

**DORSET COUNTY COUNCIL, BOURNEMOUTH BOROUGH COUNCIL
AND BOROUGH OF POOLE MINERAL SITES PLAN (“the MSP”)**

**NOTE ON ADDENDUM SA AND THE TRAFFIC
ASSESSMENT**

INTRODUCTION

1. This note deals with two interlinked topics:
 - (a) the Addendum Sustainability Appraisal (MSDCC-82) (“**the Addendum SA2**”);
and
 - (b) the two transport assessments which consider Cluster 4 (MSDCC 35 and 36)
2. Frome Residents Against Mineral Extraction (“**FRAME**”) made written and oral representations in respect of both the SA and the transport assessments.
3. In response to those submissions, the Minerals Planning Authority (“**MPA**”) undertook to carry out further screening work. The product of that exercise is the Addendum SA. This Note sets out FRAME’s position in respect of the Addendum SA.
4. In addition, the Inspector invited FRAME at the examination hearings to set out its position in respect of the transport assessments and the likely traffic levels over the MSP period. Accordingly, this Note deals with this as well.

PRELIMINARY MATTERS

5. As a preliminary matter, prior to considering the topics identified above, FRAME submits that the submissions made in this Note (together with any submissions made by other parties on the Addendum SA) should all form part of the material which is considered by the Inspector in assessing the soundness of the MSP.

6. FRAME is particularly troubled by the suggestion from the Programme Officer that such submissions are being considered only as part of a “*consultation*” run by the MPA, i.e. as consultation responses, not as submissions on the soundness of the MSP.
7. FRAME submit that this is not the appropriate approach in the circumstances. It is of course correct that the MPA should have regard to any submissions made (so as to inform their view as to whether modifications are needed to the MSP), but it is equally important that the submissions are considered by the Inspector in assessing the soundness of the MSP.
8. If the Inspector were not to consider such submissions, the process would be wholly unfair: the MPA would be producing further documentation, reaching judgments on the inclusion of sites and making proposals on modifications (if any), without any scrutiny or the opportunity for FRAME (and any other parties) to make representations to the Inspector on such matters.

ADDENDUM SA

9. There are four issues in respect of the Addendum SA:
 - (a) the veracity of the approach adopted;
 - (b) the veracity of the results;
 - (c) the effect of the results on the soundness of the allocations in cluster 4; and
 - (d) the effect of the results for the proposed DGs.
10. Each issue will be considered in turn.

(a) The veracity of the approach adopted

11. The Addendum SA is striking in its different format to the SA published prior to the Examination Hearings. In particular, it appears that the criteria led approach adopted in the SA has been abandoned in favour of a more structured approach in the Addendum SA. This is welcomed by FRAME in principle, but it simultaneously underlines the incomplete and unsound approach adopted in the SA in the first place.

12. Further, FRAME is specifically concerned about whether the Addendum SA has been informed by sufficient expert evidence in respect of cultural heritage matters.
13. The note from the MPA accompanying the Addendum SA (dated 15 October 2018) sets out a four stage approach:
 - “1. Reviewing what cumulative impact assessment has already been done*
 - 2. Considering subsequent evidence (including heritage assessment for individual sites) that has been prepared in support of the plan*
 - 3. Reviewing the results of the assessment*
 - 5. Recording the screening in the SA”*
14. On the basis of this approach, it is clear that the exercise undertaken by the MPA has not involved any new assessment or other evidence gathering. Rather, it has been limited to reviewing *“subsequent evidence (including heritage assessment for individual sites) that has been prepared in support of the plan”* and relying on that material in producing the Addendum SA.
15. FRAME submits that this approach is unsound in respect of cumulative cultural heritage matters because none of the Context 1 reports on heritage matters deal with cumulative impacts: to the contrary, Context 1 explicitly state that a cumulative assessment has not been undertaken. This is particularly the case in respect of archaeology which is only discussed in a cursory manner by Context 1. Further, save for the commentary of Dr Collcutt, there is no discussion of cumulative cultural heritage impacts in respect of any other party’s submissions. (And if Dr Collcutt’s evidence is to be relied on by the MPA, the only conclusion which can be reached is that the allocations are unsound as he explained in oral evidence.)
16. It follows that in respect of cultural heritage matters, the Addendum SA must be unsound – irrespective of its conclusions – because there is no evidence before the MPA on which an informed judgment may be reached.
17. The only alternative is that the MPA have undertake further heritage assessments. If this is the case, such assessments should be published in the examination library for public scrutiny and comment.

(b) The veracity of the results

18. Notwithstanding the submissions above on the veracity of the MPA's approach, FRAME make the following submissions in respect of the results recorded in the Addendum SA.
19. Firstly, in respect of all three sites, the Addendum SA includes new findings of potential adverse effects for biodiversity (see the entries in the column "*Is there a risk of likely significant effects?*") but none of these effects are transposed into the next column ("*If risk of LSE, what is the timescale?*"). As such, there is a total omission to assess the impact of those effects temporally; rather only the benefits are assessed further under the second column
20. FRAME submit that this omission is explicable either as an oversight or on the basis of a failure to assess the impacts fully. However, in either event the Addendum SA is misleading in a key respect. Further, where there is an identified loss of hedgerows and tree belts, this should be recorded as a permanent effect. In turn, this should carry significant weight in assessing the sustainability of the allocations.
21. Secondly, in respect of "*cultural heritage – archaeology/historic landscapes*" there is a clear relationship with the assessment of landscape impact, in particular in respect of the Valley of the Great Dairies and scheduled barrows. The impact in these terms will be permanent, irrespective of the restoration objectives which do not provide replication. As such it is a woeful underestimate to conclude that "*there may be some changes to the landscape but the open character of the landscape will be maintained*" – to the contrary, there will be changes, those changes will be permanent and the cultural heritage associations with the landscape will be permanently lost.
22. Thirdly, the Addendum SA highlights the "*potential for synergistic impacts if AS19 and AS26 were worked simultaneously*". This is addressed in the DGs by stating that "*Although both sites AS25 and AS26 are allocated for development, AS25 will be worked before AS26. This will allow AS19 to be worked while AS25 is being worked*" (see MM49/MM-AS19.2). However this mitigation will be wholly ineffective, because the DGs also provide that "*there will be no processing of mineral on AS 25*" (ibid) and as such, there will be a processing plant (and it is common ground that this will be of a large scale) complete with associated movements, amenity impacts (particularly noise), stock piling and possibly also silt lagoons, on AS26 throughout the lifetime of AS25.

As such, there will be a clear synergistic impact between AS19 and AS26 even if AS25 is worked first, which cannot be appropriately mitigated.

23. Fourthly, there remains no assessment of the impact on Sculpture by the Lake. This is wholly omitted from the Addendum SA, despite it being an issue which was raised in some detail during the Examination hearings. Further, even if it is said that the noted “*potential for synergistic impacts through noise affecting tranquillity across a wider area*” is intended to capture the impact on Sculpture by the Lake, it is incorrect to say that this impact can be addressed through the DGs because (as explained at the Examination hearings) the DGs do not refer to any proven mitigation which would be effective in respect of Sculpture by the Lake: to the contrary, the types of mitigation which have been discussed, including bunds and trees, are not effective in respect of noise, as explained in the British Standards.
24. Fifthly, in respect of the loss of BMV (as part of the assessment on soil), there is no evidence that this will be anything other than a permanent loss. In particular, there is no evidence that land after restoration will be BMV.
25. Sixthly, in respect of amenity impacts and human health:
 - (a) there is no assessment of the cumulative impact on the dwellings within AS19 itself which, on any view, cannot be mitigated or with respect to dwellings adjacent to AS26;
 - (b) again, reliance is placed on unproven mitigation in respect of noise; and
 - (c) the reliance on tree screening is ineffective in winter months and in any event, the distance to Tingleton and Pallington from AS26 and AS19 render such mitigation ineffective throughout the year.

(c) The effect of the results on the soundness

26. The overall picture which emerges from the Addendum SA is striking: save for the reference to decreased nitrate inputs, all of the additional assessment has revealed further harmful impacts which have not been previously assessed. One need only look at the number of red annotations to appreciate the scale of these new impacts; in

particular the fact that the new impacts have been assessed not only in respect of cultural heritage, but also in respect of every other receptor except “material assets”

27. However, despite this, the MPA have not proposed to remove any of the sites from the MSP. Indeed, there is no evidence that the MPA have undertaken a revised assessment of whether, with the benefit of a fuller picture, these sites should remain in the MSP; this is despite the fact that it is now clear that any earlier assessment was based on incomplete evidence and thus unsound.
28. Moreover, when one compares the findings of the Addendum SA, in particular in respect of cumulative impacts, to the earlier assessment of sites which were excluded from the MSP at an earlier stage – for example AS11 and AS24 – it is implausible to conclude that the benefit of bringing forward all of the sites in this cluster outweighs the identified harm. Rather, the picture which has emerged is one of severe cumulative impacts across the applied criteria.
29. It follows that FRAME’s primary submission that cluster 4 should not be included has been significantly strengthened by the Addendum SA.

(d) The effect of the results for the proposed DGs

30. Notwithstanding FRAME’s primary submission above, were any or all of the cluster 4 sites to be included within the MSP, FRAME submits that further modifications are required to the DGs. The role of the DGs is particularly acute, given the assessment of further impacts.
31. FRAME propose the following amendments:
 - (a) In respect of all sites, the DG “*there will no processing of mineral on AS25*” should be strengthened to include: “*there will be no processing of mineral, whether by way of fixed or mobile processing plant or otherwise, on AS25*”.
 - (b) In respect of AS19 and AS26, the DGs are amended to so that the phased working also includes a requirement for phased restoration. If a requirement for phased restoration is not included, it is insufficient to simply require phased working because the impacts from the previously worked areas will

persist (for example in landscape terms) and then cumulate with the later worked areas, rendering phasing ineffective.

- (c) In respect of all three sites, specific reference should be made to the retention of existing hedgerows and piecemeal working: both mitigations which are relied on in the assessment of parties other than FRAME but which are not reflected in the DGs.
- (d) In respect of AS25 and AS26, express mention should be made to the movement of minerals by conveyor belt. It was clear from the Examination hearing that it was only on this basis that harmful traffic movements between the sites could be avoided. There is no reason not to include such a DG.
- (e) In respect of AS25 the eastern boundary should be moved west in accordance with Context One's recommendation to reduce impact on Moreton Village and the Conservation Area.
- (f) In respect of AS26, mitigation in the form of a significant buffer should be made around Hurst Heath and an assessment conducted to ascertain the impact on the protected species Blue Lobelia of de-watering due to processing plant containment and subsequent quarrying.
- (g) There is recognition by MPA of impact on East Cottage and Lilac Cottage (both listed) but not Daisy Cottage and Woodleigh Cottage which have direct visibility over AS25 and therefore will suffer greatest impact. The same is true for Moreford Hall in south western corner of AS25. All properties need a buffer greater than 250m to mitigate loss of amenity and reduce the impact of noise and dust.
- (h) In respect of all sites, specific reference should be made to mitigating amenity harm, in particular noise, by seeking to eliminate noise at source, including through the use of radar activated reversing alarms, low noise excavator buckets, bulldozers with rubber tracks, the use of acoustic screens and the enclosing of noisy plant.

- (i) In respect of AS19 and AS26, there should be express reference to Sculpture by the Lake, requiring operations only to take place in winter months to preserve its tranquillity (as discussed in the Examination Hearing).
- (j) Similarly, in respect of AS26, it appears that the MPA have omitted to carry forward its own suggestion that the northern boundary is drawn back to provide further buffer with Sculpture by the Lake.

TRANSPORT ASSESSMENT

- 32. Both MSDCC 35 and MSDCC 36 are predicated on 5 scenarios. So far as relevant, scenario 4 (“SC4”) considers 2040 dwellings and scenario 5 (“SC5”) considers 2800 dwellings. These two scenarios represent the highest levels of growth considered in the assessments. It is noteworthy that no calculations are provided on how these growth figures were considered robust and suitable. Further, it is important to highlight that these figures are based solely on residential dwellings, not employment land.
- 33. FRAME’s position is that it is the traffic impacts in respect of SC5, i.e. the highest level of impact, which should be considered in assessing Cluster 4.
- 34. FRAME submits that the traffic levels will be in excess of 2114 homes on the following basis:

Location	Development
West Dorset Local Plan Review Preferred Options (August 2018)	
Land South of Warmwell Road	Outline planning permission for 401 dwellings and 2.5 hectares of employment land
Land South of Warmwell Road	Full planning permission for 99 dwellings
Land adjacent to Oaklands Park, Warmwell Road	49 dwellings and 8 commercial units
Land West of Frome Valley Road	Outline planning permission for 85 dwellings (Pending application for reconfigure layout increasing to 140 dwellings)
Land at Woodsford Fields	CRS5 preferred site - 275 dwellings
Land west of Crossways	CRS6 preferred site - 150 dwellings
Extant West Dorset DC permissions	

Beaumont Village, Silverlake	1000 dwellings
Purbeck Local Plan Review (January 2018)	
Redbridge Pit/Moreton Station	440 dwellings

35. The above developments total 2114 dwellings, in excess of SC4. As such, SC5 should be considered applicable, in particular because this number of dwellings will inevitably increase via windfall developments.
36. Importantly, this figure is the total number of dwellings and does not include any consideration of the additional movements resulting from the growth in employment land. This is also omitted in MSDCC 35 and MSDCC 36. Again, this is a clear indicator that SC5 is the most appropriate scenario.
37. Finally, FRAME (and, no doubt, the MSP) are aware of proposals by Woodford Farms for 4,000 homes at Crossways. It is understood that pre-application discussions are taking place at present. Clearly, even if only part of this proposal comes forward, the assessment in SC5 will be rendered superfluous and the traffic levels will dwarf those modelled.

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