



Regulatory Committee

Minutes of the meeting held at County Hall, Colliton Park,
Dorchester, DT1 1XJ on Thursday, 6 December 2018

Present:

Councillor David Jones (Chairman)
Councillor Ray Bryan (Vice-Chairman - for the meeting)
Councillors Jon Andrews, Shane Bartlett, Kevin Brookes, Jean Dunseith, Katharine Garcia, Jon Orrell and David Shortell.

Members Attending

Daryl Turner, County Councillor for Marshwood Vale for minutes 66 and 71.
Cherry Brooks, County Councillor for South Purbeck for minutes 65 and 70.
Janet Dover, County Councillor for Colehill East and Stapehill for minute 72.

Officers Attending

Maxine Bodell (Head of Planning / Economy, Planning and Transport Services Manager), Andrew Bradley (Project Engineer (Democratic)), Simon Butler (Project Team Manager), Phil Crowther (Senior Solicitor), Mike Garrity (County Planning, Minerals and Waste Team Leader), Rob Jefferies (Principal Planning Officer (Development Management)), Carol McKay (Definitive Map Technical Officer) Vanessa Penny (Definitive Map Team Manager), Denise Stubbs (Senior Technical Officer, Traffic Team (Democratic)) and David Northover (Senior Democratic Services Officer).

Public speakers

James Weld, The Weld Estate – minute 65.
Councillor Carole Matthews, West Lulworth Parish Council, local resident and business owner – minute 65.
Councillor Jon Davey, Chairman of West Lulworth Parish Council – minute 65.
Councillor Cheryl Reynolds, Lyme Regis Town Council – minute 66.
Lizzie Wiscombe, local resident – minute 66.
John Vine, applicant - Mineral Planning and Waste Recycling Manager, Imreys - minute 67.
Peter Cox, Director, AC Archaeology - minute 67.
Tim Kavanagh, local resident - minute 70.
Madeleine Hemsley, Rambler's Association, Purbeck Footpath Secretary – minute 70.

(Notes: These minutes have been prepared by officers as a record of the meeting and of any decisions reached. They are to be considered and confirmed at the next meeting of the Cabinet to be held on **Thursday, 24 January 2019**.)

Apologies for Absence

61 Apologies for absence were received from Councillors Keith Day and Margaret Phipps. Councillor Kevin Brookes attended as a Reserve Member.

In the absence of the Vice-Chairman, Margaret Phipps, it was

Resolved

That Councillor Ray Bryan be appointed as Vice-Chairman for the meeting.

Code of Conduct

62 There were no declarations by members of disclosable pecuniary interests under the Code of Conduct.

With reference to minute 68, a general interest was declared by Councillor Katharine

Garcia as her partner was a member of Bournemouth Borough Council's Planning Committee. Councillor Garcia confirmed that they had not discussed this proposal and so she remained in the meeting and took part in the debate.

With reference to minute 68, a general interest was declared by Councillor Ray Bryan in that he served as a member of the A338 Steering Group in his capacity as an East Dorset District Councillor. Councillor Bryan confirmed that he retained an open mind on the proposal and so remained in the meeting and took part in the debate.

With reference to minute 71, a general interest was declared by Councillor Shane Bartlett in that he served as a member of the East Dorset District Council Planning Committee as a Wimborne Minster Town Councillor but had played no part in any discussion on this matter. As Councillor Bartlett had an open mind he remained in the meeting and took part in the debate.

Minutes

63 The minutes of the meeting held on 18 October 2018 were confirmed and signed.

Public Participation

64 Public Speaking

There were no public questions received at the meeting in accordance with Standing Order 21(1) other than those two raised by Tim Kavanagh in respect of minute 70 and referred to in the Statements from Third Parties.

There were no public statements received at the meeting in accordance with Standing Order 21(2) other than two submitted by Councillor Cheryl Reynolds and Ms Lizzie Wiscombe respectively in relation to minute 66 and as set out in the Statements from Third Parties to these minutes.

Petitions

There were no petitions received at the meeting in accordance with the County Council's Petition Scheme.

Traffic Matters

Proposed parking restrictions on the C8, West Road, West Lulworth

65 The Committee considered a report by the Service Director – Environment, Infrastructure and Economy on proposals to introduce no waiting at any time restrictions on the C8, West Road, West Lulworth; in extending those which already existed northwards to the junction with Daggars Gate and southwards to the junction with Church Road. This proposal was designed so as to facilitate access to the village more readily, ease congestion which was being experienced; improve the means by which traffic could more readily flow; and on safety grounds, particularly for those vulnerable road users accessing the road and to allow unfettered access for emergency service vehicles, as necessary. The proposals had been initiated by West Lulworth Parish Council who considered them to be necessary for the reasons given. Following the advertisement of the proposals, objections had been received and, as a consequence, the Committee was now being asked to consider whether the proposals should be implemented as advertised.

With the aid of a visual presentation, and having regard to the provisions of the Update Sheet and statements from third parties provided to members prior to the meeting, officers explained the reasoning behind the need to impose the waiting restrictions, what these entailed and the basis of the objections received. Photographs and plans were shown to the Committee by way of illustration. This

showed where the proposals would be situated, the characteristics of the road and its setting within the village. It also showed the relationship between the road and commercial and residential properties; where off street car parks operated by the Lulworth Estate were situated; what other opportunity there was for on street parking within the village and the effect congestion was having on access arrangements.

Objections received considered that the proposed arrangements would be detrimental to their parking needs and affect trade. However officers considered that the proposals were, on balance, the best achievable to meet competing needs and addressed the issues currently being experienced.

Primary consultation had been carried out on the proposals and was supported by the local County Councillor for South Purbeck, Purbeck District Council, West Lulworth Parish Council and the Dorset Police. There was an alternative view that any additional restrictions should be on a seasonal basis only, as much of the congestion being experienced only happened during the summer season. However, with ever increasing parking needs given the popularity of the village - owing primarily to its access to Lulworth Cove as a destination – maintaining accessibility was seen to be fundamental to the prosperity of the village and it was essential for emergency services to be able to gain access on every occasion needed.

However, objections received had cited the loss of much needed on road parking spaces as the reason why the proposals were not beneficial to either the business interests of the village nor on an individual basis in meeting residents own parking needs.

Officers acknowledged the contribution made by the Lulworth Estate towards the management of parking in the village; being critical to how off-street car parking could be managed throughout the village. This cooperation was much valued and could not be underestimated.

How parking needs should be assessed was seen to be a balanced choice; in what arrangements were considered to be the most beneficial. Whether there was a significant problem with access for emergency vehicles was seen to be somewhat debateable, but still needed to be given careful consideration.

The opportunity was provided for public speaking with the Committee first hearing from James Weld of the Weld Estate who welcomed what was being proposed as a means to manage the traffic being generated by what the village and Lulworth Cove had to offer. He considered the proposals would benefit residents and visitors alike and enable access to be more readily achieved. Congestion had been experienced in the recent past and this was detracting from the overall experience for visitors and inconveniencing residents. He confirmed that the Estate would continue to play its part in providing what parking was necessary and particularly now, to ensure that those displaced vehicles could be accommodated. He was confident that this could be achieved.

Carole Matthews, a local business owner and Parish councillor, considered the proposals not to be in the interests of the village and would adversely affect trade by the loss of on street parking provision and the ability to readily access the church. She said that double yellow lines on one side of the road would be acceptable, but not on both sides. Moreover, displaced traffic would create increased congestion in the centre of the village by motorists seeking alternative on street parking and cause accessibility issues to residential properties. The resultant decrease in parking options would be detrimental to the prosperity of the village and its vibrancy and disenfranchise residents.

Jon Davey, the Chairman of the Parish Council, considered the proposals to be

necessary and would complement what parking management already existed. There had been a significant increase in the number of visitors over the previous five years. He confirmed that the Parish Council had taken into consideration local opinion and had come to the view that the proposals, as advertised, would best meet the parking needs of the village. He acknowledged there to be sufficient car parking to deal with demand, provided that motorists were considerate in how they parked. However, this had not always been the case and had led to the need for the restrictions now proposed. It was essential that access was maintained for emergency vehicles and these proposals would serve to achieve that.

The County Councillor for South Purbeck, Cherry Brooks, was provided with the opportunity to address the Committee but was satisfied that her statement in Appendix 3 to the report set out her position clearly. Whilst she considered the proposals to be adequate as they stood, she thought that these would not necessarily solve all the parking issues being experienced.

The Committee were then provided with the opportunity to ask questions of the officer's presentation and about what they had heard and officer's provided clarification in respect of the points raised as necessary.

In asking what consideration had been given to some variation of the proposals to provide for waiting restrictions on the northern side of the road only, some members felt this compromise would go some way to satisfying the needs of all concerned. Officers confirmed that various alternative options had been explored but it was felt that these would not achieve all that was necessary and what was proposed was the only option agreed upon by all the primary consultees. Moreover, the Senior Solicitor confirmed that, should the Committee be minded to pursue an alternative option, there would be a need for the process to start afresh to allow for the necessary consultation on this.

Nevertheless, some members considered such a compromise to be a viable option in the circumstances, so a resolution was proposed and seconded on that basis, in that whilst there was concern about congestion on the road, there was a need to recognise the absence of alternative, suitable parking facilities.

Other members considered what was being proposed to be satisfactory in meeting the parking needs of the village and in addressing the issues being experienced. Whilst there was recognition that vehicles might well be displaced, there was felt to be adequate alternative provision to deal with this. On the basis of the alternative resolution, on being put to the vote, the proposal was lost.

Then, having considered the objections received and in being mindful of how displaced vehicles might be accommodated, the Committee considered that the proposed waiting restrictions were necessary to address the issues being experienced and were seen to be both reasonable and proportionate in achieving this. Given this, and taking into account the views of the primary consultees and, in particular, those of West Lulworth Parish Council - in being the best representation of local opinion, thought and will - on being put to the vote, it was decided that the proposals should be implemented, as advertised.

Recommended

That the Cabinet agree that the Traffic Regulation Order for extending the current waiting restrictions northwards and southwards on West Road (C8) at West Lulworth be introduced, as advertised.

Reason for Recommendation

To avoid danger to persons or other traffic using the road and preventing the likelihood of any such danger arising and for facilitating the passage on the road, of

any class of traffic, including pedestrians.

Proposed puffin crossing - Broad Street, Lyme Regis

66

The Committee considered a report by the Service Director Environment, Infrastructure and Economy on the advertisement of a proposal for the implementation of a Puffin pedestrian crossing on Broad Street, Lyme Regis in facilitating the crossing of the road by a controlled means. Following the advertisement of the proposals, 57 representations had been received, primarily objections, on the basis that the crossing would erode already limited on street limited parking provision; spaces which were much in demand for accessing the businesses in the town centre and also would cause tailbacks and congestion.

The proposed crossing had been requested by Lyme Regis Town Council following a local campaign for a safer crossing point to be installed, particularly for less able pedestrians and vulnerable road users. As primary consultees, West Dorset District Council, Dorset Police and the County Councillor for Marshwood Vale all agreed the proposals should be advertised. However, as a consequence of the objections received, the Committee was now being asked to consider whether the proposals should be recommended to Cabinet for implementation, as advertised.

With the aid of a visual presentation, and having regard to the provisions of the Update Sheet and Statements from Third Parties provided to members prior to the meeting and appended to these minutes, officers showed where the crossing was advertised to be sited, the characteristics and configuration of Broad Street; what access arrangements were affected on the surrounding road network; what parking could be retained, including disabled parking provision; the part the bus stop arrangements played in how parking provision was able to be managed in the road; the setting of the crossing within the townscape and what amenities and facilities would be served by the crossing. Officers also explained what other options had been considered for alternative locations and what reasons there were for these being deemed to be either unachievable or impractical. Effectively the only point at which a crossing could be situated to meet the needs of users and in meeting the engineering practicalities of doing so to ensure the necessary regulations were complied with was adjacent to No.20 Broad Street.

Having received such a significant number of objections to the proposal, and having made an assessment of the benefits and otherwise of pursuing the proposals, officers were now recommending that in light of the objections, whilst a crossing could well be beneficial to pedestrians, those benefits were considered to be outweighed by the loss of much needed on street parking, which could lead to an adverse effect on the viability of businesses and could result in increased air pollution from stationary traffic. Given that the availability of parking

provision was limited, the loss of 4/5 spaces to provide for the installation of a crossing, was considered to be detrimental and not necessarily justifiable. Furthermore as traffic speeds were low, whilst a crossing could well assist in some cases, it was not considered to be essential on road safety grounds. On that basis, officers were now recommending that the Cabinet should not support the introduction of the crossing.

The County Councillor for Marshwood Vale noted the assessment made by officers and the reasoning for coming to their recommendation. Whilst he was provided with the opportunity to address the Committee as local member, he declined as he wished to have the opportunity to do so at Cabinet.

The opportunity was provided for members of the public to address the Committee and they first heard from Cheryl Reynolds, Lyme Regis Town Councillor, who considered the crossing to be necessary and would prove to be advantageous for those more vulnerable road users, particularly those with mobility issues and those visiting during the busy summer season. She considered that more parking provision could be achieved by relocating the bus stop and that congestion and air quality concerns were not necessarily significant. She also made reference to a petition containing 600 signatories supporting these measures. (Officers understood this petition had been submitted to the Town Council and had played a part in that Council's original support).

Lizzie Wiscombe's views were expressed on her behalf by Councillor Reynolds, in explaining that as she had very limited visibility, a crossing would assist her invaluable and would be a beneficial asset to the town as a whole. As it stood, there was seemingly no recognition of what needs disabled or other vulnerable road users had and the installation of the crossing would go some considerable way to addressing this so that they were no longer disadvantaged. Given the lack of disabled parking spaces available, she too considered that the relocation of the bus stop could contribute to more spaces being identified. She said that traders often used the parking spaces and said that there had been five injuries, with one being serious, of people trying to cross Broad Street.

As part of their public participation, Cheryl Reynolds and Lizzie Wiscombe both submitted statements complementing their respective addresses to Committee; these being included as part of the statements of third Parties to these minutes.

The Committee were then provided with the opportunity to ask questions of the officer's presentation and about what they had heard and officer's provided clarification in respect of the points raised, as necessary.

The practicalities of siting the crossing elsewhere was discussed and the reasoning understood for why this had to be limited to being outside No.20. What provision had been made for minimising the loss of parking spaces was also recognised.

Some members were of the view that the officer's recommendation should be supported given the strength of local feeling following its advertisement and in supporting the viability of local businesses. It was suggested that other, uncontrolled crossing provision could be achievable, if at all practicable, and officers were asked to see what this might entail. However other members considered that the loss of parking was not as significant as claimed given the availability of three, off street car parks in the vicinity which could comfortably accommodate any displaced parking.

The Senior Solicitor confirmed that any decision taken had to be based on the proposals before members and that any alternative would require the process to start afresh and consulted upon accordingly.

A proposal was made, and seconded, not to make an Order based on the reasons given in the officer's report, but with a request for officers to look at other solutions to assist pedestrians, particularly the less able, to cross Broad Street.

Other members of the Committee were on the view that, on balance, the provision of a crossing and the benefits this brought in terms of road safety, assurance and accessibility, outweighed the loss of parking provision, particularly given the demographic profile of the town and visitors to it. There appeared to be little compelling evidence that air pollution would deteriorate significantly as a result or that congestion would worsen either.

Given this, the Committee considered that they had a responsibility to ensure that every opportunity was taken to improve road safety where practicable and that the introduction of a Puffin crossing would go some considerable way to achieving this. There was a recognition amongst members that the perception and judgement of some vulnerable road users in being able to cross a road safely and confidently varied considerably from those who were more able to do so. There should be an acknowledgement that any assistance that could be given in doing this should be taken.

The Committee also took the opportunity to address how the issue of the management of the bus stop arrangements might be achieved as a means of compensating for those spaces lost to the crossing's installation and in providing for more parking opportunities. This was referred to in paragraph 1.8 of the report, together with what progress had been made in that regard. Officers were asked to see how this might be achieved, if at all practicable, but should not be conditional on their recommendation being progressed.

Following this discussion, the original proposal was withdrawn by the proposer and seconder and a new proposal was made and seconded for a recommendation to Cabinet to proceed with the implementation of the crossing and a request for officers to look at providing additional on street parking elsewhere, for example, by moving the location of the bus stop.

Having heard what they had from those addressing the Committee, assessed the

options before them and in understanding the reasons for the officer's recommendation, on being put to the vote, the Committee considered, on balance, the crossing to be necessary on road safety grounds and that the benefits of providing a crossing to facilitate pedestrian movements by a controlled means outweighed the risk of any potential impacts on local businesses, from the loss of parking and loading provision or in a deterioration of air quality or worsening of congestion and that Cabinet be asked to endorse this recommendation on that basis.

Recommended

1). That having regard for the officer's recommendation and the reasons for that, the Cabinet be asked to support the provision of a Puffin pedestrian crossing for Broad Street, Lyme Regis, as advertised.

2). That Cabinet be asked to agree that consideration be given by officers to the possible relocation of the bus stop in Broad Street, if at all practicable, to provide for increased provision of limited waiting so as to compensate for that lost by the installation of the puffin crossing.

Reason for Recommendations

To facilitate pedestrian movements and benefit road safety in Broad Street and in contributing to the Corporate Aim and Outcomes of encouraging people to lead active lives and in maintaining their independence.

Adjournment / Intermission

The Committee took the opportunity to adjourn the meeting for a short intermission. At this point, Councillors Dunseith, Garcia and Orrell left the meeting.

Planning Matters

6/2018/0138 - Western Extension to develop land for the winning and working of Ball Clay, and ancillary operations at Trigon Pit, Carey Road, Wareham

67 The Committee considered a report by the Service Director Environment, Infrastructure and Economy on planning application 6/2018/0138 for a western extension in developing land for the winning and working of ball clay and ancillary operations at Trigon Pit, Carey Road, Wareham, this being necessary to form a new extraction area of 1.2 million tonnes of ball clay over a 15 year period, with the phased restoration of the site to wet heath, woodland and arable fields.

With the aid of a visual presentation, and in taking into consideration the provisions of the Update Sheet and the Statements from Third Parties appended to these minutes, officers described the proposals and planning issues in detail, what these entailed and what they were designed to achieve. A brief history of the site and its usage was also drawn to members' attention. Plans and photographs were used to show the characteristics of the site, its location and to describe how the quarrying operations would be progressed. The site's land form and its context within the surrounding landscape were shown, with views from within and around the site. The activities and operations proposed to be undertaken were described in detail by officers. Arrangements for the way in which the quarrying was to be phased and managed, its progression and the relationship between each phase were also described.

Similarly, the restoration process was described, so that a mixture of woodland, wetland and arable agricultural land would be created. Officers described the type of activities which were to take place on site; their relationship with the current quarrying operations; the site's setting within the landscape; the local highway network and access arrangements, (including the route of a public bridleway); and the topography and geology of the area, including the topography created by the previous minerals workings within the site and those created by the now ceased landfill operations and

how these would be managed and landscaped by these new workings. The proposal included the formation of three settlement lagoons that would be created at the southern end of the site.

How the National Planning Policy Framework (NPPF) was applied and what the Planning Assessment took into consideration in the weighting to be given to the Draft Minerals Strategy and the part this should play in the Committee's decision making process, was detailed in the report.

The relationship between the site – which lay in the Green Belt - and neighbouring land; residential properties; commercial amenities; environmentally designate areas - as set out in paragraph 2.5 to the report - and how Trigon Hill barrow scheduled monument would be affected, were all drawn to the attention of members.

Officers explained the need for this much valued and rare mineral to be won and worked, its nationally recognised importance in the ceramics industry and the quantities in which this would be excavated. The development of the site would make a significant contribution towards ensuring that the Mineral Planning Authority made provision for a steady and adequate supply of all grades of ball clay throughout the Minerals Plan period. Accordingly, the Committee recognised that such mineral could only be quarried where it was found.

The practicalities of excavation in and around the vicinity of the archaeological feature were drawn the attention of the Committee, particularly what mitigating factors were being considered in how the barrow was to be managed and its setting enhanced through the restoration process. Officers set out Historic England's suggestion that increasing the buffer around the barrow by 20 metres, the impact on the setting of the barrow would be significantly reduced. However officers explained that this suggestion had been put to the applicant who stated that it would result in the loss of approximately 120,000 tonnes of clay - a year's production - so officer's view was that the additional buffer would have a real impact on the quarry capacity, due to the shape and depth of the clay beds, the amount of overburden and the required batters, such that the benefit of the setting of the barrow was not outweighed by the loss of this important mineral.

Having given great weight to the conservation of this heritage asset, officers considered that the significant public benefits associated with the development would clearly and demonstrably outweigh the harm to the setting of the scheduled monument through the loss of the historic landscape and was therefore seen to accord with the relevant NPPF guidance. On that basis, the Committee were being asked to approve the officer's recommendation that planning permission be granted.

The consultation exercise had shown that Purbeck District Council, Wareham St. Martin Parish Council, the Environment Agency, Natural England and County Council officers all raised no objections to the application, subject to certain considerations, whilst Historic England objected in terms of the impact the quarrying would have on Trigon Barrow and had submitted representations to this effect.

The Committee then heard from public speakers, with John Vine, the Minerals Planning Manager at Imreys, explaining the economic importance of the mineral in there being a readily available supply; what employment opportunities it brought and how the operations and proposed mitigation would bring considerable environmental benefits. His view was that the proposal put by Historic England for a reduction in the quarrying around the tumulus would significantly affect the economics of the development and put the mitigation and restoration at risk. He therefore asked members to approve the application as proposed.

Peter Cox, Director of AC Archaeology, and advisor to Imreys on archaeological

matters spoke. Whilst the historic importance of Trigon Barrow was fully recognised, what was being proposed was designed to provide positive improvements to its setting with a sustainable management plan being proposed. His view was that the current setting of the barrow, including overgrown vegetation detracted from its significance and that Historic England had undervalued the proposed mitigation. In his view, this was wholly acceptable to the future management of the monument.

The Committee were then provided with the opportunity to ask questions of the officer's presentation and about what they had heard and officer's provided clarification in respect of the points raised as necessary. As part of this, the Committee took the opportunity for a short adjournment for officers to seek clarification from the applicant on a point of operational detail which, upon reconvening, was satisfactorily provided.

Officers confirmed that the view of Historic England that the extent of the workings around Trigon Barrow be reduced so that an extra 20 metre margin was maintained, would be impractical to the applicant. The configuration of the site and ball clay deposits meant that, what seemed to be a modest reduction, would have a significant economic impact in how viable the development was. It would significantly reduce the capacity for extraction at the deepest part of the workings with any perceived benefits to be gained, not outweighing the loss of minerals involved. Officers confirmed that the management plan proposed for the barrow was designed to improve the context of its setting and how well it could be observed.

Having had the opportunity to consider the merits of the application in detail and having had their questions answered satisfactorily, the Committee - having taken into consideration the officer's report and what they had heard at the meeting from the case officer, legal advisor and invited speakers - were satisfied in their understanding of what the proposals entailed and the assurances provided by officers in how the operations would be managed, having regard to the further submission from Historic England that had been circulated with the Update Sheet.

Given this, the Committee, in recognising that this mineral could only be worked where it was found; was of significant national value and importance and provided economic and employment benefits - which outweighed the harm to the setting of the barrow, and taking account of the proposed mitigation - agreed that planning permission should be granted subject to the conditions set out in the Service Director's report and taking into account the provisions of the Update Sheet and, on being put to the vote, it was

Resolved

That planning permission be granted subject to the conditions set out in paragraph 9.1 of the Service Director's report and having regard for the provisions of the Update Sheet in so far as being further amended, as may be considered appropriate by the Head of Planning, in the light of the suggestions of Historic England as set out in their letter of 4 December 2018.

Reason for Decision

As contained in paragraphs 6.67 to 6.73 of the Service Director's report and to meet the Corporate Plan 2017-19 aim and outcome of Economic Growth and that Dorset's economy was Prosperous.

PL\2363\18 - Delegation of powers to Bournemouth Borough Council for application to construct a grade separate junction and associated works on the A338 Wessex Way (Wessex Fields).

68 The Committee considered a report by the Head of Planning on

the proposed delegation of powers to Bournemouth Borough Council to enable them to decide a planning application for the development of a new road junction and associated works on the A338 Wessex Way to provide a link to the Wessex Fields Business Park and the Royal Bournemouth Hospital (Application No 8/18/3149/DCC).

Bournemouth Borough Council and Dorset County Council, as joint planning applicants, had resubmitted proposals to both Bournemouth Borough Council and Dorset County Council which sought permission for a new road junction on the A338. This was as a consequence of some amendments being made to the original proposal which warranted a fresh application being submitted. The previous application had now been withdrawn. Officers confirmed that this did not alter the purpose or substantive details of the original scheme but, in accordance with delegation procedures, the County Council would again need to formally delegate its powers to Bournemouth Borough Council to determine the resubmitted application.

Members were reminded that when this matter had previously been considered at their meeting on 4 January 2018, the decision to delegate the determination of the application to Bournemouth was made by the County Council. However, as the next opportunity for the County Council to meet was not until 28 March 2019 - which would delay the consideration of this strategically important infrastructure project - it was now proposed that the matter instead be referred to the Chief Executive who, under delegated authority, had power to authorise the delegation to Bournemouth Borough Council, in cases of urgency.

Accordingly, consistent with the approach that was taken previously, an endorsement of the principle from the Committee was now being sought before the Chief Executive was asked to consider the matter.

A visual presentation explained what the application was about - made jointly by the Borough Council and the County Council - showing the road scheme's delineation; its reasoning; what it was designed to achieve; what benefits it would bring and how it would be implemented. The characteristics of the scheme were drawn to the Committee's attention and what considerations would need to be assessed as part of the process. The substantive part of the application lay within Bournemouth Borough Council's administrative area, with only a marginal proportion being located within the County's area - this being within the Borough of Christchurch.

The necessity for improvements to be made to traffic management across the network in that area, the means by which this should be done and the benefits this would bring had been acknowledged previously by Committee. The permission being sought was an important part of a package of proposals designed to promote economic growth along the Bournemouth International Airport Corridor to relieve congestion, improve traffic management and access arrangements to the hospital and the adjoining business park development. The Committee were then provided with the opportunity to ask questions of the

officer's presentation and about what they had heard and officer's provided clarification in respect of the points raised as necessary.

The Chairman also took the opportunity to explain that, whilst he had been asked by officers if the matter could be reported directly to the Chief Executive, he had decided that, in the circumstances and given the significance of the application, the Committee should be given the opportunity to decide on how the matter should be progressed.

Recommended

That Regulatory Committee advises the Chief Executive that it supports the proposal to delegate the planning application for a new road junction on the A338 at Wessex Field to Bournemouth Borough Council to determine.

Reason for Recommendation

To avoid duplication of work and to reduce the potential risk of a legal challenge arising from two different planning authorities interpreting and carrying out planning procedures in a slightly different way.

Acknowledgements

69 Given that this would be the final meeting attended by the Economy, Planning and Transport Service Manager, Maxine Bodell, before her retirement from the County Council, the Chairman took the opportunity, on behalf of the Committee to wish her every happiness and success for the future and thanked her for the contribution she had made to the work of the Committee over the years.

The same recognition was afforded to the Principal Planning Officer, Christopher Stokes, who too was retiring and who had served the Committee dutifully in past years.

Definitive Map Modification Orders

Proposed Definitive Map and Statement Modification Order - Footpath 30 at Charmswell, Church Knowle

70 The Committee considered a report by the Service Director - Environment Infrastructure and Economy on a proposed Definitive Map and Statement Modification Order for Footpath 30 at Charmswell, Church Knowle. Members were being asked to consider the evidence relating to the recorded route of Footpath 30 and giving consideration to modifying the Definitive Map and Statement.

With the aid of a visual presentation, and in taking into account the provisions of the Update Sheet and the Statements from Third Parties made available to members prior to the meeting and appended to these minutes, the basis for the proposal was explained and what it entailed. Photographs and plans were shown to the Committee by way of illustration. This showed the proposed route, its characteristics and setting within the landscape and the points between which it ran. The documentary evidence contained in the report was referred to in detail and how this was applied in the officer's reasoning for coming to the recommendation they had. The weight to be given to the evidence was explained. The Committee's attention was drawn to what they were being asked to take into consideration in coming to their decision. For the reasons set out in the report, officers considered that analysis of the evidence showed that - on the balance of probability - the proposed modification should be supported.

Officers explained that the route of Footpath 30 at Charmswell had been much disputed and, having thoroughly assessed the available evidence, it was clear that there had been a drafting error on the Definitive Map which had given rise to this anomaly and all its consequential implications.

Officers confirmed that a right of way not shown on the Definitive Map and Statement subsisted, or was reasonably alleged to subsist, in respect of the proposed route A-C-

B, as that route was not currently recorded with public rights. The balance of evidence demonstrated that the currently recorded route was shown in error on the Definitive Map and that this should be modified to the route, as proposed. Therefore, officers were now recommending that the Definitive Map and Statement should be modified to delete part of Footpath 30, Church Knowle as shown A-B and instead to add it as shown A-C-B on Drawing 14/44 of the report.

As part of the public consultation in respect of the proposed Modification Order, two objections had been received - from Tim Kavanagh, owner of Charmswell Cottage and from Purbeck District Council.

The opportunity was given for public speaking. Tim Kavanagh opposed the Modification Order on the grounds that it would be unsafe and would be highly inconvenient to use and, in his view, it was clear that the route shown on the Definitive Map had migrated over the years which had led to the discrepancy now being seen. He was also critical of the process that had been followed in officers coming to their view and the means by which the evidence had been used in that regard. Mr Kavanagh had also taken the opportunity to ask two questions of the proposal - in that relevant documentation and maps be made readily available at the meeting - and a response to these had been provided by officers.

Madeleine Hemsley - Rambler's Association, Purbeck Footpath Secretary - also objected to how the route was proposed to be modified in that there was no reason for it to take such an inconvenient route up a cliff, as was being proposed. She maintained that, in her experience, there was no reason for rights of way to take a route other than that which was most direct and convenient, certainly not one which caused such travail. Her view was that the correct route suggested by Mr Hard at Purbeck District Council. Given this she asked that any decision be deferred so that members could make a site visit to see at first hand what these routes entailed.

The County Councillor for Purbeck South, Cherry Brooks, was of the view that given that the Definitive Map was incorrect, there was an obligation to amend it. Whilst she didn't wish to undermine the analysis of the evidence made by officers, she asked that any decision be deferred so that a site visit could be held.

The Committee were then provided with the opportunity to ask questions of the officer's presentation and about what they had heard and officer's provided clarification in respect of the points raised as necessary.

Members asked for clarification that all that could be possibly done to resolve this issue from discussions with Purbeck District Council had taken place and no more could be achieved. Officers remained confident that the assessments made, which had been based on all available evidence, were correct. It was confirmed there had been an exhaustive exchange of documentation between the Rights of Way section and Purbeck District Council over this issue and there was no reason to believe that any further discussions would deliver a different outcome.

Nevertheless, given the stance being maintained by the District Council in its take on the issue, a proposal was made to defer the decision for officers to pursue further discussions with the District Council so that members could be reassured there was nothing further that could clarify the situation. This proposal was seconded.

Some members of the Committee - including the Chairman - were of the view that, in coming to their decision and their reasoning for this, rights of way officers had thoroughly analysed all the evidence there was available and that he had no reason to believe they would have come to the conclusion they had if any doubt remained. They could see no benefit in any further dialogue with the District Council when nothing further could be achieved.

The proposal was then voted upon and, on being put to the vote, there was an equality of votes. In the circumstances, the Chairman used his casting vote to vote against the proposal, which consequently fell.

A further proposal was then made and seconded to make an Order in accordance with the officer's recommendation. The Committee, having taken into account the officer's report, what they had heard at the meeting from the case officer, legal advisor and invited speakers, were satisfied in their understanding of what those proposals entailed and the assurances provided by officers in how the analysis of the evidence had been made so on that basis, on being put to the vote, it was

Resolved

1). That an Order be made to modify the definitive map and statement of rights of way to:

- (i) Delete part of Footpath 30, Church Knowle as shown A – B; and
- (ii) Add part of Footpath 30, Church Knowle, as shown A – C – B on Drawing 14/44 (Appendix 1); and

2). If the Order was unopposed, or if any objections were withdrawn, it be confirmed by the County Council without further reference to this Committee.

Reasons for Decisions

The available evidence showed, on balance, that

(a) (i) There was no public right of way over land as shown A – B as a highway of any description; and

(ii) A right of way, a public footpath subsisted, or was reasonably alleged to subsist over land as shown A – C – B; and

(b) The evidence showed, on balance, that the route of part of Footpath 30, Church Knowle required modification as proposed. Accordingly, in the absence of objections the County Council could itself confirm the Order without submission to the Planning Inspectorate.

Decisions on proposals for definitive map modification orders ensured that changes to the network of public rights of way complied with the legal requirements and supports the Corporate Plan 2017-19 Outcomes Framework:

People in Dorset are **Healthy**:

- To help and encourage people to adopt healthy lifestyles and lead active lives
- We will work hard to ensure our natural assets are well managed, accessible and promoted

Dorset's economy is **Prosperous**:

- To support productivity, we want to plan communities well, reducing the need to travel while 'keeping Dorset moving', enabling people and goods to move about the county safely and efficiently

Proposed Definitive Map and Statement Modification Order - Parts of Footpath 21 at Talbot Road, Lyme Regis

71 The Committee considered a report by the Service Director - Environment, Infrastructure and Economy on a proposed Definitive Map and Statement Modification Order for parts of Footpath 21 at Talbot Road, Lyme Regis. The reasoning for this was set out in the report.

With the aid of a visual presentation the basis for the application was explained and what it entailed. Photographs and plans were shown to the Committee by way of illustration. This showed the current and proposed modified routes, their

characteristics and setting within the landscape, their relationship with neighbouring properties and the points between which they ran. The documentary evidence contained in the report was referred to in detail and how this was applied in the officer's reasoning for coming to the recommendation they had. The weight to be given to the documentary evidence was explained. The Committee's attention was drawn to what they were being asked to take into consideration in coming to their decision.

Information was provided in respect of the one objection made to the application and the grounds on which this was made, together with what officer's considered response to this was and the reasoning for this. The objection stated that the proposed route was not the correct one and the correct route was blocked so that the County Council was proposing to make the Order as it would be easier than removing the obstruction. Officers had already considered the evidence in detail and the objector had not provided any evidence to support their views which had not already been taken into account. In officer's opinion the evidence indicated that the Modification Order should be made on the basis that the documentary evidence was sufficient to indicate that a right of way - a public footpath – subsisted, or was reasonably alleged to subsist, over the route I-J-G, A-E-B and C-K-D as shown on drawing 14/10/3 of the report and that there was no public right of way over the route shown F-G, A-B and C-D as a highway of any description, as shown on the same drawing.

The County Councillor for Marshwood Vale was content with the recommendation contained in the report.

The Committee were then provided with the opportunity to ask questions of the officer's presentation.

In assessing the evidence presented by officers, taking into account the detail of the application in the report and having an understanding of the presentation made, the Committee concluded that, on balance, the officer's recommendation was acceptable and, on that basis, and on being put to the vote, the Committee agreed

Resolved

1) That an Order be made to modify the Definitive Map and Statement of Rights of Way to:

- (i) Delete parts of Footpath 21, Lyme Regis as shown F-G, A-B and C-D.
 - (ii) Add parts of Footpath 21, Lyme Regis as shown by pecked lines I-J-G, A-E- B and C-K-D as shown on drawing 14/10/3 (Appendix 2); and
- 2) If the Order is unopposed, or if all of any objections were withdrawn, it be confirmed by the County Council without further reference to this Committee.

Reasons for Decisions

- a) The available evidence showed, on balance, that:
 - (i) There was no public right of way over land as shown F – G, A – B and C – D as a highway of any description; and
 - (ii) A right of way, a public footpath, subsisted or was reasonably alleged to subsist over land as shown by pecked lines I – J – G, A – E – B and C – K – D; and
- (b) The evidence showed, on balance, that the route of parts of Footpath 21, Lyme Regis required modification as proposed. Accordingly, in the absence of objections, the County Council could itself confirm the Order without submission to the Planning Inspectorate.

Decisions on proposals for Definitive Map Modification Orders ensured that changes to the network of public rights of way complied with the legal requirements and supported the Corporate Plan 2017-19 Outcomes Framework:

People in Dorset are Healthy:

(a) To help and encourage people to adopt healthy lifestyles and lead active lives

(b) We will work hard to ensure our natural assets are well managed, accessible and promoted.

Dorset's economy is Prosperous:

(c) To support productivity we want to plan communities well, reducing the need to travel while 'keeping Dorset moving', enabling people and goods to move about the county safely and efficiently

Common Land Application

Application for the deregistration of common land at Leigh Common, Colehill

72 The Committee considered a report by the Service Director - Environment , Infrastructure and Economy on two applications for the deregistration of common land at Leigh Common - consisting of land located either side of the B3073, Leigh Road, at Colehill and made by developers of land within and adjoining the registered common.

With the aid of a visual presentation, and having regard to the provisions of the Update Sheet and the statements of third parties provided for members prior to the meeting, the basis for the application was explained and what it entailed. Photographs and plans were shown illustrating this, showing the application areas from various directions and at various points; their characteristics and relationship with neighbouring properties and amenities; and their setting within the landscape in that part of Colehill.

Officers explained that the applications stated that the land should be deregistered as common land because it ought not to have been registered due to the fact that it was public highway at the time of registration, this being based on Section 22(1) of the Commons Registration Act 1965, which defined common land as "excluding highways". The applications were "duly made" for the purposes of the Commons Act 2006.

The applications were accompanied by supporting documentary evidence. In assessing this evidence thoroughly, officers had concluded that this was the case - in what was being claimed was credible and acceptable - and this formed the basis of the reasoning of the officer's recommendation.

Members were now being asked to consider whether the applications satisfied the statutory requirements to deregister land as Common Land, with the legal test being that the balance of probability and the burden of proof rested with the applicant to discharge. From officer's analysis of the evidence provided in support of the applications, there was an indication that part of the application land **was** public highway at the time of registration. Therefore, the applications were considered to be valid and, when considered together with all the available evidence, it was being recommended that application CLD 2016/1 was accepted in part and application CLD 2017/1 was accepted fully.

A series of objections had been received to the applications based, predominantly, on the perceived loss of green space and green land. Officers clarified to what extent the applications applied and explained that there had been some general misconception that the majority of Leigh Common would itself be affected, rather than just the

portions alongside the carriageway. Some other objections related to points of law - that Section 19 did not cover issues such as this - but officers confirmed their view that the application properly fell within Section 19.

The opportunity was provided for local members to address the Committee. The County Councillor for Colehill East and Stapehill expressed concern on behalf of Colehill Parish Council that any potential future development on the land that was being applied for deregistration would severely impact on the viability of the footway and diminish the means by which it could be used; adversely affect the drainage ditch there and the purpose that served and; also impact adversely on a children's play area. She also maintained that if this was being applied for the northern side of the B3073, then the same should apply to its southern side. She considered that the application should be refused in principle in that common land should remain.

The Committee were then provided with the opportunity to ask questions of the officer's presentation and about what they had heard and officer's provided clarification in respect of the points raised as necessary.

In response to one member's question as to what were the benefits of an amendment to the Register being made, the Senior Solicitor confirmed that consideration should not be given to whether the application was beneficial or not or what any consequences would be, but rather to ensure that the Register of Common Land was accurate.

A further question was asked about the implications if the decision they took was incorrect and would the County Council be open to Judicial Review. Officers were confident that the applications had been made under the correct section of the law and maintained that the applications made were valid.

Given this assurance, the County Councillor for Colehill West and Wimborne Minster accepted that the law confirmed that highway was not common land so, on that basis - and having had the opportunity to discuss the merits of the application in detail and having had their questions answered satisfactorily - the Committee, having taken into account the officer's report, what they had heard at the meeting from the case officer, legal advisor and invited speakers, were satisfied in their understanding of what the proposals entailed and the assurances provided by officers and, on being put to the vote, it was

Resolved

1. That the application CLD 2017/1 to deregister Common Land at Leigh Common, Colehill be accepted and the application CLD 2016/1 be accepted in part; and
2. That the Register of Common Land be updated accordingly, as shown on Drawing 18/22.

Reasons for Decisions

The evidence presented to the Committee demonstrated that application CLD 2017/1 should be accepted, application CLD 2016/1 should be accepted in part and the relevant land deregistered as Common Land.

Decisions on applications for Common Land deregistration ensured that changes to the Register of Common Land complied with the legal requirements and supported the Corporate Plan objectives of:

Enabling Economic Growth

- Work in partnership to ensure the good management of our natural and historic environment
- Encourage tourism to our unique county

Promoting Health, Wellbeing and Safeguarding

- Actively promote physical activity and sport
- Improve the provision of, and access to, green, open spaces close to where people live

Questions from County Councillors

73 There were no questions raised by members under Standing Order 20(2).

Update Sheet

74

Traffic Matters

- **Proposed waiting restrictions on the C8 at West Lulworth**

Update 1:

A late representation has been received objecting to the proposal.

Officer Comment:

The letter is noted. A copy is attached at Appendix 1.

- **Proposed puffin crossing – Broad Street, Lyme Regis**

Update 1:

NOTE: the sentence in paragraph 4.2 is incomplete and should read:-

“Having considered the objections submitted as part of the consultation process officers feel that the benefits brought by the crossing are outweighed by the potential disbenefits. These disbenefits are the loss of on-street parking which **would also increase pollution and the potential adverse impact on businesses.**”

Update 2:

Written statements from third parties are attached at Appendix 1.

Planning Matters

- **Planning application 6/2018/0138 for the western extension to develop land for the winning and working of ball clay and ancillary operations – Trigon Pit, Bere Road, Wareham.**

Update 1:

Further correspondence has been received from Historic England stating that if an area corresponding closely to Phase 1 (see Appendix 1 for plan) were omitted then Historic England would amend its position to take account of the safeguarding of this area of original historic landform setting. The correspondence notes that whilst the omission of phase 1 would reduce the amount of overburden available for restoration landscaping this would be acceptable in terms of the overall heritage balance.

A supplementary letter was received from Historic England on 4 December which is also attached at Appendix 1.

Officer comment: It is noted that the removal of Phase 1 from the development proposal would also result in the loss of approximately half of phase 2 when taking into account the angle of the quarry side slopes. This would result in the sterilization of approximately 225,000 tonnes of ball clay. The ball clay seams at this end of the site are relatively deep. This would result in a significant reduction in the amount of overburden material available for land level raising within the existing quarry if this area were omitted from the scheme. It is understood, based upon Historic England's original representation, that if the development scheme were to be amended in this manner, there would still be harm to setting of the Trigon Hill barrow; albeit at a reduced level.

It is considered that such an amendment has already been considered and discounted by the applicants through the assessment of alternatives detailed within the submitted Environmental Statement. Officers are of the opinion that the loss of Ball Clay reserves from this area of the proposed quarry would be significant. It is considered that any reduced level of harm to the Heritage would not be to a level that would outweigh the public benefits of the mineral extraction.

Update 2:

A letter of support has been received from IMERYS which is signed by 10 employees (see Appendix 1). The letter of support states that collectively IMERYS employees have over 1259 years of experience working in the ball Clay industry with the average length of service of 19 years. It is stated that the long-term viability of the industry, and hence their livelihoods, are dependent upon continued access to the various Ball Clay resources which are found in the Wareham Basin. The Clays at Trigon provide a vital component to the overall product portfolio.

Officer comment:

The further representations by IMERYS employees are noted.

Rights of Way Matters

Proposed Definitive Map and Statement Modification Order – Footpath 30, Church Knowle at Charmswell

Update:

The landowner, who has objected to the proposal, has requested that some graphics are brought to the attention of the Committee.

Officer comment:

The information is noted and the graphics are attached at **Appendix 1**.

Commons Registration Matters

Applications for the deregistration of common land at Leigh Common, Colehill

Update 1:

A further submission has been received from one of the objectors in relation to paragraph 7.2 of the report:

The objector states that the Explanatory Notes to the 2006 Act provide a series of examples of copying errors ('errors of transcription or transposition') that might occur in the process of 'making or amending an entry in the register' and which can be corrected under section 19. However, the objector says that Section 7.2 (b) of the

report describes a fundamental error of law made by the Registration Authority which could not be more different to the making of a copying error. Thus, the objector says, the correction cannot be made under section 19.

If, as the report argues, the highway land ought not to have been shown in the register, then it falls into the category of 'land wrongly registered as common land'. The provisions for land in this category are made at Schedule 2 of the 2006 Act ('Non-registration or mistaken registration under the 1965 Act'). In effect, the report is proposing that the closely-defined power conferred by section 19(2)(a) should be extended so as to encompass the provisions of Schedule 2(7). The result would be to render redundant all of the detailed criteria and conditions specified at Schedule 2(7); and to confer on the registration authority a discretion and a power of correction that cannot be justified in the context of the 2006 Act.

In terms of the case presented in the report, it might well be argued that any claim whatsoever that there is 'something wrong' with the register is a claim that the registration authority 'made a mistake'. Any such claim would therefore be covered by section 19(2)(a) and could be corrected under section 19(2)(a).

Officer comment:

It is the view of officers that the applications fall within the parameters of Section 19 of the Commons Act 2006. Section 19 is intended to enable the correction of administrative errors, whereas Schedule 2 is intended to deal with evidence as to the status of the land which may not have been revealed during the registration process under the 1965 Act. These applications sit somewhere between the two, but are more closely aligned with Section 19 as highway land cannot be common land by operation of law. Therefore, the applications are valid and should be considered by the Committee.

Update 2:

An objection from the Open Spaces Society has been resubmitted as it was not covered in the report. Three main points are raised:

- 1) Firstly, that no mistake was made by the commons registration authority in registering the application land. They acknowledge that highway land was excluded from the definition of common land, but state that nothing in the 1965 Act provides that common land which is comprised in a highway, and is not registered under the 1965 Act, has ceased to be common land. The provisional registration was correct as the application was duly made. The correct course of action was then for the highway authority to object, which is what happened in this instance, although the objection was later withdrawn. It was not up to the authority to refuse to register highway land and there would have been no appeal against a decision to exclude such land.
 - 2) Secondly, that there is no evidence that all or part of the land is highway land. The list of streets is not conclusive, and the applicant has offered no corroborating evidence of the status of the land as highway land. The county surveyor's objection stated that only six feet of the common was comprised in the highway on the south side of the carriageway.
 - 3) Thirdly, that even if a mistake was demonstrated to have been made, it should not be corrected in exercise of the discretion conferred by Section 19(5). Section 19(5) provides that a mistake may not be corrected under this section if the authority considers that, by reason of reliance reasonably placed on the register by any person or for any other reason, it would be unfair to do so. The public have been entitled to assume that the land is correctly registered, and it would be unfair to correct the register now for no obvious reason.
-

Officer comment:

1) Highway land is by statutory definition not common land and so it must have been a mistake to register it as common land.

2) Evidence supporting the status of the land as highway is discussed in the report.

3) This matter is discussed in the report and also in update 1 above

Statements and Representations of Third Parties

75 To be considered in conjunction with and complementing these minutes, as an associated document.

Meeting Duration: 10.30 am - 1.50 pm

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Regulatory

Update Sheet

Appendix 1: Written Statements and Documents submitted by Third Parties

Dorset County Council



Meeting Date: 06 December 2018

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ROADS AND RIGHTS OF WAY MATTERS

Agenda Item 5: Parking restrictions at West Lulworth

Further Submissions:

- Letter and graphics from resident.
- Graphics submitted by Chairman of West Lulworth Parish Council
- Letter from resident

Letter and graphics submitted by resident



Dear Chairman,

Ref: Proposed extension of Double Yellow Lines down both sides of West Road, West Lulworth.

The proposal to install double yellow lines down both sides of the road down to the Church Road intersection is not in the interests of the village.

The extension of the double yellow lines on both sides of the road will have a number of effects:

1: It will and has (since the implementation of the temporary notices) push the parking into other parts of the village, most notably down the West Road section which runs from Church Road and links up with Main Road and has caused chaos.

2: It will cause problems for parking for the Church despite there being some parking down Church Road. In addition the loss of parking will lead to decreased income for the church as people will no longer be able to access the displays at the church and thereby make contributions. In addition the ability for people to access the graveyard to pay respects to their bereaved will also be reduced.

3: The implementation (whilst necessary) of the double yellow lines further up West Road a couple of years ago had a marked effect on the takings of businesses in the area. Here in this part of the village we do not have the luxury of prime site location and has led to a reduction in footfall to such an extent that the village shop is now not a viable concern.

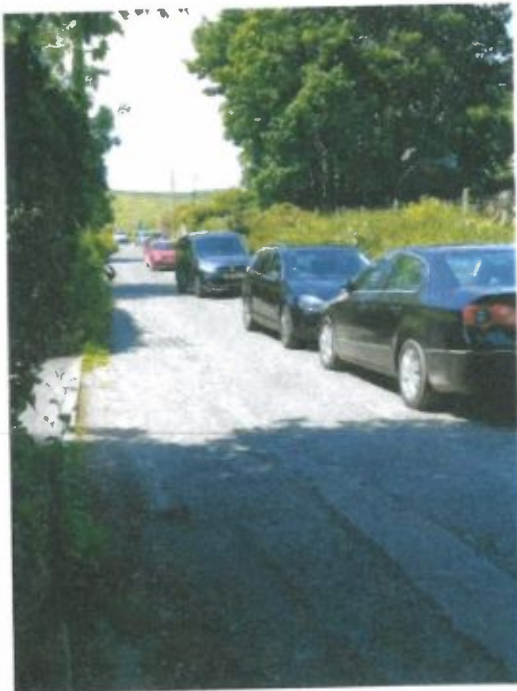
4: The reduction in parking will and has meant that there is now nowhere for visitors, carers, and staff to park for businesses in this locality.

5: Many residents in the village do not have the luxury of off road parking or if they do not enough for their needs.

The village needs to remain viable for all and any planning should be mindful of that. The funnelling of parking to either of the Weld Estate car parks is not where many want to be and not just because they are trying to avoid payment but because they are simply in the area for other reasons.

This section of the road upon which it is proposed that double yellow lines should be placed is the widest in the village. Whilst the implementation of yellow lines on the southern side of the road would certainly assist with the movement of traffic the restriction to both sides is unnecessary and simply have a negative impact on the village community.





Graphics submitted by Chairman of West Lulworth Parish Council

Background to the request for double yellow lines on West Rd, West Lulworth.



Lulworth brought to a standstill by cars parking on both sides of West Road on Sunday 27th August 2017.

31 residents attended the parish council on 4th September 2017 to request that the double yellow lines on West Rd be extended to between Church Rd and Daggars Gate to prohibit parking on both sides and to keep the road open.

Press Reports.

Double yellow lines to be extended in West Lulworth after 'chaos' last summer

Echo 12th. April 18

Definitely dangerous: Residents speak out over gridlock misery on West Road in West Lulworth

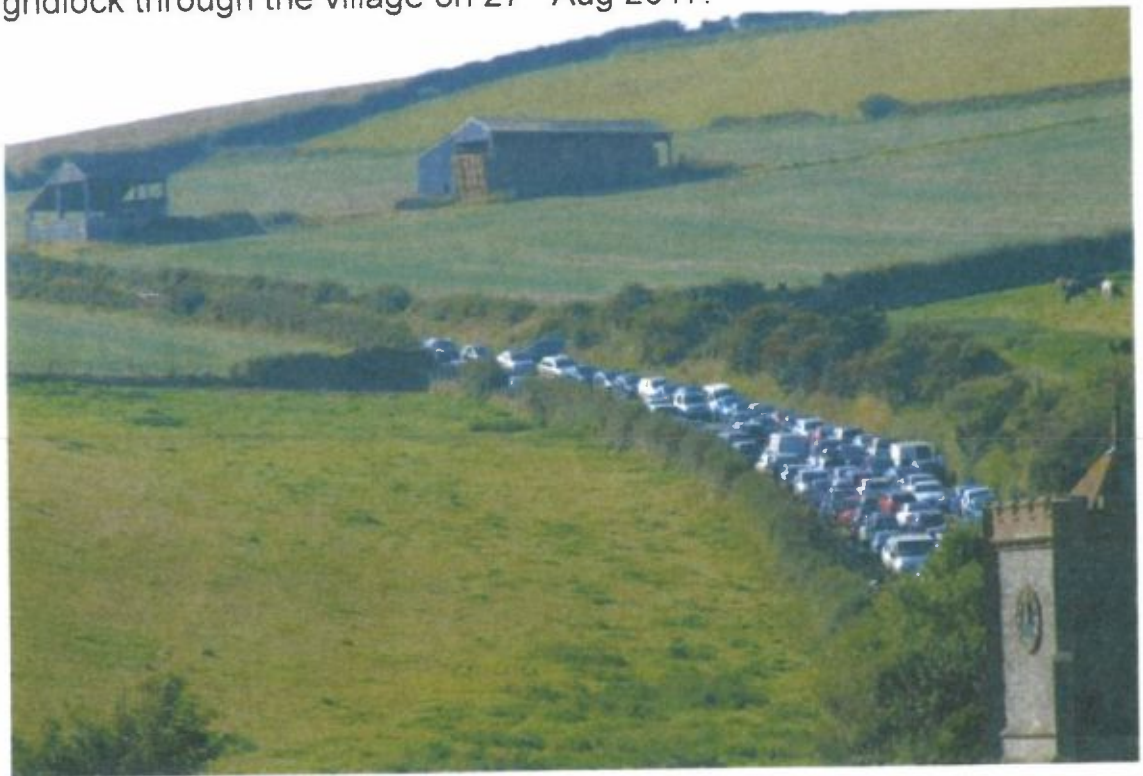
Echo 1st. September 17

Durdle Door light show: Man dies after ambulance route blocked

BBC News 2nd October 15

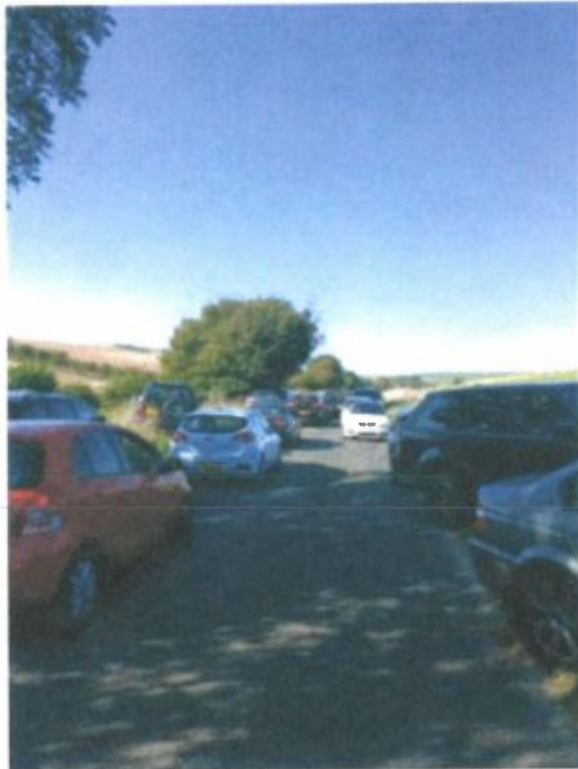


Jam on West Rd Lulworth for approx 2hrs with consequent gridlock through the village on 27th Aug 2017.





Heading into Lulworth by Durdle Door.



Heading out of Lulworth towards Winfrith.



Objections have been registered by Advantage Point and Beandon. A solution could be to end the double lines outside of Hillhampton where the broken white line starts.

Two other objections have been received, one from the village shop concerned about the reduction in footfall, and the other from the village hall concerned about event parking. In response to these the parish council have confirmed that there should be no change in parking restrictions on Church Rd.

If there are objections, these are reported to the appropriate Committee who make a recommendation to Cabinet. This may be to proceed as advertised, make modifications to or abandon the proposal altogether.

(DCC TRO Procedure)

Summary

Lulworth is now getting up to one million visitors per year. There is sufficient car parking but the problem arises when inconsiderate parking blocks the access road. The parish therefore support the TRO to extend the double yellow lines on West Rd to between the Church Rd junction and Daggers Gate.

West Lulworth Parish Council Nov 18

Letter from resident:

Mr D R Northover
Regulatory
committee
Dorset County
Council
Dorchester



04 December 2018

Dear Mr Northover

PARKING RESTRICTIONS AT WEST LULWORTH

I have recently been informed that the extension of the no waiting parking restriction at West Lulworth is due to be decided upon on Thursday 6th December 2018. The no waiting area is proposed to be extended between Durdle Door and Daggars Gate and I feel this will have a significant impact on the local people wishing to access the walks west of Durdle Door. There are many walks that start from Newlands Farm and Daggars Gate and people will be unable to access those walks without paying significant costs to Lulworth Estate to park in the only designated car parking area at Durdle Door.

Any parking there, after restrictions have been put in, will risk a parking fine which is unacceptable for a local person who has walked in the area for many years and wants to continue to do so.

The walks are flatter at the Daggars Gate area and so are more beneficial to anyone who struggles to walk up the steep hills that are elsewhere in the village. Perhaps there could be consideration for parking permits for local people to be able to access the walks in the same way they have done historically.

Can you please acknowledge this letter and my request for local people not to be excluded from enjoying their local area.

Yours sincerely

A redacted signature consisting of a horizontal line of illegible markings.

Agenda Item 6: Proposed puffin crossing, Broad Street, Lyme Regis

Written statements from:

- Local councillor
- resident

STATEMENT FOR THE REGULATORY COMMITTEE AGENDA ITEM 6 THURSDAY 6TH DECEMBER PUFFIN CROSSING LYME REGIS

- Requested and supported by Town Council
- Lyme has many elderly residents, disabled and young families, a crossing would aid this sector
- Loss of on street parking could be rectified by moving the bus stop which would reinstate some of the spaces and make it safer for pedestrians.
- 3.4/3.5 Calculations show that the crossing would not cause tailbacks or traffic backing up.
- Petition FOR the crossing of 600 signatories originally submitted.
- Reduction Air Quality - Not with radar detection on the crossing, idling engines would be minimal especially as modern engines produce zero pollution when stopped.

Cllr Cheryl Reynolds

**Statement for Dorset County Council Re: Puffin Crossing,
Broad St, Lyme Regis**

Access to the consultation was difficult. Impossible to navigate to correct page resorting in using portal system or worse, simply giving up.

Lack of regular Enforcement Officer's leads to unauthorised parking and delivery lorries unloading after 10.30hrs

Needs of the few are equal to the needs of the many. The Equality Act 2010, legally protects people from discrimination in the workplace and wider society

Where a disabled person is put at a substantial disadvantage in comparison to a person who is not disabled to avoid the disadvantage.

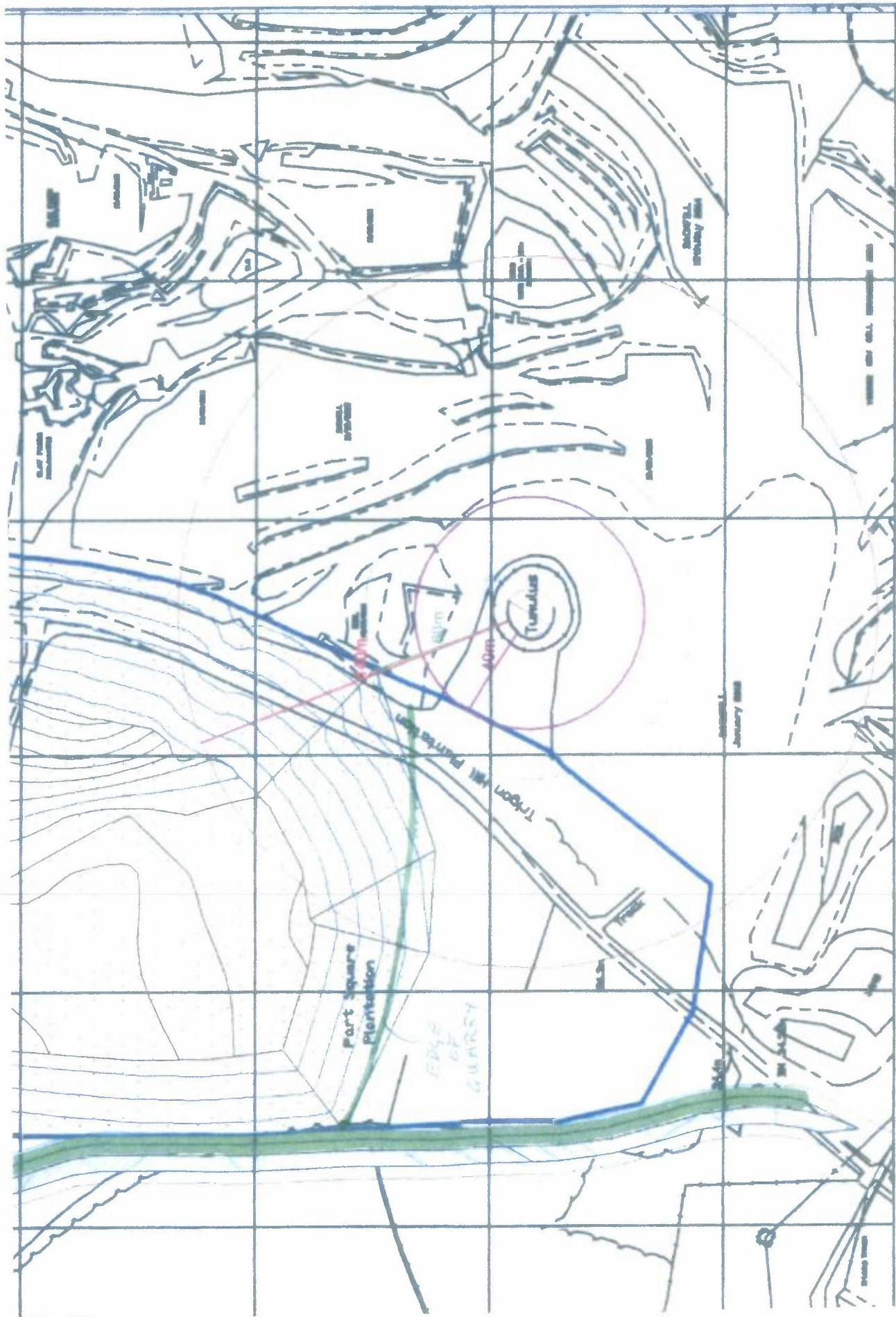
Injuries have happened, do we wait for a fatality before we take action



PLANNING MATTERS

Item 7: Planning application 6/2018/0138 for the western extension to develop land for the winning and working of ball clay and ancillary operations – Trigon Pit, Bere Road, Wareham.

- **Historic England – map**
- **Historic England – Supplementary letter**
- **Letter of support from Imerys employees**



Key



Historic England

Mr Rob Jefferies
Dorset County Council
County Hall
Dorset
DT1 1XJ

Direct Dial: 0117 975 0670

Our ref: P00844471

4 December 2018

Dear Mr Jefferies

**T&CP (Development Management Procedure) (England) Order 2015
& Planning (Listed Buildings & Conservation Areas) Regulations 1990**

**TRIGON PIT, CAREY ROAD, WAREHAM, DORSET
Application No. 6/2018/0138**

Further to our previous correspondence on the above application, and the publication of the Regulatory Committee agenda papers for their meeting on 6 December, we set out below our updated supplementary response to the above application. The items included below are of direct relevance to Agenda Item 7 on the Trigon Pit application, and are new and substantive comments additional to those in our previous letter of 8 June which is included in the Agenda papers. The recommendations for planning conditions (section 5) will help to secure the heritage benefits which are essential towards offsetting and mitigating the harm brought by the development.

We therefore ask that the following letter and its contents be passed to committee members to take into account in determining this application.

1. Recent negotiations and response to recent application documentation

We apologise for this late submission, as we only very recently heard that the application was going to committee on 6 December. Until then we had been under the impression that we were still in a period of negotiation with the applicants, Imerys, on the possibility of reaching a compromise on omitting an area from the quarrying to retain at least a section of the landform west of the barrow. We last wrote to Imerys on 21 November 2018 with a suggestion for omitting the southernmost section of the proposed quarry, but we have had no response and therefore assume that their position is unchanged.

We especially regret that a significant section of the steep upper west section of Trigon Hill itself is not being retained. A relatively small section here, extending another 20m as far as the track, would make a very small difference to the quarry capacity but would make a significant difference in terms of preservation of the historic landform. As mentioned below, we would urge committee members to visit the site to see for themselves this aspect of the heritage setting of the barrow.



Historic England, 29 Queen Square, Bristol BS14ND
Telephone 0117 975 1308 HistoricEngland.org.uk

Please note that Historic England operates an access to information policy.

Correspondence or information which you send us may therefore become publicly available.



Because we believed that we were still at the stage of negotiation with the applicants, we did not respond formally to the documents provided by the applicant and their archaeological consultants in advance of the Hearing into the Minerals Plan in early October (see Agenda Report paras 6.31 and 6.32). At this stage it would be superfluous to provide a detailed response. Suffice to say that we consider that the applicant's assessment contains several fundamental inaccuracies and misrepresentations of Historic England's position, including the statement that HE is concerned about 'the underlying geology', whereas in fact our concern is for the *historic landform setting* and its land surface along with any archaeological and palaeoenvironmental deposits it contains. However, we do not need to go detail on the applicant's under-assessment of harm to the scheduled barrow, as the council planning officers' view (Agenda Report para. 6.34) agrees with ours, that the harm to the monument that would be caused by the quarry development would (in NPPF terminology) be substantial.

2. Newly agreed Minerals Sites Plan policy on development at Trigon Quarry

A factor highly relevant to determination of the application, which has arisen since the preparation of the Agenda Report, is the newly agreed Historic/Cultural Environment statement in the *Development Guidelines* on the Trigon Hill Ball Clay allocation in the emerging Bournemouth, Dorset and Poole Minerals Sites Plan.

At the recent Hearing into the Mineral Sites Plan, the Inspector requested the matter of potential harm to the Trigon Hill Scheduled Monument to be discussed and, due to the concerns about impact on the setting and significance of the Trigon Hill Barrow, the Planning Inspector formally requested that a statement should be provided for the Plan to ensure that the Plan could safeguard the significance of this nationally important scheduled monument. This statement for the Development Guidelines for the proposed Trigon site allocation (BC04) in the Bournemouth, Dorset and Poole Mineral Sites Plan has now been jointly prepared and agreed by DCC and Historic England and submitted to the Planning Inspector as requested.

As such this heritage statement is deemed a material consideration in the determination of any associated application.

The *Development Guidelines* statement is as follows:

Historic/Cultural Environment

The number of prehistoric barrows in the area in particular indicates that the site has archaeological importance. 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.

Development proposals should minimise impacts on the significance of any affected heritage assets.

Particular consideration should be given to Trigon Hill barrow, a scheduled monument, which is a well-preserved Bronze Age form of burial mound known as a bowl barrow. As a surviving barrow of this type, in good condition and within a rural landscape setting, it is of high regional and national significance and public value.

2



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Trigon Hill barrow's setting on the ridge, and its relationship to areas to the west, are of key importance to its archaeological context and setting, and its associative relationship with other archaeological sites and monuments.

Views of the barrow and its hilltop from the immediate and surrounding landscape, and views from the barrow to its surroundings, allow appreciation and understanding of the monument and are a key aspect of its heritage significance and public value.

The historic landform to the north and west is of key importance to the setting, associative value, archaeological interest and heritage significance of the scheduled monument. An area of particular sensitivity has been identified at the south of the allocated site, incorporating land to the north and west of the barrow. Assessment of the allocated site prior to development should give particular consideration to development and restoration options for this area of sensitivity, recognising its importance as part of the barrow's setting.

The restoration scheme should include reinstatement of any newly quarried areas within the setting of the barrow to historic ground levels. Consideration should also be given to reinstatement of previously quarried land around the barrow.

A Heritage Management Plan (HMP) should be prepared for Trigon Hill barrow and key elements of its setting, notably its near surroundings and key sightlines to and from the barrow.

In our view the above policy statement strengthens the case for seeking a reduction of quarrying in order to retain more of the historic setting of the barrow and thereby achieve a balance of harm and public benefit.

The policy also strengthens the case for ensuring proper provisions for mitigation and site restoration and heritage management of the barrow and its surroundings and key sightlines between the hilltop and the wider landscape below the hill. (See the section below with recommendations on planning conditions attached to any grant of permission for quarrying here.)

We would also draw attention to the fact that Trigon Quarry is the only allocation for Ball Clay in the emerging Minerals Sites Plan, and that this allocation is effectively predicated on this application for full quarrying here, thereby limiting scope for significantly amending the extent of the extraction. In the circumstances, we feel that the lack of additional allocations is a significant problem that needs to be addressed.

3. Historic England position

Historic England maintains its objection to the development on heritage grounds. We appreciate of course that it is for the Minerals Planning Authority to weigh harm with public benefits. We are not in a position to be able to assess in any detail the applicant's economic case for full exploitation here, or their calculations of the materials balance for the proposed quarry and its restoration, and trust that the council is able to do this.

In view of the complex and contentious nature of the application, we strongly recommend that the planning committee members undertake a site visit in order to see for themselves the setting of the barrow in relation to the land on the west side. This contains the small but important area of the hill above the present track



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mentioned in (2) above, and area revealed by recent tree felling on the west side of the track, which enables appreciation of the relationship of the hill to the wider landscape below, including a notable series of small springs and hollows on the lower slopes around 30-60 metres west of the track. These have no doubt always been a significant feature in the setting of the barrow, and have the potential to contain environmental material relating to the changing ecology and land-use around the barrow during and after its construction as a burial monument.

4. Recommendations on planning conditions

On the proposed conditions of consent, we offer the following recommendations based on other minerals permissions granted in Dorset, to help ensure full coverage of the relevant matters, and provide clarity of definitions and thereby avoid potential misunderstandings at a later stage. Historic England would be pleased to discuss any of the points raised here.

Definition of the area around the scheduled monument

We recommend that, for the avoidance of doubt, clarification is provided of the extent of the area(s) referred to in various application documents of the area 'around' or 'surrounding' or 'in the vicinity of' the barrow. We suggest that this could be defined as measured distances in relation to the stand-off between the outer margin of the scheduled barrow and the proposed quarry to the west (40 metres minimum - or more, depending on the details of the quarrying scheme), and between the barrow and the previously quarried area on the N, E and S (10 metres minimum).

Archaeological mitigation

Re- the present condition 10, we would expect the archaeological Written Scheme of Investigation to include paleo-environmental sampling of the land below the barrow, notably of the wetter ground around the springs on the lower slopes of the ridge, now exposed by tree-felling.

The recommended additional conditions (**see below**) concerning archaeological investigation and monitoring of land during clearance of scrub and trees, and of the standoff between the barrow and the quarry follow the wording of conditions 23 and 17 in the council's permission for Binnegar B2 South Quarry (6/2015/0421), where quarrying similarly lies close to scheduled monuments and parts of the site are similarly overgrown with rhododendrons, scrub and trees.

Heritage Management Plan

We recommend that the present condition 11 is amended to make specific reference to submission and approval of a Heritage Management Plan for the barrow and its surroundings (a draft copy of which has been provided to HE by the applicant). The recommended condition (**see below**) is based on those used at Binnegar Quarry and elsewhere for similar developments affecting scheduled monuments.

It is essential that the management of the barrow includes control of burrowing animals, erosion etc. as well as management of vegetation. Vegetation management



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would also need to extend beyond the barrow to include its near surroundings and key sightlines between the barrow and the wider landscape, to ensure that woodland planting or scrub growth does not obscure views of the barrow. Reference is made to this in the draft Heritage Management Plan, and will also need to be addressed in the site Restoration Plan.

The recommendations for planning conditions will help ensure delivery of the benefits intended to contribute to offsetting and mitigating the harm brought by the development.

Recommended conditions to supplement the present condition 10 on Archaeology:

Archaeological Investigation Prior to Clear Felling

At the start of the opening up and establishment of any of the phased excavation areas, the vegetation cover shall be cleared in the following sequence. First, only the ground vegetation and understorey shall be cut down. The disturbance to the ground shall be kept to a minimum and will not involve plant machinery. No vegetation shall be removed by the lifting of the root ball. Before proceeding to clear any of the trees, the cleared area shall be subject to a walk-over survey by a suitably qualified archaeologist looking for signs or indications of the presence of any archaeological features. Only after the archaeologist has given the all clear will the trees then be removed, according to a method details of which have been submitted to and approved in writing by the minerals planning authority (as advised by the DCC Environment Services Senior Archaeologist). In the event that the archaeologist identifies features or areas of ground that require investigation, then these will be the subject of further field investigation according to a methodology set out in a Written Scheme of Investigation submitted to and approved in writing by the mineral planning authority. The agreed scheme shall then be implemented in full.

Reason

In recognition that the site has not been fully investigated due to the presence of dense ground vegetation and to safeguard any heritage asset Policy DM7 (The Historic Environment) of the BDPMS, and the Development Guidelines for Trigon Quarry in the emerging Minerals Sites Plan.

Defined Working Standoff from Trigon Hill barrow

No excavations shall take place closer to the Trigon Hill barrow than the standoff distances as set out on the application drawing (reference.....) and noted in the Heritage Management Plan. The limit of the extraction shall be defined on the ground with an earth bund or other boundary feature constructed in accordance with details submitted to and approved in writing by the mineral planning authority. The agreed scheme shall then be implemented in full.

Reason

To protect the Trigon Hill barrow Scheduled Monument from damage arising from minerals working and having regard to the relevant policies in the NPPF, Policy DM7 (The Historic Environment) of the BDPMS, and the Development Guidelines for Trigon Quarry in the emerging Minerals Sites Plan.

5



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Recommended condition for Heritage Management Plan (see present condition 11 on Archaeology)

Heritage Management Plan (see present condition 11)

Prior to the commencement of any development works, including any ground works, a Heritage Management Plan for Trigon Hill barrow and key elements of its setting, notably its near surroundings and key sightlines to and from the barrow, and a programme of implementation, shall be submitted to and approved in writing by the Local Planning Authority.

The Management Plan shall include:

- (a) A baseline record of the Trigon Hill Barrow and surrounding hilltop to record the current condition of the barrow and its encircling 19th century hilltop path and confirm the location and form of the archaeological features.
- (b) Removal of scrub and trees from the barrow and the surrounding area encompassing the upper section of Trigon Hill and extending to the edge of the working quarry and previously quarried area.
- (c) Maintaining the barrow, its surrounding area and key sightlines to and from the barrow under suitable vegetation and managing it so as to prevent the growth of trees and scrub or damage by burrowing animals.
- (d) Regular monitoring and reporting of site condition at agreed intervals, with arrangements for remedial action to address any site conservation management problems (e.g. dealing with encroaching weeds or burrowing animals).
- (e) A programme for implementation, with agreed timescales.

Works shall be carried out in accordance with the agreed Heritage Management Plan.

Reason

To safeguard the site, setting and heritage significance of the nationally important heritage asset adjoining the application site and affected by the development; to remove the barrow monument from the Heritage at Risk Register and ensure its appropriate conservation management, having regard to the relevant policies in the NPPF, Policy DM7 (The Historic Environment) of the BDPMS, and the Development Guidelines for Trigon Quarry in the emerging Minerals Sites Plan.

We would be happy to discuss this advice with the planning authority.

Yours sincerely,



Keith Miller
Ancient Monuments Inspector
E-mail: Keith.Miller@HistoricEngland.org.uk



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Telephone 0117 975 1308 HistoricEngland.org.uk

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The Chairman of the Planning Committee
 Dorset County Council
 County Hall
 Colliton Park
 DORCHESTER
 DT1 1XJ

Dear Sir or Madam

Application 6/2018/0138 Extension to Trigon Ball Clay Works

We the under signed are Staff employees of Imerys Minerals Ltd., we are based in the Ball Clay operations of Dorset and Devon.

We write in **SUPPORT** of the above planning application.

Collectively we have over **1,259 years** of experience working in the Ball Clay industry, the average length of individual service is **19 years**.

The skills which we possess are diverse yet in many cases, are unique to the Ball Clay industry.

The long term viability of the industry, and hence our livelihoods, is dependent upon continued access to the various Ball Clay resources which are found in the Wareham Basin. The Clays at Trigon provide a vital component to the overall product portfolio.

Without access to the Trigon Clays serious implications upon the longevity of Imerys' business in Dorset and Devon will arise. The stability of our employment, and those personnel for whom we have managerial responsibility, would be uncertain.

The development proposal at Trigon represents the most practicable way to provide access to an important resource of a mineral which is recognised as being of National and International importance.

It appears to us that there is a firm foreseeable need for the products derived from Ball Clay and this combined with the site's allocation within the current Minerals Local Plan, we would therefore trust that the Planning Committee will look positively upon this application, applying the 'Great' weight, which is clearly set out in National Planning Policy Framework (NPPF) and approve the application.

Yours faithfully

The Undersigned

Name	Job Title	Company Service	Direct Reports	Signature
[Redacted]	OPERATIONS MANAGER	38 YRS	7	[Redacted]
[Redacted]	QUARRY SUPERVISOR	41.6 YRS	8	[Redacted]
[Redacted]	ENGINEERING SUPERVISOR	42.4 YRS	3	[Redacted]

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 Tel: +44 (0) 1249 315000 - Fax: +44 (0) 1249 311200



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Name	Job Title	Company Service	Direct Reports	Signature
[Redacted]	TECHNICAL MANAGER UK BALL CLAYS	10 YEARS	1	[Redacted]
[Redacted]	UK BALL CLAYS GENERAL MANAGER	11 YEARS	4	[Redacted]

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The Undersigned

Name	Job Title	Company Service	Direct Reports	Signature
	ENGINEERING SUPERVISOR	33 YEARS	6	



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The Undersigned

Name	Job Title	Company Service	Direct Reports	Signature
[Redacted]	SENIOR PIT PROCESSING SUPERVISOR	30	3	[Redacted]
[Redacted]	Deputy Pit Supervisor	8yrs	11	[Redacted]

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The Undersigned

Name	Job Title	Company Service	Direct Reports	Signature
[Redacted]	ESK OFFICER	31	0	[Redacted]

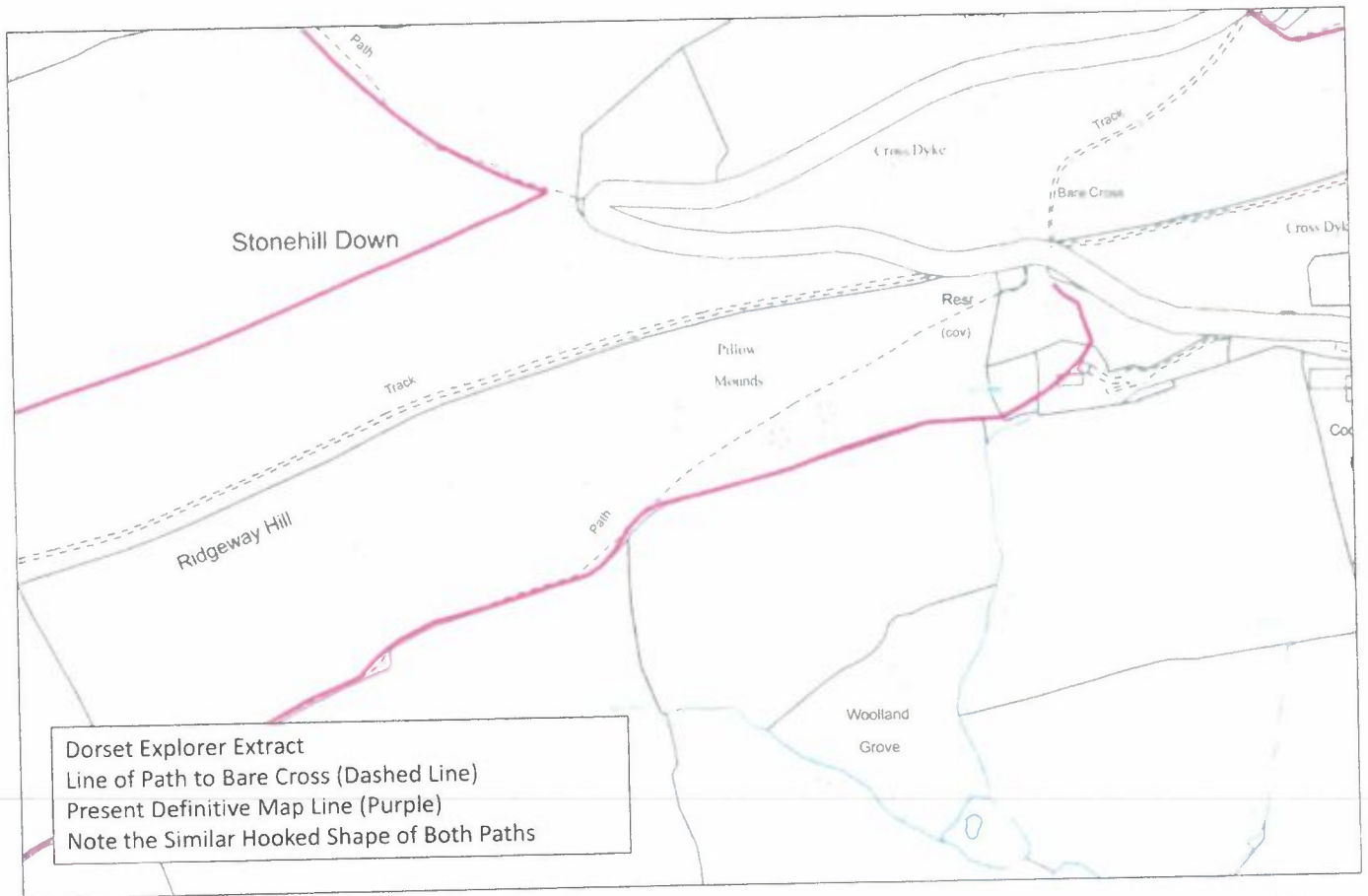
IMERYS MINERALS LTD. Registered Office: Ball Clay - Wareham Basin, Dorset DT1 1XJ. Registered in England No. 02052522. Registered Office: Ball Clay - Wareham Basin, Dorset DT1 1XJ. Registered in England No. 02052522.

RIGHTS OF WAY MATTERS

Agenda Item 9

**Proposed definitive map and statement modification order – Footpath
30, Church Knowle at Charmswell**

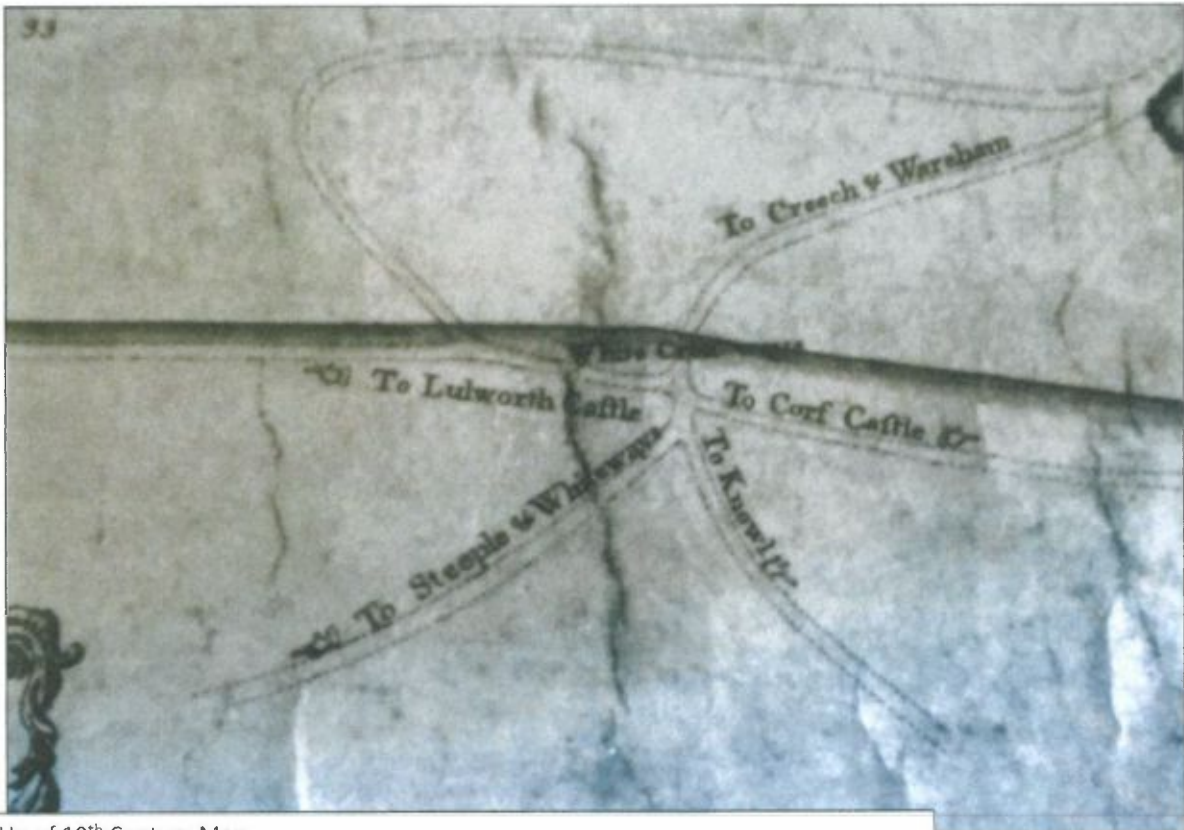
- **Graphics submitted by landowner**



Dorset Explorer Extract
 Line of Path to Bare Cross (Dashed Line)
 Present Definitive Map Line (Purple)
 Note the Similar Hooked Shape of Both Paths



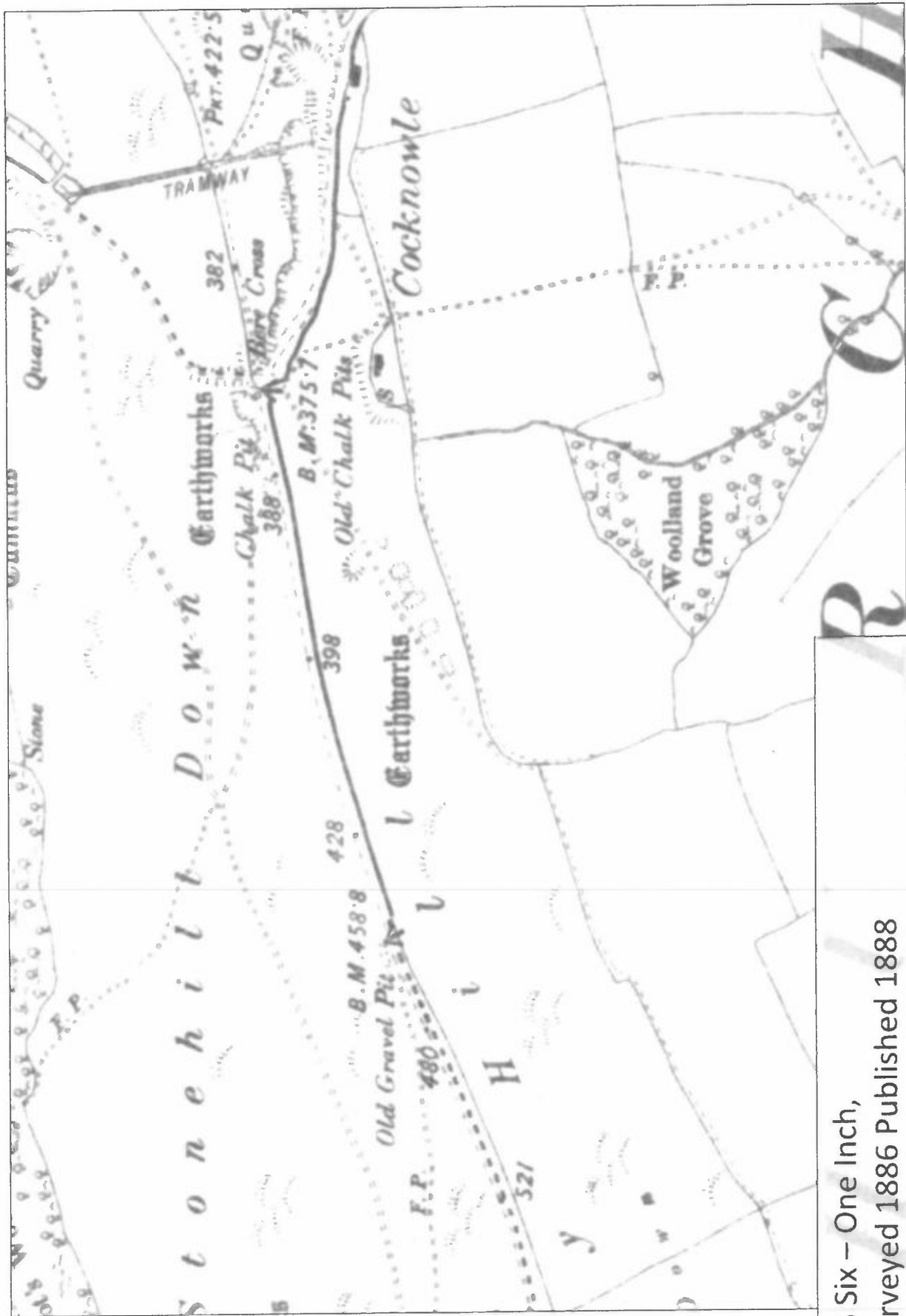
19th Century Map
Note: Convergence of Paths at Bear Cross



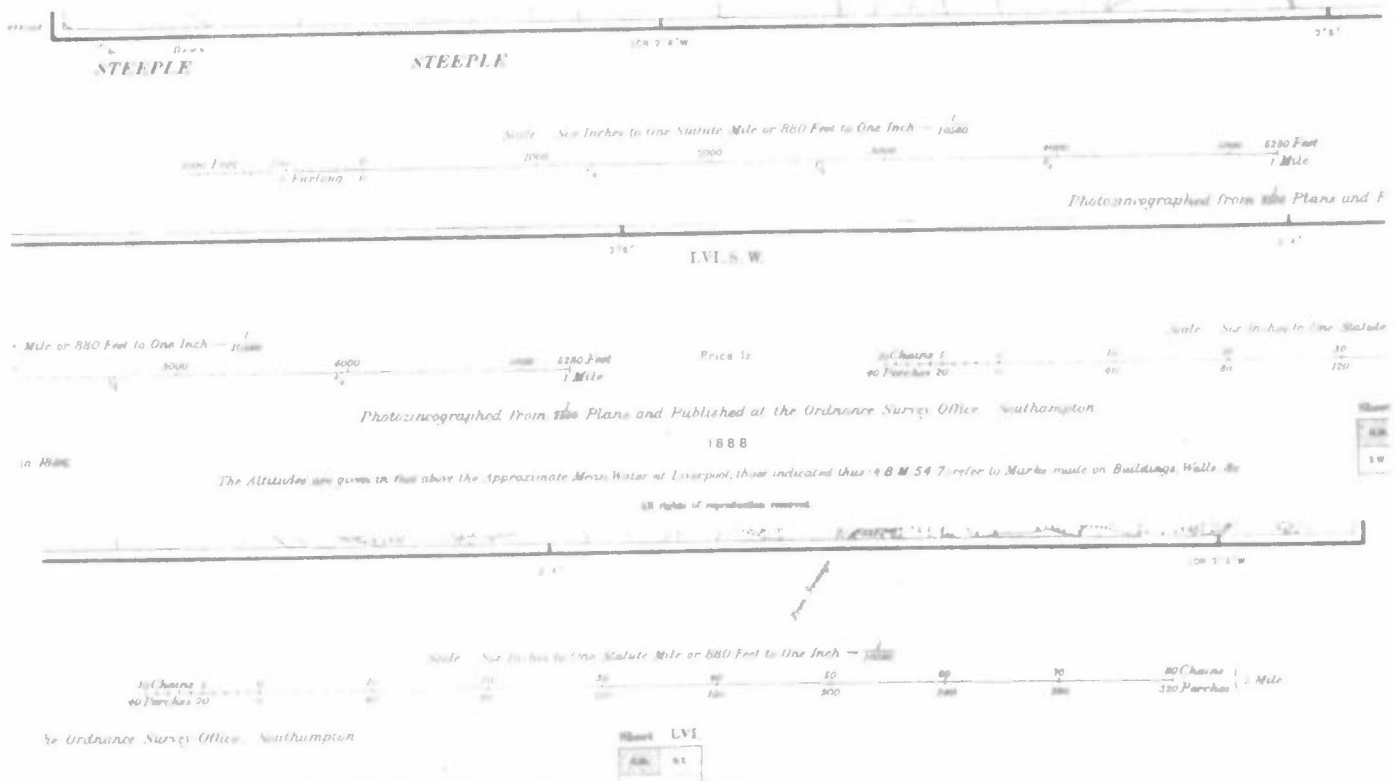
29

Close Up of 19th Century Map
Note The route to steeple is very similar to the route proposed by Purbeck District Council

3

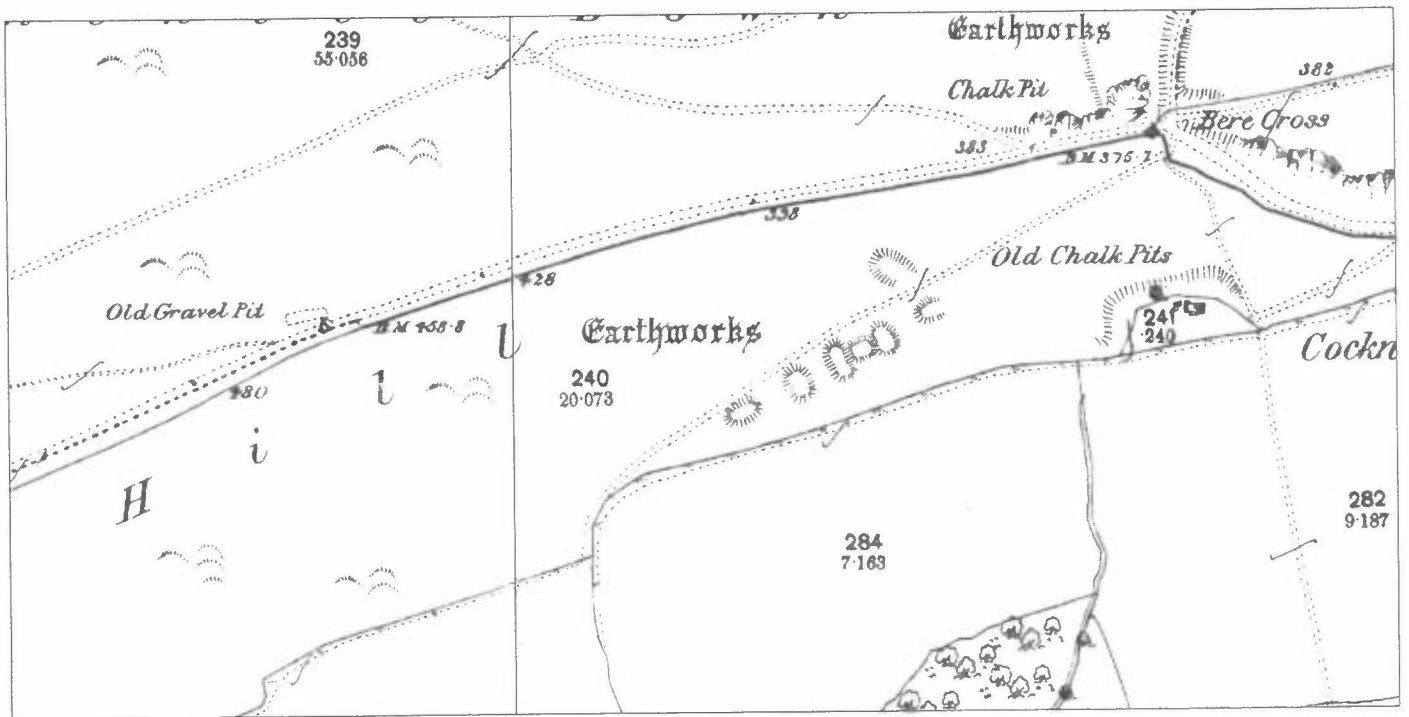


OS Six – One Inch,
 Surveyed 1886 Published 1888
<https://maps.nls.uk/view/101447495>



Key
 OS Six – One Inch,
 Surveyed 1886 Published 1888
<https://maps.nls.uk/view/101447495>

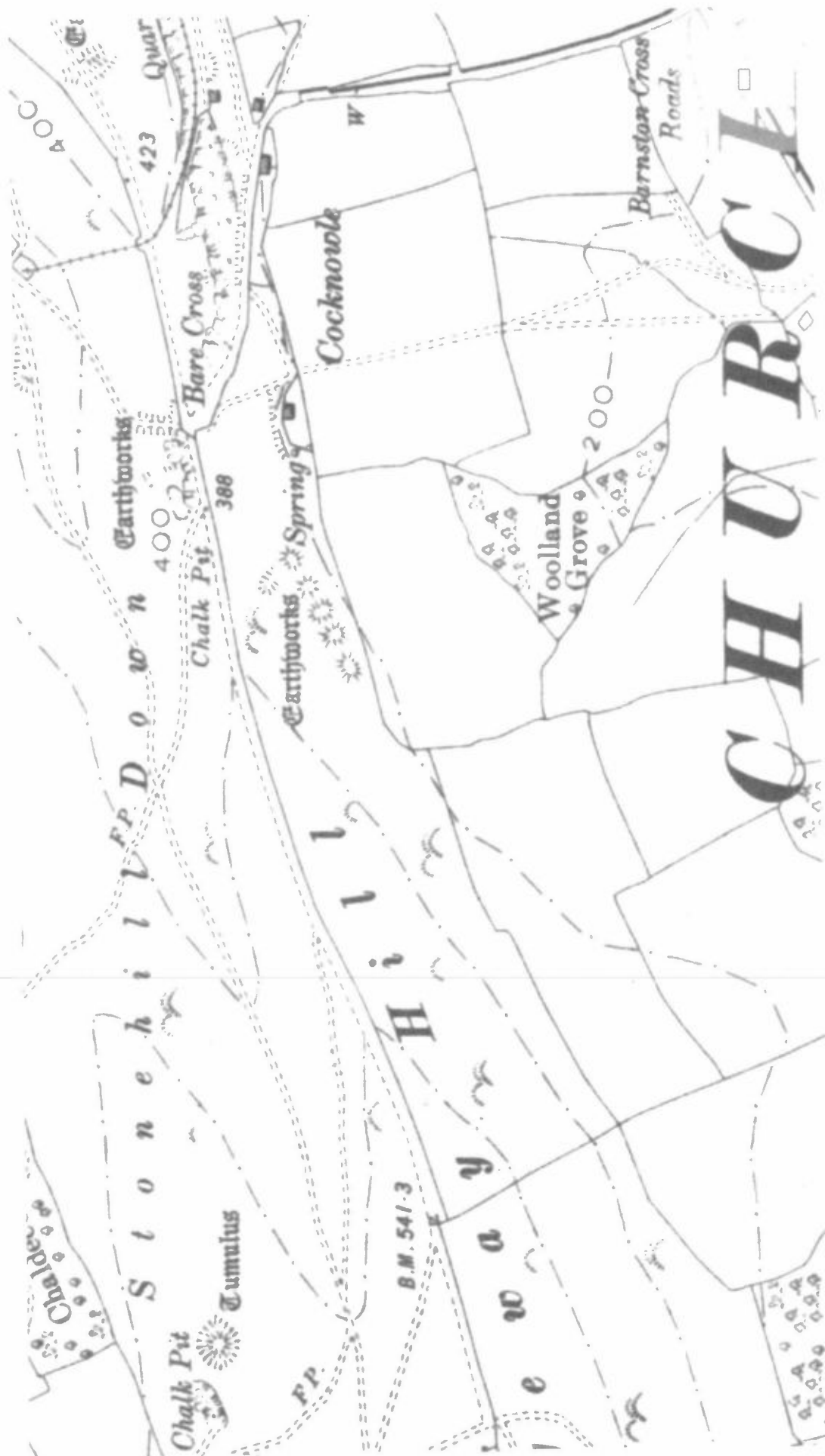
31



OS County Series: Dorset 1889 1:2,500
<https://www.old-maps.co.uk/#/Map/393287/82025/12/100145>

32

6



OS Six – One Inch,
 Revised 1900 Published 1902
<https://maps.nls.uk/view/101447492https://maps.nls.uk/view/101447492>

NIMMERIDGE PB

LONG 2° 6' W.

Surveyed in 1866. Revised in 1900.

CHARACTERISTICS AND SYMBOLS

County Boundary	-----	Antiquities Site of	+	Trigonometrical Station	*
Parish Boundary	Arrow showing direction of flow of water	→		
Contours	Instrumental 100 Shaded 250	For other information see Characteristic Sheet			

Heliocyclographed from OS Plans and P.
The Altitudes are given in Feet above the assumed M.L.
Altitudes indicated thus (20 or 50) refer to Bench

2° 5'

LVI S.W.

2° 4'

Scale Six Inches to



M B O L S

Price 1s.

Triangometrical Station

Sheet

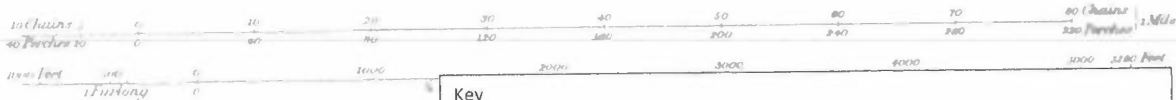
Heliocyclographed from OS Plans and Published by the Director General at the Ordnance Survey Office, Southampton N.B. The representation of
The Altitudes are given in Feet above the assumed Mean Level of the Sea at Liverpool which is 0.450 of a Foot below the general Mean Level of the Sea
Altitudes indicated thus (20 or 50) refer to Bench Marks on Buildings, Walls, &c. those marked thus preceded or followed by the height to surface levels.

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2° 4'

LONG 2° 3' W.

Scale Six Inches to One Statute Mile or 880 Feet to One Inch - 10

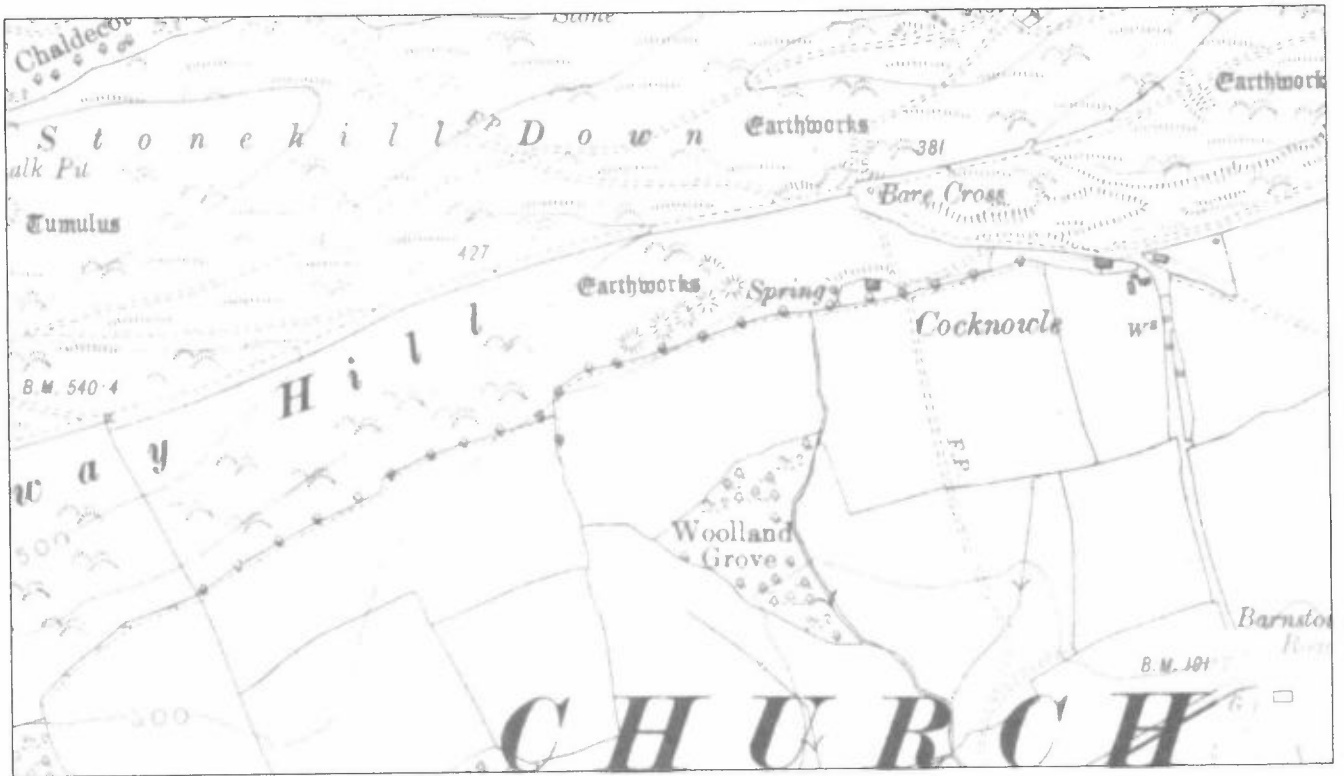


Key
 OS Six - One Inch,
 Revised 1900 Published 1902
<https://maps.nls.uk/view/101447492>

34

the Ordnance Survey Office, Southampton N.B. The representation
is 0.450 of a Foot below the general Mean Level of the Sea
marked thus preceded or followed by the height to surface levels

8



OS Six – One Inch,
Revised 1926 Published 1929
<https://maps.nls.uk/view/101447489>

Revised in 1886 Revised in 1906 Levelling resumed in 1901
 Adjusted to the New Geodesic Levelling and Mean Sea Datum in 1922
 180/38

CHARACTERISTICS AND SYMBOLS

County Boundary	---	Antiquities, Site of	+
Parliamentary Division Boundary	- - - - -	Arms showing direction of flow of water	→
Union Boundary	x x x x	Contours Instrumental	—
Rural District Boundary	v v v v	Contours Stochastic	...
Parish Boundary	Trigonometrical Station	▲

For other information see Characteristic Sheet

Printed and Published by

The altitudes of bench marks and surface heights are given in
 Altitudes indicated thus, e.g. 157, refer to bench m

The contours on this map are referred to the old Ordnance Survey Datum, i.e. assumed mean sea level at Liverpool

1° 5' E

5 W

Scale 6 Inches to

10 Chains 0 10 20 30

1000 Feet 500 0 1000
 1 Furlong 0 1

Page 2 of 2

Printed and Published by the Director General at the Ordnance Survey Office, Southampton.

N.B. The representation

The altitudes of bench marks and surface heights are given in Feet above the mean level of the sea at Newlyn, and are based on the revised primary levelling of 1922.

Altitudes indicated thus, e.g. 157, refer to bench marks on buildings, walls, etc. those marked thus, e.g. 157, preceded or followed by the height, to surface levels.

Altitudes indicated thus, e.g. 157, refer to bench marks on buildings, walls, etc. those marked thus, e.g. 157, preceded or followed by the height, to surface levels. There may thus be discrepancies of some inches between the old Ordnance Survey Datum, i.e. assumed mean sea level at Liverpool, and are not based on the revised primary levelling of 1922. There may thus be discrepancies of some inches between the

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1° 5' E

5 W

Scale 6 Inches to One Statute Mile or 600 Feet to One Inch

10 Chains 0 10 20 30 40 50 60 70 80 Chains

1000 Feet 500 0 1000 1500 2000 2500 3000 Feet
 1 Furlong 0 1 1 Mile

Survey Office, Southampton

N.B. The representation on this map of a Road, Track, or

is shown, and are based on the revised primary levelling of 1922.

is preceded or followed by the height to surface levels.

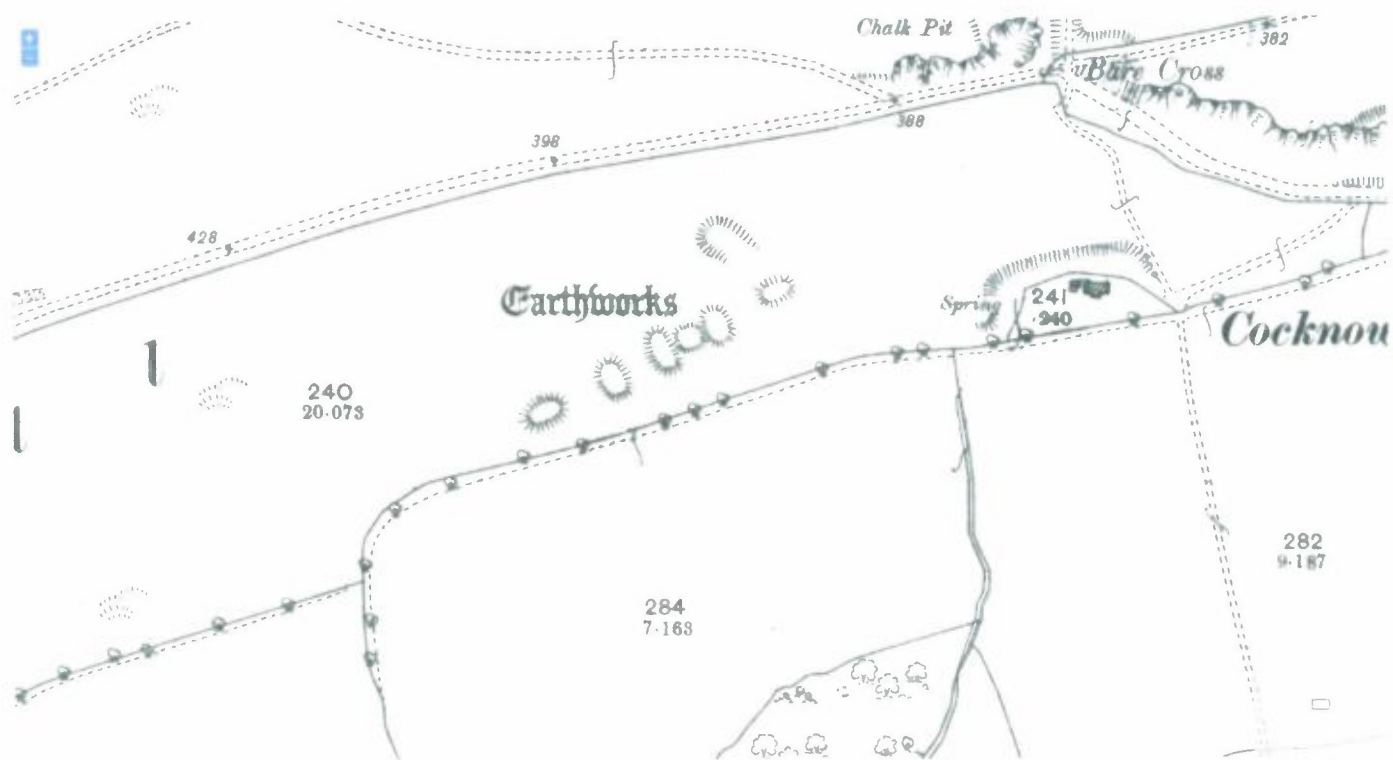
levelling of 1922. There may thus be discrepancies of some inches between the contours and the bench marks and

Key

OS Six – One Inch,
 Revised 1926 Published 1929
<https://maps.nls.uk/view/101447489>

10

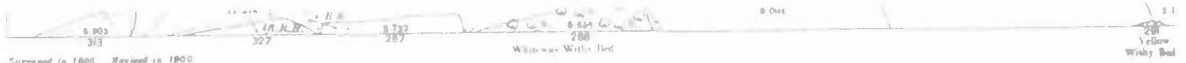
If this map is to be used for navigation
 please use the diagram on back



OS 25 Inch, Revised 1900 Published 1901
<https://maps.nls.uk/view/106012353>

37

11



Surveyed in 1884
Reprint 10 88
Revised in 1900

CHARACTERISTICS AND SYMBOLS FOR BOUNDARIES &c

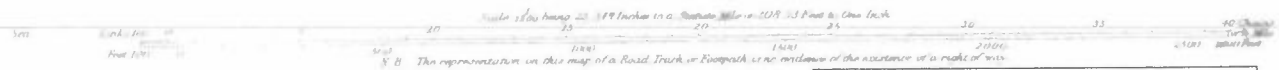
Group	County	---	B	Municipal Ward	---	W	Change of Boundary, indicating the point at which the characteristic boundaries change	Every parcel is numbered, thus its area is given underneath, so being thus	27
Boroughs	Parliamentary	---	C	Urban District	---	D	Intervening Site of Improvement / Station	Boundaries, that the areas concerned are included in the same reference number and area	4 310
	Municipal	---	M	Rural District	---	P	Blue Line (Stream)	For other information see Characteristics Sheet	



is numbered thus
underneath its area, thus
along the square is contained
to name, reference number and area
information see Characteristics Sheet

Revised and Published by the Director General at the Ordnance Survey Office, Southampton, 1901
The Altitudes are given in Feet above the assumed Mean Level of the Sea at Low Water, which is 0.650 of a Foot below the general Mean Level of the Sea
Altitudes indicated thus: 2 at 547 refer to Perth Heights on Pentlands; Public A, those marked thus: 32 87; surface levels
All rights of reproduction reserved

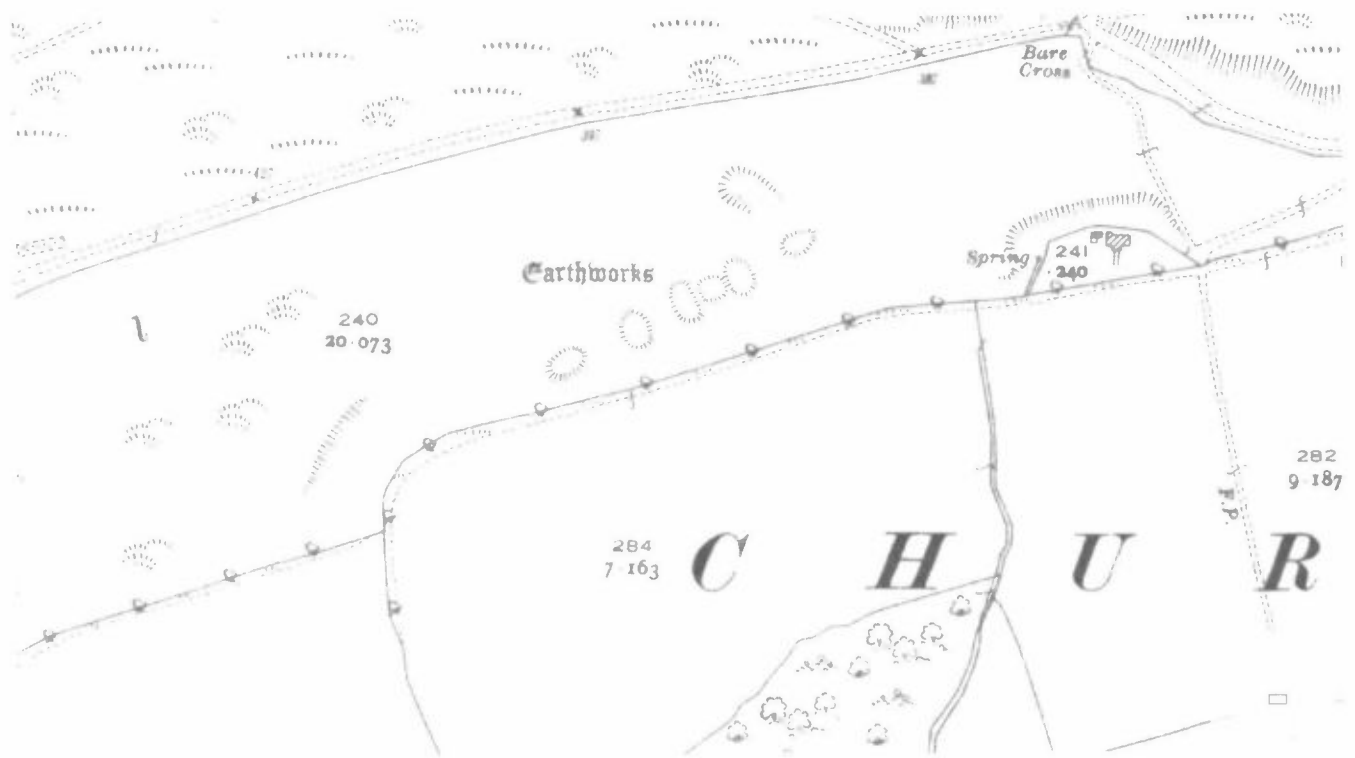
Price 1/6
Scale 1:50,000



Key
OS 25 Inch, Revised 1900 Published 1901
<https://maps.nls.uk/view/106012353>

38

12



OS 25 Inch, Revised 1926 Published 1928

<https://maps.nls.uk/geo/find/#zoom=12&lat=50.6347&lon=-2.0946&layers=101&b=1&point=50.6413,-2.1049>

545 555 611
Wiltshire Wilby Road

Revised in 1926 Reissued in 1927

Revised in 1926 Reissued in 1927

Wiltshire Wilby Road

CHARACTERISTICS AND SYMBOLS FOR BOUNDARIES

County	--- ---	C	Municipal Ward	---	W	Boundaries of Municipalities, including the principal streets which the character is frequently changed	Every parcel is numbered thus: 37	The altitude of bench
Parliamentary	---	⊙	Urban District	---	⊙	Antiquarian Sites of Engineering Interest	4 370	1 Bench
Municipal	---	M	Rural District	---	U	Other information and directions		

LVI.5

Printed and Published by the Director General of the Ordnance Survey Office, Southampton 1928

37
4 370

The altitude of bench marks and surface heights are given in feet above the mean level of the sea at Newlyn and are based on the revised primary levelling. Distances indicated that 0.000 547 refer to bench marks on buildings walls; those marked as recorded or followed in the height of earlier level.

Note: To convert Decimal parts of an Acre into Roods and Perches multiply by 4. This will give Roods and Decimals of a Rood.
Example: 0.25 = 1 Rood 100 Perches
0.5 = 2 Roods
1.0 = 4 Roods

37
4 370

DORSET LVI.1. PRICE 0/6 NET

Scale: One Inch = 2 1/2 Miles or 4020 Feet to the Inch



Key
OS 25 Inch, Revised 1926 Published 1928
https://maps.nls.uk/geo/find/#zoom=12&lat=50.6347&lon=-2.0946&layers=101&b=1&point=50.6413,-2.1049

at



1947 Aerial Photograph
Area of Bare Cross and Barnston Manor

41



Close Up: 1947 Aerial Photograph
Area of Bare Cross and Barnston Manor
Note there is no evidence of any path within the curtilage of Charmswell

42



Purbeck District Council
Submitted Photograph

43



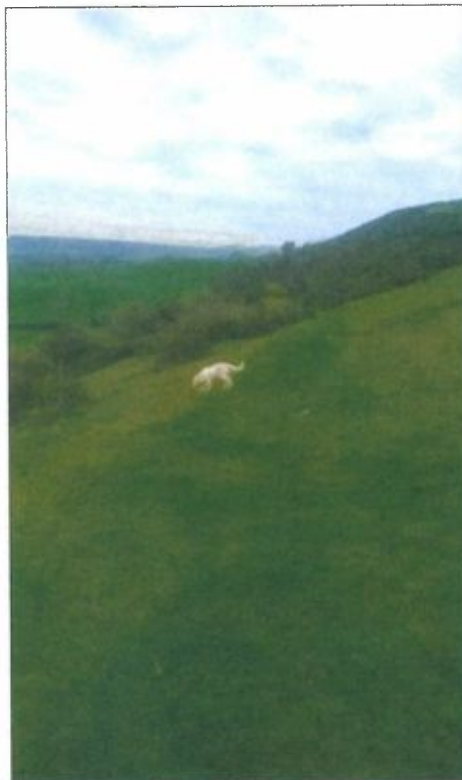
Close-Up Purbeck District Council
Submitted Photograph Of Dorset County Council Public Footpath sign

447



Photograph of Finger Post at Bare Cross (Included in Mr Hart's Submission)
This points towards the Route Identified by Purbeck District Council

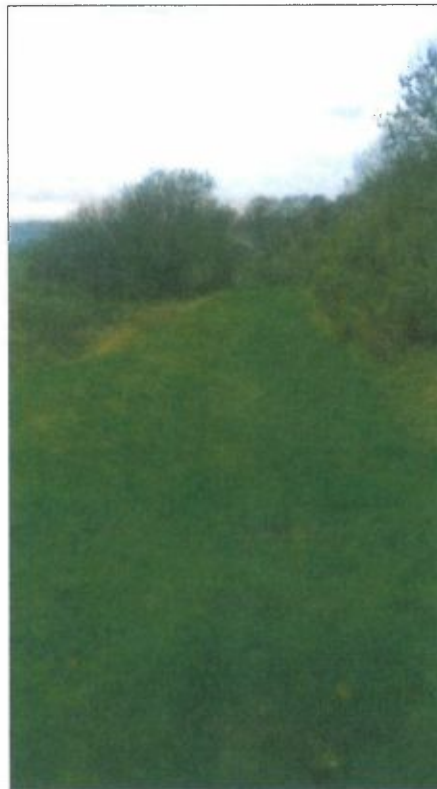
S77



Recent Photograph of Path
from Whiteways Farm Area to Bare Cross
Looking back down the hill from Bare Cross
Note the wide nature of the path.

977

20



Recent Photograph of Path
Route from Whiteways Farm Area to Bare Cross
Note Wide Nature of the Path

L7