

**MSPSD - 19**

**Bournemouth, Dorset and Poole  
Draft Mineral Sites Plan**

**Post-examination Modifications**

**Assessment under the Conservation of  
Habitats and Species Regulations, 2017**

**Prepared for the Mineral Planning Authority in Dorset**

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## **1. Introduction**

Dorset County Council, Bournemouth Borough Council and the Borough of Poole (becoming Dorset Council and the Bournemouth, Christchurch and Poole Unitary Authorities on 1<sup>st</sup> April 2019) are jointly preparing the Bournemouth, Dorset and Poole Mineral Sites Plan (the Mineral Sites Plan).

Each iteration of the plan has been screened and, if necessary, subject to appropriate assessment under the Conservation of Habitats and Species Regulations, 2017 (the Habs Regs).

The Mineral Sites Plan was examined in September 2018 and this, plus pre-submission responses and a focussed hearing for AS27 Land at Horton Heath in February 2019, led to a number of modifications proposed for incorporation into the Plan. These modifications require screening and appropriate assessment under the Habs Regs to ensure that they would not inadvertently lead to the Plan having an adverse effect on the integrity of the relevant European and Ramsar sites (subsequently referred to as the European sites). This assessment should be read as an addendum to previous Habs Regs assessments as listed in the next paragraph.

The requirement to undertake Habs Regs assessment and the process involved is set out in the Bournemouth, Dorset and Poole Pre-Submission Draft Mineral Sites Plan Assessment under the Conservation of Habitats and Species Regulations, 2017 (November 2017). This was updated in the Appropriate Assessment of the Pre-Submission Draft Mineral Sites Plan (August 2018) which incorporated the findings of European Court of Justice case law: *People Over Wind, Peter Sweetman v Coillte Teoranta (C-323/17)*. This judgement ruled that mitigation measures should be assessed within the framework of an appropriate assessment and that it is not permissible to take account of measures intended to avoid or reduce the harmful effects of the plan or project on a European site at the screening stage (PINS Note 05/2018 Consideration of avoidance and reduction measures in Habitats Regulations Assessment: *People over Wind, Peter Sweetman v Coillte Teoranta* ). The Appropriate Assessment was further updated (December 2018) to reflect the possible allocation of AS27 Land at Horton Heath, a previously unallocated site which was subsequently allocated in the Plan after a focussed hearing in February 2019.

The assessment of the Mineral Sites Plan modifications is made up of three sections. Firstly, a screening exercise is presented, screening all modifications for Likely Significant Effect on the European sites. Then, where LSE has been identified, those modifications are taken forward to appropriate assessment to ascertain whether there will be an adverse effect on site integrity, alone or in combination, in view of the relevant conservation objectives. The final section recognises that some of the modifications will lead to additional protection of the European sites, strengthening the Mineral Sites Plan, and sets these out to provide a complete picture of how the modifications will affect the plan.

## **2. Consultation with Natural England and provision of sufficient information**

Natural England have been consulted through all stages of the Mineral Sites Plan and have themselves suggested some of the modifications considered in this document. Natural England were also present at the Mineral Sites Plan Examination and involved in discussions throughout. As with previous Habs Regs Assessments, this assessment of the modifications has been produced in consultation with Natural England, in compliance with Regulation 105(2) of the Habs Regs, 2017.

Sufficient information has been provided to enable this assessment, in compliance with Regulation 105(5) of the Habs Regs, 2017

### 3. Identification of European and Ramsar Sites

The relevant European and Ramsar sites are discussed and listed in full (including their qualifying features and relevant species) in the Bournemouth, Dorset and Poole Pre-Submission Draft Mineral Sites Plan Assessment under the Conservation of Habitats and Species Regulations, 2017. These were subsequently narrowed down to a shorter list of sites in the Appropriate Assessment of the Pre-Submission Draft Mineral Sites Plan which found that effects were limited to the following sites: the Dorset Heathlands SPA and Ramsar, the Dorset Heaths SAC, the Dorset Heaths (Purbeck and Wareham) and Studland Dunes SAC, Poole Harbour SPA and Ramsar, the Isle of Portland to Studland Cliffs SAC and the St Albans Head to Durlston Head SAC. Given the scope of the proposed modifications it is assumed that effects will still be limited to these sites and the conservation objectives are set out in Table 1 below to inform the assessment:

**Table 1: the relevant European sites and their conservation objectives**

European Site	Conservation Objectives
Dorset Heaths SAC	<p>Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the Favourable Conservation Status of its Qualifying Features, by maintaining or restoring;</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> The extent and distribution of qualifying natural habitats and habitats of qualifying species</li> <li><input type="checkbox"/> The structure and function (including typical species) of qualifying natural habitats</li> <li><input type="checkbox"/> The structure and function of the habitats of qualifying species</li> <li><input type="checkbox"/> The supporting processes on which qualifying natural habitats and the habitats of qualifying species rely</li> <li><input type="checkbox"/> The populations of qualifying species, and,</li> <li><input type="checkbox"/> The distribution of qualifying species within the site.</li> </ul>
Dorset Heathlands SPA	<p>Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the aims of the Wild Birds Directive, by maintaining or restoring;</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> The extent and distribution of the habitats of the qualifying features</li> <li><input type="checkbox"/> The structure and function of the habitats of the qualifying features</li> <li><input type="checkbox"/> The supporting processes on which the habitats of the qualifying features rely</li> <li><input type="checkbox"/> The population of each of the qualifying features, and,</li> <li><input type="checkbox"/> The distribution of the qualifying features within the site.</li> </ul>
Dorset Heaths (Purbeck and Wareham) and Studland Dunes SAC	<p>Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the Favourable Conservation Status of its Qualifying Features, by maintaining or restoring;</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> The extent and distribution of qualifying natural habitats and habitats of qualifying species</li> <li><input type="checkbox"/> The structure and function (including typical species) of qualifying natural habitats</li> <li><input type="checkbox"/> The structure and function of the habitats of qualifying species</li> <li><input type="checkbox"/> The supporting processes on which qualifying natural habitats and the habitats of qualifying species rely</li> <li><input type="checkbox"/> The populations of qualifying species, and,</li> <li><input type="checkbox"/> The distribution of qualifying species within the site.</li> </ul>

Poole Harbour SPA	<p>Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the aims of the Wild Birds Directive, by maintaining or restoring;</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> The extent and distribution of the habitats of the qualifying features</li> <li><input type="checkbox"/> The structure and function of the habitats of the qualifying features</li> <li><input type="checkbox"/> The supporting processes on which the habitats of the qualifying features rely</li> <li><input type="checkbox"/> The population of each of the qualifying features, and,</li> <li><input type="checkbox"/> The distribution of the qualifying features within the site.</li> </ul>
Isle of Portland to Studland Cliffs SAC	<p>Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the Favourable Conservation Status of its Qualifying Features, by maintaining or restoring;</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> The extent and distribution of qualifying natural habitats and habitats of qualifying species</li> <li><input type="checkbox"/> The structure and function (including typical species) of qualifying natural habitats</li> <li><input type="checkbox"/> The structure and function of the habitats of qualifying species</li> <li><input type="checkbox"/> The supporting processes on which qualifying natural habitats and the habitats of qualifying species rely</li> <li><input type="checkbox"/> The populations of qualifying species, and,</li> <li><input type="checkbox"/> The distribution of qualifying species within the site.</li> </ul> <p>This</p>
St Albans Head to Durlston Head SAC	<p>Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the Favourable Conservation Status of its Qualifying Features, by maintaining or restoring;</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> The extent and distribution of qualifying natural habitats and habitats of qualifying species</li> <li><input type="checkbox"/> The structure and function (including typical species) of qualifying natural habitats</li> <li><input type="checkbox"/> The structure and function of the habitats of qualifying species</li> <li><input type="checkbox"/> The supporting processes on which qualifying natural habitats and the habitats of qualifying species rely</li> <li><input type="checkbox"/> The populations of qualifying species, and,</li> <li><input type="checkbox"/> The distribution of qualifying species within the site.</li> </ul>

#### 4. Screening of Mineral Sites Plan Modifications

The Mineral Sites Plan modifications are set out in the table in Appendix 1 of this assessment. The final column of the table contains a summary of the screening assessment which is discussed in more detail below. The modifications are screened to determine whether they will have a Likely Significant Effect on the relevant European sites, and this is shown in the final column by recording 'yes' or 'no'. In addition, colour coding is used with those modifications leading to LSE highlighted in red, those which provide mitigation necessary to avoid adverse impact at appropriate assessment (discussed in the accompanying report) highlighted in blue, and those which are a positive enhancement in terms of strengthening protection of the European and Ramsar sites through the Plan process highlighted in green.

Table 2 below summarises all the modifications which would give rise to Likely Significant Effects. Where some modifications resulting in LSE also include wording which provides mitigation or enhancements, this is also shown in Table 2, but is incidental to the intent of the table.

**Table 2: Modifications giving rise to LSE on the relevant European and Ramsar sites**

New Modification Reference Number	Para/ Policy	Change	Reason	Does the modification lead to LSE?
<p><b>MM 5</b> <i>(MM5 now incorporates MM6 and MM7)</i></p>	<p><b>Chapter 3</b>  'Allocated Sites'  (Paragraphs 3.8-3.9)</p>	<p>Amend section as follows: <b>'Allocated Sites</b></p> <p><b>3.8</b> <u>The following sites are allocated through Policy MS-1 and are shown on Figure 1:</u></p> <ul style="list-style-type: none"> <li>• Great Plantation - an area of land south of the Puddletown Road and adjacent to the existing Hyde Pit.</li> <li>• <del>Hurn Court Farm Quarry, Hurn - a proposed extension of an existing quarry onto predominantly agricultural land to the west of the current site.</del></li> <li>• <del>Phillio's Farm, Hyde - proposed quarry in agricultural land.</del></li> <li>• Roeshot, Christchurch - a proposed extension to a Hampshire quarry site, westward onto predominantly agricultural land in Dorset.</li> <li>• Tatchell's Quarry, Wareham - a proposed extension of an existing (though not currently operational) quarry onto agricultural land adjacent to part of the current site.</li> <li>• Woodsford Quarry, Woodsford - a proposed extension of an existing quarry onto predominantly agricultural land to the north east of the current site.</li> <li>• Station Road, Moreton - a proposed quarry in agricultural land.</li> <li>• Hurst Farm, Moreton - a proposed quarry in agricultural land.</li> <li>• <u>Land at Horton Heath - a proposed quarry in agricultural land.</u></li> </ul> <p><u>Details of the allocated sites are set out in Appendix A.</u></p> <p><u>Although these allocations generally provide primarily either River Terrace or Poole Formation aggregate, in some cases they will provide a combination of both Poole Formation and River Terrace aggregate. An indication of the type of aggregate provided by the allocated sites is provided in Policy MS-1.</u></p>	<p>To update the list of allocated sites; to provide information on the type of mineral and to address the issue of cumulative impacts in a more comprehensive way.</p> <p>As discussed at hearings.</p>	<p><b>Yes, allocation of Land at Horton Heath may lead to adverse effects on the integrity of the European sites</b></p> <p>Mitigation is provided through wording contained in Policy MS-1 and accompanying text, addressing impacts on European sites</p> <p>In addition this modification strengthens protection of European sites by changing 'should' to 'must'</p>

New Modification Reference Number	Para/ Policy	Change	Reason	Does the modification lead to LSE?
		<p><u>Where allocations proposed for development are in the vicinity of other allocations and/or of permitted sites, the developer will need to demonstrate to the satisfaction of the mineral planning authority that cumulative impacts can be addressed and satisfactorily mitigated.</u></p> <p>3.9 Proposals to develop these allocations <del>should</del> <u>must</u> demonstrate that there will be no adverse effects on the integrity of European and Ramsar sites. These effects are fully discussed in Policy DM5 of the Bournemouth, Dorset and Poole Minerals Strategy 2014 and the supporting text of that policy, which should be read in conjunction with this Plan.'</p>		
MM 8	<p><b>Chapter 3</b></p> <p>Policy MS-1 Production of Sand and Gravel</p>	<p>Amend Policy MS1 as follows:</p> <p>An adequate and steady supply of sand and gravel will be maintained through a combination of the following:</p> <p>A. The continued provision of sand and gravel from the remaining <del>permitted reserves at permitted sites, the following sites:</del></p> <ul style="list-style-type: none"> <li>a. <del>Binnegar Quarry</del></li> <li>b. <del>Dorey's Pit</del></li> <li>c. <del>Hines Pit</del></li> <li>d. <del>Hyde Pit</del></li> <li>e. <del>Hurn Court Farm</del></li> <li>f. <del>Master's Pit</del></li> <li>g. <del>Trigon Hill</del></li> <li>h. <del>Tatchell's Quarry</del></li> <li>i. <del>Chard Junction Quarry</del></li> <li>j. <del>Henbury Pit</del></li> <li>k. <del>Woodsford Quarry</del></li> <li>l. <del>Moreton Pit</del></li> </ul> <p>B. <del>Provision of sand and gravel from the following permitted site, should it be developed during the lifetime of the plan:</del></p>	<p>To update the text following addition of AS27 Land at Horton Heath and for clarification purposes.</p> <p>And to reflect the HRA.</p>	<p><b>Yes, allocation of Land at Horton Heath may lead to adverse effects on the integrity of the European sites</b></p> <p><b>Mitigation is provided through wording contained in Policy MS-1 and accompanying text, addressing impacts on European sites</b></p> <p><b>In addition this modification strengthens protection of European sites by including the extra wording at the end of C.iii</b></p>



New Modification Reference Number	Para/ Policy	Change	Reason	Does the modification lead to LSE?
		<p><del>a. Avon Common</del></p> <p>B. The following new sites and extensions to existing sites, <u>as identified on the Policies Map</u>, are allocated to contribute to the adequate and steady supply of sand and gravel, <del>provided that the applicant can in each case demonstrate that the proposal is in accordance with the development plan:</del></p> <ul style="list-style-type: none"> <li>i. <del>a. Great Plantation, Puddletown Road, East Stoke Bere Regis - approximately 2,000,000 tonnes of primarily Poole Formation sand (AS-06 - see Submission Policies Map - Inset 7)</del></li> <li><del>b. Hurn Court Farm Quarry Extension, Hurn - approximately 600,000 tonnes (AS-09 - see Submission Policies Map - Inset 9)</del></li> <li><del>c. Philliol's Farm, Hyde - approximately 1,500,000 tonnes (AS-12 - see Submission Policies Map - Inset 4)</del></li> <li>ii. <del>d. Roeshot Quarry Extension, Christchurch - approximately 3,500,000 tonnes of primarily River Terrace aggregate (AS-13 - see Submission Policies Map - Inset 10)</del></li> <li>iii. <del>e. Tatchell's Quarry Extension, Wareham - approximately 330,000 tonnes of primarily sand (AS-15 - see Submission Policies Map - Inset 6)</del></li> <li>iv. <del>f. Woodsford Quarry Extension, Woodsford - approximately 2,100,000 tonnes of primarily River Terrace aggregate (AS-19 - see Submission Policies Map - Inset 1)</del></li> <li>v. <del>g. Station Road, Moreton - approximately 3,100,000 tonnes comprising River Terrace and Poole Formation aggregate (AS-25 - see Submission Policies Map - Inset 3)</del></li> <li>vi. <del>h. Hurst Farm, Moreton - approximately 3,300,000 tonnes comprising River Terrace and Poole Formation aggregate (AS-26 - see Submission Policies Map - Inset 2)</del></li> <li>vii. <u>Land at Horton Heath, Horton - approximately 3,500,000 tonnes comprising primarily Bagshot Sand with some gravel</u></li> </ul> <p><del>Any proposal for the development of any of these allocations must address the development considerations set out for each site in Appendix A, as well as any other matters relevant to</del></p>		

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		<p><del>the development of each proposed allocation, and demonstrate that any adverse impacts will be mitigated to the satisfaction of the Mineral Planning Authority.'</del></p> <p><del>Proposals for the development of these allocations must be able to demonstrate that any cumulative impacts associated with their development and operation are capable of mitigation to a level acceptable to the Mineral Planning Authority.</del></p> <p>C. <u>Proposals within the allocated sites for the proposed development, as set out in Appendix A, will be permitted where they meet all of the following criteria:</u></p> <ul style="list-style-type: none"> <li>i. <u>They address the Development Guidelines set out for each site in Appendix A of this Plan, as well as any other matters relevant to the development of each proposed allocation; and</u></li> <li>ii. <u>They demonstrate that any adverse impacts, including cumulative impacts, associated with their development and operation will be mitigated to the satisfaction of the Mineral Planning Authority; and</u></li> <li>iii. <del>Proposals for the development of these allocations will only be considered where it has been demonstrated must demonstrate</del> that possible effects (including those related to hydrology, displacement of recreation, species, proximity, land management and restoration) that might arise from their development would not adversely affect the integrity of European and Ramsar sites either alone or in combination with other plans or projects; <u>implementation of the full range of mitigation measures as identified through Habitats Regulations Assessment Screening and listed under the Development Guidelines in Appendix A of this Plan will be a key element in meeting these requirements.</u></li> </ul> <p>Habitats Regulations Appraisal screening indicates that development at AS-06 Great Plantation may have significant effects on species, proximity and displacement of recreation in particular; <del>development at AS12 Philliol's Farm may have significant effects on displacement of recreation and species in particular and</del> development at AS-13 Roeshot Quarry Extension may have significant effects on species in particular and <u>development at AS27 Land at Horton Heath may have significant effects on hydrology and displacement of recreation in particular.</u> In each of these cases development proposals must either mitigate these effects or reduce them to non-significant levels in order for any development to take place.</p>		

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		<p>NB: Consequential change to Submission Policies Map and any Inset Maps showing allocated sites:</p> <p>Delete AS09 Hurn Court Farm and AS12 Philliols Farm:</p> <p>Add AS27 Land at Horton Heath</p>		
MM 9	Chapter 3 'A sand and gravel area of search'	<p>Delete paragraphs 3.10 – 3.18:</p> <p><del><b>A Sand and Gravel Area of Search</b></del></p> <p><del>Policy AS1 of the Minerals Strategy requires that new sand and gravel quarries are located within the designated Superficial and Bedrock Resource Blocks. The Resource Blocks are the spatial areas within which the British Geological Survey (BGS) have identified significant reserves of sand and gravel considered to be economically viable Dorset, Bournemouth and Poole Sand and Gravel Assessment – Minerals and Waste Programme – External Report CR/11/049. BGS: 2011. The Resource Blocks can be seen on pages 60 and 61 of the Minerals Strategy 2014.</del></p> <p><del>Although the whole of the Resource Blocks is considered to contain a viable mineral resource, there are areas within them which are subject to higher levels of environmental constraints, including landscape and ecological constraints, reducing the potential for successful minerals development. To identify the areas less subject to constraints and to give clearer guidance to developers, a landscape and ecological assessment of the Resource Blocks has been carried out, with input from Natural England, to identify those areas less likely to be constrained.</del></p> <p><del>The resulting areas are identified in Figure 2 and designated through Policy MS 2 as the Sand and Gravel Area of Search (AOS) of the Mineral Sites Plan.</del></p> <p><del>Such a shortfall could result, for example, from one of the allocated sites proving to be undeliverable, or significantly increased sales for several consecutive years leading to a shortfall in provision within the lifetime of the Plan. The 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 site proposed through Policy MS 2, that could be used to meet the identified shortfall.</del></p> <p><del>In addition to permitting unallocated sites where there is a demonstrable shortfall in supply, the MPA will also permit unallocated sites in the AOS where the development of such sites can be shown to result in significant environmental gains which deliver a net environmental benefit provided they do not delay or otherwise prejudice the development of sites allocated</del></p>		<p>Yes,, the change from an Area of Search to an Unallocated Sites Policy may lead to adverse effects on the European sites</p> <p>In addition this modification carries forward the necessary mitigation from the old Area of Search Policy</p> <p>An enhancement is provided through stated aim of achieving nutrient reduction within Poole Harbour SPA/Ramsar via provision of restoration to on-line wetlands</p>

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		<p><del>through this Plan. Support is also given to prior extraction of mineral in advance of non-mineral development. If it appears that the unallocated site would prejudice development of allocated sites, it will not be permitted.</del></p> <p><del>In determining whether to approve an unallocated site, the MPA will consider factors such as:</del></p> <ul style="list-style-type: none"> <li><del>i. the need for the site and whether there is a shortfall in supply (through assessing the size of the landbank and the existing level of demand);</del></li> <li><del>ii. the benefits to be provided through development of the unallocated site(s);</del></li> <li><del>iii. whether there are allocated site(s) that might be delayed or otherwise prejudiced by the approval of the unallocated site, and</del></li> <li><del>iv. whether the development of the unallocated site(s) would add unacceptable cumulative impacts to the development of the sites allocated through this Plan.</del></li> </ul> <p><del>All sites proposed for development within the AOS or the Resource Blocks will be subject to the policy requirements of the 2014 Minerals Strategy and will be required to go through the process of submitting a planning application, with all the associated detailed assessments and subject to all the relevant policy requirements of the development plan.</del></p> <p><del>The AOS will not prevent the development or use of the land for non-minerals purposes (e.g. allocations coming forward through local plans). In such cases, the normal mineral safeguarding requirements through Policies SG1 and SG2 of the Minerals Strategy 2014 will apply.</del></p> <p><del>Sites within the AOS can only be developed if it is demonstrated that there will be no adverse effects on the integrity of European and Ramsar sites. These effects are fully discussed in Policy DM5 of the Minerals Strategy 2014 and the supporting text of that policy, which should be read in conjunction with this Plan.</del></p> <p>And replace with the following text:</p>		

	<p><b><u>Unallocated Sand and Gravel Sites</u></b></p> <p><b><u>Introduction</u></b></p> <p><u>Aggregate demand over the Plan period will be met through existing permitted reserves together with allocated sand and gravel sites as set out in Policy MS-1. Together these are expected to be sufficient to meet demand during the life of the Plan.</u></p> <p><u>However, there are specific situations, such as a shortfall in sand and gravel supply that cannot be met from existing sites and/or the new sites allocated through Policy MS-1, in which the Mineral Planning Authority (MPA) will permit the development of an unallocated site/sites provided they comply with Policy MS-2.</u></p> <p><b><u>Minerals Strategy 2014</u></b></p> <p><u>Policy AS1 of the Minerals Strategy 2014 requires that new sand and gravel quarries are located within the designated Superficial and Bedrock Aggregate Resource Blocks. The Resource Blocks are spatial areas, designated through Policy AS1 of the Minerals Strategy 2014, within which the British Geological Survey (BGS) has identified significant reserves of sand and gravel considered to be economically viable<sup>1</sup>. The Resource Blocks excluded land subject to various constraints, e.g. Areas of Outstanding Natural Beauty, where there is a policy presumption against mineral extraction. Their spatial extent can be seen on pages 60 and 61 of the Minerals Strategy 2014.</u></p> <p><u>The Minerals Strategy 2014 also refers<sup>2</sup> to unallocated/windfall sites (primarily smaller sites such as prior extraction opportunities and agricultural reservoirs) being located outside the Resource Blocks, and also extraction of sand and gravel in association with ball clay taking place outside the Resource Blocks. It notes<sup>3</sup> that extraction within the AONB may be possible in exceptional circumstances, where no harm results from the development or harm can be satisfactorily mitigated.</u></p> <p><u>The policy stance is clear that new sand and gravel quarries should be located within the Resource Blocks. If new quarries are proposed to be located outside the Resource Blocks, they would have to be justified through demonstrating exceptional circumstances.</u></p> <p><b><u>Unallocated Sites within the Resource Blocks</u></b></p> <p><u>Planning applications proposing the development of an unallocated site within the Resource Blocks will be required to include all the associated detailed assessments and will be subject to all the relevant policy requirements of the development plan. In determining whether to permit an unallocated site, the MPA will consider a range of factors including (but not limited to):</u></p> <ul style="list-style-type: none"> <li>i. <u>Is the site needed? Is there, or is there likely to be, a shortfall in supply of Poole Formation or River Terrace, that the site could meet or contribute to meeting?</u></li> <li>ii. <u>Would developing an unallocated site have a negative impact, including unacceptable cumulative impacts, on a permitted or allocated site? The</u></li> </ul>		
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New Modification Reference Number	Para/ Policy	Change	Reason	Does the modification lead to LSE?
		<p><a href="#">development of allocated or permitted sites should not be prejudiced by an unallocated site - particularly if the allocated and unallocated sites would both serve the same market.</a></p> <p>iii. <a href="#">Does development of the unallocated site provide environmental net gain as set out in the National Planning Policy Framework<sup>4</sup>, such as creation of significant areas of on-line wetland functionally linked to rivers in the catchment of Poole Harbour which would contribute to reducing nutrient levels within the European sites, creation of local wildlife areas/greenspace corridors which would contribute to the wider ecological network, restoration to heathland or other priority habitat, woodland creation.</a></p> <p>iv. <a href="#">Is the mineral extraction from an unallocated site required as prior extraction in advance of built development which would sterilise mineral in the ground? Proposals for the prior extraction of minerals to allow strategically important non-mineral development could justify an unallocated site. The Minerals Strategy 2014 identifies a Mineral Safeguarding Area (MSA). The MPA will support prior extraction of mineral in advance of non-mineral development, (e.g. built development allocations coming forward through local plans) within the MSA subject to the safeguarding requirements as set out in Policies SG1, SG2 and SG3, and supporting text, of the Minerals Strategy 2014.</a></p> <p><a href="#">In seeking to establish whether there has been a shortfall in supply, and the extent of the shortfall, the MPA will particularly focus on the findings of the Local Aggregates Assessment (LAA). Such a shortfall could result, for example, from one of the allocated sites proving to be undeliverable, or significantly increased sales for several consecutive years leading to a shortfall in provision within the life of the Plan.</a></p> <p><b><a href="#">Unallocated Sites outside the Resource Blocks</a></b></p> <p><a href="#">Points i-iv also apply to the proposed development of unallocated sites outside the Resource Blocks. Proposals for unallocated sites outside the resource blocks are likely to comprise land within an AONB, or other constrains such as environmental designations. In these cases exceptional circumstances would have to be demonstrated in line with the NPPF.</a></p>		

<sup>1</sup> Dorset, Bournemouth and Poole Sand and Gravel Assessment - Minerals and Waste Programme - External Report CR/11/049. BGS: 2011

<sup>2</sup> Paragraph 7.48, Minerals Strategy 2014

<sup>3</sup> Paragraph 7.50, Minerals Strategy 2014

<sup>4</sup> Paragraph 170 (d); National Planning Policy Framework (MHLG - July 2018)

New Modification Reference Number	Para/ Policy	Change	Reason	Does the modification lead to LSE?
		<p><u>Proposals for unallocated sites outside the Resource Blocks and the AONB are thought to be unlikely. However, if proposals come forward they will be judged on their merits and against all relevant policies in the Mineral Strategy and Mineral Sites Plan.</u></p> <p><b><u>All unallocated sites</u></b></p> <p><u>All sites being considered through this policy will undergo a robust assessment, taking account of a range of factors including geographical location and proximity to the market. Although the Resource Blocks predominantly exclude AONB designated land, there are some limited areas of overlap. If any unallocated site (either within or outside of the Resource Blocks) is within an AONB, the necessary tests as set out in the National Planning Policy Framework<sup>5</sup> must be applied. Development proposals within these areas should also comply with the requirements of Policy DM4 of the Minerals Strategy 2014.</u></p> <p><u>Unallocated sites can only be developed if it can be demonstrated that there will be no adverse effects on the integrity of European and Ramsar sites. Such effects are fully discussed in Policy DM5 of the Minerals Strategy 2014 and the supporting text of that policy, which should be read in conjunction with this Plan.</u></p> <p><u>Any unallocated site proposed for development through Policy MS-2 which is within any Aerodrome Safeguarding Area as defined on the Policies Map will be required to undergo an Aviation Impact Assessment in consultation with the relevant airport.</u></p>		
MM 11	Policy MS-2: Sand and Gravel Area of Search Figure 2 Submission Policies Map	<p>Delete Policy MS2 and replace as below.</p> <p><b><del>Policy MS-2: Sand and Gravel Area of Search</del></b></p> <p><del>An Area of Search, as shown in Figure 2 and on the Policies Map, is designated with the intention of facilitating the development of sand and gravel sites and maintaining appropriate levels of supply.</del></p> <p><del>Proposals for the development of unallocated sites from within the Area of Search will be permitted if:</del></p> <ul style="list-style-type: none"> <li><del>i. there is a demonstrable shortfall in the supply of sand and gravel, or</del></li> <li><del>ii. the development of an unallocated site offers not environmental benefits that would justify its development, or</del></li> </ul>	Amendments following discussion at the Hearings to reflect that the focus is now on 'Unallocated sites' and the resource blocks.	<p><b>Yes,, the change from an Area of Search to an Unallocated Sites Policy may lead to adverse effects on the European sites</b></p> <p><b>In addition this modification carries forward the necessary mitigation from the</b></p>

<sup>5</sup> National Planning Policy Framework, paragraph 172 (July 2018; Ministry of Housing, Communities and Local Government)

New Modification Reference Number	Para/ Policy	Change	Reason	Does the modification lead to LSE?
		<p><del>iii. — the development of an unallocated site is for the prior extraction of aggregate in advance of strategically important non-mineral development, and</del></p> <p><del>iv. — in the case of i. and ii. above,</del></p> <p style="padding-left: 40px;"><del>a. — they would not delay or otherwise prejudice the development of allocated site(s) which have the potential to produce the same specific type of aggregate mineral and which would serve the same geographic market, and</del></p> <p style="padding-left: 40px;"><del>b. — they would not add unacceptable cumulative impacts to the development of allocated or permitted sites.</del></p> <p><del>Applications for the development of non-allocated sites within the designated Area of Search must demonstrate that:</del></p> <p style="padding-left: 40px;"><del>i. — the proposals are in accordance with the development plan, and</del></p> <p style="padding-left: 40px;"><del>ii. — they have considered and addressed all relevant development considerations; and</del></p> <p style="padding-left: 40px;"><del>iii. — any adverse impacts will be mitigated to the satisfaction of the Mineral Planning Authority.</del></p> <p><del>Sites will only be considered where it has been demonstrated that possible effects (including those related to hydrology, displacement of recreation, species, proximity, land management and restoration) that might arise from their development would not adversely affect the integrity of European and Ramsars sites either alone or in combination with other plans or projects.</del></p> <p><b><u>Policy MS-2: Unallocated sand and gravel sites</u></b></p> <p>A. <u>Proposals for sand or gravel extraction from unallocated sites within the Superficial and Bedrock Aggregate Resource Blocks, as shown on the Policies Map, will only be permitted where they meet all of the following criteria:</u></p> <p style="padding-left: 40px;">i. <u>There is a demonstrable shortfall in supply (determined through assessing the size of the landbank and the existing and/or projected level of demand), particularly if a site proposal contributes to meeting a shortfall in a specific type of aggregate; or unless it involves prior extraction of sand and gravel in</u></p>		<p><b>old Area of Search Policy</b></p>



New Modification Reference Number	Para/ Policy	Change	Reason	Does the modification lead to LSE?
		<p><u>advance of non-mineral development where this would avoid the permanent sterilisation of safeguarded minerals;</u></p> <p>ii. <u>The proposed development would not delay or otherwise prejudice (including through causing or resulting in unacceptable cumulative impacts) the development of allocated or permitted site(s) particularly where these have the potential to produce the same specific type of aggregate mineral and which would serve the same geographic market;</u></p> <p>iii. <u>In all cases any adverse impacts must be mitigated to the satisfaction of the Mineral Planning Authority;</u></p> <p>iv. <u>Sites will only be considered where it has been demonstrated that possible effects (including those related to hydrology, displacement of recreation, species, proximity, land management and restoration) that might arise from their development would not adversely affect the integrity of European and Ramsar sites either alone or in combination with other plans or projects; and</u></p> <p>v. <u>Applications for sites proposed for development which lie within an Aerodrome Safeguarding Area, as defined on the Policies Map, must undertake, in consultation with the relevant airport, and submit an Aviation Impact Assessment.</u></p> <p>Delete Figure 2 – Aggregates Area of Search</p> <p><i>NB: Consequential change to Submission Policies Map and any Inset Maps showing Area of Search - remove Aggregates Area of Search; show aggregates resource blocks.</i></p>		
MM 67	<p>Appendix A: AS27 Horton Heath</p> <p>Insert new site and associated information</p>	<p><b>AS27: Land at Horton Heath</b></p> <p><b>Site location:</b> Land at Horton Heath, Horton, Wimborne</p> <p><b>Grid reference:</b> SU 067 072</p> <p><b>District/Borough:</b> <del>East Dorset District Council</del></p> <p><b>Parish:</b> Horton CP</p> <p><b>Site area (approximate):</b> 16.2 ha</p>	<p>The November schedule highlighted the need for the inclusion of site and associated information.</p> <p>Reference to the District/Borough is removed to reflect Local Government</p>	<p>Yes, allocation of AS27 Land at Horton Heath may lead to LSE arising from changes to the hydrology of adjacent European heathland sites and displacement of recreation on to</p>

New Modification Reference Number	Para/ Policy	Change	Reason	Does the modification lead to LSE?
		<p><b>Proposed development:</b> Sand and gravel extraction (Plateau Gravel and Bagshot Sand). There would be no requirement for on-site processing of material apart from dry-screening of the sand.</p> <p><b>Estimated mineral resource:</b> between 2,400,000 and 3,500,000 tonnes</p> <p><b>Estimated annual output:</b> 200,000 tonnes per annum</p> <p><b>Expected life of quarry:</b> 12 - 17 years</p> <p><b>Existing land use/cover:</b> Agriculture/Woodland</p> <p><b>Estimated traffic movements:</b> up to 80 lorries per day</p> <p><b>Development Guidelines</b></p> <p><b>1. Natural Environment</b></p> <p>Full ecological assessment will be required, with appropriate mitigation identified and implemented.</p> <p>Development at AS27 Land at Horton Heath may have significant effects on hydrology and displacement of recreation in particular as the site is hydrologically linked to Horton Common Site of Special Scientific Interest, a component part of the Dorset Heaths SAC and Dorset Heathlands SPA/Ramsar, and is bounded by several Public Rights of Way. Development proposals must either mitigate these effects or reduce them to non-significant levels.</p> <p>Specific mitigation measures identified through Habitats Regulation Screening and required as part of the development of this site include:</p> <ol style="list-style-type: none"> <li>a. Conducting hydrological investigation to determine how the hydrological link with Horton Common SSSI (a component part of the relevant European sites) will be protected, and to ensure that the integrity of the Broadstone Clay and the aquifer contained in the Parkstone Sand are protected.</li> <li>b. Minimising impacts on adjacent European heathland sites from displacement of recreation by routing the haul road separately from existing Public Rights of Way.</li> <li>c. Restoration of the worked areas to high quality acid grassland to support the adjacent European heathland sites.</li> </ol>	Reorganisation in Dorset.	<p>adjacent European heathland sites.</p> <p>In addition this modification provides wording to mitigate adverse effects on the integrity of the European sites, as discussed at the focussed site hearing on 14.2.19. This includes specific mitigation measures and the restoration vision.</p>

New Modification Reference Number	Para/ Policy	Change	Reason	Does the modification lead to LSE?
		<p>2. <b>Historic/Cultural Environment</b></p> <p>There are heritage assets, including scheduled monuments, close to the site. Heritage and archaeology matters are important considerations, and the significance of any affected heritage assets and their setting must be understood to ensure their significance is safeguarded. Archaeological assessment and evaluation will be required as part of the development of the site with appropriate mitigation identified and implemented.</p> <p>3. <b>Hydrology/Flood Risk</b></p> <p>Site specific monitoring of geological, geotechnical and groundwater data should support the hydrological risk assessment to ensure no unacceptable impacts on hydrological connectivity and pathways and surface water flow regimes.</p> <p>An assessment should be carried out to ensure that the proposed restoration will have no significant impact on water quality and cause no deterioration in Water Framework Directive status.</p> <p>4. <b>Transport/Access</b></p> <p>The access to/from the C2 public highway should be routed separately from public Rights of Way and should use the access point currently serving the solar farm and.</p> <p>A Transport Assessment will be required, to assess possible impacts and identify appropriate mitigation. This will include assessing impacts on rights of way, and mitigation of identified impacts.</p> <p>5. <b>Landscape/Visual</b></p> <p>There will be the need for a comprehensive landscape plan prior to the development of this site. Appropriate mitigation should be identified and implemented.</p> <p>The adjacent bridleway is a key visual receptor and a full landscape and visual impact assessment should assess impacts on such features.</p> <p>6. <b>Airport Safeguarding</b></p>		

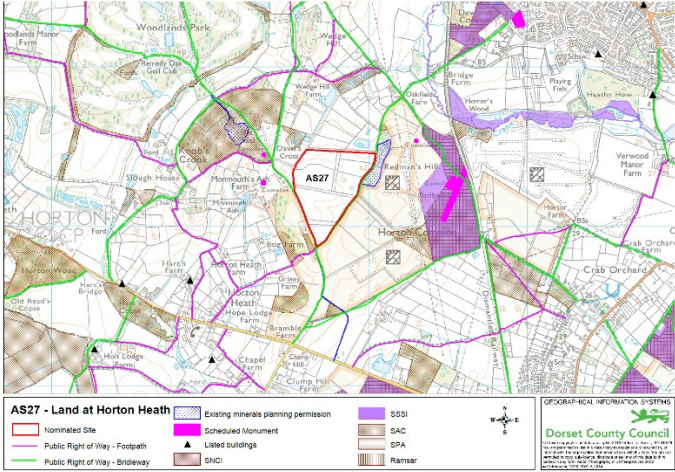
New Modification Reference Number	Para/ Policy	Change	Reason	Does the modification lead to LSE?
		<p>This site lies within the Bournemouth Airport Aerodrome Safeguarding Area and any future planning application will require an Aviation Impact Assessment, in consultation with Bournemouth Airport.</p> <p><b>7. Restoration Vision</b></p> <p>Restoration should be to high quality acid grassland as this is a priority habitat and must ensure continuation of the hydrological link with Horton Common SSSI. If hydrology allows, restoration at excavated levels is the preferred option and would see a valley running from a high point in the southernmost corner down to the pond that lies a short distance to the north of the area. The sides of the valley would slope from the tracks along either side of the triangle, so the perimeter tracks and hedges would be maintained.</p>  <p>Figure for illustration to be included, and to show 250m consultation zone.</p>		

Table 2 shows that Likely Significant Effect was identified for five modifications, three relating to allocation of AS27 Land at Horton Heath following the Focussed Hearing in February 2019 (MM 5, MM 8 and MM 67) and two relating to the change from an Area of Search Policy to an Unallocated Sites Policy following the Examination in September 2018 (MM 9 and MM 11). These are dealt with separately below.

#### **4.1 Allocation of AS27 Land at Horton Heath**

The three modifications referring to allocation of AS27 Land at Horton Heath relate to:

- MM 5 – changes to the wording of Chapter 3, Existing and Proposed Mineral Sites, to include AS 27
- MM 8 – changes to the wording of Policy MS-1, Production of Sand and Gravel, to include AS 27
- MM 67 – inclusion of AS27 in Appendix A, Site Allocations.

Allocation of AS27 Land at Horton Heath was assessed under the Habs Regs in December 2018. The assessment showed that the site lies to the west of Horton Common SSSI, a component part of the Dorset Heaths SAC and Dorset Heathlands SPA and Ramsar. The site is hydrologically linked to the Dorset Heaths SAC and Dorset Heathlands SPA/Ramsar and forms part of the area feeding the mire which historically ran from AS27 east towards Horton Common SSSI.

Investigations linked to earlier planning applications at this site have established that there is a layer of Broadstone Clay beneath the sand and gravel and discussions (and advice from Natural England) have focused on how disturbing this may lead to significant hydrological effects on the European sites. This could occur if the integrity of the clay layer was disturbed, leading to changes in the groundwater flow feeding in to the remnant mire on Horton Common SSSI. There is also a need to determine the depth of Parkstone Sand above the Broadstone Clay, to ensure the clay is not disturbed and to ensure that the aquifer in the base layer of saturated sand (also contributing to groundwater flow into the mire) is not disturbed as a result of mineral extraction.

Discussions at the Focused Hearing also concluded that allocation of this site has potential to affect the European heathland sites by displacement of recreation – arising if those currently using the network of Rights of Way around the allocated site are displaced onto neighbouring Rights of Way across or adjacent to European heathlands. This displacement of recreation could affect the heathland sites by leading to additional nutrient enrichment (from dog faeces) and additional disturbance of heathland species such as reptiles and ground nesting birds.

These issues resulted in the conclusion that allocation of AS27, without mitigation, would lead to likely significant effect on the relevant European sites from changes in hydrology and displacement or recreation.

#### **4.2 Change from an Area of Search Policy to an Unallocated Sites Policy**

The two modifications referring to the new Unallocated Sites Policy relate to:

- MM 9 – replacement of text in Chapter 3 with text referring to Unallocated Sand and Gravel Sites
- MM 11 – replacement of Policy MS-2 Sand and Gravel Area of Search with Policy MS-2 Unallocated Sand and Gravel Sites

These two modifications reflect discussions at the Plan Examination which gave rise to the decision to include a more general policy allowing unallocated sites to be brought forward from potentially any location in Dorset where there is a sand and gravel resource. This is a different approach to the Area of Search which provided a focused area within which new sand and gravel sites could be brought forward.

The removal of the area of search, which had been developed in consultation with Natural England and omitted areas likely to give rise to adverse effect on European sites, leads to the possibility that sites could now be brought forward which may affect European sites. These effects are detailed in Section 7.1 of the Bournemouth, Dorset and Poole Pre-Submission Draft Mineral Sites Plan Assessment, November 2018 and include impacts from effects on hydrology, displacement of recreation, proximity, species, land management and pollution.

For this reason it is concluded that the change from an Area of Search Policy to an Unallocated Sites Policy would, without mitigation, lead to likely significant effect on the relevant European sites.

Having identified these Likely Significant Effects, it is necessary to further examine the impacts on the European and Ramsar sites and consider necessary mitigation (either from existing wording or proposed modifications or by proposing new modifications) as part of an Appropriate Assessment to identify whether the modifications to the Mineral Sites Plan would lead to adverse effects on the integrity of the European and Ramsar sites.

## 5. Appropriate Assessment.

The modifications listed above are those which need further assessment in light of their potential to adversely affect the integrity of the relevant European sites, as listed in Table 1 above.

This Plan assessment is limited to consideration of mitigation which can be secured through the Mineral Sites Plan. Mitigation must provide certainty at the Plan stage of assessment that adverse effect will be avoided and must also enable the provision of more detailed mitigation once an application is submitted for development. The assessment focusses on:

- Existing mitigation which is already part of the Plan (but which will nevertheless help mitigate the proposed modifications)
- Mitigation arising from the proposed modifications
- New mitigation required in addition to the two categories above.

In addition, the modifications assessed in this document include several linked to mitigation proposed earlier in the HRA process which has not been incorporated into the Plan until now. The assessment also includes one modification providing mitigation which arose from discussions at the Plan Examination. These modifications are summarised in Table 3 and discussed below in Section 5.3.

### 5.1 Allocation of AS 27 Land at Horton Heath

The allocation of AS 27 Land at Horton Heath may lead to effects on the hydrology of Horton Common SSSI, a component part of the Dorset Heaths SAC and Dorset Heathlands SPA and Ramsar, as discussed in Section 4.1 above.

It is not possible to determine the exact nature of these effects at the allocation stage as the detailed hydrological information will only be provided at the application stage. However, at the allocation stage, it is possible and necessary to include sufficient mitigation to ensure that no development will be allowed if it would result in adverse effect on the integrity of the European sites. This mitigation comes from wording already included in the Mineral Sites Plan, from the proposed modifications and, if necessary from new wording required as a result of this assessment of the Mineral Sites Plan modifications:

- Existing mitigation:
  - The need to comply with wording in Policy MS-1: Production of Sand and Gravel, stating that allocations ‘must demonstrate that possible effects.....would not adversely affect the integrity of European and Ramsar sites either alone or in combination with other plans or projects’.
  - The wording in the supporting text of Policy MS-1, stating that allocated sites ‘must demonstrate that there will be no adverse effects on the integrity of European and Ramsar sites. These effects are fully discussed in Policy DM 5 of the Bournemouth, Dorset and Poole Mineral Strategy 2014 and the supporting text of that policy, which should be read in conjunction with this Plan.’
  - The requirement to comply with Policy DM5 – Biodiversity and Geological Conservation, in the Bournemouth Dorset and Poole Mineral Strategy, 2014.
- Mitigation arising from the proposed modifications (see Table 2 above for wording):
  - MM 5, relating to Chapter 3: Existing and Proposed Mineral Sites, includes wording stating that ‘proposals to develop these allocations must demonstrate that there will be no adverse effects on the integrity of European and Ramsar sites. These effects are fully discussed in Policy DM5 of the Bournemouth, Dorset and Poole Minerals Strategy 2014 and the supporting text of that policy, which should be read in conjunction of this Plan’. This wording provides certainty that AS27 would not be granted consent at the application stage if the proposals lead to adverse effect.
  - MM 8, relating to Policy MS-1 Production of Sand and Gravel, states that ‘implementation of the full range of mitigation measures as identified through Habitats Regulations Assessment and listed under the Development Guidelines in Appendix A of this Plan will be a key element’ (in meeting the requirements of the Habs Regs) and that proposals must ‘address the Development Guidelines set out for each site in Appendix A of this Plan, as well as any other matters relevant to the development of each proposed allocation’. These two additional

paragraphs provide further certainty that allocation of AS27 will not lead to adverse effect on the integrity of the European sites. The modification also includes wording stating that ‘development at AS27 Land at Horton Heath may have significant effects on hydrology and displacement of recreation in particular’, highlighting the need to ensure that these impacts are avoided or mitigated at the application stage.

- MM 67, setting out the Development Guidelines and Restoration Vision for AS27 Land at Horton Heath within Appendix A of the Plan. This modification provides detail of the ecological assessment and mitigation measures which will be required, including hydrological studies, location of the haul road (to avoid displacement of recreation) and restoration of the worked areas to high quality acid grassland to support the adjacent European heathland sites. The modification also includes a further detail of the restoration in the Restoration Vision which specifies restoration to a valley of high quality acid grassland, sloping from south to north to support the hydrology of the adjacent European sites. This modification links with MM 8 in providing detailed restoration and mitigation measures which must be followed, thus providing additional certainty at the Plan stage that allocation of AS27 will not lead to adverse effects on integrity.

- New mitigation requiring a new modification:

- Given the detailed, strong mitigation already provided it is not felt that further mitigation is necessary in relation to allocation of this site.

## **5.2 Change from an Area of Search Policy to an Unallocated Sites Policy**

The change from a Sand and Gravel Area of Search Policy to an Unallocated Sand and Gravel Sites Policy may lead to adverse effects on the integrity of the relevant European sites for the reasons set out in Section 4.2 above. However, the relevant modifications (MM 9 and MM 11) also carry forward all the mitigation previously agreed with Natural England regarding consideration of new sand and gravel sites after the Mineral Sites Plan has been adopted. The new Policy is also bound by the wider Habs Regs mitigation already contained in the Plan and this is listed below for clarity and to provide certainty that the new Policy will not give rise to consent for any unallocated site where this may lead to adverse effects on the integrity of the European sites:

- Existing mitigation:

- The requirement to comply with Policy DM5 - Biodiversity and Geological Interest in the Bournemouth, Dorset and Poole Minerals Strategy, 2014, as set out in Chapter 2 of the Mineral Sites Plan.

- Mitigation arising from the proposed modifications (see Table 2 above for proposed wording):

- MM 9 – carries forward wording from the accompanying text of the old to the new policy stating that ‘unallocated sites can only be developed if it can be demonstrated that there will be no adverse effects on the integrity of European and Ramsar sites. Such effects are fully discussed in Policy DM5 of the Minerals Strategy 2014 and the supporting text of that policy, which should be read in conjunction with this Plan’. The new accompanying text also contains a sentence stating that development of an unallocated site ‘will be subject to all the relevant policy requirements of the development plan’. These two modifications help provide certainty that the change in Policy will avoid adverse impact on the integrity of the European sites.
- MM 11 – carries forward wording from the old to the new policy stating that ‘Sites will only be considered where it has been demonstrated that possible effects that might arise from their development would not adversely affect the integrity of European and Ramsar sites either alone or in combination with other projects’. This mitigation, along with the mitigation in the accompanying text and the requirement to comply with Policy DM5 of the Mineral Strategy, provide necessary certainty that the development of unallocated sites will not be allowed if it would lead to adverse affect on the integrity of the relevant European sites.

- New mitigation requiring a new modification:

- Given the detailed, strong mitigation already provided it is not felt that further mitigation is necessary in relation to the change from an Area of Search Policy to an Unallocated Sand and Gravel Sites Policy.



### **5.3 Mitigation arising from earlier in the HRA process and from the Plan Examination**

The Bournemouth, Dorset and Poole Pre-Submission Draft Mineral Sites Plan Assessment under the Conservation of Habitats and Species Regulations, November 2017, gave rise to a suite of mitigation measures which were required to prevent the Mineral Sites Plan from giving rise to Likely Significant Effect and subsequent adverse effect on the integrity of the relevant European sites at the Appropriate Assessment stage.

While part of this mitigation was included in the Mineral Sites Plan, some measures were omitted at the pre-submission stage. These measures have now been included in the Modifications and are discussed below (and listed in Table 3 below) to provide a complete record of all the mitigation contained in the Modifications. The mitigation also includes one measure identified through discussion at the Plan Examination in September 2018 (MM 48.1).

#### **5.3.1 AS06 Great Plantation**

- MM 36 specifies additional Development Guidelines, as required through the HRA process, relating to the creation of an off-site heathland support area to mitigate displaced recreation, the design of a network of walks/paths around the remainder of the site to avoid displacement of recreation, phasing of works to reduce or avoid impacts on Annex 1 birds and Annex 2 reptiles, and enhancement of areas under the control of the developer to create additional habitat for Annex 1 and Annex 2 species.

#### **5.3.2 AS13 Roeshott**

- MM 42 provides additional text in the 'Proposed Development' section of Appendix A and acknowledges that the Dorset Roeshott site is directly adjacent to the Hampshire Roeshott site (bisected by the river Mude). The text specifies that only one site will be worked at a time, to reduce the likelihood of impacts on Southern damselfly, a species interest feature of the Dorset Heaths SAC and the Dorset Heaths (Purbeck and Wareham) and Studland Dunes SAC.
- MM 43 provides additional text in the Development Guidelines within Appendix A. The text is directly linked to the mitigation arising from the HRA process and specifies that mitigation must include a buffer strip along the Mude, southern damselfly habitat improvements, careful management of water resources to maintain natural flow levels and water quality and only working one side of the river at a time.
- MM 48.1 arose from discussions at the Plan Examination and provides additional mitigation against effects on the river Mude and buffer strip which might arise during working of the Dorset and Hampshire sites. The working of these sites requires a bridge across the Mude and the additional wording stipulates that this must be designed to minimise impacts on the buffer strip (and therefore river).

#### **5.3.3 AS19 Woodsford Quarry Extension**

- MM 57 amends the Restoration Vision in Appendix A to give greater weight to restoration to a large scale on-line wetland. This has been identified through the HRA process as necessary mitigation to facilitate long term reduction of nutrient and silt levels into the Poole Harbour Ramsar and SPA catchment.

#### **5.3.4 AS26 Hurst Farm**

- MM 65, as for AS19, amends the Restoration Vision in Appendix A to give greater weight to restoration to a large scale on-line wetland. This has been identified through the HRA process as necessary mitigation to facilitate long term reduction of nutrient and silt levels into the Poole Harbour Ramsar and SPA catchment.

**Table 3: Modifications which provide mitigation identified earlier in the HRA process, or from discussion during the Mineral Sites Plan examination, in respect of protection of European and Ramsar sites.**

New Modification Reference Number	Para/Policy	Change	Reason	Does the modification lead to LSE?
MM 36	Appendix A: Site Allocations – AS06: Great Plantation. Development Guidelines - section titled 'Natural Environment'.	<p>Amend third paragraph and add additional text to follow:</p> <p>'Initial assessments have concluded that effects on species, proximity and displacement of recreation in particular may be significant. Development proposals must mitigate these effects or reduce them to non-significant levels in order for any development to take place. Discussions have focused on the need to provide a Heathland Support Area in the vicinity of Great Plantation to further protect designated heathlands from potential displacement of recreation. <u>Offsite mitigation should be provided in advance of the development of the site.</u></p> <p><u>Specific mitigation measures identified through Habitats Regulations Screening and required as part of the development of this site include:</u></p> <ul style="list-style-type: none"> <li>i. <u>Creation of an off-site heathland support area to mitigate displaced recreation</u></li> <li>ii. <u>Design of a network of walks/paths around the remainder of the site, to ensure walkers are directed away from areas adjacent to the European site</u></li> <li>iii. <u>Phasing of works with restoration to high quality heathland/grassland habitat, to take place as soon as a phase is finished</u></li> <li>iv. <u>Enhancement of areas under the control of the developer to create additional habitat for Annex 1 and Annex 2 species.'</u></li> </ul>	To comply with the Habitats Directive and reflect the HRA, and ensure protection of the biodiversity on and around the site. Discussed at the hearing.	No, the modification provides mitigation identified in the Mineral Sites Plan HRA
MM 42	Appendix A: Site Allocations – AS13: Roeshot. Proposed Development	<p><b>Add additional text at the end of 'Proposed Development' as follows:</b></p> <p><u>'Although the Dorset side of the Roeshot site may be worked before the Hampshire side is completed, there is to be no simultaneous extraction from the Dorset/Hampshire sides, apart from the period of time required to prepare for working on the Dorset side while the Hampshire side is still being worked. This period should be kept to an absolute minimum, to be agreed at the stage of the planning application. Similarly, as operations move back into Hampshire after completion of Dorset working, there will again be a crossover period which will be kept to an absolute minimum. This is necessary to minimise cumulative impacts and impacts due to intensification. If necessary, it is possible that this could be secured through a legal agreement.</u></p>	<p>For clarification, and to avoid impacts due to intensification at the site.</p> <p>A 'changeover' period is required to 'open' up the Dorset part of the site, so there could be an overlap of say 6 months or so. Text has been added to cover this point.</p> <p>This matter was raised through consultation and discussed at the hearings.</p>	No, the modification provides mitigation identified through the HRA process.

New Modification Reference Number	Para/Policy	Change	Reason	Does the modification lead to LSE?
		<a href="#">For both the Hampshire and Dorset parts of the site, the access to the site will remain in Hampshire, and the processing plant will remain in Hampshire.</a>		
MM 43	Appendix A: Site Allocations – AS13: Roeshot.  Development Guidelines - section titled 'Natural Environment'.	Add text as follows following first paragraph:  <u>'Specific mitigation measures identified through Habitats Regulations Screening and required as part of the development of this site include:</u>  a. <u>Creation of a buffer strip along both banks of the river Mude</u>  b. <u>Improvements to existing southern damselfly habitat within or adjacent to the allocated site</u>  c. <u>Careful management of water resources to ensure natural flow levels and water quality are maintained in the river Mude</u>  d. <u>Phasing of works alongside the part of the site within Hampshire and allocated in the Hampshire Minerals and Waste Plan, to ensure only one side of the river is affected at any time.</u>	To ensure protection of the biodiversity and the proper management of the water environment on and around the site, reflecting the HRA and discussions at the hearing.	No, the modification provides mitigation identified through the HRA process
MM 48.1	Appendix A: Site Allocations – AS13: Roeshot.  Development Guidelines section titled 'Other'	Add additional point to follow seventh bullet point, as follows;  <u>'h. The construction of a bridge across the River Mude to convey mineral to the plant and deliver reclamation material to restore the site will affect a section of both banks. Consideration must be given to the detailed design of this section to minimise impacts on the buffer strip.'</u>	To ensure adequate protection is provided for the banks, as discussed at the hearings.	No, the modification provides mitigation identified at the Plan examination
MM 57	Appendix A: Site Allocations – AS19: Woodsford Quarry Extension  Restoration Vision	Amend the restoration vision as follows:  <del>'The site is within the Valley Pasture Landscape Type of the Frome River Valley, a predominantly flat landform creating a multi-functional landscape where recreation and amenity are just as important as agriculture, enhanced nature conservation value and flood water management nature conservation, flood water management and agriculture combine with recreation and amenity.</del>  <del>Post mineral working, the creation of multi-functional green infrastructure links across and along the valley, linking to adjacent centres of population, will be important. This could include grazing pasture and/or a large scale wetland restoration scheme with significant recreational opportunities, which would contribute to flood alleviation, contribute towards overall reduction in Phosphate, Nitrogen and sediment load in the</del>	To give greater priority and recognition to the benefits of the creation of wetland restoration in the northern part of the site, as discussed at the hearings and as required by the HRA.	No, the modification provides mitigation identified through the HRA process

New Modification Reference Number	Para/Policy	Change	Reason	Does the modification lead to LSE?
		<p><del>lower reaches of the River Frome and Poole Harbour and create habitat for the conservation of protected species such as otter and water vole as well as many species of wetland bird. restoration must explore the opportunity to provide a large scale wetland restoration scheme hydrologically connected to the River Frome. This will significantly reduce phosphate, nitrogen and sediment load in the lower reaches of the River Frome SSSI and Poole Harbour SPA and Ramsar sites, and create habitat for the conservation of protected species such as otter and water vole as well as many species of wetland bird. A scheme of this scale would also contribute to flood alleviation and provide significant recreational opportunities in a largely agricultural landscape.'</del></p>		
MM 65	Appendix A: Site Allocations – AS26 Hurst Farm  Development Guidelines 'Restoration Vision'	<p>Amend the restoration vision as follows:</p> <p><b>'Restoration Vision</b></p> <p>The site is within the Valley Pasture Landscape Type of the Frome <u>River Valley</u>, a predominantly flat landform creating a multi-functional landscape where <u>recreation and amenity are just as important as agriculture, enhanced nature conservation value and flood water management. nature conservation, flood water management and agriculture combine with recreation and amenity.</u></p> <p>Post mineral working, <u>the creation of multi-functional green infrastructure links across and along the valley, linking to adjacent centres of population, will be important. restoration must explore the opportunity to provide a large scale wetland restoration scheme hydrologically connected to the River Frome. This could include grazing pasture and/or a large scale wetland restoration scheme with significant recreational opportunities, which would contribute to flood alleviation, contribute towards overall reduction in Phosphate, Nitrogen and sediment load in the lower reaches of the River Frome and Poole Harbour and create habitat for the conservation of protected species such as otter and water vole as well as many species of wetland bird. This will significantly reduce phosphate, nitrogen and sediment load in the lower reaches of the River Frome SSSI and Poole Harbour SPA and Ramsar sites, and create habitat for the conservation of protected species such as otter and water vole as well as many species of wetland bird. A scheme of this scale would also contribute to flood alleviation and provide significant recreational opportunities in a largely agricultural landscape.'</u></p>	To give greater priority and recognition to the benefits of the wetland restoration, as discussed at the hearings and required by the HRA.	No, the modification provides mitigation identified through the HRA process

## **5.4 In-Combination Effects**

An assessment of in-combination effects arising from the Mineral Sites Plan was made in the Bournemouth, Dorset and Poole Pre-Submission Draft Mineral Sites Plan Assessment under the Conservation of Habitats and Species Regulations, 2017 (November 2017), and updated in the Appropriate Assessment of the Pre-Submission Draft Mineral Sites Plan (August 2018) which incorporated the findings of European Court of Justice case law: People Over Wind, Peter Sweetman v Coillte Teoranta (C-323/17).

This concluded that, assuming all the recommended mitigation was adopted, all necessary measures had been taken to reduce potential adverse effects below significant levels and that there were no in combination effects arising from the Mineral Sites Plan. The assessment highlighted the fact that several issues (displacement of recreation onto heathland sites, species effects on southern damselfly and nutrient/silt inputs on Poole Harbour SPA/Ramsar) will need more detailed examination when the sites are brought forward for development but concluded that, at the Plan stage, all necessary mitigation had been provided. This conclusion is endorsed by the view of Natural England.

The modifications considered in this assessment (alongside existing and proposed mitigation) do not lead to any further in-combination effects. This, when considered alongside the many modifications which strengthen protection of the European sites and clarify the processes which must be adhered to, results in the conclusion that the modifications will not in themselves lead to any adverse effects on integrity in combination with other plans or projects.

## **6. Positive Enhancements to the Mineral Sites Plan arising from the Modifications**

The proposed Modifications also give rise to a number of enhancements to the Mineral Sites Plan, in respect of protection of European and Ramsar sites. These come about because the modification strengthens existing wording, or provides clarification on an issue relating to LSE or adverse effect, thereby providing additional protection. For completeness, these modifications are summarised below (Table 4) as part of the assessment of the Mineral Sites Plan modifications.

**Table 4: Modifications which enhance the Mineral Sites Plan, in respect of protection of European and Ramsar sites.**

New Modification Reference Number	Para/Policy	Change	Reason	Does the modification lead to LSE?
<p><b>MM 5</b> <i>(MM5 now incorporates MM6 and MM7)</i></p>	<p><b>Chapter 3</b>  'Allocated Sites' (Paragraphs 3.8-3.9)</p>	<p>Amend section as follows: <b>'Allocated Sites</b> <b>3.8</b> <u>The following sites are allocated through Policy MS-1 and are shown on Figure 1:</u></p> <ul style="list-style-type: none"> <li>• Great Plantation - an area of land south of the Puddletown Road and adjacent to the existing Hyde Pit.</li> <li>• <del>Hurn Court Farm Quarry, Hurn – a proposed extension of an existing quarry onto predominantly agricultural land to the west of the current site.</del></li> <li>• <del>Philliol's Farm, Hyde – proposed quarry in agricultural land.</del></li> <li>• Roeshot, Christchurch - a proposed extension to a Hampshire quarry site, westward onto predominantly agricultural land in Dorset.</li> <li>• Tatchell's Quarry, Wareham - a proposed extension of an existing (though not currently operational) quarry onto agricultural land adjacent to part of the current site.</li> <li>• Woodsford Quarry, Woodsford - a proposed extension of an existing quarry onto predominantly agricultural land to the north east of the current site.</li> <li>• Station Road, Moreton - a proposed quarry in agricultural land.</li> <li>• Hurst Farm, Moreton - a proposed quarry in agricultural land.</li> <li>• <u>Land at Horton Heath - a proposed quarry in agricultural land.</u></li> </ul> <p><u>Details of the allocated sites are set out in Appendix A.</u> <u>Although these allocations generally provide primarily either River Terrace or Poole Formation aggregate, in some cases they will provide a combination of</u></p>	<p>To update the list of allocated sites; to provide information on the type of mineral and to address the issue of cumulative impacts in a more comprehensive way.</p> <p>As discussed at hearings.</p>	<p>Yes, allocation of Land at Horton Heath may lead to adverse effects on the integrity of the European sites</p> <p>Mitigation is provided through wording contained in Policy MS-1 and accompanying text, addressing impacts on European sites</p> <p>In addition this modification strengthens protection of European sites by changing 'should' to 'must'</p>

New Modification Reference Number	Para/Policy	Change	Reason	Does the modification lead to LSE?
		<p><a href="#">both Poole Formation and River Terrace aggregate. An indication of the type of aggregate provided by the allocated sites is provided in Policy MS-1.</a></p> <p><a href="#">Where allocations proposed for development are in the vicinity of other allocations and/or of permitted sites, the developer will need to demonstrate to the satisfaction of the mineral planning authority that cumulative impacts can be addressed and satisfactorily mitigated.</a></p> <p>3.9 Proposals to develop these allocations <del>should</del> <u>must</u> demonstrate that there will be no adverse effects on the integrity of European and Ramsar sites. These effects are fully discussed in Policy DM5 of the Bournemouth, Dorset and Poole Minerals Strategy 2014 and the supporting text of that policy, which should be read in conjunction with this Plan.'</p>		
MM 8	<p><b>Chapter 3</b></p> <p>Policy MS-1 Production of Sand and Gravel</p>	<p>Amend Policy MS1 as follows:</p> <p>An adequate and steady supply of sand and gravel will be maintained through a combination of the following:</p> <p>A. The continued provision of sand and gravel from the remaining <del>permitted</del> reserves at <del>permitted sites, the following sites:</del></p> <ul style="list-style-type: none"> <li><del>a. Binnegar Quarry</del></li> <li><del>b. Doroy's Pit</del></li> <li><del>c. Hines Pit</del></li> <li><del>d. Hyde Pit</del></li> <li><del>e. Hurn Court Farm</del></li> <li><del>f. Master's Pit</del></li> <li><del>g. Trigon Hill</del></li> <li><del>h. Tatchell's Quarry</del></li> <li><del>i. Chard Junction Quarry</del></li> <li><del>j. Henbury Pit</del></li> <li><del>k. Woodsford Quarry</del></li> </ul>	<p>To update the text following addition of AS27 Land at Horton Heath and for clarification purposes.</p> <p>And to reflect the HRA.</p>	<p>Yes, allocation of Land at Horton Heath may lead to adverse effects on the integrity of the European sites</p> <p>Mitigation is provided through wording contained in Policy MS-1 and accompanying text, addressing impacts on European sites</p> <p>In addition this modification strengthens protection of European sites by including the extra wording at the end of C.ii</p>

New Modification Reference Number	Para/Policy	Change	Reason	Does the modification lead to LSE?
		<p><del>I. Moreton Pit</del></p> <p><del>B. Provision of sand and gravel from the following permitted site, should it be developed during the lifetime of the plan:</del></p> <p><del>a. Avon Common</del></p> <p>B. The following new sites and extensions to existing sites, as identified on the Policies Map, are allocated to contribute to the adequate and steady supply of sand and gravel, <del>provided that the applicant can in each case demonstrate that the proposal is in accordance with the development plan:</del></p> <ul style="list-style-type: none"> <li>i. <del>a. Great Plantation, Puddletown Road, East Stoke Bere Regis - approximately 2,000,000 tonnes of primarily Poole Formation sand (AS-06 - see Submission Policies Map - Inset 7)</del></li> <li><del>b. Hurn Court Farm Quarry Extension, Hurn - approximately 600,000 tonnes (AS-09 - see Submission Policies Map - Inset 9)</del></li> <li><del>c. Philliol's Farm, Hyde - approximately 1,500,000 tonnes (AS-12 - see Submission Policies Map - Inset 4)</del></li> <li>ii. <del>d. Roeshot Quarry Extension, Christchurch - approximately 3,500,000 tonnes of primarily River Terrace aggregate (AS-13 - see Submission Policies Map - Inset 10)</del></li> <li>iii. <del>e. Tatchell's Quarry Extension, Wareham - approximately 330,000 tonnes of primarily sand (AS-15 - see Submission Policies Map - Inset 6)</del></li> <li>iv. <del>f. Woodsford Quarry Extension, Woodsford - approximately 2,100,000 tonnes of primarily River Terrace aggregate (AS-19 - see Submission Policies Map - Inset 1)</del></li> <li>v. <del>g. Station Road, Moreton - approximately 3,100,000 tonnes comprising River Terrace and Poole Formation aggregate (AS-25 - see Submission Policies Map - Inset 3)</del></li> <li>vi. <del>h. Hurst Farm, Moreton - approximately 3,300,000 tonnes comprising River Terrace and Poole Formation aggregate (AS-26 - see Submission Policies Map - Inset 2)</del></li> </ul>		



New Modification Reference Number	Para/Policy	Change	Reason	Does the modification lead to LSE?
		<p>vii. <u>Land at Horton Heath, Horton - approximately 3,500,000 tonnes comprising primarily Bagshot Sand with some gravel</u></p> <p><del>Any proposal for the development of any of these allocations must address the development considerations set out for each site in Appendix A, as well as any other matters relevant to the development of each proposed allocation, and demonstrate that any adverse impacts will be mitigated to the satisfaction of the Mineral Planning Authority.</del></p> <p><del>Proposals for the development of these allocations must be able to demonstrate that any cumulative impacts associated with their development and operation are capable of mitigation to a level acceptable to the Mineral Planning Authority.</del></p> <p>C. <u>Proposals within the allocated sites for the proposed development, as set out in Appendix A, will be permitted where they meet all of the following criteria:</u></p> <p>i. <u>They address the Development Guidelines set out for each site in Appendix A of this Plan, as well as any other matters relevant to the development of each proposed allocation; and</u></p> <p>ii. <u>They demonstrate that any adverse impacts, including cumulative impacts, associated with their development and operation will be mitigated to the satisfaction of the Mineral Planning Authority; and</u></p> <p>iii. <del>Proposals for the development of these allocations will only be considered where it has been demonstrated</del> <u>must demonstrate</u> that possible effects (including those related to hydrology, displacement of recreation, species, proximity, land management and restoration) that might arise from their development would not adversely affect the integrity of European and Ramsar sites either alone or in combination with other plans or projects; <u>implementation of the full range of mitigation measures as identified through Habitats Regulations Assessment Screening and listed under the Development Guidelines in Appendix A of this Plan will be a key element in meeting these requirements.</u></p> <p>Habitats Regulations Appraisal screening indicates that development at AS-06 Great Plantation may have significant effects on species, proximity and displacement of recreation in particular; <del>development at AS12 Philliol's Farm may have significant effects on displacement of recreation and species in</del></p>		

New Modification Reference Number	Para/Policy	Change	Reason	Does the modification lead to LSE?
		<p><del>particular and</del> development at AS-13 Roeshot Quarry Extension may have significant effects on species in particular and <a href="#">development at AS27 Land at Horton Heath may have significant effects on hydrology and displacement of recreation in particular</a>. In each of these cases development proposals must either mitigate these effects or reduce them to non-significant levels in order for any development to take place.</p> <p>NB: Consequential change to Submission Policies Map and any Inset Maps showing allocated sites:</p> <p>Delete AS09 Hurn Court Farm and AS12 Philliols Farm:</p> <p>Add AS27 Land at Horton Heath</p>		
MM 9	Chapter 3 'A sand and gravel area of search'	<p>Delete paragraphs 3.10 – 3.18:</p> <p><del><b>A Sand and Gravel Area of Search</b></del></p> <p><del>Policy AS1 of the Minerals Strategy requires that new sand and gravel quarries are located within the designated Superficial and Bedrock Resource Blocks. The Resource Blocks are the spatial areas within which the British Geological Survey (BGS) have identified significant reserves of sand and gravel considered to be economically viable Dorset, Bournemouth and Poole Sand and Gravel Assessment Minerals and Waste Programme External Report CR/11/049. BGS: 2011. The Resource Blocks can be seen on pages 60 and 61 of the Minerals Strategy 2014.</del></p> <p><del>Although the whole of the Resource Blocks is considered to contain a viable mineral resource, there are areas within them which are subject to higher levels of environmental constraints, including landscape and ecological constraints, reducing the potential for successful minerals development. To identify the areas less subject to constraints and to give clearer guidance to developers, a landscape and ecological assessment of the Resource Blocks has been carried out, with input from Natural England, to identify those areas less likely to be constrained.</del></p> <p><del>The resulting areas are identified in Figure 2 and designated through Policy MS-2 as the Sand and Gravel Area of Search (AOS) of the Mineral Sites Plan.</del></p>		<p>Yes., the change from an Area of Search to an Unallocated Sites Policy may lead to adverse effects on the European sites</p> <p>In addition this modification carries forward the necessary mitigation from the old Area of Search Policy</p> <p>An enhancement is provided through stated aim of achieving nutrient reduction within Poole Harbour SPA/Ramsar via provision of restoration to on-line wetlands</p>

New Modification Reference Number	Para/Policy	Change	Reason	Does the modification lead to LSE?
		<p><del>Such a shortfall could result, for example, from one of the allocated sites proving to be undeliverable, or significantly increased sales for several consecutive years leading to a shortfall in provision within the lifetime of the Plan. The 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 site proposed through Policy MS-2, that could be used to meet the identified shortfall.</del></p> <p><del>In addition to permitting unallocated sites where there is a demonstrable shortfall in supply, the MPA will also permit unallocated sites in the AOS where the development of such sites can be shown to result in significant environmental gains which deliver a net environmental benefit provided they do not delay or otherwise prejudice the development of sites allocated through this Plan. Support is also given to prior extraction of mineral in advance of non-mineral development. If it appears that the unallocated site would prejudice development of allocated sites, it will not be permitted.</del></p> <p><del>In determining whether to approve an unallocated site, the MPA will consider factors such as:</del></p> <ul style="list-style-type: none"> <li><del>i. the need for the site and whether there is a shortfall in supply (through assessing the size of the landbank and the existing level of demand);</del></li> <li><del>ii. the benefits to be provided through development of the unallocated site(s);</del></li> <li><del>iii. whether there are allocated site(s) that might be delayed or otherwise prejudiced by the approval of the unallocated site, and</del></li> <li><del>iv. whether the development of the unallocated site(s) would add unacceptable cumulative impacts to the development of the sites allocated through this Plan.</del></li> </ul> <p><del>All sites proposed for development within the AOS or the Resource Blocks will be subject to the policy requirements of the 2014 Minerals Strategy and will be required to go through the process of submitting a planning application, with all the associated detailed assessments and subject to all the relevant policy requirements of the development plan.</del></p> <p><del>The AOS will not prevent the development or use of the land for non-minerals purposes (e.g. allocations coming forward through local plans). In such cases,</del></p>		

New Modification Reference Number	Para/Policy	Change	Reason	Does the modification lead to LSE?
		<p><del>the normal mineral safeguarding requirements through Policies SG1 and SG2 of the Minerals Strategy 2014 will apply.</del></p> <p><del>Sites within the AOS can only be developed if it is demonstrated that there will be no adverse effects on the integrity of European and Ramsar sites. These effects are fully discussed in Policy DM5 of the Minerals Strategy 2014 and the supporting text of that policy, which should be read in conjunction with this Plan.</del></p> <p>And replace with the following text:</p> <p><b><u>Unallocated Sand and Gravel Sites</u></b></p> <p><b><u>Introduction</u></b></p> <p><u>Aggregate demand over the Plan period will be met through existing permitted reserves together with allocated sand and gravel sites as set out in Policy MS-1. Together these are expected to be sufficient to meet demand during the life of the Plan.</u></p> <p><u>However, there are specific situations, such as a shortfall in sand and gravel supply that cannot be met from existing sites and/or the new sites allocated through Policy MS-1, in which the Mineral Planning Authority (MPA) will permit the development of an unallocated site/sites provided they comply with Policy MS-2.</u></p> <p><b><u>Minerals Strategy 2014</u></b></p> <p><u>Policy AS1 of the Minerals Strategy 2014 requires that new sand and gravel quarries are located within the designated Superficial and Bedrock Aggregate Resource Blocks. The Resource Blocks are spatial areas, designated through Policy AS1 of the Minerals Strategy 2014, within which the British Geological Survey (BGS) has identified significant reserves of sand and gravel considered to be economically viable<sup>6</sup>. The Resource Blocks excluded land subject to various constraints, e.g. Areas of Outstanding Natural Beauty, where there is a</u></p>		

<sup>6</sup> Dorset, Bournemouth and Poole Sand and Gravel Assessment - Minerals and Waste Programme - External Report CR/11/049. BGS: 2011

New Modification Reference Number	Para/Policy	Change	Reason	Does the modification lead to LSE?
		<p><a href="#">policy presumption against mineral extraction. Their spatial extent can be seen on pages 60 and 61 of the Minerals Strategy 2014.</a></p> <p><a href="#">The Minerals Strategy 2014 also refers<sup>7</sup> to unallocated/windfall sites (primarily smaller sites such as prior extraction opportunities and agricultural reservoirs) being located outside the Resource Blocks, and also extraction of sand and gravel in association with ball clay taking place outside the Resource Blocks. It notes<sup>8</sup> that extraction within the AONB may be possible in exceptional circumstances, where no harm results from the development or harm can be satisfactorily mitigated.</a></p> <p><a href="#">The policy stance is clear that new sand and gravel quarries should be located within the Resource Blocks. If new quarries are proposed to be located outside the Resource Blocks, they would have to be justified through demonstrating exceptional circumstances.</a></p> <p><b><a href="#">Unallocated Sites within the Resource Blocks</a></b></p> <p><a href="#">Planning applications proposing the development of an unallocated site within the Resource Blocks will be required to include all the associated detailed assessments and will be subject to all the relevant policy requirements of the development plan. In determining whether to permit an unallocated site, the MPA will consider a range of factors including (but not limited to):</a></p> <ul style="list-style-type: none"> <li data-bbox="629 951 1458 1031">i. <a href="#">Is the site needed? Is there, or is there likely to be, a shortfall in supply of Poole Formation or River Terrace, that the site could meet or contribute to meeting?</a></li> <li data-bbox="629 1046 1458 1190">ii. <a href="#">Would developing an unallocated site have a negative impact, including unacceptable cumulative impacts, on a permitted or allocated site? The development of allocated or permitted sites should not be prejudiced by an unallocated site - particularly if the allocated and unallocated sites would both serve the same market.</a></li> <li data-bbox="629 1206 1458 1256">iii. <a href="#">Does development of the unallocated site provide environmental net gain as set out in the National Planning Policy Framework<sup>9</sup>, such as</a></li> </ul>		

<sup>7</sup> Paragraph 7.48, Minerals Strategy 2014

<sup>8</sup> Paragraph 7.50, Minerals Strategy 2014

<sup>9</sup> Paragraph 170 (d); National Planning Policy Framework (MHLG - July 2018)

New Modification Reference Number	Para/Policy	Change	Reason	Does the modification lead to LSE?
		<p><u>creation of significant areas of on-line wetland functionally linked to rivers in the catchment of Poole Harbour which would contribute to reducing nutrient levels within the European sites, creation of local wildlife areas/greenspace corridors which would contribute to the wider ecological network, restoration to heathland or other priority habitat, woodland creation.</u></p> <p>iv. <u>Is the mineral extraction from an unallocated site required as prior extraction in advance of built development which would sterilise mineral in the ground? Proposals for the prior extraction of minerals to allow strategically important non-mineral development could justify an unallocated site. The Minerals Strategy 2014 identifies a Mineral Safeguarding Area (MSA). The MPA will support prior extraction of mineral in advance of non-mineral development, (e.g. built development allocations coming forward through local plans) within the MSA subject to the safeguarding requirements as set out in Policies SG1, SG2 and SG3, and supporting text, of the Minerals Strategy 2014.</u></p> <p><u>In seeking to establish whether there has been a shortfall in supply, and the extent of the shortfall, the MPA will particularly focus on the findings of the Local Aggregates Assessment (LAA). Such a shortfall could result, for example, from one of the allocated sites proving to be undeliverable, or significantly increased sales for several consecutive years leading to a shortfall in provision within the life of the Plan.</u></p> <p><b><u>Unallocated Sites outside the Resource Blocks</u></b></p> <p><u>Points i-iv also apply to the proposed development of unallocated sites outside the Resource Blocks. Proposals for unallocated sites outside the resource blocks are likely to comprise land within an AONB, or other constrains such as environmental designations. In these cases exceptional circumstances would have to be demonstrated in line with the NPPF. Proposals for unallocated sites outside the Resource Blacks and the AONB are thought to be unlikely. However, if proposals come forward they will be judged on their merits and against all relevant policies in the Mineral Strategy and Mineral Sites Plan.</u></p>		

New Modification Reference Number	Para/Policy	Change	Reason	Does the modification lead to LSE?
		<p><u>All unallocated sites</u></p> <p><u>All sites being considered through this policy will undergo a robust assessment, taking account of a range of factors including geographical location and proximity to the market. Although the Resource Blocks predominantly exclude AONB designated land, there are some limited areas of overlap. If any unallocated site (either within or outside of the Resource Blocks) is within an AONB, the necessary tests as set out in the National Planning Policy Framework<sup>10</sup> must be applied. Development proposals within these areas should also comply with the requirements of Policy DM4 of the Minerals Strategy 2014.</u></p> <p><u>Unallocated sites can only be developed if it can be demonstrated that there will be no adverse effects on the integrity of European and Ramsar sites. Such effects are fully discussed in Policy DM5 of the Minerals Strategy 2014 and the supporting text of that policy, which should be read in conjunction with this Plan.</u></p> <p><u>Any unallocated site proposed for development through Policy MS-2 which is within any Aerodrome Safeguarding Area as defined on the Policies Map will be required to undergo an Aviation Impact Assessment in consultation with the relevant airport.</u></p>		
<p><b>MM12.1</b> <i>(shown as an AM in the November version)</i></p>	<p>Policy MS-3 Swanworth Quarry Extension</p>	<p>Amend second paragraph of policy and add additional paragraph following second paragraph as follows:</p> <p>‘Any proposal for the development of this allocation must address the development <del>considerations</del> <b>guidelines</b> set out for the site in Appendix A, with particular emphasis on landscape and visual impacts on the Area of Outstanding Natural Beauty as well as any other matters relevant to the development of the allocation, and demonstrate that any adverse impacts will be mitigated to the satisfaction of the Mineral Planning Authority.</p> <p><b><u>Should the proposed development result in adverse landscape and visual impacts that cannot be avoided or adequately mitigated, compensatory environmental enhancements will be required to offset the residual landscape and visual impacts.</u></b>’</p>	<p>Modification recommended by statutory consultee.</p>	<p>No, this modification strengthens the Plan by clarifying the need for compensatory environmental enhancements if there are landscape and visual impacts. These enhancements may help protect the European sites.</p>

<sup>10</sup> National Planning Policy Framework, paragraph 172 (July 2018; Ministry of Housing, Communities and Local Government)

New Modification Reference Number	Para/Policy	Change	Reason	Does the modification lead to LSE?
MM 14	New paragraph after 3.57	<p>Insert new paragraph following 3.57 as follows;</p> <p>3.57 Policy MS-65 below sets out the new allocations, to assist in maintaining the supply of stone. Proposals to develop these allocations should demonstrate that there will be no adverse effects on the integrity of European and Ramsar sites. These effects are fully discussed in Policy DM5 of the Bournemouth, Dorset and Poole Minerals Strategy 2014 and the supporting text of that policy, which should be read in conjunction with this Plan.</p> <p><u>A number of the existing Purbeck Stone sites, including service yards, lie in close proximity to one another. There is a potential for cumulative impacts with the development of the allocations identified through this Plan. Most of the allocations are extensions of existing sites, reducing the potential for cumulative impacts as they are developed. However, the issue of cumulative impacts must be carefully considered as part of the detailed assessment associated with a planning application for any of these allocations, and appropriate mitigation identified and implemented.</u></p>	<p>To acknowledge the potential for cumulative impacts associated with the development of Purbeck Stone allocations, and to ensure that these are carefully considered and appropriately mitigated.</p> <p>Amendments following discussion at the Hearings.</p>	<p>No – the modification provides additional protection for European sites.</p>
MM 15	Policy MS6: Sites for the provision of Purbeck Stone	<p>Amend Policy as follows:</p> <p><b>Policy MS-65: Sites for the provision of Purbeck Stone</b></p> <p>An adequate and steady supply of Purbeck Stone will be maintained through a combination of the following:</p> <ol style="list-style-type: none"> <li>1. The continued provision of stone from <del>the</del> remaining permitted reserves; <ul style="list-style-type: none"> <li>a. <del>Downs Quarry, Worth Matravers</del></li> <li>b. <del>South Downs Quarry, Worth Matravers</del></li> <li>c. <del>Quarry 4, Acton, Langton Matravers</del></li> </ul> </li> </ol>	<p>To remove list of current permitted sites as this dates the Plan. Up to date information is provided through the councils monitoring report.</p> <p>PK15 Downs Quarry Extension and PK21 Gallows Gore are no longer proposed to be allocated through the Mineral Sites Plan.</p> <p>Policy number amended to reflect removal of Policy MS-5.</p>	<p>No – the modification provides additional protection for European sites.</p>



New Modification Reference Number	Para/Policy	Change	Reason	Does the modification lead to LSE?
		<p><del>d. Landers and Fratton Quarry, Worth Matravers</del></p> <p><del>e. Belle Vue Quarry, Swanage</del></p> <p><del>f. Southard Quarry, Swanage</del></p> <p><del>g. St. Aldhelm's Quarry, Worth Matravers</del></p> <p><del>h. California Quarry, Swanage</del></p> <p><del>i. Blacklands Quarry, Langton Matravers</del></p> <p><del>j. Keates Quarry, Langton Matravers</del></p> <p><del>k. Homefield 1, Langton Matravers</del></p> <p><del>l. Homefield 2, Langton Matravers</del></p> <p>2. The provision of stone from the following allocations of new sites and extensions to existing sites, provided that the applicant can in each case demonstrate that the proposal is in accordance with the development plan:</p> <p>a. Blacklands Quarry Extension, Langton Matravers (PK-02 - see Submission Policies Map - Inset 16)</p> <p>b. Southard Quarry, Swanage (PK-10 - see Submission Policies Map - Inset 18)</p> <p><del>c. Downs Quarry Extension, Langton Matravers (PK-15 - see Submission Policies Map - Inset 12)</del></p>		

New Modification Reference Number	Para/Policy	Change	Reason	Does the modification lead to LSE?
		<p>d. Home Field, Acton (PK-17 - see Submission Policies Map - Inset 15)</p> <p>e. Quarry 4 Extension, Acton (PK-18 - see Submission Policies Map - Inset 17)</p> <p>f. Broadmead Field, Langton Matravers (PK-19 - see Submission Policies Map - Inset 14)</p> <p>g. <del>Gallows Gore, Harman's Cross (PK-21 - see Submission Policies Map - Inset 13)</del></p> <p>Any proposals for the development of these allocations must address the development guidelines set out for each site in Appendix A, with particular emphasis on landscape and visual impacts on the Area of Outstanding Natural Beauty, as well as any other matters relevant to the development of the allocations, and demonstrate that any adverse impacts, <u>including cumulative impacts</u>, will be mitigated to the satisfaction of the Mineral Planning Authority.'</p> <p><i>NB: Consequential change to Submission Policies Map and Inset Map showing allocated sites:</i></p>		
MM 19	Policy MS-8	<p>Add new criterion vii as follows:</p> <p><b>Policy MS-<del>8</del>-7: Puddletown Road Area Policy</b></p> <p>vii. <u>'provide landowners/developers with the opportunity to cooperate over the detailed design and implementation of restoration and /or future development proposals'</u></p>	<p>Following consultation response.</p> <p>Policy number amended to reflect removal of Policy MS-5.</p>	<p>No – the modification strengthens the plan by encouraging co-ordinated restoration of heathland sites.</p>

New Modification Reference Number	Para/Policy	Change	Reason	Does the modification lead to LSE?
MM 39	Appendix A: Site Allocations – AS06: Great Plantation. Development Guidelines - section titled 'Restoration Vision'	<p><b>Add additional paragraph to follow second paragraph, as follows:</b></p> <p><u>'This site also lies within the boundary of the Puddletown Road Area, Policy MS-8. A long term and coordinated approach to development, restoration and management will be sought within this area.'</u></p>	To ensure that restoration meets is consistent with the aims of Policy MS8, as discussed at the hearings.	No – the modification strengthens the plan by encouraging co-ordinated restoration of heathland sites.
MM 74	Appendix A: Site Allocations PK16: Swanworth Quarry Extension Development Guidelines section titled 'Restoration Vision'	<p>Add additional wording and amend as follows:</p> <p><b>'Restoration Vision</b></p> <p><u>The site is proposed for restoration to the current agricultural (grazing) use at current ground level, including integrating limestone pasture of conservation interest (e.g. species-rich limestone pasture). In addition, some areas should be left to naturally revegetate.</u></p> <p>The protection, retention and enhancement of historic field patterns is important and linking in with adjacent limestone grasslands where possible is also a key objective to create large scale grazing units within the network of small fields. <del>A key part of this will be</del> <u>Where appropriate,</u> native hedgerow <del>and copse</del> retention/protection <del>and/or planting</del> and the conservation and enhancement of existing local limestone stonewalls <u>should be considered</u>. The appropriate reuse/restoration of any site buildings, in particular which contribute to the agricultural after use and help conserve character, needs to be considered.</p> <p><u>Given the high sensitivity of this site, the MPA will require the timely restoration and aftercare of the site to the proposed after-use - restoration to agriculture at original ground level - in a phased manner at the earliest opportunity.</u></p> <p>Opportunities to contribute to and link/extend with existing rights of way networks need to be explored. Nature conservation after use, integrating semi-natural grasslands, is a key element of the vision.'</p>	<p>To clarify and correct details of the restoration vision.</p> <p>To ensure prompt restoration</p>	No, the modification strengthens the Plan by proposing restoration to limestone grassland.

New Modification Reference Number	Para/Policy	Change	Reason	Does the modification lead to LSE?
MM 81	Appendix A: Site Allocations  PK02: Blacklands  Development Guidelines	Add new development guideline as follows:  <u>'Cumulative Impacts</u>  <u>This site is clustered with other existing and allocated Purbeck Stone quarries. The potential for cumulative impacts, together with opportunities for minimising any such cumulative impacts, must be taken into consideration.'</u>	To mitigate against cumulative impacts, as discussed at the hearings.	No, the modification strengthens the Plan by requiring consideration of cumulative impacts
MM 82	Appendix A: Site Allocations  PK02: Blacklands  Development Guidelines – Restoration Vision	Amend last sentence and add additional sentence as follows:  <u>'Nature conservation after-use, <del>integrating semi-natural grasslands comprising unimproved limestone grassland</del>, is a key element of this vision. Consideration should be given to the provision of bat roosts.'</u>	To ensure biodiversity benefit, as discussed at the hearing.	No, the modification strengthens the Plan by proposing restoration to limestone grassland
MM 84	Appendix A: Site Allocations  PK10: Southard  Development Guidelines – Restoration Vision	Amend last sentence and add additional sentence as follows:  <u>'Nature conservation after-use, <del>integrating semi-natural grasslands comprising unimproved limestone grassland</del>, is a key element of this vision. Consideration should be given to the provision of bat roosts.'</u>	To ensure biodiversity benefit	No, the modification strengthens the Plan by proposing restoration to limestone grassland
MM 86	Appendix A: Site Allocations –  PK17: Home Field	Add new development guideline as follows:  <u>'Cumulative Impacts</u>	To mitigate against cumulative impacts	No, the modification strengthens the Plan by requiring consideration of cumulative impacts

New Modification Reference Number	Para/Policy	Change	Reason	Does the modification lead to LSE?
	Development Guidelines – new section titled ‘Cumulative Impacts’	<u>This site is clustered with other existing and allocated Purbeck Stone quarries. The potential for cumulative impacts, together with opportunities for minimising any such cumulative impacts, must be taken into consideration.’</u>		
MM 87	Appendix A: Site Allocations – PK17: Home Field Development Guidelines – Restoration Vision	Amend last sentence and add additional sentence as follows: ‘Nature conservation after-use, <del>integrating semi-natural grasslands comprising unimproved limestone grassland</del> , is a key element of this vision. <u>Consideration should be given to the provision of bat roosts.’</u>	To ensure biodiversity benefit	No, the modification strengthens the Plan by proposing restoration to limestone grassland
MM 88	Appendix A: Site Allocations – PK18: Quarry 4 Development Guidelines – new titled ‘Cumulative Impacts’	Add new development guideline as follows: <b>‘Cumulative Impacts</b> <u>This site is clustered with other existing and allocated Purbeck Stone quarries. The potential for cumulative impacts, together with opportunities for minimising any such cumulative impacts, must be taken into consideration.’</u>	To mitigate against cumulative impacts	No, the modification strengthens the Plan by requiring consideration of cumulative impacts
MM 89	Appendix A: Site Allocations – PK18: Quarry 4 Development Guidelines –	Amend last sentence and add additional sentence as follows: ‘Nature conservation after-use, <del>integrating semi-natural grasslands comprising unimproved limestone grassland</del> , is a key element of this vision. <u>Consideration should be given to the provision of bat roosts.’</u>	To ensure biodiversity benefit	No, the modification strengthens the Plan by proposing restoration to limestone grassland

New Modification Reference Number	Para/Policy	Change	Reason	Does the modification lead to LSE?
	Restoration Vision			
MM 92	Development Guidelines – new tiled ‘Cumulative Impacts’	<p>Add new development guideline as follows:</p> <p><b><u>‘Cumulative Impacts</u></b></p> <p><u>This site is clustered with other existing and allocated Purbeck Stone quarries. The potential for cumulative impacts, together with opportunities for minimising any such cumulative impacts, must be taken into consideration.’</u></p>	To mitigate against cumulative impacts	No, the modification strengthens the Plan by requiring consideration of cumulative impacts
MM 93	Development Guidelines – Restoration Vision	<p>Amend last sentence and add additional sentence as follows:</p> <p>‘Nature conservation after-use, <del>integrating semi-natural grasslands comprising unimproved limestone grassland</del>, is a key element of this vision. The creation of a new suitably sited pond that is suitable for use by Great Crested Newts and other freshwater wildlife is supported. <u>Consideration should be given to the provision of bat roosts.’</u></p>	To ensure biodiversity benefit	No, the modification strengthens the Plan by proposing restoration to limestone grassland

## **7. Conclusions**

This assessment is presented by Dorset Council as the Competent Authority in accordance with requirements under Reg 105 of the Conservation of Habitats and Species Regulations, 2017, and Article 6(3) of the Habitats Directive.

It is concluded that the Mineral Sites Plan modifications will lead to a range of effects on European and Ramsar sites, from Likely Significant Effects to positive enhancements. Those modifications leading to Likely Significant Effect are further considered in an Appropriate Assessment, presented in section 5 of this document.

The necessary mitigation (in the form of existing Plan wording or new wording proposed through the modifications), when taken into account as part of the Appropriate Assessment, enables the conclusion that the modifications will not lead to an adverse effect on the integrity of the relevant European and Ramsar sites, either individually or in combination with other plans or projects.