

**Dorset County Council**



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**Meeting Date: 22 March 2018**

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### Item 6

**Application Nos WD/D/15/001057 and 1/E/2005/0742/AuC – Woodsford Farm, Woodsford, Dorchester**

#### Summary of late comments:

After publication of the report to the meeting scheduled for 01 March 2018, a further letter of representation was received from Historic England (dated 26 February 2018) noting that following review of the latest information including some modifications to mitigation measures, the concerns raised in the previous letter (August 2017) regarding impact on the setting of the grade I listed Woodsford Castle remain undiminished and that the contents of that letter still stands. The most recent letter further notes that Historic England continues to have concerns regarding the application on heritage grounds.

Historic England has since provided further clarification of their position noting that none of the additional information or revised environmental mitigation measures submitted subsequent to their letter of August 2017 are sufficient in their view to noticeably reduce, or compensate for, the harmful impact of the application on the setting of Woodsford Castle and that the type of amendment that would be meaningful to Historic England would be either a significant reduction in size of the extension to the quarry or the relocation of the extension to an area which is further away, rather than closer to, Woodsford Castle. It has further been stated that:

*“It is for your Authority to assess whether a clear and convincing justification for the harm has been made (e.g. there are not alternative, less harmful, ways of delivering the application’s mineral planning objectives), and if you consider that to be the case, that that public benefit (provided by achieving those objectives) clearly outweighs the harm to the setting of a grade I listed building in the overall planning balance.”*

Members may have received an emailed statement from Tony Meader of Knightsford Parish Council asserting that the Officer Report has responded adequately to very few of the Parish Council’s objections and alleging a series of failings including:

- failure to make positive contribution to conservation of heritage significance;
- failure to seek appropriate information;
- insufficient professional consultation;
- failure to make all reasonable efforts to avoid harm;
- failure to assess cumulative effects;
- failure to consider financial safeguarding of Listed Building;
- failure to assess alternatives based on Planning criteria;
- failure to recognise submitted photographic evidence;
- failure to recognise acknowledged harm as significant environmental effect;
- artificially narrow approach to issue of setting;
- officer-imposed changes without assessment of effects;
- reliance upon prior Planning process of unlawful nature;
- recommendation of *ultra vires* condition; and
- overall defective balancing exercise.

Members may also have received an emailed letter from the applicant's heritage consultant (Abby Bryant of Wessex Archaeology) commenting on her approach to the heritage impact assessment and noting that Historic England have stated that they believe the level of harm to the significance of Woodsford Castle arising from the new silt lagoon to be '*less than substantial*' and that Historic England's position remains that the Planning Authority should apply their duty to have special regard to the desirability of preserving the building and its setting. The letter further notes that Historic England have at no point recommended that planning permission should be refused.

Corrections/amendments to main body of report:

None. Officer's consider that the main material considerations have been adequately set out in the published report.

Corrections/amendments to planning conditions:

Amend proposed condition 15 (Archaeology) to read:

No development hereby permitted shall take place within that part of the application site to be developed for the proposed lagoons as shown on approved Drawing No. 14803 - 2500 - 001 Rev B (Sheet 1) until the implementation of a programme of archaeological works has been secured in accordance with a written scheme of investigation and a timetable for undertaking the investigation has been submitted to and approved in writing by the local planning authority. The archaeological works shall be undertaken in accordance with the approved written scheme and timetable. A written record of the archaeological works shall be submitted to the local planning authority within 3 months of the completion of any phase of the archaeological investigation unless an alternative timescale for submission of the report is first agreed in writing with the local planning authority. The written scheme of investigation shall include provision for:

- (i) a programme of archaeological fieldwork to be undertaken during the extraction period of the silt lagoons hereby permitted;
- (ii) a revised programme of archaeological fieldwork to be undertaken during any future extraction operations within the already authorised quarry area shown edged blue on approved Drawing No. WQSLP-5000-002 dated May 2015 and titled Site Location Plan;
- (iii) post-excavation work; and
- (iv) arrangements for publication of the results.

Provision shall be included within the programmes of archaeological fieldwork for evaluation work through test pitting and sieving to assess and model what (if any) Palaeolithic deposits are present.

#### Reason

To ensure appropriate recording of archaeological interest on the site and associated quarry having regard to Policies DM1 and DM7 of the adopted Bournemouth, Dorset and Poole Minerals Strategy and saved Policies 6 and 16 of the Dorset Minerals & Waste Local Plan.

Amend criterion (vi) of proposed condition 16 (Maximum Noise Levels – Routine Operations) to read:

- (iv) 48 dB LAeq 1 hour freefield when measured at Watermead Cottage monitoring location (reducing to 48 dB LAeq 1 hour freefield when measured at Watermead Cottage monitoring location following completion of the extraction operations and construction of the silt lagoons hereby permitted).

#### Corrections/amendments to Appendices:

None.

**No change to recommendation.**

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**Date: 20 March 2018**