.4 Possibly showing MDO32033 (Extract from 22-0428, 29th July 1997, *Dorset Explorer*).

6.3.4 These old wide streams no longer exist but there are still significant water lines (‘streams’ with flow even where present only as ditches) across AS25, their morphology suggesting recent flow switching, probably with strong anthropogenic input. The stream along the Avenue (Station Road) has no local name – it could be called the ‘West Gate’ stream, as it rises in springs in the vicinity of SY 775892 and currently runs past Woodsford Lane and the Gate, before joining the south side of the Avenue as far as the village; there is a minor right hand tributary in the northwestern corner of AS25. A second line could be called the ‘Moreford’ stream, as it rises in springs south of Moreford Hall and then runs northeastwards (receiving a left hand tributary running along the edge of Frampton Woods in the southwest corner of AS25), to join the field dyke system within AS25 and

then the 'West Gate' stream opposite Policeman's Lane (at the corner of the Conservation Area (CA)). A third stream (now a 'misfit' running along a section of the much wider old stream noted above) drains into the 'pond' (former small quarry) just beyond the eastern corner of AS25, before joining the 'West Gate' stream. The present author has not been able to examine these water lines (or their banks and any possible flanking embankments) within AS25.



Fig.6.5 Satellite imagery of AS25 in 2009 (courtesy of Google Earth).



Fig.6.6 Satellite imagery of AS25 in 2002 (courtesy of Google Earth).

- 6.3.5 The AS25 Site pro forma states that the “The size of the site and the presence of known historic features in the vicinity (notably those in and around the village of Moreton) indicate that the site has a high archaeological potential. The potential impact on below-ground archaeological remains needs to be assessed and evaluated before an informed planning decision could be made. [...]”.

6.4 Listed Buildings

- 6.4.1 The **Moreton House** (National List No.1305008, NGR: SY 80632 89152) is a Grade I Listed Building (within the CA), a country mansion built between 1742 and 1745 by James Frampton (Fig.6.7). Although at some distance (950 m), it might become possible to gain glimpses of high quarry structures from the attic (mansard) windows in the main house; the present author has not been able to assess this view directly. Fig.6.8 shows the view to the house from the public road in a line 180° from AS25.



Fig.6.7 Morton House from the churchyard (OAA 161015).



Fig.6.8 Morton House from the public road (OAA 161015).

6.4.2 The **Moreton Obelisk** (National List No.1002425, NGR: SY 80682 88486) is a Grade II Listed Building and a Scheduled Monument (within the CA) ¹². One may note that this is the highest point (the obelisk standing at 45 m AOD, c.20 m above its surroundings and still 10 m above the highest point in AS25) in Moreton Park, not a nationally Registered site but Purbeck No.57 on the Dorset Gardens Trust (DGT) *List of Sites of Historical and Landscape Significance*. The obelisk was clearly constructed as an ‘eye-catcher’ in the views from the House. However, it was also meant to be visited in its own right, as shown by the original inscriptions (since moved to the cemetery gate). The DGT note: “An Obelisk by James Hamilton of Weymouth was built in 1785-6 and is sited on Fir Hill to the south on the other side of the public road with radial paths leading to the designed summit”. Whilst the present author has not been able to assess the view from this ‘summit’, it seems certain that any quarrying in AS25 (even at 1200 m and more) would be readily visible, especially in winter, from this designed high viewpoint across the Moreton Estate lands and/or from points on its access paths (see also Fig.6.9). Fig.6.10 shows an ‘early season’ (lower leaf coverage) view of the obelisk from the public road.

¹² Moreton Obelisk in on Historic England’s current (and past) *Heritage at Risk Register*, with the comments: “Condition: generally unsatisfactory with major localised problems; Principal Vulnerability: deterioration - in need of management; Trend: declining”.



Fig.6.9 Radial paths at Moreton Obelisk on the 1888 OS 6-inch map and 1835 Tithe map.



Fig.6.10 Moreton Obelisk (xs9nake, www.flickr.com, 180414, from SY 8064 8891).

- 6.4.3 The **Glebe House** (National List No.1305008, NGR: SY 80632 89152) is a Grade II Listed Building (within the CA), built c1750 as a rectory. It stands on a slight but appreciable rise with the village, such that it seems likely that AS25 would be visible from the higher windows, especially in winter.



Fig.6.11 The Glebe House from the public road, south and west façades (OAA 161015).

- 6.4.4 The **East Cottage, 1 & 2 Station Road, Moreton** (National List No.1323353, NGR: SY 79509 89377) is a Grade II Listed Building (in CA), a pair of thatched cottage probably C18. There are no southerly windows at 1 East Cottage. However, there would be intermittent views through the trees to AS25 from the garden curtilage and a clearer view from the access drive (Fig.6.12), a view which would be all but unscreened in winter. The AS25 Site pro forma notes that “Station road is lined on both sides with an informal avenue of trees and shrubs” and that the “two closest listed buildings are sited to face along the road rather than across it at the site [AS25] therefore provided that the avenue of trees is retained there will be no significant impact on these buildings or their setting”. The present author assumes that the two buildings in question are East Cottage and Lilac Cottage but he cannot agree with the County that the curtilage of and access to/from Listed Buildings can be ignored when assessing setting impacts.

- 6.4.5 The **Lilac Cottage and Santa Maria, Moreton** (National List No.1120443, NGR: SY 79210 89465) is a Grade II Listed Building (in CA), a pair of attached cottages (Lilac Cottage being the more southerly), late C18 or early C19. There are no southerly windows at Lilac Cottage. However, there would be intermittent views through the trees to AS25 from the garden curtilage and a clearer view from the access drive.



Fig.6.12 View from the access of East Cottage, across the Avenue to AS25 (OAA 161015).

- 6.4.6 All the Listed Buildings above are likely to suffer noise effects, should quarrying in AS25 proceed. There are also other Listed Buildings likely to be affected by noise (probably most of those within the whole Conservation Area, see below), even if visual screening seems adequate. This includes, most importantly, the **Church of SS Magnus the Martyr & Nicholas of Myra, Moreton** (National List No.1172650, NGR: SY 80540 89281) which is a Grade II* Listed Building (within the CA), built 1776 but heavily repaired after damage during WWII; there is most noteworthy etched glass (Whistler) in the windows. The church is currently applying for a set of eleven sunken floodlights.

6.5 Non-Designated Standing Heritage Assets

- 6.5.1 The AS25 Site pro forma does not recognise effects upon any non-designated standing heritage assets.
- 6.5.2 **Woodleigh, Station Road, Moreton** (NGR: SY 79065 89471), non-designated (“positive building” within the CA), is a semi-detached estate house. There are clear views, through the trees along the Avenue, into AS25. Fig.6.13 shows the view from an upper window, a view which would be all but unscreened in winter.



Fig.6.13 View into AS25 from an upper window at Woodleigh (OAA 161015).

- 6.5.3 **Daisy Cottage, Station Road, Moreton** (NGR: SY 79055 89472), non-designated (“positive building” within the CA), is a semi-detached estate house. There are clear views, through the trees along the Avenue, into AS25. Fig.6.15 shows the view from the front door, a view which would be all but unscreened in winter.



Fig.6.14 Daisy Cottage & Woodleigh, “positive buildings” within the CA (OAA 161015).



Fig.6.15 View into AS25 from the front door at Daisy Cottage (OAA 161015).

6.5.4 **Moreford Hall** (NGR: SY 78404 89107), non-designated, was built in the late C19 (shown OS 1902, not shown OS 1888) for the Frampton family (Figs. 6.16 and 6.17). This was originally called “Frampton Woods House” (reflecting the name of the surrounding woodlands) but eventually (certainly by the 1960s) came to be called (and mapped) as “New House”. The house was described by Mary Frampton as follows ¹³:

[...] The house was built in 1899/1900 for my grandparents. They moved in, with a 5th child imminent, in January 1901. I do not know who was the architect or builder but think the same man built Moigne Combe ¹⁴, a very similar but larger house in the same brick. I think the original house was the main part with a single storey extension for the kitchen, the[n] another storey was added to this extension and finally, in 1912, the 2 top bedrooms and the bathroom over the courtyard were added.

My grandparents lived there on and off until the 1939-45 war when the house was taken over, and occupied at some time by WAAFS – the army or Air Force installed mains electricity.

My grandmother preferred London or Italy or the New Forest to Dorset so there were short lets from time to time. After the war the house was kept for them until they died in 1955.



Fig.6.16 New House (Moreford Hall) in the late 1950s.

¹³ Mary B.F. Frampton, letter to Mr. M. Lofts, 29th December 1990.

¹⁴ The architect of Moigne Combe is not readily identifiable in web-based sources (this is not a Listed Building).



Fig.6.17 Moreford Hall, 2014.



Fig.6.18 Focussed view across AS25 to Moreford Hall from the Avenue (OAA 161015).

Soon after this the Church Commissioners sold the Moreton Rectory [Glebe House] before they built a new one and it [Moreford Hall] was let for 2-3 years to the Church for the Rev. Coward.

After that the main part was let to Mr and Mrs Davies, now in the cottage opposite the gate, until the house was sold in 1982. I used to let the wing furnished to various tenants and as holiday lets.

[...]



Fig.6.19 View across AS25 to Moreford Hall from the Avenue (OAA 161015).

- 6.5.5 There had, in fact, been considerable confusion over the name, as, during WWII, the WAAFs billeted here called it “Moreton House”¹⁵, just as the male RAF personnel billeted at the ‘big house’ called it “Moreton House” too. In 1990, the house was rechristened “Moreford Hall” by the new owners, in order to provide an unequivocal label (neither of the elements “Frampton” or “Moreton” being available), based upon Thomas Hardy’s name for the village (see below). Although the house had left Frampton ownership in 1985, an additional plot was purchased by the new owners, in part consideration of which a covenant was agreed, covering the whole property, such that the owners were “not to construct any building” without prior permission of the Estate; this covenant was explicitly for the benefit of the land in the adjacent Frampton Woods, impliedly to preserve their character, appearance and tranquillity.
- 6.5.6 Figs. 6.18 and 6.19 show the Hall, looking right across AS25, from the Avenue (Station Road). Fig.6.20 shows views from upper windows into AS25; naturally, visibility will be very much greater in winter.



Fig.6.20 Views into AS25 from windows at Moreford Hall (October 2015).

¹⁵ From the unpublished memoirs of G.M. Stuart, who started a ‘book’ on her time in the WAAF just after the war, copying relevant parts to the Lofts with a letter of the 7th August 1991.



Fig.6.22 Nissen hut in AS25 (September 2015).

6.5.7 Fig.6.22 shows a Nissen hut at the edge of AS25 (SY 79414 89349, one of a pair just visible on the 1944 aerial photograph in Fig.6.36), which, with the ‘billets’ of Moreton House and Moreford Hall and the pillbox overlooking the Frome crossing, is one of the last surviving structures of WWII significance in the immediate area.

6.6 Conservation Area

6.6.1 The AS25 Site pro forma does not mention the fact that there is a Conservation Area at Moreton (so designated in 1982).

6.6.2 On the 13th October 2015, Purbeck District Council adopted changes in the Moreton Conservation Area Boundary, along with an new Conservation Area Appraisal (CAA).

6.6.3 In all good faith, the present author cannot escape the conclusion that Fig.6.23 shows there to be an overlap between the Conservation Area and AS25. As noted at *** above, this entrains specific legal duties.



Fig.6.23 Comparison of Conservation Area Boundary (PDC, above) and AS25 Boundary (MPA, below).

6.6.4 Clearly, all the Mineral Planning Authority would have to do to avoid the duties under the P(LB&CA)A 1990 would be to re-draw the boundary of AS25 by little more than the 'thickness of a line'. But, if the MPA were to do that, they would be giving a very strong signal to local people as to where their priorities lie and overall sustainability would be seen to be just a matter of the 'letter of the law'. Alternatively, the MPA could accept that the Conservation Area boundary has been extended for very good historic environment reasons, following due process and public consultation (the new boundaries being in the public domain since March 2015), resulting in formal adoption by Purbeck District Council. The present author sincerely hopes that the MPA will grasp the responsibility of applying the presumption against harm, affording any such harm considerable weight, in

assessing the proper balance to be achieved in the Mineral Sites Allocation Plan in the context of AS25.

- 6.6.5 The CAA contains considerable detail but there is a summary of the “special interest and significance”, as follows:

Special historic interest

11. The conservation area retains the character of a small estate village, a significant proportion of which is of eighteenth/early nineteenth century date. These provide an interesting insight into contemporary improvement of the estate which included a planned extension of the village and extensive landscaping, set within the context of the inclosure of surrounding common land and heath. Continuity of ownership since the medieval period adds historic depth. Association of the village with important historic figures and events including James Frampton, prosecutor of the Tolpuddle Martyrs, Lawrence of Arabia, and World War II, provide further historic and social interest.

Special architectural interest

12. The conservation area contains a high proportion of listed buildings and structures, with one each at Grades I and II (Moreton House, and the parish church), and another which is scheduled (the obelisk). The middle-second half of the eighteenth century/early nineteenth century is particularly well represented. Carefully composed relationships between buildings within the context of the designed landscape of Moreton Park are of particular interest. Buildings encompass a wide range of types and classes, making use of a range of materials sourced from the broader locality. Works of the twentieth century artists Laurence Whistler and Eric Kennington add further interest.*

- 6.6.6 A slightly longer version, written by a local resident, Mr. Richard Frampton Hobbs¹⁶, expresses the less tangible or synergistic characteristics very well:

Moreton is an attractive and character-filled village as many in Dorset are. However, it sets itself apart with a number of unusual associations of international renown [sic]. Quiet, peaceful, off the beaten track, Moreton is a mixture of village styles - linear in part near the ford with a little thatched street, dispersed in other areas reflecting a time when occupants would have their own field patches to cultivate.

Essentially, Moreton centres on the large Georgian house, home to the Frampton family since at least the 14th century. Nearby, and close to the site of earlier Frampton houses, the village church and the thatched-roofed street form the recognisable part of the village and further afield lie the farms making up what Thomas Hardy described as the 'vale of the great dairies'.

The old wooden village hall lies a quarter of a mile to the west of the street yet represents the centre of the dispersed part of the village. The village hall and two Nissen huts (one in a farm yard, another in a field) are the last remnants of the locally billeted [sic] US Army stationed here and elsewhere in preparation for the invasion of mainland Europe on D Day.

Dorset is full of lovely villages similar to Moreton. However, various elements of Moreton set it apart - the amazing windows in St Nicholas' and St Magnus' Church; the longest ford in the south of England; the grave of Lawrence of Arabia and the seat of

¹⁶ <http://www.aboutbritain.com/towns/moreton-3.asp>.

James Frampton who, as High Sherriff [sic] of Dorset (and also the landlord) arrested the Tolpuddle Martyrs.

The St Nicholas' and St Magnus' Church windows are engraved or etched glass - the original standard stained glass was destroyed (as was half the church) by a stray bomb from a German WW2 aircraft. Over the next three decades local fundraising and donations allowed the church to become the most complete work of the famous Laurence Whistler. A visit to this lovely bright and peaceful church is a must.

T.E. Lawrence was stationed at nearby Bovington and rented (then bought) his cottage, Clouds Hill, from his cousins the Framptons. They were the landlords of Moreton Estate. On his untimely death his mother, who was abroad at the time, asked the Framptons if Lawrence could be buried in the graveyard. This request was granted and photographs in the village tearooms show the great and the good attending his funeral. These include Sir Winston and Lady Churchill and Seigfried Sassoon, as well as the choir boys from the village school (now the tearooms). His gravestone lies not at the church itself but in the removed churchyard near the garden centre. The portico structure marking the churchyard has moved from its original location opposite the tearooms. Lawrence's grave is under the Cypress tree at the far end of the churchyard. Geology has blessed the village with what must be one of the longest fords in the country - at least 70 yards across, frequently traversed by horses heading off into the forestry to the north. The ford is paired with a narrow footbridge and is another tranquil spot for the visitor to enjoy.

The association with the Tolpuddle Martyrs is less well known, though in his time sherrif [sic] James Frampton was widely linked to what became an internationally renowned incident. While it is generally acknowledged that the Martyrs were treated badly, it is less well understood that Frampton's actions were a product of his youth. He is held to have been one of the pimpernels liberating the French aristocracy from the guillotine and he saw the barn burning, rioting and destruction of agricultural machinery as a deeper threat. Most of the Martyrs returned and it is interesting to note that the descendants of both the Martyrs and Framptons are still to be found in Moreton and Tolpuddle!

- 6.6.7 By way of additional historical interest for visitors, one should perhaps also mention the Walled Garden (not designated but on the RHS listing) and the Tea Rooms (in the Listed Old School), with the commemorative “Lawrence Room”.
- 6.6.8 Station Road (of which there are two in the immediate area) is often called “the Avenue”, a name actually caught in the formal Listing of Lilac Cottage & Santa Maria. This long straight road was built in 1751 and was thereafter planted, predominantly with oaks, the factors which came to give the “Avenue” character one sees today. The boundary on the south side is, in fact, constituted by two banks (each with mature trees), with the ‘West Gate’ stream flowing between them. This is the main approach to the village for motor vehicles and for pedestrians and cyclists arriving by train at Moreton Station. It is also a County cycle route. There is no perceptible sharp boundary to either the village or the Conservation Area (consider Fig.6.27 which shows what little ‘edge’ there is) - the Avenue imposes its tranquil and rural character upon the senses of visitors as soon as they turn off the busy main road (B3990). The Avenue is necessary to the full experience of the local historic environment.

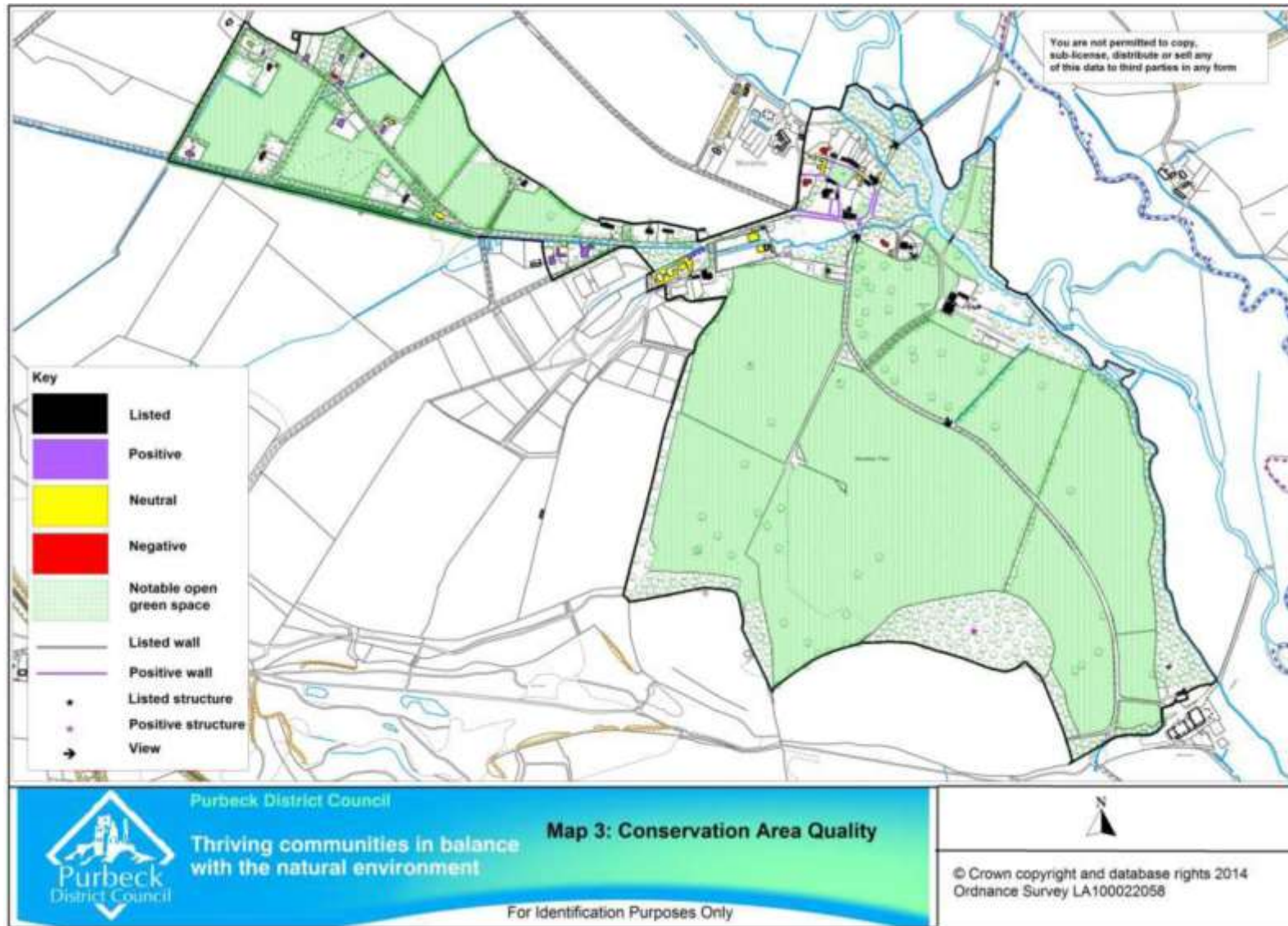


Fig.6.24 Moreton CA – Map 3: Conservation Area Quality.



Fig.6.25 View across AS25 from the Avenue (OAA 161015).



Fig.6.26 View across AS25 from the Avenue (OAA 161015).



Fig.6.27 View towards the village from the corner of the CA, at the Avenue / Policeman's Lane junction; Daisy Cottage behind trees on the left (OAA 161015).

- 6.6.9 The present appraisal has necessarily taken place under ‘summer’ conditions, although it is clear that most of the screening is deciduous. Nevertheless, even in full leaf, the screening is highly permeable and there are significant gaps affording views across what is currently farmland in AS25 (Figs. 6.25 and 6.26). Since the sun is usually towards the south, there is often a *chiaroscuro* effect, which is both pleasant in its own right and necessary to prevent this long approach from becoming dark and claustrophobic.
- 6.6.10 Should quarrying in AS25 go ahead, there would seem to be only two real possibilities. Either the long-suffered model of Redbridge Road would apply (as in Figs. 6.29 to 6.32) or the Avenue (and, once the Conservation Area itself was reached, the houses on the north side) would have to be flanked (relatively closely, due to the already questionable economic mineral reserve here) by high bunds (at least 7 m high to ‘block’ views outwards from houses). In the first case, the Avenue would become more open, bleak, noisy and dusty. In the second case, it would become dank, dingy, noisy and dusty. It is not clear how either the mature trees (which are protected within the Conservation Area) or the ‘West Gate’ stream could be maintained, with a proximal quarry void and bunding cutting off light and both removing existing tributary ditches and drawing down groundwater. It is very difficult not to see Fig.6.28 and 6.29 as the likely ‘before’ and ‘after’, should AS25 go ahead.
- 6.6.11 Neither the setting of the Conservation Area (the heritage-significance of which is certainly appreciable once one turns off the main road) nor its character and appearance would be preserved.



Fig.6.28 Current view up the Avenue towards Moreton Village (OAA 161015).



Fig.6.29 Current view up Redbridge Lane (OAA 151015).



Fig.6.30 View from Redbridge Lane (OAA 151015).



Fig.6.31 View from Redbridge Lane (OAA 151015).



Fig.6.32 View from Redbridge Lane (OAA 151015).

6.7 Historic Hedgerows

6.7.1 Whilst it is not legally necessary for a development requiring a Planning Permission to satisfy the Hedgerow Regulations 1997, it is indeed the normal professional usage to employ the criteria in these Regulations to recognise ‘historic hedgerows’ in any context. Some (perhaps approximately half) of the surviving hedgerows across AS25 meet criterion 5 (pre-dating the Inclosure Acts or equivalent, in this area, the first decade of the C19) (see the 1835 Tithe map in Fig.6.35). It is also the case that some of these hedgerow lines were obviously associated with the C19 holdings peripheral to the village (Conservation Area). The present author has not had the opportunity to examine this land, to ascertain whether there might be any significant banks or other features associated with the hedgerows. Even those boundaries probably formed later in the C18 now have mature tree growth (see Fig.6.33).

6.7.2 Removal of these hedgerows would degrade the historic landscape (see below) and would sever Moreton Village from its proper context.



Fig.6.33 View over AS25 from its eastern corner (OAA 151015).



Fig.6.34 An AS25 internal hedgerow in winter seen from the Avenue (Clarisse Wickenden).

6.8 Historic Landscape

6.8.1 The AS25 Site pro forma notes:

The site lies in the broad lower section of the valley of the river Frome. Historically some of the land here was heathland, other parts being wooded and under arable cultivation. Assessment of the age and importance of the present land use and field pattern would be needed for an informed planning decision to be made.

6.8.2 The Dorset Historic Landscape Classification divides AS25 into two areas, “open ground, heath” to the west” and “enclosed, other regular” to the east. Whilst there is not yet a completed commentary on the Dorset HLC ¹⁷, it is reasonable to take the enclosed nature of most of this landscape closer to the village to represent the relevant historic character.



Fig.6.35 Moreton, extract from the 1835 Tithe map.

¹⁷ Pers.comm. Ms. C. Pinder (DCC HER Officer).

6.8.3 The Tithe map (Fig.6.35) still shows a part of the 'eastern area' to be covered by heathland (although the 1811 OS Surveyor's Draft only shows the main west/east division, such that the eastern 'heath' of the Tithe map may actually have been an area of occasional cultivation). In any case, this eastern 'heath' was probably enclosed definitively shortly after 1835. The situation is unchanged on the 1888 OS map (see Fig.6.9). It is interesting that. On the 1902 OS map, a public footpath is shown passing diagonally (NE-SW) right across western 'heathland' block of AS25; this was probably removed only after WWII, since there is still some sign of flanking trees in the 1944 aerial view in Fig.6.36.



Fig.6.36 AS25 (Extract from US/7PH/GP/LOC138, 5009, 4th January 1944, NLAP Swindon).

- 6.8.4 At some point before 1978 (Fig.6.37), the western block was also brought into arable cultivation; whilst there are varying plot boundaries through time in this large field, it has not been subdivided by permanent hedgelines.
- 6.8.5 In addition to removing historic hedgerows within AS25, the proposed Allocation appears to seek to ‘rationalise’ the land boundaries at the southwestern corner. This would remove most of the tributary to the ‘Moreford’ stream, as well as pairing back Frampton Woods. The effect upon the Coach House (which is barely younger than Moreford Hall) would be extreme.



Fig.6.37 AS25 (Extract from NMR 12321 -041, 12th June 1978, NLAP Swindon).

- 6.8.6 The historic dimension of this part of the Frome Valley is recognised by the Mineral Planning Authority ¹⁸:

19. Mid Frome

Valley Pasture: High medium value and level of importance due to the areas overall intactness throughout the valley with key ecological features and areas

¹⁸ Bournemouth, Dorset and Poole Draft Mineral Sites Plan: Proposed Sand and Gravel Area of Search - Landscape & Ecological Impact Assessment August 2015.

of cultural and historical importance. [...] Part of setting of Moreton [...] Conservation Area. Medium High [Sensitivity] [p.13]

[...]

Landscape Condition

In general this is an intact landscape whose integrity is enhanced by the grazed flood plain meadows and the unifying presence of the river, its many tributaries and associated trees, woods and other vegetation. It has significant ecological value and culturally the importance of the flood meadows, estate landscape and the other built historic features all contribute to its overall condition.

Condition: Good to Moderate. [pp.72]

- 6.8.7 Just as with the case of hedgerows, removal of these enclosures would degrade the historic landscape and would sever Moreton Village from its proper context.

6.9 Cultural Associations

- 6.9.1 Whilst it is widely suggested that Thomas Hardy used Lower Lewell Farm (just west of Woodsford) as his inspiration for “Talbothays Dairy” in “Tess of the D’Urbervilles” (1891), it is clear that he was referring to this whole section of the Frome Valley when he had Tess arrive from the high ground to the north (Chapter 16):

[...] the Valley of the Great Dairies, the valley in which milk and butter grew to rankness, and were produced more profusely, if less delicately, than at her home — the verdant plain so well watered by the river Var or Froom.

It was intrinsically different from the Vale of Little Dairies, Blackmoor Vale, which, save during her disastrous sojourn at Trantridge, she had exclusively known till now. The world was drawn to a larger pattern here. The enclosures numbered fifty acres instead of ten, the farmsteads were more extended, the groups of cattle formed tribes hereabout; there only families. These myriads of cows stretching under her eyes from the far east to the far west outnumbered any she had ever seen at one glance before. The green lea was speckled as thickly with them as a canvas by Van Alsloot or Sallaert with burghers. The ripe hue of the red and dun kine absorbed the evening sunlight, which the white-coated animals returned to the eye in rays almost dazzling, even at the distant elevation on which she stood.

- 6.9.2 In this context, one must note Hardy’s friendship with the Staffordshire painter, Frederick Whitehead, whose paintings of the Moreton area speak for themselves (Figs.6.38 to 6.41). Another friend was ‘local’, Henry Joseph Moule (the first Director of the Dorset County Museum); the Museum website notes that “Moule’s sketches strongly evoke the Wessex of Thomas Hardy’s books” (Figs. 6.42 – 6.43).



Fig.6.38 The River Frome near Moreton, Dorset, by Frederick William Newton Whitehead Private Collection, painted 1901.



Fig.6.39 Near Moreton, Dorset, by Frederick William Newton Whitehead
Leamington Spa Art Gallery & Museum, acquired 1956 (probably painted 1920s),



Fig.6.40 Near Moreton, Dorset, by Frederick William Newton Whitehead
Dorset Natural History & Archaeological Society, painted 1920,



Fig.6.41 Oaks and Brambles near Moreton, Dorset, by Frederick William Newton Whitehead
Dorset Natural History & Archaeological Society, painted 1920.

6.9.3 In the 1884 short story, *The Fiddler of the Reels*, Hardy described a journey from “Stickleford to Moreford”, his names for Tincleton and Moreton ¹⁹. “Carriford Road Station” in *Desperate Remedies* (1896) is probably at least partially based upon Moreton Station at Crossways. This landscape has Hardy connections wherever one turns. And one may also remember that Hardy was a friend of T.E. Lawrence (who is buried in Moreton cemetery and who spent his final years in the close vicinity).

¹⁹ PINION, F.B. 1968. *A Hardy Companion* Palgrave Macmillan.



Fig.6.42 Near Morton (sketch), by Henry Joseph Moule (not to be separately reproduced)
By permission of Dorset County Museum (with the kind assistance of Anna Butler & David James).



Fig.6.43 At Hurst (sketch), by Henry Joseph Moule (not to be separately reproduced)
By permission of Dorset County Museum (with the kind assistance of Anna Butler & David James).

7. DISCUSSION

7.1 On the 5th October 2015, the present author wrote to the Mineral Planning Authority, as follows:

[...] Without prejudice to our clients' overall opinion that these particular Sites should not be allocated and to any concerns they may have on other material considerations, I would like to address the Historic Environment Planning topic here, in order better to understand your public consultation documentation.

Where your documents show that there will be "no significant impact", could you assure me that your professional (topic) Officers have been able to assess the topic in sufficient depth in such cases that I may rely fully upon the result? Are your Officers advising in each instance that, even if the highest end of the range of potential impact as now envisaged should eventually be found to be the case, it is still their current view that development will be 'acceptable' (granted normal mitigation measures)? Have your Officers considered relevant 'high level' policy (local and national), for instance, have they undertaken a sustainability appraisal (in sufficiently advanced draft) incorporating this particular topic at all of these particular Sites and have they conducted the appropriate analysis of alternatives? In respect of national policy, has NPPF paragraph 158 been considered in respect of the need for "adequate, up-to-date and relevant evidence"? I would be right in thinking, would I not, that you have incorporated the requirements of the P(LB&CA)A 1990 and the P&CPA 2004 when you reach your conclusions that Historic Environment impacts "are capable of mitigation" at all three of these Sites?

In any case and in order that there be no misunderstanding on my part, I would request that you copy me the full consultation responses of the professional Officers involved (and of any other professional consultee upon which you may have based your public consultation documents) on this Planning topic at these three Sites; similarly, if information and propositions have already been put to the MPA by the AS19, AS25 and/or AS26 Site proposers on this topic, I would be grateful for full copies.

Whilst I appreciate that it is appropriate to the Minerals Plan process for Officers and other consultees to indicate whether or not there are prima facie constraints (at estimated levels) associated with each of these proposed Allocation Sites, I am concerned that the wording of your documentation as it stands might be taken to imply that enough is already known to establish a strong presumption that future mineral applications within all these Sites will be granted, given only normal mitigation measures (as opposed to a presumption against any sites which have not been Allocated and a presumption that future Permissions will be selected as appropriate from adopted Allocation Sites, the situation I would think to be the more reliable and equitable outcome of this process). As your consultation documents stand, I wonder whether your Officers intended their advice to date to be taken in such a robust and definitive manner. Might it not be preferable, for all concerned, to indicate explicitly in your document that, notwithstanding Officers' current assessment on readily available information, there can be no foregone conclusion that a permission will be forthcoming and that the appropriate assessment will be needed in due course, prior to consideration against relevant statute, Development Plan

*policies and national policy? I do understand that the policy matrix is set out in the existing Development Plan (the Local Plan and the Minerals Strategy) but the wording in the individual proposed Allocation documents still appears 'automatically permissive'. Alternatively, would you wish to indicate that your Officers and/or the Site proposers will carry out the necessary assessments (with the issue of results for public consultation) ahead of finalisation of these Draft Allocations prior to submission to the Minister for EIP? After all, the adopted Minerals Strategy does say (at paragraph 7.38) that "[...] the Mineral Sites Plan must demonstrate with reasonable certainty that the appropriate annual level of production can be achieved year upon year"; and (at Appendix 1, concerning proposed Allocations assessment criteria, paragraph 2) that "The assessment of sites is, by its nature, a complex task that deserves in-depth consideration. [...]". In order to meet the criteria of paragraph 7.46 of the Minerals Strategy, the MPA will wish be in a position to demonstrate that "Planning applications for development within identified sites are likely to be considered as acceptable"; please help me to understand how you have arrived at this conclusion (if this is indeed what you have concluded) with respect to the Historic Environment topic at proposed Allocations S19, S25 and S26.
[...]*

- 7.2 On the 13th October 2015, Mr. T.G. Badley (Minerals & Waste Planning policy, Dorset County Council) replied, as follows:

*[...] The questions you pose are very detailed given the stage of site development and are perhaps more appropriately treated at this stage as comments to be considered as the plan preparation and site development process continues. The Mineral Planning Authority considers that evidence gathering and site assessment should be proportionate to the stage of the site development process. It carries out an appropriate level of assessment (and where necessary requests further, specific information from site nominees) in order to be reasonably satisfied at each stage of the process that there are no constraints that would make it impossible to ultimately develop the site(s). Each site nomination has been (and will be) assessed by relevant officers in a level of detail that is considered to be appropriate to the stage of site identification/allocation/development. However, the level of detail of the assessment varies depending on the stage that the sites(s) are at.
The proposed inclusion and allocation of a site in a plan is not considered to require the level of detail and evidence that would be required at the planning application stage. At the planning application stage, an Environmental Impact Assessment (EIA) is normally required. At the site allocation stage, although some specific aspects of the development of some sites may require more detailed information/assessment, an overall assessment at the level of detail of an EIA is not normally considered necessary.
It is accepted that development, whether built development or the development of mineral extraction sites, is very likely to have some level of impact on various receptors. The impact(s) may be of such a low level that they do not require mitigation and are considered acceptable given the benefits expected from the development in question. Alternatively, they may be more significant, requiring some form of mitigation to bring them to an acceptable level. They may even be so significant that they are not capable of mitigation, which would normally make it unlikely that the site would be allocated or development would go ahead.*



Where the assessment says ‘no significant impact’ it means the site has been assessed at what the Mineral Planning Authority considers an appropriate level for the stage of development and expected impacts are considered to be either minimal, or (in the opinion of the Mineral Planning Authority) can be satisfactorily mitigated. It does not mean that this is the final opinion of the Mineral Planning Authority - further evidence may be brought forward at a later stage that precludes the development of any site(s).

In response to your request, I can confirm that Dorset County Council officer responses are set out in the relevant Assessment Proformas (see: http://consult.dorsetforyou.com/portal/draft_minerals_plan?tab=files). The site nominee of AS-19 Woodsford Extension has submitted further information, which is attached.

[...]

7.3 When the present author subsequently insisted that it “is quite clear (in terms, in the adopted Minerals Strategy) that, should the MPA make allocations, you will establish a presumption that a Planning permission will be granted”, Mr. Badley replied that “establishing a presumption is not granting a permission”. The present author would rejoin that, whilst ‘establishing a presumption’ is not ‘granting a permission’, it is indeed ‘a significant step in the consideration of whether to grant a permission’.

7.4 The *Sustainability Appraisal for the Bournemouth, Dorset and Poole Draft Mineral Sites Plan* (Draft July 2015) has the following relevant entries for AS19:

6. To maintain, conserve and enhance the historic environment (including archaeological sites, historic buildings, conservation areas, historic parks and gardens and other locally distinctive features and their settings).	?	0	Archaeology <ul style="list-style-type: none"> Significant prehistoric and Roman material has been found in the vicinity. Possible medieval/prehistoric settlement in western part of site. Frome Bridge, which is protected as a Scheduled Monument, lies to the north-west. There is potential for surviving earthworks and structures associated with the management of watermeadow systems. The presence of below-ground archaeological remains and the other features mentioned above needs to be assessed and evaluated before an informed planning decision could be made. Only when these have been undertaken would the archaeological impact be understood – at present it could be anywhere from Very Significant to No Significant impact. 	<ul style="list-style-type: none"> Full archaeological survey of the area required to assess possible presence and significance of non-designated remains and to assess whether/how these should be protected during working. All necessary mitigation to be implemented. Adequate provision to be made for preservation, excavation or recording, as appropriate. Further consideration to be given to restoration proposals, in terms of historic landscapes.
	?	0	Historic Landscapes <ul style="list-style-type: none"> The site lies in the broad lower section of the valley of the river Frome. Historically some of the land here was heathland, other parts being wooded and under arable cultivation. On the flat lands close to the river itself, extensive systems of watermeadows were constructed from the 18th century onwards. The impact on the watermeadow systems in particular needs to be assessed and evaluated, as noted above. Only when this has happened would the impact on the historic landscape be understood. The Hardy associations of this landscape are discussed below. 	



	0	0	<p>Historic Buildings</p> <ul style="list-style-type: none"> A cluster of listed buildings, all Grade II, are located to the west of the proposed site. However it is considered that the field located between the historic buildings and the site will create a buffer sufficient that there will be no impact from site to the buildings. The restoration proposals are sufficient to conform with the literary associations of this part of Dorset, in particular the Valley of the Dairies character created by Thomas Hardy. If the management of the water meadow land 	<ul style="list-style-type: none"> Any assessment required to be carried out, with appropriate mitigation implemented as required.
Sustainability Objectives	Effects		Commentary	Mitigation
	P/W	R/A		
			<p>alongside the river can be appropriately managed and enhanced this will enhance the historic environment of this proposal.</p>	

[...]

Cumulative Impacts

The site is an extension to a current aggregates quarry, in an area where there is other aggregate working both existing and proposed. As an extension, no intensification leading to cumulative impacts is expected.

[...]

The main cumulative impact would occur if this site proposal was to be worked simultaneously with the proposed Woodsford Extension, immediately to the west. This could lead to disturbance to properties on the north side of the Frome. The working of these sites will be phased to ensure that they do not work in adjacent areas simultaneously.

The northern boundary of the site will be pulled back to provide a greater buffer.

[...]

There may be heritage/archaeological impacts but it is expected, particularly given the size of the site, that these can be satisfactorily mitigated.

[...]

7.5 The Sustainability Appraisal for the Bournemouth, Dorset and Poole Draft Mineral Sites Plan (Draft July 2015) has the following relevant entries for AS25:

[OVER PAGE]

6. To maintain, conserve and enhance the historic environment (including archaeological sites, historic buildings, conservation areas, historic parks and gardens and other locally distinctive features and their settings).	?	0	Archaeology <ul style="list-style-type: none"> The size of the site and the presence of known historic features in the vicinity (notably those in and around the village of Moreton) indicate that the site has a high archaeological potential. The potential impact on below-ground archaeological remains needs to be assessed and evaluated before an informed planning decision can be made. Only when these have been undertaken would the archaeological impact be understood – at present it could be anywhere from Very Significant Impact to No Significant/Negligible Impact. 	<ul style="list-style-type: none"> Archaeological survey of the area will be required to assess possible presence and significance of non-designated remains and to assess whether/how these should be protected during working. All necessary mitigation to be implemented. Adequate provision to be made for preservation, excavation or recording, as appropriate. Assessment to include consideration of current land use and field pattern. Further consideration to be given to restoration proposals, in terms of historic landscapes.
	?	0	Historic Landscapes <ul style="list-style-type: none"> The site lies in the broad lower section of the valley of the River Frome. Historically some of the land here was heathland, other parts being wooded and under arable cultivation. Assessment of the age and importance of the present land use and field pattern would be needed for an informed planning decision to be made. Impact could be anywhere between Significant Adverse and No Significant /Negligible, depending on the results of this assessment and the development's working and restoration methods. 	
	0	0	Historic Buildings <ul style="list-style-type: none"> Station Road is lined on both sides with an informal avenue of trees and shrubs. The two closest listed buildings are sited to face along the road rather than across it at the site therefore provided that the avenue of trees is retained there will be no significant impact on these buildings or their settings. 	<ul style="list-style-type: none"> Any assessment required to be carried out, with appropriate mitigation implemented as required.

[...]

Cumulative Impacts

This site is a new proposal in an area where there is already mineral working. Depending on when it might start and what other sites are operating in the area, there could be an increased level of traffic on local roads, including the B3390. However, when the current Warmwell Quarry is finished the level of traffic on the B3390 will be reduced.

[...]

There may be heritage/archaeological impacts but it is expected, particularly given the size of the site, that these can be satisfactorily mitigated.

[...]

7.5 The Sustainability Appraisal for the Bournemouth, Dorset and Poole Draft Mineral Sites Plan (Draft July 2015) has the following relevant entries for AS26:

[OVER PAGE]



<p>6. To maintain, conserve and enhance the historic environment (including archaeological sites, historic buildings, conservation areas, historic parks and gardens and other locally distinctive features and their settings).</p>	<p>?</p>	<p>0</p>	<p>Archaeology</p> <ul style="list-style-type: none"> • There is possibly a watermeadow system on part of the site. The Dorset Historic Environment Record mentions a find of prehistoric flint within the site, and the Scheduled Monument of Hurst Bridge (1002422) lies not far to the east. • The presence (or not) of features associated with the watermeadow systems needs to be determined, then the impact on them, and on the setting of Hurst Bridge and other historic features and on below-ground archaeology needs to be assessed and evaluated before an informed planning decision could be made. • Only when these have been undertaken would the archaeological impact be understood – at present it could be anywhere from a 'Very Significant Adverse Impact' to 'No Significant or Negligible Adverse Impacts'. 	<ul style="list-style-type: none"> • Archaeological survey of the area will be required to assess possible presence and significance of non-designated remains and to assess whether/how these should be protected during working. • All necessary mitigation to be implemented. • Adequate provision to be made for preservation, excavation or recording, as appropriate. 						
<p>Sustainability Objectives</p>	<p>Effects</p> <table border="1"> <tr> <td data-bbox="475 768 547 846">P/W</td> <td data-bbox="547 768 603 846">R/A</td> </tr> <tr> <td data-bbox="475 846 547 1294" style="background-color: yellow;"> <p>?</p> </td> <td data-bbox="547 846 603 1294" style="background-color: #cccccc;"> <p>0</p> </td> </tr> <tr> <td data-bbox="475 1294 547 1440" style="background-color: #cccccc;"> <p>0</p> </td> <td data-bbox="547 1294 603 1440" style="background-color: #cccccc;"> <p>0</p> </td> </tr> </table>		P/W	R/A	<p>?</p>	<p>0</p>	<p>0</p>	<p>0</p>	<p>Commentary</p> <p>Historic Landscapes</p> <ul style="list-style-type: none"> • The site lies in the broad lower section of the valley of the river Frome. Historically some of the land here was heathland, other parts being wooded and under arable cultivation. On the flat lands close to the river itself, extensive systems of watermeadows were constructed from the 18th century onwards. Map evidence suggests that there may well be remains of a watermeadow system on the northern part of this site • The impact on the watermeadow systems in particular needs to be assessed and evaluated. Only when this has happened would the impact on the historic landscape be understood – at present it could be anywhere from a 'Very Significant Adverse Impact' to 'No Significant or Negligible Adverse Impacts'. <p>Historic Buildings</p> <ul style="list-style-type: none"> • The two closest historic buildings look away from the site and are screened from it by hedges and trees. There is therefore no significant impact on these buildings or their settings. 	<p>Mitigation</p> <ul style="list-style-type: none"> • Assessment to include consideration of current land use and field pattern. • Further consideration to be given to restoration proposals, in terms of historic landscapes. • Any assessment required to be carried out, with appropriate mitigation implemented as required.
P/W	R/A									
<p>?</p>	<p>0</p>									
<p>0</p>	<p>0</p>									

[...]

Cumulative Impacts

[...]

This site is a new proposal in an area where there is already mineral working. It could lead to additional traffic on the B3390, but it is expected that work will not begin before the current Warmwell quarry is finished, which will reduce traffic on the B3390. It is considered that any cumulative impacts can be satisfactorily mitigated.

The main cumulative impact would occur if this site proposal was to be worked simultaneously with the proposed Woodsford Extension, immediately to the west. This could lead to disturbance to properties on the north side of the Frome. The working of these sites will be timed to ensure that they do not work in adjacent areas simultaneously.

The northern boundary of the site will be pulled back to provide a greater buffer.

[...]

Development of this site could have significant impacts on archaeology, historic landscapes and landscape capacity. Further assessment is required, with appropriate mitigation to be identified and implemented.

[...]

On balance, it appears reasonable on the basis of evidence available that the impacts identified in this sustainability appraisal are capable of satisfactory mitigation and the site nomination can reasonably be included in the Draft Bournemouth, Dorset and Poole Mineral Sites Plan.

- 7.5 The present author disagrees (on the basis of the hard evidence provided in the current OAA Appraisal) with the various heritage professional comments above. However, setting such disagreement aside for the moment, it is clear that none of these County ‘sustainability appraisals’ is a fair or accurate reflection of either adopted Plan policy (see, for instance, Policy DM7 – requiring an “[...] an authoritative process of assessment and evaluation [...]”) or of even these very basic comments from the County’s own professional Officers. Note that “?” in the “preparation & working” column means “uncertain” and “O” in the “restoration & afteruse” column means “negligible, no effect”. This so-called “Sustainability Appraisal”, purporting to be up to date for July 2015, is misleading in the extreme.

8. CONCLUSIONS

8.1 As has already been noted, it is not the place of the present author, a historic environment expert, to make any comment on the overall Planning balance in the case of any of the three proposed Allocation Sites under appraisal here.

8.2 The main findings of the present Appraisal may be summarised as follows:

- The Minerals Sites Allocations are defective in respect of the historic environment, in that the procedure employed is materially inconsistent with the Minerals Strategy, as well as with District Local Plan policies and National Planning Policy Framework. The procedure is automatically ‘permissive’, arriving blindly at the conclusion that impacts are capable of satisfactory mitigation, when most professional advice (including that of Historic England) is that further “assessment and evaluation” is needed to discover whether impacts are capable of satisfactory mitigation. Given the presumption in favour of permissions at Adopted Allocation Sites in the Adopted Minerals Strategy, coupled with the requirements of Policy DM7, such discovery cannot be postponed until the EIA or Application stage. To put it colloquially, there is an extreme ‘disconnect’ between the MPA’s seeming attitude that ‘these are early days’, requiring only a ‘broad-brush approach’, and the stark legal reality of an impending Planning presumption.
- It is submitted that, under the rubric “*Special considerations affecting planning functions*”, the phrase “In considering whether to grant planning permission for development which affects a listed building or its setting, [...]” does enjoin a Planning Authority wishing to establish a presumption in favour of specific allocations of land in a development plan to fulfil the duty under s.66 of the Planning (Listed Buildings & Conservation Areas) Act 1990 (as explicated by the Court of Appeal and the High Court), since such establishment is patently a first (and irrevocable) step in considering whether to grant planning permission.
- It is submitted that, under the rubric “*General duties of planning authorities*”, the phrase “In the exercise, with respect to any buildings or other land in a conservation area, of any powers under any of the provisions mentioned respects in subsection (2) [...]” (specifically “the planning Acts”) does enjoin a Planning Authority wishing to make a development plan to fulfil the duty under s.72 of the Planning (Listed Buildings & Conservation Areas) Act 1990 (as explicated by the Court of Appeal and the High Court).
- Whilst the detailed economics of a mineral extraction site are a matter for the nominees and operators, the Council must show evidence that it has made some inquiry into the plausibility of yields, both to ensure sufficient Plan provision and to gauge the sustainability (including the preservation of the historic environment) likely to result from a proposed Allocation.
- The desk-based assessment submitted in support of proposed Allocation AS19 is defective in scope, methodology, substance and recommendations. The desk-based assessments required for proposed Allocations AS25 and AS26 have not been forthcoming at all.
- The County Council has not followed relevant policy (local and national) or professional guidelines in assessing likely effect upon the setting of heritage assets, whether designated or non-designated. Indeed, there has been little effort even to identify assets that might be affected for each of the proposed Allocation Sites AS19, AS25 and AS26.

Relevant views from and towards a heritage asset, sometimes private views, are material considerations in Planning.

- There is ill-defined but probably relatively high archaeological potential at proposed Allocation Sites AS19, AS25 and AS26. This potential is likely to include vulnerable organic materials, which, due to dewatering or even to oxygenation of groundwater by increased through-put, can be damaged ahead of mineral extraction phases or even well beyond the actual extraction site boundaries. This potential is also likely to include deeply buried material, artefacts and associated palaeoenvironmental remains of Pleistocene ('Ice Age') date being the rarest yet most difficult possibility. It is salutary to note that most of the extensive set of (commercially confidential) boreholes covering the existing Woodsford Quarry and AS19 would not today be allowed under the General Permitted Development Order but would require Planning permission in their own right (due to exclusion J.1(c)). Allocation of any one of these proposed Sites should involve the precautionary principle in respect of prior assessment and evaluation.
- Each of proposed Allocation Sites AS19, AS25 and AS26 is likely to involve harm to the setting of Listed Buildings, in the case of AS25, Listed Buildings within a Conservation Area.
- Each of proposed Allocation Sites AS19, AS25 and AS26 is likely to involve harm to the setting of non-designated standing heritage assets, some of these being "positive" elements within a Conservation Area.
- The Historic Landscape Character of proposed Allocation Sites AS19, AS25 and AS26 is likely to be permanently changed and historic hedgerows and land parcels will be lost. No plausible degrees of 'restoration' could outweigh such effects.
- There are historical links, sometimes strong links and in terms of both shared landholdings and known historical persons living in very close proximity, between each of proposed Allocation Sites AS19, AS25 and AS26 and surviving historic buildings (including some Listed Buildings) and other assets in the immediate vicinity.
- There are literary links with the works of the 'Wessex' novelist, Thomas Hardy (Order of Merit, twelve-time nominee for the Nobel Prize for Literature, nationally recognised in Poet's Corner, Westminster Abbey). The 'Dorset' paintings of Frederick Whitehead reinforce the Hardy's image of the "Valley of the Great Dairies".
- Hardy's image of the Frome Valley is specifically endangered, at AS19 by the possible removal of a historic dairy and certainly by severance of its land, and at AS26 by severance of the land of a dairy and of other historic farm buildings.
- There is a WWII theme discernible, to a greater or lesser extent, across the area, both in modest surviving assets (a Nissen hut here, a pillbox there) or in historical associations between people's memories and buildings. One of the most striking examples of ecclesiastical etched glass in the UK is also an 'accident of war'.
- The past starts yesterday and landscape design as a setting for artistic heritage is, and must be, an on-going process, as admirably exemplified here at Sculpture by the Lakes, with its local, national and even international interest. As conceptually strong as such an enterprise may be, it is distressingly vulnerable to the landscape-scale disturbance which would result from AS19 and/or AS26.
- The historic Frome bridges will have to be used for decades by the heavy traffic generated by the proposed mineral extraction but no assessment has been made of the likely toll upon their fabric.
- Proposed Allocation AS25 threatens the main approach to Moreton Conservation Area, with all its local and national historical associations, to such an extent that the majority of future visitors could not fail to have their experience and appreciation significantly diminished.

- 8.3 Given the constraints upon the current appraisal (in terms of lack of access and of relevant data), it cannot properly be asserted that levels of material historic environment harm at any one asset will reach the threshold of “substantial harm” (*sensu Bedford Borough Council*). This having been said, it is equally impossible yet to rule out the possibility that, after due and diligent assessment and evaluation, cases of “substantial harm” will not be identified in due course
- 8.4 What is already patent, however, is that the levels of “material harm” likely to arise from each and all of these proposed Allocation Sites are appreciably higher (and much more diverse) than recognised in the MPA’s Site pro forma assessments or in the nominees’ submissions (where even in the public domain). On the currently available information alone, the present author would place the likely level of harm to each of the three proposed Allocation Sites at a level, at the very least, half-way along the range of “less than substantial harm”.
- 8.5 Looking now at the cumulative situation (both over time and ‘progressively’ in space and also in respect of range and proportion of the local historic environment involved – ‘greater than the sum of the parts’), the proposed Allocations would harm the sense of place, local identity and distinctiveness of the whole area. Fig.1.1 shows the inexorable spread of mineral workings over many generations, with only an extremely small proportion of restoration to near the historically authentic conditions: this section of the Frome Valley will soon no longer be recognisable as part of the “Valley of the Great Dairies” but, rather, will properly be characterised as a “concentrated quarry landscape”. Arguably, this would amount to “substantial harm”, unsustainable harm, to the whole historic environment resource.
- 8.6 It is respectfully requested that the County Council, as Mineral Planning Authority for the Moreton area, consider these arguments and satisfy itself as to whether or not material harm is likely to arise and, if so, to what degree. From a Planning point of view, such harm should be weighed under the various relevant provisions of the NPPF (this being, to all intents and purposes, the objective of the relevant policies in the adopted and emerging Local Plans). However, if the Council recognises likely material harm to the setting of a Listed Building, or to the character or appearance of a Conservation Area, it must, in the present author’s submission, recognise the strong presumption against allowing such harm and must give considerable weight to such harm in the Planning

judgement involved in establishing whether or not to make Allocations involving positive presumptions in the emerging Minerals Site Plan. The Council is also respectfully reminded that to reach a judgement on the basis of insufficient information is to risk allowing harm by default.