

**BOURNEMOUTH, DORSET AND POOLE MINERAL SITES PLAN AND WASTE PLAN
INDEPENDENT EXAMINATION**

Statement by Philip G H Collins ID: 1150840

Site PK-16, Swanworth Quarry Extension

This statement complements my representations dated 31 January.

In my view, on the basis of the documents produced, there are real, substantial and serious problems with the allocation of this site in the MSP:

- The need for the allocation has not been demonstrated;
- The required “exceptional circumstances” have not been substantiated and the MSP is incompatible with the MS;
- No “balancing exercise” has been undertaken;
- The Site Assessment and SA do not take account of all significant matters; and
- At the plan-making stage, the only realistic conclusion is that the site is undeliverable.

In those circumstances, the preparation of the MSP is not legally compliant and is not sound in terms of content, strategy and sites proposed and the site should be removed from the MSP. The issues raised are so fundamental that they cannot be left open and passed on to be addressed at the planning application stage.

Question 178 – No exceptional circumstances

There are no exceptional circumstances so as to comply with the Spatial Strategy and Policy AS-3.

Policy AS-3 is *only* applicable, under para. 7.62 MS if “...there has been a marked change in mineral demand or unexpected reduction in supply.” There is no evidence of such conditions and therefore AS-3 *cannot* be relied on to justify the allocation.

The context for Policy AS-3 is clear: the possible need to address a substantial and sustained increase in demand or reduction in supply resulting from, for instance, existing suppliers reducing supply or relinquishing permitted areas for supply. The natural meaning of “exceptional” is something that is unexpected or unforeseen or unusual. In 2014, it was both expected and foreseen (and thus regarded as usual) that Swanworth would close in the then forthcoming plan period. It cannot now be classed as “exceptional”.

Question 179 – Very significant adverse impact cannot be adequately mitigated

These very significant adverse effects cannot be adequately mitigated in the light of the requirements of the NPPF, the protections of the AONB and the Heritage Coast and the expert assessments of Natural England and the Dorset AONB team.

Question 180 – Matters not properly taken into account in the Site Assessment and the SA

Both documents appear to follow a standardised, formulaic approach in structure, content and language, relying on generalities and assertions rather than facts and hard

evidence, that does not fit well with the individual situations of the different sites, each of which merits an approach tailored to its facts and circumstances.

Among the significant matters not taken into account are: NPPF requirements; AONB and Heritage Coast protections; Local Aggregate Assessments; traffic cost data and comparisons; economic benefit and detriment data and comparisons; impact on WHS Jurassic Coast and Corfe Castle settings; consideration of reasonable alternatives, including rail; the availability of inert waste for restoration in the light of the Waste Plan; and relevant landscape management guidelines.

Questions 182 and 183 – Impacts on the significance and settings of Corfe Castle and the Jurassic Coast UNESCO WHS

The settings of Corfe Castle and of the Jurassic Coast UNESCO WHS from the Purbeck Plateau, including from roads, laybys, footpaths and bridleways, are of a particularly special and spectacular nature. For instance the Purbeck Way provides a route enabling walkers to appreciate the settings of both, including for instance tranquility, openness, natural scenic beauty and lack of development. Walkers do not wish or expect to find an industrial-scale quarry and HGV traffic crossing such a route and disturbing the natural scenic beauty and tranquility of the landscape and the setting.

Question 185 – The principle of development, LVIA and possible mitigation

The principle of development cannot be justified at this plan-making stage (Qu. 185 a.). The views of Natural England and Dorset AONB Team are clear, firm and unequivocal. The MPA cannot simply ignore the NPPF requirements and the AONB and Heritage Coast protections and “kick the can down the road” from the plan-making stage to the planning application stage. The MPA’s role is to plan for projects that are deliverable through planning applications. If, on the evidence, they are not deliverable then they should not be allocated in the plan.

Sufficient landscape and visual impact assessment has been carried out to reach the conclusion that the principle of development cannot be justified at this stage (Qu. 185 b.). The views of Natural England and Dorset AONB Team are clear, firm and unequivocal. Landscape and visual impact assessment is not simply a matter of carrying out a matrix exercise. It requires a deep understanding and appreciation of the area, careful consideration of the special qualities, intrinsic values and recognisable attributes of the landscape, and good appreciation of the purpose of designation and the national value of the AONB and Heritage Coast. Natural England and the Dorset AONB team have all these skills and qualities and have set out their views clearly in their representations.

If any further assessment were to be required, it would be important to ensure that it assessed the impact of the site (old quarry plus extension) against the old quarry as restored to the required standard. That is the only reasonable basis on which the impacts could be fairly and properly assessed.

The question of mitigation measures (Qu. 185 c.) does not arise as the location and nature of the development and its impacts on the AONB and the Heritage Coast are such that they cannot be lowered to an acceptable level. Berms, wooded areas etc. would be out of keeping with the character of the landscape and would not in any event conceal the site from view at critical points, e.g. from the Kingston Road or from the Purbeck

Way. Nor would they reduce the impacts on the settings of Corfe Castle and the Jurassic Coast UNESCO WHS.

Question 186 – the balancing exercise

It is difficult to determine from the paperwork how and where this exercise has been undertaken.

Questions 187 and 188 – directing mitigation measures and managing cumulative effects

These questions should not arise in the light of the responses given above.

Question 190 – restoration

This question should not arise in the light of the responses given above. But new copses in open landscape would be alien and inappropriate to the nature and character of the area.

Question 192 – reasonable alternative options

All other reasonable options have not been considered.

Under MS-3, an extension to Swanworth Quarry in Purbeck is allocated “to contribute to the adequate and steady supply of crushed rock” even though the evidence shows that there is an adequate landbank of crushed rock for many years.

There are substantial supplies of crushed rock available from two suppliers in Portland and, via either road or the safeguarded Poole railhead, from the Mendips. The evidence shows supply into the MPA’s area has varied over time between these sources to meet demand. Total demand, much reduced from prior periods, is relatively stable and with no signs of either substantial increase in demand or unexpected reduction in supply.

The transport cost benefits claimed for Swanworth versus Portland over Swanworth versus Mendips by road are simplistic, being based purely on distance without taking account of comparative road quality and different traffic conditions and the benefits claimed for Swanworth versus Mendips, by road or via the Poole railhead, have not been assessed at all.

Mendip Rail supplies to over thirty railheads in the UK, including across Southern England and into London. Why would the Mendips supplier(s) not seek to take advantage of the commercial opportunity to supply the MPA’s area, alongside the two Portland suppliers, after Swanworth closes in 2024?

Portland suppliers have clearly stated in their representations that they can supply to fill any shortfall for crushed rock when Swanworth closes and there is no reason to believe that demand will not be adequately met after that date.

Question 193 - MSP para 3.26

It would appear so.

Other Matters

The Examination Library includes a large volume of documents (MSPEXT-08) submitted by the promoters of PK-16 described as “Representations” to the “Pre-Submission Draft Mineral Sites Plan”.

Representations in the public consultation were required to be submitted by 31 January 2018 and this time limit was strictly enforced. A printout of the index to the responses on 4 February 2018 shows the last representation timed at 17.44 on 31 January 2018 and there is no reference to these documents in the summary of representations received (MSDCC-57).

As these documents are not part of the plan process, it is suggested that little attention and weight should be given to them in the Examination. To do otherwise would undermine and compromise the process in terms of fairness as the public consultation process has closed and given the constraints of the examination. Furthermore the documents do not follow the standard laid down by the Inspector for statements for the Examination in terms, for instance, of length, inclusion of photographs etc.

If the Inspector considers that there are material issues in these documents that it wishes those who made representations to address, then it is suggested that appropriate questions should be prepared and circulated with sufficient time allowed for responses.