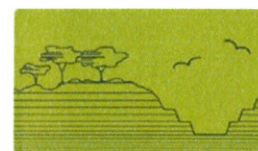
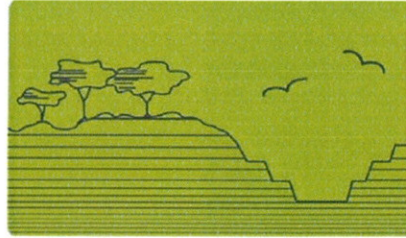


Assessment of the likely planning constraints to quarrying of sand and gravel on land at Crossways in West Dorset

**Land & Mineral
Management Ltd
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AN ASSESSMENT OF THE LIKELY PLANNING CONSTRAINTS TO QUARRYING OF SAND AND GRAVEL ON LAND AT CROSSWAYS IN WEST DORSET

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1.0 Introduction

- 1.1 Land & Mineral Management Ltd has been commissioned by Pro Vision Planning & Design, on behalf of its client Major General Bond, to undertake an assessment of the feasibility of mineral extraction on land in his ownership (which we refer to as "the General's land") in the village of Crossways, Dorset, which falls within a proposed Minerals Safeguarding Area, but which is also allocated for residential and community development.
- 1.2 The General's land, which comprises an area of 35.5 ha, is located south of Warmwell Road either side of the Village Hall and the Hybris Business Park as shown on Figure 1.

Figure 1: Location of area for assessment at Crossways, West Dorset



- 1.2 Paragraph 142 of the National Planning Policy Framework (NPPF) recognises that it is important to secure the long term conservation of finite mineral resources. The NPPF advises local authorities to identify Mineral Safeguarding Areas and adopt policies to ensure that known mineral deposits are not needlessly sterilised by non-mineral development. However in paragraph 143, the NPPF also advises that these policies should be written so as not to create a presumption that the mineral resource will be worked. Prior extraction of known minerals may be appropriate where practicable and environmentally feasible if it is necessary for non-mineral development to take place.



1.3 The purpose of this assessment is to confirm whether or not the use of the General's land for non-mineral development would, contrary to policy, either sterilise the underlying sand and gravel or hinder future mineral development on adjoining land. It is concluded that a large part of the General's land is unsuitable for mineral extraction and non-mineral development could be achieved without compromising mineral safeguarding policies. Further investigation would be required to check the economic viability of sand and gravel extraction in the eastern and southern part of the General's land that is proposed to be allocated for development.

1.4 In undertaking the assessment we have, for comparison purposes, also reviewed the suitability of land to the north of Crossways for development . These areas of land (shown as Areas 1 and 2 on Figure 2) which like the General's land, are identified both as Minerals Safeguarding Areas and allocated for residential and community development, could compete directly for development use with the General's land. It is concluded that this land may be suitable for development but to develop the land before the completion of Woodsford Gravel Pit in about 15 years' time may be regarded as premature.

Figure 2: Land allocated for residential and community development in Crossways



2.0 Relevant Planning Policy Documents

2.1 The National Planning Policy Framework (NPPF) was published in March 2012 and forms the key overarching policy guidance for England, replacing many other policy documents, including Mineral Policy Statements.

2.2 The relevant local planning policy documents are:

- West Dorset District Local Plan (Adopted 2006) - West Dorset District Council is currently preparing a Local Development Framework (LDF) in conjunction with Weymouth & Portland Borough Council. The majority of policies within the adopted Local Plan have been saved (by a direction from the Government Office for the South West) until the new LDF is adopted.
- The West Dorset District Council and Weymouth & Portland Borough Council Pre-Submission Draft Local Plan (July 2012). In 2011, the elected Members of West Dorset District Council and Weymouth & Portland Borough Council decided to prepare a joint Local Plan covering the two local authority areas. The Pre-Submission Draft Local Plan was issued for public consultation in June and July 2012. Following this a period of public consultation was held on a range of Alternative Sites submitted by landowners during that consultation period. The Borough and District Councils expect that the draft Local Plan will be presented to Councillors in early 2013 with a public examination of the Plan being held in the summer of 2013 and adopted in early 2014. When adopted the new Local Plan will replace the two Councils' existing adopted Local Plans.
- Dorset Minerals and Waste Local Plan (adopted 1999). Minerals policies within the Minerals and Waste Local Plan have been saved until they are superseded by new minerals and waste development plan documents.
- The Bournemouth, Dorset and Poole Minerals Core Strategy Pre-Submission Draft (hereafter referred to as the *Minerals Core Strategy*). This document was published on the 6th July 2012 and was open for public consultation until 28th September 2012. It is anticipated that this



document will be submitted for independent examination in April 2013, with adoption expected in November 2013.

- The Bournemouth, Dorset and Poole Minerals Site Allocation Document (MSAD). This document was published for public consultation between October and December 2008. It is intended that this document will identify the individual sites required to source Dorset's minerals allocation until 2026. At present the planning authorities are concentrating resources on producing the Minerals Core Strategy. The publication of the pre-submission draft of the MSAD is not anticipated until September 2013¹ with independent examination and adopted anticipated respectively in July and December of that year.

¹ Dorset County Council's Minerals and Waste Development Scheme 2012-2015
<http://www.dorsetforyou.com/media.jsp?mediaid=174402&filetype=pdf>



3.0 Planning Policy Background

- 3.1 The land under consideration in this assessment falls outside the development boundary for Crossways, as illustrated in the Proposals Map for the West Dorset District Local Plan (adopted 2006). However, the three sites make up part of the area identified for development by **Policy CRS1 Land at Crossways** of the West Dorset District Council and Weymouth & Portland Borough Council Pre-Submission Draft Local Plan. A copy of the proposals inset map for this policy is illustrated here in Figure 1 Appendix 2.
- 3.2 Policy CRS1 states that Crossways will have a "significant level of growth over the plan period" which will include "at least 7.2ha of employment land and between 1,200 to 1,500 new homes". The Draft Plan indicates that all of the identified housing would be located on the three sites that are the subject of this review. The map accompanying this Policy is presented within Appendix 2 of this document.
- 3.3 The sites also fall partly within a Minerals Consultation Area defined by **Policy 7 Safeguarding Resources and Facilities** of the current Dorset Minerals and Waste Local Plan (adopted 1999). This policy requires that to avoid sterilising finite mineral resources, the mineral planning authority is consulted on all applications, other than minor applications, received by the District Planning Authorities within this area.
- 3.4 In addition, the three sites fall within the Minerals Safeguarding Area identified within **Policy SG1 Mineral Safeguarding Area** of the Minerals Core Strategy. This document was published on the 6th July 2012 and was open for public consultation until 28th September 2012. The policy states that;

The Mineral Planning Authority will resist proposals for non-mineral development within the Mineral Safeguarding Area as shown on the Submissions Policies Map unless it can be demonstrated that the sterilisation of proven mineral resources will not occur as a result of the development, and that development would not pose a serious hindrance to future mineral development in the vicinity."



A copy of the Submissions Policies Map is included within Appendix 2 of this report.

- 3.5 The Minerals Core Strategy specifically recognises this potential conflict² stating that *"Potential conflict with safeguarded land exists in the West Dorset District Council area. Their Strategic Housing Land Availability Assessment (SHLAA) identifies a number of major sites which could potentially conflict with mineral bearing land. However, it is likely that any conflict could be overcome."*
- 3.6 West Dorset District Council's (WDDC) consultation response to the Minerals Core Strategy highlighted concerns relating to Policy SG1, specifically about the extent of the Mineral Safeguarding Area proposed in the Minerals Core Strategy, with particular reference to the strategic allocation at Crossways.
- 3.7 Concerns related to the fact that the safeguarded area was drawn tight with development boundaries and had *"the potential to undermine delivery of infrastructure and landscaping associated with development sites...rural employment sites and community facilities on the edge of settlements..."*. In addition WDDC were concerned that *"Putting the onus on the applicant of any scale of development to demonstrate that the sterilisation of proven mineral resources will not occur as a result of the development, and to demonstrate that that the development would not pose a serious hindrance to future mineral development in the vicinity, is likely to undermine the delivery of these sites"*
- 3.8 WDDC suggested that policy SG1 be changed so that the safeguarded areas be reduced and that the policy only be applied to development over a certain scale. In addition, that the policy will be withdrawn if/when sufficient sites are allocated in the Minerals Sites Allocations Document.
- 3.9 None of the three sites considered here are identified within the Dorset Minerals Site Allocation Document (MSAD). This document was published for public consultation between October and December 2008. Only one site in Crossways was included within the MSAD, that being land to the east of the

² In Table 2 Relevant Local Development Frameworks Within Dorset (page 15)



village, south of the existing Moreton Pit. This site is contiguous to an area which had previously been worked for gravel and has been restored following the disposal of inert waste. The fact that none of the three sites have been proposed for mineral extraction may indicate that the mineral industry considers them to be problematical, because of their location or for other reasons, and has no interest in pursuing them.

- 3.10 The national policy context as set out in the NPPF (paragraph 142) recognises that minerals are essential to support sustainable economic growth and that minerals are a finite resource and can only be worked where they are found. Local planning authorities should define Minerals Safeguarding Areas and should ensure that known locations of mineral resources of local and national importance are not-needlessly sterilised by non-mineral development. However this should not create a presumption that the defined resources will be worked.
- 3.11 However, paragraph 22 of the NPPF states that *"planning policies should avoid the long-term protection of sites allocated for employment use where there is no reasonable prospect of a site being used for that purpose...Where there is no reasonable prospect of a site being used for the allocated employment use, applications for alternative uses of land or buildings should be treated on their merits having regard to ...the relative need for different land uses to support sustainable local communities"*.

