

## Inspector's Matters, Issues and Questions (MIQs)

**iv) Policy MS-2: Sand and Gravel Area of Search**

## Question 169

*In Policy MS-2 should criterion i distinguish between Poole Formation and River Terrace sand and gravel?*

1. In theory yes, in practice no.
2. The Minerals Strategy (MSDCC -53 and 54) and MSP reflect the fact that Dorset will provide a steady and adequate supply of aggregates based upon its Local Aggregates Assessment rolling average of 10 years sales data. This demand is expressed in millions of tonnes per year.
3. The Minerals Strategy sections on *Key issues facing the extraction of sand and gravel* on pages 55 and 56 and the section titled *Addressing the key issues and delivering the strategy – sand and gravel* on page 56 provide calculation of the annual supply calculated in mt.
4. The Mineral Strategy does not break the annual calculation down into the tonnage for River Formation and Poole formation despite the fact that this was discussed at length during an examination session.
5. Policy MS-1 and MS-2 reflect the Mineral Strategy and do not distinguish the quantities of sub-sets of aggregates, merely aggregates.
6. Question 59 states that: *According to the Halletec site investigation of June 2018 the sand and gravel resource for AS-25 and AS26 appears to be present throughout the whole site and includes both Poole Formation and River Terrace sand and gravel of commercial quality.*
7. The report states that the *river terrace sands and gravels are underlain by ... sands of the Poole Formation* (MSPEXT-09 page 1, top paragraph)
8. This result was obtained as a result of *42 shell and auger boreholes being sunk across the two sites and 120 samples* (MSPEXT-09 page 1, 2<sup>nd</sup> and 3<sup>rd</sup> paragraphs) being taken and analysed.
9. To implement the proposal that all nominated quarries should conduct the sort of extensive and presumably expensive borehole work conducted on the AS25 and AS26 proposed sites, without any guarantee of the analysed sites being allocated, could well deter even more landowners than are already reluctant to nominate their land for extraction.
10. The Halletec report states that: *Published BGS records indicate the underlying geology of the two sites to comprise superficial Quaternary deposits of river terrace sands and gravels underlain by Eocene sands of the Poole Formation of the Bracklesham Group.* (MSPEXT-09 page 1, 1<sup>st</sup> paragraph)
11. Thus, in theory the DCC Minerals Authority have the ability using the BGS records to assess in broad terms whether a nominated site will produce River Terrace or Poole Formation aggregates. As a result, the Minerals Authority could indicate the rough split of tonnages of each type of aggregate which the allocated sites may produce.

12. The Halletec work, however, does indicate that just relying on the BGS records will only produce a very approximate result. The sort of investigative work undertaken and reported by Halletec would still be required.
13. All of the above might be considered if there were a surfeit of aggregate sites being nominated to the Minerals Authority.
14. But the Moreton Parish Council analysis in its MSP Pre-Submission Draft submission on the Area of Search, clearly indicates that far from there being a surfeit of sites, the number and geographical spread of sites is very small and will become progressively smaller.
15. A number of industry representatives in discussions in the margins of the Minerals Strategy examination told the Moreton representative that many landowners are unwilling to put their land forward for aggregate extraction as they will obtain a better return from agriculture and in some cases from housing development.
16. This is certainly borne out by the Moreton Parish Council analysis in its submission.
17. In effect, so few new worthwhile sites are nominated that the Dorset Minerals Authority has to take whatever is nominated within certain environmental, historic and hydrogeology constraints.
18. This point was also raised by the Moreton representative at the Minerals Strategy examination.
19. Even if the Minerals Authority simply had to maintain a 7-year land bank of each aggregate type, the Moreton Parish Council indicates it would struggle using the allocated aggregate sites. It will struggle just to maintain a 7-year land bank of total aggregate production.
20. As the Moreton representative stated at the Minerals Strategy examination and as stated in the Moreton Parish Council MSP submission, serious consideration should be given to lowering the Dorset yearly aggregate target and conserving stocks for the future.
21. The current process is not sustainable.

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## Question 170

*Should MSP paragraph 3.13 (relating to the potential grant of permission to unallocated sites) make clear that it is permitted sand and gravel reserves of the same specific type of aggregate in the vicinity that are to be considered?*

1. The rationale behind this proposal is not clear.
2. If in theory the aggregate in the vicinity is in excess then granting permission would not be necessary.
3. If the aggregate is not the same as that in the vicinity but of a type which is needed then the condition would not be helpful
4. The conditions for the selection of unallocated sites in the Area of Search specified in Policy MS-2 appear to be sufficient.
5. But as there is very likely to be a shortfall of both types of aggregate during the period covered by the MSP the proposed addition to the MSP paragraph 3.3 serves no purpose and is not required.

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## Question 171

*Does paragraph 3.13 set out another criterion that should go in Policy MS-2 itself rather than the supporting text? ie The Mineral Planning Authority (MPA) will need to be satisfied that there are no permitted sand and gravel reserves capable of being worked but not currently being worked in the vicinity of a proposal through Policy MS-2, that could be used to meet the identified shortfall. (It seems to say something different to MS-2, criterion iv.a).*

1. This question appears to say that where there is an allocated site which is not being worked, a proposal for a new unallocated site will not be permitted in the same area.
2. The conditions set out in Policy MS-2 appear to cover all possible situations.
3. The proposal in this question and in question 170 do not appear to add anything that is missing in Policy MS-2.
4. As described in Moreton Parish Council's Area of Search submission, the likelihood is that the MSP will not produce enough aggregate in the plan period. Essentially therefore any landowner who proposes a site which satisfies the Mineral Authorities judgement against the Site Assessment Criteria 1 to 16 will broadly be acceptable.
5. The conditions of Policy MS-2 are largely theoretical in a period when there are insufficient acceptable sites to meet demand. This is very likely to be the case during the period covered by the MSP.
6. Moreton Parish Council's submission charts showing that there are insufficient sites to meet demand was subsequently corroborated in the Sand and Gravel Area of Search – Background Paper Feb 2018 (MSDCC – 52) page 1, 2<sup>nd</sup> paragraph which states that:

*The current assessment shows that, for sand and gravel the number of sites being actively promoted and appearing to be relatively unconstrained may not be adequate to meet demand and deliver the annual requirement for sand and gravel over the period of the plan.*

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## Question 172

*Identifying the main points within the Sand and Gravel Area of Search Background Paper briefly explain how the Area of Search was determined and what the primary considerations were.*

1. The primary motive in the *Area of Search Background Paper* (MSDCC – 51 dated February 2018) appears to be one of reducing the area of search for aggregates.
2. The sub-title which appears at the top of all 90 pages of the document is *Landscape & Ecological Impact Assessment – Prepared February 2015, Revised February 2018 Dorset County Council Natural Environment Team*. This sub-title really reflects the purpose of the document and not the title above: *Proposed Aggregates Area of Search*.
3. The *Landscape & Ecological Impact Assessment* states that it has been prepared and revised by the *Dorset County Council Natural Environment Team* and it is a Landscape and Ecological Impact Assessment and not a document explaining the Area of Search for aggregates in Dorset.
4. The section titled *6. Revised Area of Search* (page 63) lists many of the areas identified in the British Geological Survey's review of aggregates in Dorset though at no point does the document refer to the foundation document for aggregates in Dorset
5. The list discriminates against aggregate extraction in so many of the areas containing aggregates identified in the BGS study that very little of the BGS identified areas remain.
6. The document should really be titled Areas Not to be Searched: Aggregate Extraction Exclusion Areas, since that is what the document really is about and what one would expect from a Landscape & Ecological Impact prepared by a Natural Environment Team. After all the objective of a Natural Environment Team is to help protect the Natural Environment and not to do the job of the Minerals Authority in identifying areas for aggregate extraction.
7. Thus the document is certainly not a document intended to highlight areas of Dorset for aggregate extraction, but areas of Dorset where extraction should not be conducted.
8. Moreton Parish Council very accurately stated in its Area of Search submission that the Area of Search had been significantly reduced because that is exactly the objective of the Area of Search document.
9. Given that the MSP process has been ongoing for almost 10 years, the BGS report on Dorset aggregates was published in 2011, and the Area of Search has been referred to in a number of consultations of the MSP, it is quite simply inexcusable that the Area of Search Background paper should be published after the MSP Pre-Submission Draft consultation had finished.
10. Amazingly the British Geological Survey's report on Dorset is not even mentioned in the Area of Search Background Paper, it is also not included in the library and yet it is THE foundation document for considering aggregates and aggregates extraction in Dorset.

11. Moreton Parish Council has submitted a number of versions of the charts showing the output profile which would be expected from the sites selected in each iteration and consultation of the MSP.
12. At each iteration MPC has been told the output profile could not be plotted and graphed.
13. The *Proposed Aggregate Area of Search* (MSDCC – 52) document does finally acknowledge on page 1, in the 2<sup>nd</sup> paragraph that what Moreton Parish Council has been proving and submitting to the Minerals Authority for a number of years, and has stated in its submission, is correct:

*The current assessment shows that, for sand and gravel the number of sites being actively promoted and appearing to be relatively unconstrained may not be adequate to meet demand and deliver the annual requirement for sand and gravel over the period of the plan.*

14. This is the first admission by the Minerals Authority that what Moreton Parish Council has been proving and submitting for the whole of the MSP consultation period, and has never been acknowledged by the Minerals Authority, is correct.
15. The Area of search document will be of extremely little use in helping to identify areas which could help make up the shortfall because the document protects so many worthwhile aggregate rich areas from quarrying.
16. There is a very real need for an Area of Search document which includes and builds on the BGS Dorset Aggregate Study and its very detailed maps and data, and refers to the constraints identified in the *Landscape & Ecological Impact Assessment – Prepared February 2015, Revised February 2018 Dorset County Council Natural Environment Team*.
17. The *Proposed Aggregates Area of Search* document in the Examination Library is not that document.

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## Question 173

*Should other considerations have been taken into account?*

1. Yes.
2. The Moreton Parish Council submission showed that the even allowing for constraints the Area of Search appears to have shrunk and areas which according to the British Geological Survey contain aggregates have been deleted.
3. The Sand and Gravel Area of Search takes note of the following constraints shown on Plan 2 (page 7): Landscape Character Areas and Conservation Areas, Plan 3 (page 8): SAC, SPA, Ramsar and SSSI, Plan 4 (page 9): Special Areas of Conservation, Plan 5 (page 10): Special Protection Areas, Plan 6 (page 11): Ramsar sites, Plan 7 (page 12): National Nature Reserves, Plan 8 (page 12): Sites of Special Scientific Interest, and Plan 9 (page 14): Sites of Nature Conservation (MSDCC-52).
4. Whilst there are 9 plans a number of these overlap or show the same constraints, for example Plan 3 shows Ramsar sites, as does Plan 6.
5. A word search for British Geological Survey and BGS in the Proposed Area of Search document indicates that these terms are not present in the document. The absence of the British Geological Survey is a major flaw in the Area of Search Background Paper.
6. The BGS maps reproduced in the Moreton Parish Council submission show the extent of aggregates in Dorset. Far more detail maps are available in the BGS study of aggregates in Dorset.
7. A number of BGS aggregate areas have been omitted in the Area of Search, even allowing for the constraints shown on the Plans listed above.
8. Moreton submitted a very detailed analysis of the BGS Dorset aggregates data, and identified how many sites were above certain size limits, the quantity of aggregates available at each small area identified by the BGS, and the extent to which it would be economic to extract deposits in various locations. This analysis was conducted down to the smallest areas identified in the BGS document.
9. Using this analysis, it was possible to identify the quantities of aggregate potentially available across Dorset down to quite small areas and also the amount available bearing in mind the sorts of constraints identified in the Plans above as well as taking account of habitation, railway lines, roads etc.
10. By comparison the Area of Search shown in Figure 2 on page 27 of the MSP Pre-Submission Draft is amazingly small and crude.
11. Thus MPC should incorporate the BGS maps and the sort of analysis submitted by Moreton into the *Proposed Aggregates Areas of Search* so that both the BGS information can be read in conjunction with the *Landscape and Ecological Impact Assessment*.

12. This would produce a much more informative and useful Area of Search than the current document and map.
13. Such a document would have far more meaning in terms of the actual quantities of aggregate that are potentially available and a rough idea when the available resources will be exhausted at the current rate of extraction.



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## Question 174

*In general and in broad terms, is there potential to adequately overcome the main constraints within the Area of Search?*

1. The analysis of British Geological Survey Dorset Aggregate maps and data described in the Moreton Parish Council's answer to Question 173 provides a very good means to identify how constraints can be worked around without encroaching on the constraints themselves.
2. To a large extent it is the economics of aggregate extraction which is the real limiting factor in attempting to increase aggregate extraction outside the built areas of Poole and Bournemouth.
3. Many deposits are quite small and many are below the size at which it is economic to extract aggregates.
4. The Area of Search completely hides this very important fact.

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Question 175

*MSP paragraph 3.11 refers to a landscape and ecological assessment of the Resource Blocks, which appears to be the Landscape & Ecological Assessment Feb 2015, revised Feb 2018 within the Background Paper. Please confirm.*

1. The Proposed Aggregates Area of Search and the Landscape and Ecological Assessment one and the same document.
2. Every page of the *Proposed Area of Search* document (MSDCC 52 dated February 2018) is subtitled *Landscape & Ecological Impact Assessment – Prepared February 2015, Revised February 2018*.

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## Question 176

*How have reasonable alternatives been assessed?*

1. The *Proposed Aggregates Area of Search* (MSDCC52 dated 2018) which contains the *Landscape & Ecological Impact Assessment – Prepared February 2015, Revised February 2018* has a Table 5 beginning on page 51 titled: *Table 5 - Sites designated for European or UK ecological significance.*
2. Table 5 is subdivided into columns as shown below.

**Table 5 - Sites designated for European or UK ecological significance**

<b>Biodiversity Resource</b>	<b>Sensitivity level (from table 1)</b>	<b>Nature of effect NB: Includes suggested mitigation measures*</b>	<b>Level of significance of impact**</b>

3. The Biodiversity Resources which are discussed in the context of their not being used as alternative sites were Dorset Heaths with various designations, Dorset Heaths Ramsar and alternatives for the European protected NERC (2006) Section 41 species and Biodiversity Action Plan.
4. Apart from these Biodiversity Resources there is no other mention of the words alternative or alternatives in the 99 pages of the Proposed Aggregates Area of Search.
5. Thus it would appear that alternatives are not discussed in the Area of Search document.
6. About 3 nominated sites were proposed in great detail by Moreton Parish Council in their response to MSP consultations as alternatives for the proposed Station Road quarry site. This included consideration of each sites' MSP Assessment Criteria, a detailed analysis of the alternative sites' suitability and the impact on the overall MSP aggregate output profile.
7. These alternatives were dismissed by the Minerals Authority without response.

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Question 177

*Is the Area of Search the most appropriate area?*

1. No.
2. As explained in Moreton Parish Council's answer to question 173 and 174 the Area of Search shown in Figure 2 on page 27 of the MSP.
3. Moreton has submitted a very detailed analysis of the British Geological Survey data on aggregate in Dorset and it is the BGS mapping combined with knowledge of the constraints shown in the Plans on pages 7 to 14 of the area of search document and the analysis of the BGS data conducted by Moreton which is the only real area of search which should be considered.