



Strategic and Technical Planning Committee

Date: Monday, 30 June 2025
Time: 10.00 am
Venue: Council Chamber, County Hall, Dorchester, DT1 1XJ

Members (Quorum 6)

Duncan Sowry-House (Chair), Dave Bolwell (Vice-Chair), Belinda Bawden, Matt Bell, Toni Coombs, Richard Crabb, Spencer Flower, Craig Monks, Belinda Ridout, Pete Roper, David Taylor and David Tooke

Interim Chief Executive: Sam Crowe, County Hall, Dorchester, Dorset DT1 1XJ

For more information about this agenda please contact Democratic Services Meeting Contact 01305 224709 - megan.r.rochester@dorsetcouncil.gov.uk

Members of the public are welcome to attend this meeting, apart from any items listed in the exempt part of this agenda. If you would like to attend this meeting and have any specific requirements, please contact the Democratic Services Officer named above.

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Agenda

Item	Pages
1. APOLOGIES	
To receive any apologies for absence.	
2. MINUTES	
To confirm the minutes of the meeting held on Thursday 1 st May 2025.	
3. DECLARATIONS OF INTEREST	
To disclose any pecuniary, other registrable or non-registrable interests as set out in the adopted Code of Conduct. In making their disclosure councillors are asked to state the agenda item, the nature of the interest and any action they propose to take as part of their declaration.	

If required, further advice should be sought from the Monitoring Officer in advance of the meeting.

4. REGISTRATION FOR PUBLIC SPEAKING AND STATEMENTS

Members of the public wishing to speak to the Committee on a planning application should notify the Democratic Services Officer listed on the front of this agenda. This must be done no later than two clear working days before the meeting. Please refer to the Guide to Public Speaking at Planning Committee. [Guide to Public Speaking at Planning Committee](#)

The deadline for notifying a request to speak is 8.30am on Thursday 26th June 2025.

5. APPLICATION TO DIVERT PART OF FOOTPATH 46, OKEFORD FITZPAINE AT DARKNOLL FARM 5 - 22

This report considers an application to divert part of Footpath 46, Okeford Fitzpaine in the light of objections received and recommends that the diversion order is made on the basis that the relevant legal tests have been met.

6. P/FUL/2023/03982 - LAND AT HURST FARM AND STATION ROAD, MORETON, DORCHESTER DT2 8RA 23 - 126

Extraction of approximately 11.5 million tonnes of sand and gravel, in phased working, together with importation of aggregates and cement, construction of a car park, internal haul road, bridged conveyor crossing, erection of a site office, aggregate processing plant, aggregate bagging plant, ready mix concrete plant, and ancillary buildings. Restoration to water bodies and agriculture and biodiversity enhancements together with public access and use of retained site office as a Visitor Centre.

7. P/VOC/2024/03497 - RAINBARROW FARM, MONKEYS JUMP ROUNDABOUT TO JUNCTION BELOW ALINGTON PLACE, MARTINSTOWN, DT2 9JF 127 - 166

The construction and operation of an Anaerobic Digestion and Combined Heat and Power Plant and associated infrastructure including a new site access road at Rainbarrow Farm (Site 1) and underground service corridor linking to a new Combined Heat and Power engine in existing Engine House (Site 2) at Poundbury to supply Poundbury with renewable heat and power (Revised proposal) (Changes to proposed plant, infrastructure and land profiling at Rainbarrow Farm (Site 1)) and as varied by 1/D/2011/2113 to include repositioning of flare and CHP container, and additional equipment to include standby generator, switch gear, back up boiler, DMT Membrane Plant, transformer, 3 tank propane store and new gas pipeline to site boundary, to enable the majority of the gas produced by the Anaerobic Digester Plant to be fed directly into the public gas

supply network at the pressure regulating station adjacent Monkeys Jump Roundabout (with variation of conditions 27 and 28 of planning permission 1/D/2011/2113 to regularise the existing development by increasing traffic levels, annual feedstock throughput and feedstocks).

- | | | |
|----|---|--------------|
| 8. | P/FUL/2025/00591 - RAINBARROW FARM, MONKEY JUMP
ROUNDAABOUT TO JUNCTION BELOW ALINGTON PLACE,
MARTINSTOWN, DT2 9JF | 167 -
184 |
|----|---|--------------|

Retain digestate lagoon and hardstanding & install proposed lagoon cover.

9. EXEMPT BUSINESS

To move the exclusion of the press and the public for the following item in view of the likely disclosure of exempt information within the meaning of paragraph 3 of schedule 12 A to the Local Government Act 1972 (as amended). The public and the press will be asked to leave the meeting whilst the item of business is considered.

There are no exempt items scheduled for this meeting.

10. URGENT ITEMS

To consider any items of business which the Chairman has had prior notification and considers to be urgent pursuant to section 100B (4) b) of the Local Government Act 1972. The reason for the urgency shall be recorded in the minutes.

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Strategic and Technical Planning Committee

30 June 2025

Application to divert part of Footpath 46, Okeford Fitzpaine at Darknoll Farm

For Decision

Cabinet Member and Portfolio:

Cllr S Bartlett, Planning and Emergency Planning

Local Councillor(s):

Cllr Steve Murcer

Executive Director:

J Britton, Executive Director for Place Services

Report Author: Alastair Beaven

Job Title: Definitive Map Technical Officer

Tel: 01305 224058

Email: alastair.beaven@dorsetcouncil.gov.uk

Report Status: Public

Brief Summary:

This report considers an application to divert part of Footpath 46, Okeford Fitzpaine in the light of objections received and recommends that the diversion order is made on the basis that the relevant legal tests have been met.

Recommendation:

That:

- (a) The application to divert part of Footpath 46, Okeford Fitzpaine as shown on drawing P256/25/1 attached as Appendix 1, be accepted and the diversion order made;
- (b) The order includes provisions to modify the definitive map and statement to record the changes made as a consequence of the diversion; and

- (c) If the Order is unopposed, and is considered to meet the legal tests it is confirmed by the Council.
- (d) If the Order is opposed, and the objections to the order are of a similar nature to those already considered by the Committee, it be submitted to the Secretary of State without further reference to the Committee.

Reason for Recommendation:

- (a) The proposed diversion meets the legal criteria set out in the Highways Act 1980
- (b) The inclusion of these provisions in public path orders means that there is no need for a separate legal event order to modify the definitive map and statement as a result of the diversion.
- (c) Accordingly, for the reasons set out below in the report the proposed diversion is considered expedient and therefore Dorset Council can itself confirm the order.
- (d) Dorset Council is unable to confirm an opposed order itself but can submit it to the Secretary of State for confirmation, subject to the legal tests being fulfilled. In the event that objections of a similar nature to those already considered are received to the order, the committee will have already considered the objections in light of the legal criteria and therefore Dorset Council will submit the order to the Secretary of State for confirmation

Report

1 Background

- 1.1 Dorset Council has received an application to divert part of Footpath 46, Okeford Fitzpaine at Darknoll Farm as shown on Drawing P256/25/1 attached as Appendix 1.
- 1.2 The current definitive route of Footpath 46 begins at the northern edge of Okeford Fitzpaine village north west of Mary Gardens. It passes along estate roads then north west to cross footpath N48/44 at point A on Drawing P256/25/1, across a bridge, through a field then across a footbridge and through a gate, then north west crossing a stile to the east of Darknoll Farm and through a field gate to point B and then continuing north west to the road.

- 1.3 The proposed new route of Footpath 46 from Point C follows the hedge line west to point D round a tree then continuing west to Point E and through a field gate to Point B. The new route will be accessed from the existing Footpath 44.
- 1.4 The application is in the interests of the landowner as it allows for better management of livestock as set out in paragraphs 3.14 and 3.15.
- 1.5 There are no other affected landowners.

2 Law

Highways Act 1980

- 2.1 Section 119 of the Highways Act 1980 allows a footpath, bridleway or restricted byway (or part of one) to be diverted in the interests of the landowner, lessee or occupier or of the public, subject to certain criteria.
- 2.2 A diversion cannot alter the termination point of the path if the new termination point:
 - (i) Is not on a highway; or
 - (ii) (where it is on a highway) is otherwise than on the same highway or a connected highway, which is substantially as convenient to the public.
- 2.3 A public path diversion order cannot be confirmed as an unopposed order unless the Council are satisfied that:
 - (a) In the interests of the owner, lessee or occupier or of the public, the diversion to be affected by it is expedient;
 - (b) the diversion would not result in a path that is substantially less convenient to the public;and that it is expedient to confirm the order having regard to:
 - (c) the effect the diversion would have on public enjoyment of the footpath as a whole;
 - (d) the effect the diversion would have on other land served by the current footpath; and
 - (e) the effect on the land over which the diversion will run and any land held with it.

Any temporary circumstances preventing or diminishing the use of a path or way by the public shall be disregarded.

- 2.4 Section 29 of the Highways Act 1980, as amended by Section 57 of the Countryside and Rights of Way Act 2000, says that when making diversion or extinguishment orders Dorset Council must have regard to the needs of agriculture, forestry and nature conservation and the desirability of conserving flora, fauna and geological and physiographical features. "Agriculture" includes the breeding and keeping of horses.
- 2.5 Section 119(3) of the Highways Act 1980 as amended by the Countryside and Rights of Way Act 2000 provides that the extinguishment of the existing public right of way "is not to come into force until the local highway authority for the new path or way certify that the work has been carried out".
- 2.6 Dorset Council may itself confirm the order if it is unopposed. If it is opposed, it may be sent to the Secretary of State for confirmation.

Wildlife and Countryside Act 1981

- 2.7 Section 53A of the Wildlife and Countryside Act 1981 enables provisions to amend the definitive map and statement required by virtue of a diversion order to be included in the diversion order instead of being the subject of a separate legal event order.

Equality Act 2010

- 2.8 Section 149 of the Equalities Act 2010 puts a duty on public authorities to have due regard to the need to:
- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
 - (a) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - (b) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

This is considered in section 10 below.

Human Rights Act 1998 – Human rights implications

- 2.9 The provisions of the Human Rights Act and principles contained in the Convention of Human Rights have been taken into account in reaching the recommendation contained in this report. The articles/protocols of particular relevance are:

Article 8 - Right to respect for private and family life

The First Protocol, Article 1 - Protection of Property.

- 2.10 When considering whether it is expedient to make the order a council must consider the rights of any affected landowner under Article 8 and Article 1 of the First Protocol and in particular have due regard to any argument put forward by an affected landowner that their rights would be infringed.
- 2.11 Section 28 of the Highways Act 1980 provides that a person with an interest in land affected by the consequence of the coming into operation of a public path order can make a claim for compensation for the depreciation of land value or damage suffered by being disturbed in his enjoyment of land.
- 2.12 The recommendation is based on the application of the test in section 119 of the Highways Act 1980 which balances the rights of the affected owners and the public.

Rights of Way Improvement Plan

- 2.13 Dorset Council's Rights of Way Improvement Plan (ROWIP) is a statutory document setting out a strategy for improving its network of Public Rights of Way, wider access and outdoor public space.
- 2.14 Before confirming a public path creation, diversion or extinguishment order a council or the Secretary of State must have regard to any material provision of a rights of way improvement plan prepared by the local highway authority.
- 2.15 Five themes have been identified for improving access in Dorset of which the following are particularly relevant to the present case and should be considered in relation to this application:

Theme 1: The ROWIP's links with other strategies

Theme 1.6 Improve accessibility of the network.

3 Consultation

- 3.1 The original proposal to divert part of Footpath 46 as shown on Drawing P256/24/1 (Appendix 2) was consulted on in February 2024 and 6 objections were received, including the Parish Council with one representation broadly in support. The Ramblers were also supportive.
- 3.2 The Councillor for Blackmore Vale Ward at that time, Cllr Pauline Batstone, was consulted and made no comment.
- 3.3 Several responses to the original application mentioned the directness of the existing route and the fact the route has been in use for a long time.
- 3.4 In response to the objections received, the applicants agreed to amend the proposal following meetings with the Parish Council, site visits and discussions with officers.
- 3.5 The proposal was revised so that the proposed new route of Footpath 46 runs from Point C on Drawing P256/25/1 eastwards along the northern side of a hedge to point D and then continuing east to a field gate at point E and on to rejoin the existing route of Footpath 46 at point B.
- 3.6 A second consultation on the amended proposals was carried out in March and April 2025 and was sent to all original consultees as well as all respondents to the February 2024 consultation. Site notices were also posted at both ends of the proposed diversion.
- 3.7 The Councillor for Blackmore Vale Ward, Cllr Steve Murcer, was consulted and made no comment.
- 3.8 One objection was received to the revised proposal.
- 3.9 One representation in support was received to the revised proposal.

- 3.10 The Ramblers' representative walked the revised route and raised several questions. They were concerned the proposed new route by the tree at point D would be prone to becoming muddy as it was below both field levels either side. In response the landowner confirmed that they will raise the level of the new route up to field level with gravel/stone in this area. A second, related, question was asked about the water troughs and the risk of muddy ground around them as livestock assemble to drink. The landowner confirmed that the troughs will be moved 3m away from the new path. It was also confirmed that the existing field gate at point E was being retained.
- 3.11 The Ramblers confirmed that they were satisfied that the issues they raised would be resolved and raised no further objection.
- 3.12 All consultation responses are summarised in Appendices 3 and 4.

Legal Tests

- 3.13 The tests for making an order are set out and broken down in the following paragraphs. The objector's position is also set out along with officers' comments
- 3.14 Legal test: A footpath or bridleway (or part of one) can be diverted in the interests of the landowner, lessee or occupier or of the public, subject to certain criteria.
- 3.15 Objector's comment: Lack of Necessity or Expediency.

The diversion has not been shown to be necessary by the landowner - no evidence of underlying need has been given in the order. While the land in question currently not in use it has been used for agriculture many years without any significant issues with cattle management

Officer comment: Officers consider the proposed diversion is in the interest of the landowner for better stock management. Currently the footpath bisects several fields which makes it difficult to keep cattle and the public apart, including dogs and their waste. The proposed diversion enables the landowner to separate the public from the cattle more easily making it safer for both the public and the livestock.

- 3.16 Legal test: A public path diversion order shall not alter a point of termination of the path or way—
- (a) if that point is not on a highway; or

(b) (where it is on a highway) otherwise than to a point which is on the same highway or a highway connected with it, and which is substantially as convenient to the public.

3.17 Officer comment: The northern termination point of Footpath 46 is unaffected and the southern termination point would be moved from its junction with Footpath 44 at point A, to a point 330 metres north north east to point C retaining its connection with the same Footpath . The remaining undiverted part of Footpath 46 continues as before in a south westerly direction from Point A through to Okeford Fitzpaine.

3.18 Legal test:

A public path diversion order cannot be confirmed as an unopposed order unless the Council are satisfied that:

(a) In the interests of the owner, lessee or occupier or of the public, the diversion to be affected by it is expedient;

(See above at 3.14 regarding Landowner interest)

(b) the diversion would not result in a path that is substantially less convenient to the public;

Objector's Comment: Negative Impact on Public and Increased Burden

The diversion makes the footpath longer and includes much steeper inclines than the current path making it less convenient, particularly for those less able.

Officer Comment: Although the increase in distance of approximately 300m does make the overall route from A to B (via the diverted path) longer, officers do not feel that this is substantially less convenient as, although the path can be used to walk from Okeford Fitzpaine to Sturminster Newton, officers have been informed it is mainly used as a recreational circular path.

With regard to the steepness of the routes, contour lines show the incline to be roughly similar at 1:17 at the steepest part of the current route (between points A and B) and 1:17 at the steepest part of the diverted route (between points A and C on Footpath 44, which walkers would need to walk to access the diverted route of Footpath 46). The gradient of the proposed diversion is 1:18 from point C westwards (see Appendix 5).

Both the current footpath and the section of Footpath 44 between A and C cross small bridges. There are gates on the bridge on the current route just to the west of Point A and also two gates on the bridge further to the west of Point A on the current route. Across the field to the north west there is a double stile on the current route and one further field gate to the south of Point B. There is a gate on the bridge on the route of Footpath 44 and one further field gate on Footpath 44 just to the south of Point C. On the proposed diversion there is a field gate at Point E, therefore the proposed diversion is more accessible.

and that it is expedient to confirm the order having regard to:

- (c) the effect the diversion would have on public enjoyment of the footpath as a whole;

Objector's Comment: Loss of Scenic or Natural Features.

Routing the diversion against a high hedge removes the view across open fields and detracts from the enjoyment gained on the existing path.

Officer comment: Officers consider that views from the proposed new route are better than those from the current footpath. On the current route walking from A-B, there are limited views of the wider countryside as the route is up an incline, towards a high hedge. In the opposite direction, (from B to A) however, there are expansive views to the south, these views are roughly the same using the part of Footpath 44 that links with the proposed diverted part of Footpath 46. From the proposed new route C – D – E – B, in either direction, the views to the north are expansive and considered to be much better than those from the original proposal.

- (d) the effect the diversion would have on other land served by the footpath; and
- (e) the effect on the land over which the diversion will run and any land held with it.

3.19 Legal Test (repeated from above): ...and that it is expedient to confirm the order having regard to the effect which—

the coming into operation of the order would have as respects other land served by the existing right of way; and...

...any new public right of way created by the order would have as respects the land over which the right is so created and any land held with it.

Officer comment: The diversion is wholly within the land under the ownership of the applicant. Therefore, there is no impact on other land served by the existing right of way and the impacts on the applicant's land are considered above. As a result, officers consider that the test in s119(6) is met.

4 Discussion

- 4.1 The diversion is considered to be in the landowner's interest as it enables the fields to be used in a more efficient manner when containing livestock. The new termination points are substantially as convenient as the current termination points and the revised route, as a result of multiple discussions between the landowner, the Parish Council and local residents, is acceptable in terms of convenience and enjoyability which satisfies the legal tests.
- 4.2 Officers consider that the Council should make an Order. If similar objections are received to the Order, the Council should submit the Order to the Secretary of State and support confirmation of the Order. The diversion satisfies the relevant legal tests and in particular with regard to the interests of the landowner, the termination points of the path, the new route is not substantially less convenient to the public and it does not negatively impact on public enjoyment of the route.
- 4.3 The following works will be carried out on the new route to improve it for public use:
 - a) Moving the water troughs away from the walked route and putting up some fencing to aid separation of livestock from pedestrians.
 - b) Laying stone chippings on footpath at Point D to raise level and improve drainage.
- 4.4 The works will be carried out and funded by the applicant.
- 4.5 The order will be confirmed only on completion of these works. If confirmed by the Secretary of State, the order will provide that the diversion is not effective until the works have been completed and certified.

5 Financial Implications

- 5.1 The applicant has agreed to pay in accordance with Dorset Council's usual scale of charges and also for the cost of advertising the order and subsequent notice of confirmation. The law does not permit Dorset Council to charge the applicant for the cost of obtaining confirmation by the Secretary of State if the order is the subject of an objection.

6 Natural Environment, Climate & Ecology Implications

- 6.1 The Order, if made and confirmed will not have any effect on carbon emissions and supports alternative methods of transport to the car.

7 Well-being and Health Implications

- 7.1 Use of public rights of way promotes a healthy balanced lifestyle.

8 Other Implications

n/a

9 Risk Assessment

- 9.1 HAVING CONSIDERED: the risks associated with this decision; the level of risk has been identified as:

Current Risk: Low

Residual Risk: Low

10 Equalities Impact Assessment

- 10.1 The surface and gradient of the proposed new footpath are no less accessible than the current route. The proposed route avoids a stile on the current route and the applicant has made a commitment to change another stile on the footpath outside the area of the application to more accessible 'kissing gates' to meet the requirements of British Standard BS5709:2018.

11 Conclusion

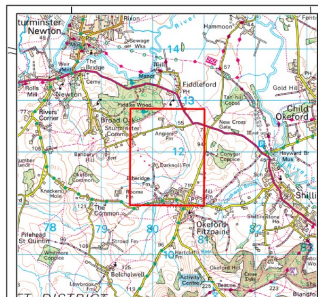
- 11.1 The objection remains outstanding; it is therefore necessary for the Committee to decide whether or not to make the Order. If the Order is unopposed, the Council can confirm the Order itself.
- 11.2 If the Order is opposed, and the objections to the Order are of a similar nature to those already considered by the Committee, it should be submitted to the Secretary of State without further reference to the Committee
- 11.3 The recommendation is that
 - (a) The Order be made and advertised. If objections are received and are similar to those already received, the Order is submitted to the Secretary of State for determination; and
 - (b) The Council supports the confirmation of the Order
- 11.4 This would enable an independently appointed Inspector to decide if the Order meets the legal tests for making and confirmation.

12 Appendices

- 1) Drawing P256/25/1
- 2) Drawing P256/24/1
- 3) Representations to initial application
- 4) Representations to revised application
- 5) Plan showing contours

13 Background Papers

The file of Executive Lead for Place (ref: RW/P256)



GRID REFERENCES:

- A ST 8043 1143
 B ST 8013 1180
 C ST 8056 1174
 D ST 8041 1180
 E ST 8014 1180

MINIMUM 1.2M GAP AT
 POINT D
 FIELD GATE AT E

KEY:

UNAFFECTED FOOTPATHS

PART OF FP46 TO BE DIVERTED

A

B

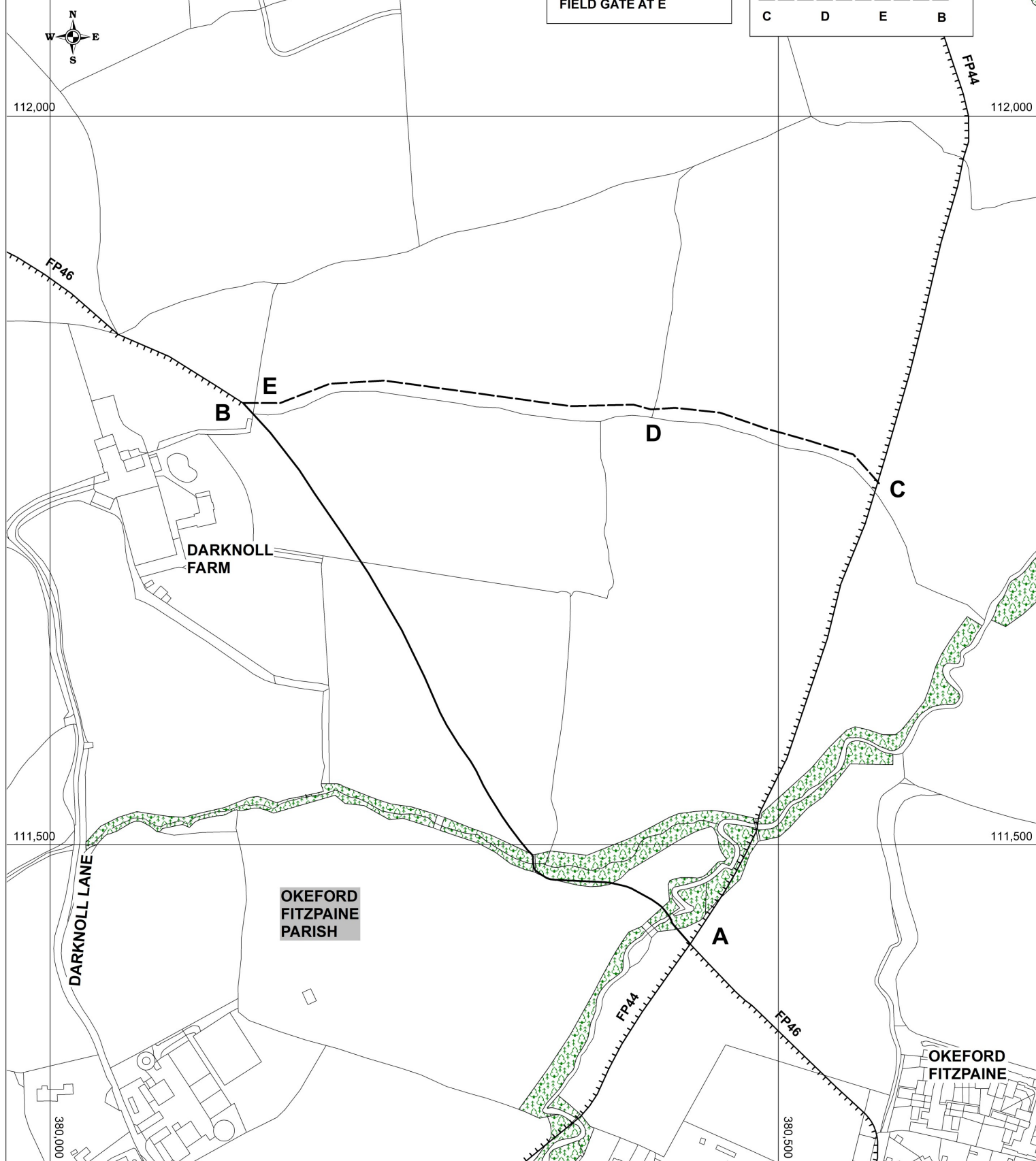
PROPOSED NEW ROUTE OF FP46

C

D

E

B



Highways Act 1980

APPLICATION TO DIVERT PART OF FOOTPATH 46, OKEFORD FITZPAINE AT DARKNOLL FARM
 (REVISED PROPOSAL)

THIS MAP IS NOT DEFINITIVE AND HAS NO LEGAL STATUS

Page 17

Ref:P256/25/1

Date: 18/03/2025

Drawn by:ASB

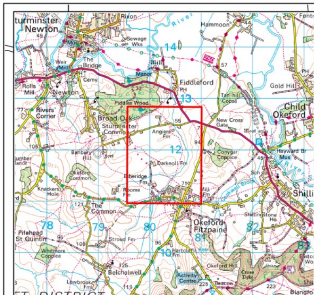
Scale:1:2500@A3

Cent X: 380,324

Cent Y: 111,751



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GRID REFERENCES:

- A ST 8043 1143
- B ST 8004 1185
- C ST 8062 1197
- D ST 8048 1197
- E ST 8043 1196
- F ST 8042 1196
- G ST 80159 11885
- H ST 80146 11885

**PEDESTRIAN GATES AT
E & F AND G & H**

KEY:

UNAFFECTED FOOTPATHS

PART OF FP46 TO BE DIVERTED

A

B

PROPOSED NEW ROUTE OF FP46

C

D

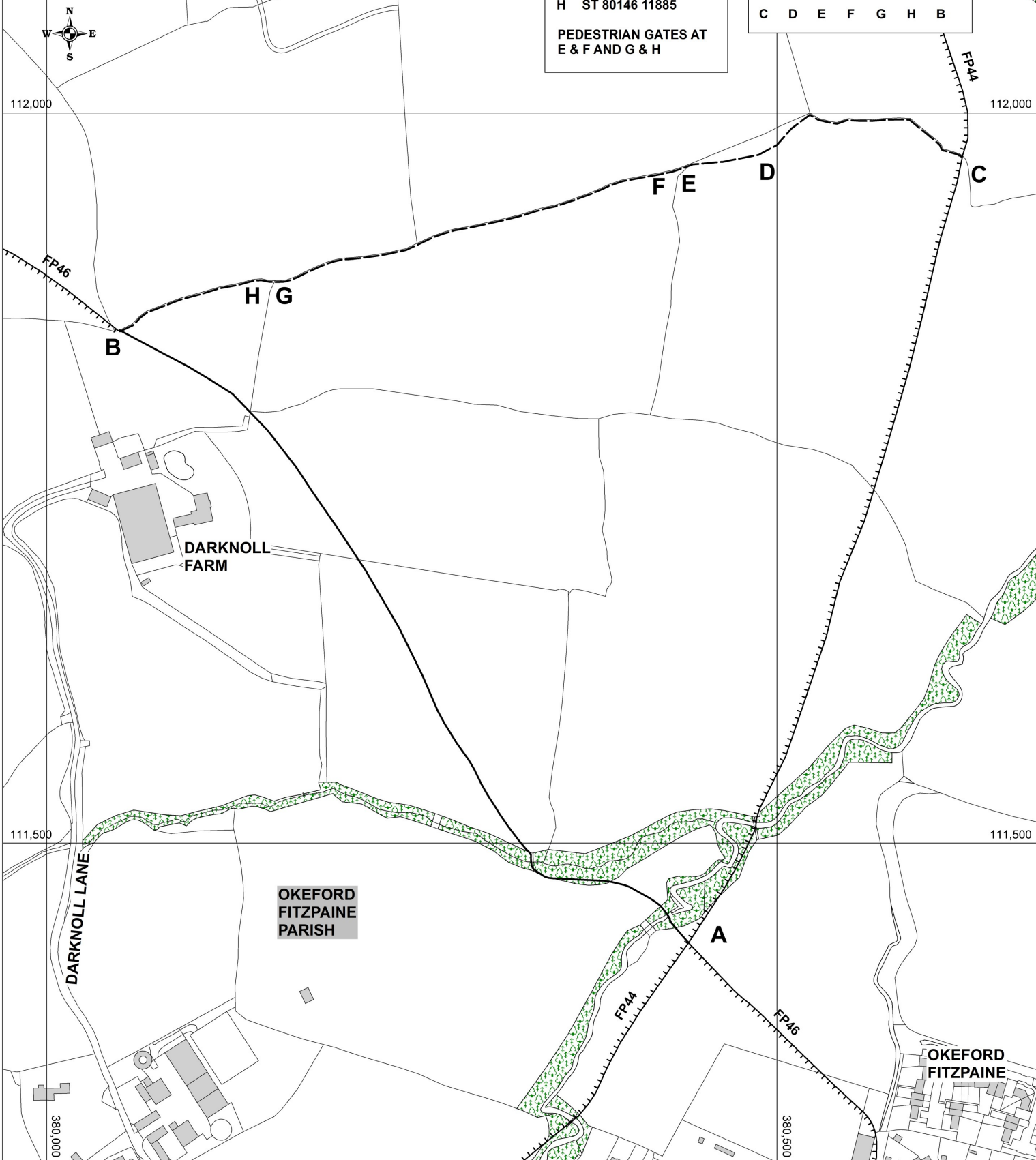
E

F

G

H

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Highways Act 1980

APPLICATION TO DIVERT PART OF FOOTPATH 46, OKEFORD FITZPAINE AT DARKNOLL FARM

THIS MAP IS NOT DEFINITIVE AND HAS NO LEGAL STATUS

Ref:P256/24/1

Date: 21/02/2024

Drawn by:ASB

Scale:1:2500@A3

Cent X: 380,324

Cent Y: 111,751



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Summary of original consultation responses

Opposing the proposal

Name	
(1)	Doubles distance, erases part of OF history.
(2)	Family used for 100 years, direct route
(3)	Hundreds of years, direct route, lovely route
(4)	Well used, popular, unique and pleasurable
Okeford Fitzpaine Parish Council	Diversion deemed inconvenient for the public and worsen the link to Darknoll Lane.
(5)	Ancient right of way should be left as it is

Supporting the proposal

(6)	Broadly supportive, suggests more thought needed
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Other responses

Claire Pinder, Dorset Council, Senior Archaeologist	With reference to your email/letter of 23 February, there are at present no recorded archaeological finds or features or historic buildings on or in the immediate vicinity of the routes affected by this proposal. Consequently, I do not feel that historic environment considerations constitute a constraint in the context of this proposal. Addendum: add a paragraph about the designated site and needing to consult Historic England
Historic England	Part of the old path (A- B) crossed the scheduled medieval village at Darknoll Farm (NHLE No 1002379) Where any works, such as the removal of the stile with replacement gate at Point B is proposed, Historic England will need to be consulted as the works may require scheduled monument consent
The Ramblers	We were first consulted about this proposal by way of a pre-application consultation (PAC) in June 2023, at which time I made a site visit accompanied by the applicant. Following e-mail exchanges and discussions, I subsequently responded stating that I had no objection to the proposed diversion. I made another site visit on March 30th and again walked the proposed route. Taking into account the fact that the work has yet to be carried out on the removal of sections of hedge, and installation of gates and culverts, I am satisfied that the route proposed will be both convenient and enjoyable.

Summary of revised consultation responses

Opposing the proposal

Name	
(1)	The diversion has not been shown to be necessary by the landowner The diversion makes the footpath longer and includes much steeper inclines that the current path making it less convenient , particularly for those less able. Routing the diversion against high hedge removes the view across open fields and detracts from the enjoyment gained on the existing path. In summary this diversion order seeks to solve a problem that does not exist and seeks to change a much used historic existing footpath, which has become much more important of late because of the access improvements made to Darknoll lane enable better and safer walking access to Sturminster Newton.

Supporting the proposal

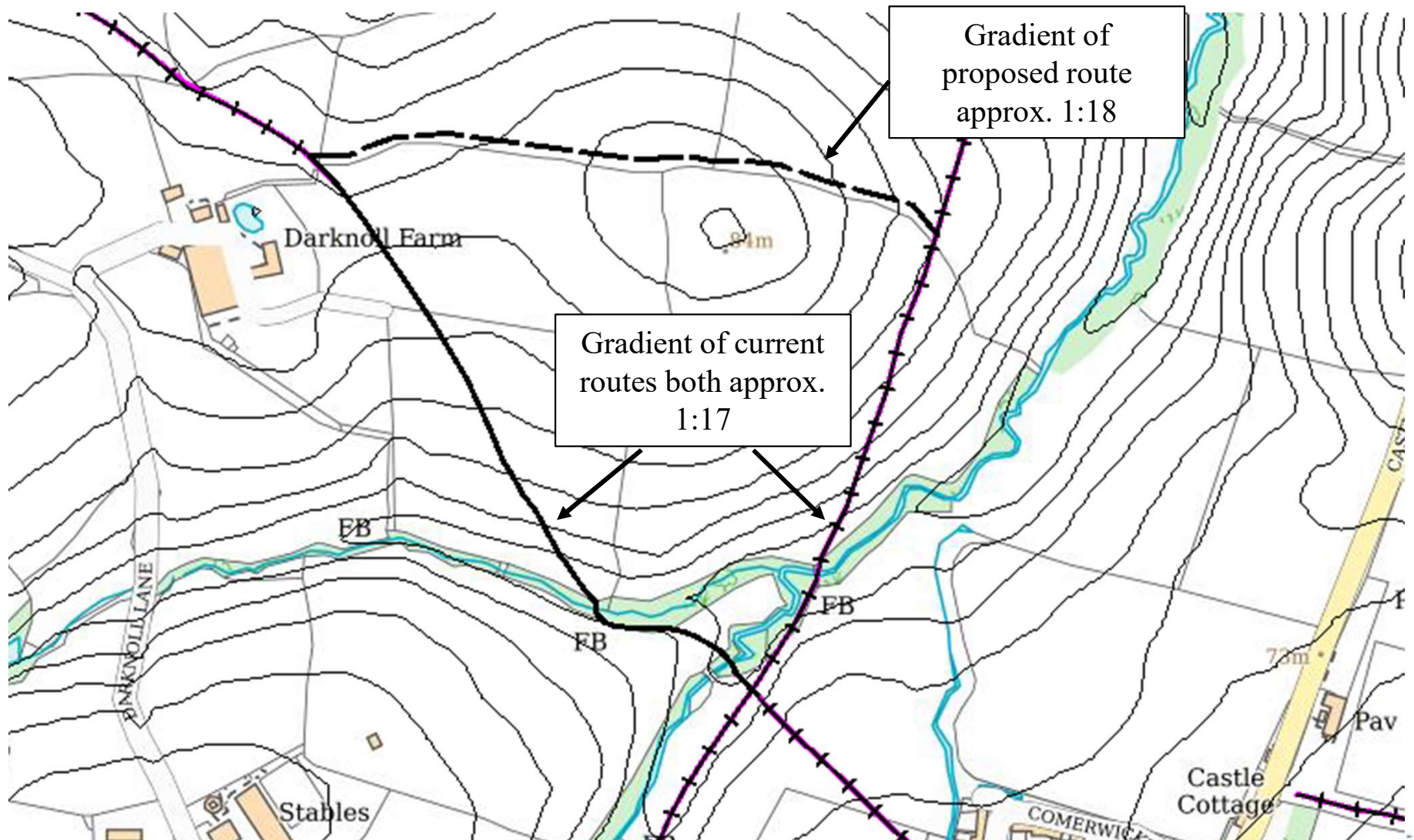
(2)	No objection to the new proposed path - especially as their are new gates and clearances occurring. If the new path is more accessible I will use it more to connect to darknoll lane from the fields
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Other responses

The Ramblers	1. Whilst I have no objection to the proposed route generally, I am concerned about the access at point D. At the time of my visit the ground was very dry, but from experience, when there are narrow 'pinch-points' such as these (photos over), where it is lower than the fields on either side, in wet weather they quickly become churned up muddy patches. Has any consideration been given to making an access point to the north of the tree? However I do appreciate that this would mean the removal of some hedge, which would not be ideal. 2. I also noted a water trough along the route: if there are to be livestock in the fields then this will become a 'meeting point' for them, also resulting in a churned-up area. 3. Finally, is the existing field gate to remain at point E? We welcome the proposed width of the path at 2.5 meters, and the replacement of the stile north of point B with a gate, albeit that location is not on the diversion route.
Okeford Fitzpaine	Since my last email, the proposed footpath diversion route has now been amended by the landowner.

Parish Council	I just wanted to let you know, that while the PC does not particularly support this application it no longer objects to the moving of the path. The PC is happy with the new proposed route.
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Gradient Comparison



Application Number:	P/FUL/2023/03982		
Site address:	Land at Hurst Farm and Station Road, Moreton, Dorchester DT2 8RA		
Proposal:	Extraction of approximately 11.5 million tonnes of sand and gravel, in phased working, together with importation of aggregates and cement, construction of a car park, internal haul road, bridged conveyor crossing, erection of a site office, aggregate processing plant, aggregate bagging plant, ready mix concrete plant, and ancillary buildings. Restoration to water bodies and agriculture and biodiversity enhancements together with public access and use of retained site office as a Visitor Centre.		
Applicant name:	Raymond Brown Quarry Products Ltd		
Case Officer:	Felicity Hart		
Ward Member(s)	Cllr Beddow and Cllr Baker		
Publicity expiry date:	2nd September 2023	Officer site visit date:	8 th & 15 th of August 2023 and 30 th October 2024
Decision due date:	31/03/2025	Ext(s) of time:	30/06/2025

1.0 This application is being considered by the Strategic and Technical Planning Committee as it is a major application.

2.0 Summary of Recommendation

2.1 GRANT PLANNING PERMISSION, subject to conditions and to the completion of a satisfactory Section 106 Legal Agreement

3.0 Reason for Recommendation

3.1 As set out in the conclusions of this report, the reasons for this recommendation can be summarised as:

- The sites are allocated for mineral extraction in the Minerals Sites Plan 2019 and, as such, the principle of mineral extraction on the sites is supported.
- The proposed development would make a significant contribution to the supply of sand and gravel in the county, in particular building sand (Poole Formation sand). The approval of the proposal would increase the landbank of permitted sand and gravel reserves and thus reduce the medium/long-term need to permit extraction on other sites.

- The NPPF advises that “*great weight should be given to the benefits of mineral extraction, including to the economy.*”
- It is considered that the development would not have an unacceptable impact on amenity, ecology, heritage assets, the water environment, the local landscape, or highway safety and capacity.
- There would be some loss of best and most versatile (BMV) agricultural land, grade 2 and 3a which would permanently be lost due to mainly water body restoration of the land, however this is considered, on balance, to be acceptable, and the classification of the land was known at the time of the sites’ allocations.
- Both sites are proposed to be restored predominantly to waterbodies, agriculture, and recreation, with notable increases in biodiversity. The provision of a permissive footpath/bridleway route is proposed to be provided in perpetuity between Moreton village and Moreton Station, as required by the allocation guidelines, which would be a benefit to the local community.
- The provision of a visitor centre and recreational route for the public around Hurst Lake, as the after-use of the Hurst Farm site would be a benefit to the local community and could potentially become a local tourism destination.
- Overall, the proposal complies with the development plan as a whole.
- On balance, there are no material considerations which would warrant refusal of this application.

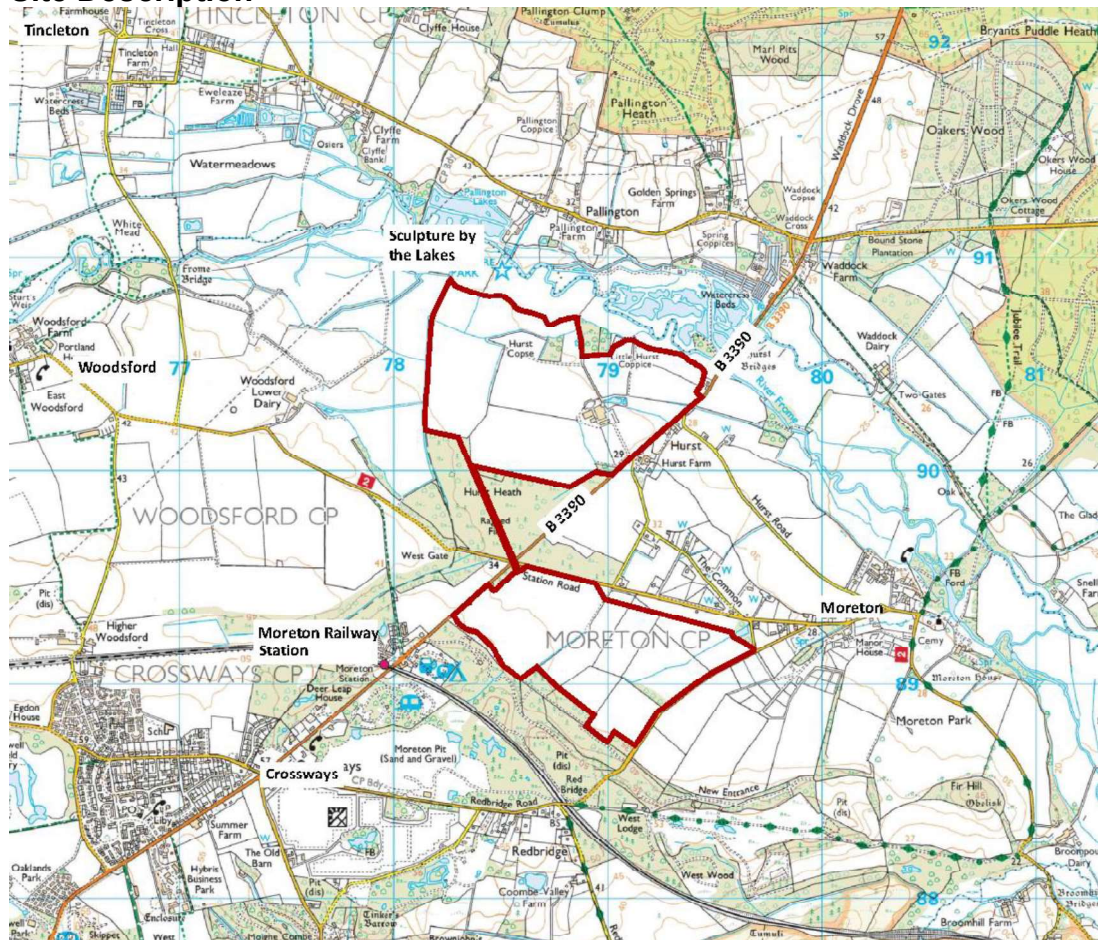
4.0 Key Planning Issues

Issue	Conclusion
Principle of Development	Acceptable in principle and supported by the allocation of the sites in the Mineral Sites Plan (2019).
Loss of BMV Agricultural Land	Loss of BMV agricultural land is unavoidable as a result of extraction of mineral from the site, and the agricultural land classification was known at the time of the allocation of the site.
Impact on Amenity	No unacceptable impact on amenity as a result of noise, dust, or traffic.
Impact on Ecology and the Environment	Some impacts, loss of trees and hedgerow, however, the losses are balanced against substantial new planting provided and creation of water bodies to attract new species. The local rare plant species will be protected due to monitoring required through condition and seeds used to increase its habitat.

Impact on Landscape and Heritage Assets	Some impacts, loss of trees (including veteran tree) and hedgerow, however, the losses are balanced against substantial new planting provided and creation of water bodies. Heritage assets are not adversely affected.
Impact on the Economy	Jobs created for 20 years plus possible further jobs with the visitor centre. Sale of and supply of substantial quantity of sand and gravel supporting the Dorset economy.
Highway Safety	Dorset Council Highways raises no objection
Groundwater and Flooding	LLFA raise no objection. EA consider the proposal to be acceptable subject to condition.
Permissive Bridleway	Provision by the applicant and landowner of a permissive bridleway route in perpetuity between Moreton village and Moreton Station would be a benefit to the local community.
Restoration, Aftercare, and After-Use	Provision of a visitor centre and footpath route around the lake with bird hide provision would be a community benefit as well as possibly a tourism destination.

5.0

Site Description



- 5.1 The application site is located to the east and north-east of Moreton Station, and to the west and north-west of Moreton village. The large village of Crossways is approximately 1.2km to the south-west. The town of Dorchester is approximately 8km to the west.
- 5.2 The application site covers around 166 hectares of land and is split between two different areas. The area to the north is known as Hurst Farm (Site allocation AG6, and 79 hectares) and the other to the south is known as Station Road (Site allocation AG5, and 56 hectares). Both are separately allocated sites in the Minerals Sites Plan 2019, and both are owned by the Moreton Estate. The B3390 runs southwest/northeast between the two areas, along with a wooded area adjacent to the Hurst Farm site known as Hurst Heath. The distance between the two areas is approximately 420m.

Hurst Farm

- 5.3 To the north-west of the B3390 is Hurst Farm. Hurst Farm is currently in agricultural use, as a dairy farm. Although used for grazing, there are also some areas of arable land. The parcels of fields at Hurst Farm are mainly flat, large and open, bounded by trees and hedgerows. In addition to the Hurst Heath woodland to the south of the site, there are also two small pockets of woodland to the north: Hurst Copse and Hurst Little Coppice.

- 5.4 The farm complex is located in the centre of the Hurst Farm area and comprises an assortment of large agricultural buildings, storage areas, and a slurry lagoon. Access to the farm is from a short track to the south leading to the B3390.
- 5.5 Hurst Farm is situated to the south of the River Frome. The River Frome flows from west to east, and at its nearest in the north-east corner, it is approximately 18m from the application site boundary. Across the site, various field ditches eventually drain into the river. There are several lakes and ponds (at least twelve) along the nearby section of the River Frome, which are known as Pallington Lakes. These are areas of former gravel extraction, created at some point between 1972 and 1997.
- 5.6 To the immediate west of Hurst Farm is Woodsford Farm. Woodsford Quarry has been operational since 2009 and currently has permission for mineral extraction up to approximately 500m from the Hurst Farm site. In addition, the area immediately to the west of the Hurst Farm site is also an allocated site in the Mineral Sites Plan (AG4), and there is currently a planning application to extend Woodsford Quarry into this area (Reference: P/FUL/2023/04753).

Station Road site

- 5.7 The Station Road site is located to the south-east of the B3390, just to the north of Moreton Station. This area currently comprises arable fields, interspersed with hedgerows and trees. The western end of the site, closest to the B3390 is a large open field, whereas the rest of the site closer to Moreton village comprises smaller fields separated by thick rows of trees/hedgerows.
- 5.8 There are no buildings on the Station Road site, and access is via farm gates on Station Road to the north and from Old Weymouth Road to the east. To the south of the site is a large, wooded area, part of which is restored former mineral workings. There are two residential properties within this woodland, close to the site boundary. The main railway line is located beyond the woods to the south, and beyond that is an active quarry known as Redbridge Road Quarry, which is nearing its end and will soon be restored.
- 5.9 Moreton Stream runs from the north-east corner of the Station Road site into Moreton village, and passes through the “Walled Garden,” a landscape garden with a café and shop, until it eventually discharges into the River Frome further downstream. Moreton Stream has two tributaries: one is a ditch on the side of the road to the immediate north of the Station Road site, flowing from west to east; the other runs across the site itself, from the woods to the south towards the north-east.

Further Description

- 5.10 At present, both the Station Road and Hurst Farm sites have no public access, both being used for agriculture. Lines of sight into the sites are primarily from nearby public roads, through gaps in the hedgerows. Both sites are flat, and very gradually slope downwards towards the north-east, towards the River Frome.

- 5.11 Moreton village is situated within a Conservation Area, which covers a large area to the east of the Station Road site and immediately to the north covering part of the lane to the north of the planning application site as well as part of the lane leading north towards the B3390. Several listed buildings are located in the vicinity as well. Along the route of the B3390, and approximately 80m to the east of the Hurst Farm site, is Hurst (south) Bridge. This bridge is narrow, allowing passage for one vehicle at a time, and is Grade II listed. [Hurst \(South\) Bridge, Moreton - 1425777 | Historic England](#)
- 5.12 The most sensitive receptors in the vicinity of the application site are nearby properties. The closest properties to areas of working would be Hurst Cottages (near to Hurst Bridge, and effectively bordering the application site), Moreton Hall, and the Old Coach House (both within the woods to the south of Station Road site, approximately 24m and 70m from areas of proposed extraction). There are also several properties near to the application site on the north side of Station Road, and several more on the south side of the B3390 near the entrance to Hurst Farm.
- 5.13 Further out, there are many properties around Moreton Station and in Moreton village. There are also properties in Pallington, to the north of the River Frome. There is also a property at Woodsford Farm, to the west of the Hurst Farm site.
- 5.14 There are several businesses nearby. Moreton Equestrian Centre is approximately 80m to the east of the north-east corner of the Station Road site, and further beyond in that direction is the Manor House Hotel and the Walled Garden. Approximately 160m to the south-west of the Station Road site is Moreton Camping and Caravan site. Moreford Hall, while a residence, also contains an office for Shoreline Surveys. The Old Coach House, while a residence, is also the registered address for the Fortuneswell Cancer Trust.
- 5.15 Approximately 240m to the north of the northwest corner of the Hurst Farm site, is 'Sculpture by the Lakes', a sculpture park, café, and gallery. Approximately 380m to the north of the northeast corner of the Hurst Farm site is the Watercress Company, a watercress farm. Next to the Watercress farm is Wessex Trailers, trailer dealer. Finally, there is a garage/dwelling on the B3390, close to the junction with Hurst Road, involved in the restoration of classic cars.
- 5.16 A list of nearby constraints can be found in section 8.

6 The Proposal

- 6.1 This application has been submitted by Raymond Brown Quarry Products Ltd and seeks planning permission for the winning and working (ie. extraction) of approximately 11.5 million tonnes of sand and gravel, after which the land is proposed to be restored to water bodies, nature conservation use and agriculture, with the retention of the site office building to be used as a visitor centre once extraction has completed.

- 6.2 The proposal, which relates to both sites, connected with the red line covering the proposed conveyor bridge, would involve an output of an estimated 600,000 tonnes per annum (tpa) over 20 years, taking a further 5 years for full restoration. Therefore, planning permission is sought for a total of 25 years. It is intended that the Hurst Farm site would be worked first, taking approximately 10 years, followed by the Station Road site, also taking around 10 years.
- 6.3 The mineral to be extracted would primarily be used for construction aggregate, such as mortar and concrete. In recent years, the majority of sand and gravel extracted in Dorset is used within Dorset and the applicant hopes that most of the sand and gravel extracted will be used locally.
- 6.4 The type of mineral available at the site can be split into two categories: River Terrace sand and gravels; and Poole Formation sand. Poole Formation is a deeper geological layer than River Terrace. Poole Formation sand is typically soft sand suitable for use as building sand and used in mortar. River Terrace is a shallower layer, and the sand is typically sharp and used for concrete and paving. The applicant proposes to extract both River Terrace gravel and Poole Formation sand.

Geological Formation	Site	
	Hurst Farm (AG06)	Station Road (AG05)
River Terrace sand and gravel	2.5Mt	1.5Mt
Poole Formation sand	3.5Mt	4Mt

Working and Phasing

- 6.5 The proposal involves two methods of wet working: excavation and dredging. The excavation method involves using a manned excavator, with long-reach arms, to dig out the River Terrace sand and gravels. In all areas, this will result in a waterbody naturally forming, as the excavator removes mineral from below the water table. In most areas, the resulting waterbodies are proposed to be retained at restoration, however some of the smaller areas are proposed to be filled and restored to agricultural pasture, using a combination of processed silt and stored overburden and soils.
- 6.6 Dredging involves using a floating electric-powered dredging unit on a waterbody, with an attached underwater pipe that extracts sand using suction. This blend of water and sand is then pumped directly to the processing plant site. The dredger is not powerful enough to extract any clay. The benefit of using a dredger, in comparison to an excavator, is that a dredger is significantly quieter, and allows for much deeper extraction than would otherwise be possible.
- 6.7 The proposed depth of extraction varies considerably across the application site. The areas that would be dredged (i.e. the areas of both River Terrace and Poole Formation extraction) would be significantly deeper than the areas that would only be worked with excavators (i.e. the areas of only River Terrace extraction). The latter would only be worked to a maximum depth of approximately 4m. In contrast, the former would be worked to as deep as 25-

30m. This means that significantly more Poole Formation sand would be extracted than River Terrace gravels.

- 6.8 There are several possible ways to measure depth, which produce different figures. For example, one measurement is the depth from the restored water level to the deepest part of the waterbody. Another alternative measurement is from the pre-existing ground level to the deepest part of the waterbody.
- 6.9 Prior to extraction, the soils and overburden for each phase would be stripped and stored. They would be used to form temporary seeded bunds to screen noise and be a visual barrier. These materials would then later be used in the phased restoration of the site.
- 6.10 The proposal is to progressively extract and restore Hurst Farm and subsequently, Station Road. Once Hurst Farm has been mainly extracted, the conveyor route across the B3390 would then be installed and extraction of Station Road would commence. Phase 6C in Hurst Farm is proposed to be left until last, only to be worked once Station Road has been completed and as long as the Environment Agency, Natural England and Dorset Councils NET is satisfied that there would be no adverse impact on the Heath Lobelia plant in the nearby Hurst Heath woodland. Monitoring is required by the Environment Agency over the first 10 years to confirm that there would be no adverse effect due to water levels, on the Heath Lobelia if Phase 6C is worked. In the event that the monitoring results indicate that there would be an adverse effect on water levels and the Heath Lobelia, then the area of land shown as Phase 6C would not be worked and would simply be landscaped to fit in with the rest of the restoration of the Hurst Farm site (as covered in the S106 agreement). The site would be progressively worked and restored in twelve phases, with each phase anticipated to take approximately a little over a year. No more than two phases would be worked at any one time. For example, one phase might be extracting River Terrace with excavators, while the dredger would still be in use on the previous phase. This would allow for a steady supply of both gravels and sands, rather than solely one or the other.
- 6.11 The Applicant has designed the development to have a sustainable development approach, with the aspiration of achieving net zero carbon quarry operations over the lifetime of the proposal. The quarry operations have also been designed to maximise the reserve, the storage of overburden and soils and use of suitable process silt arisings with the aim to achieve a high-quality quarry restoration.
- 6.12 A number of requirements have dictated the overall design of the development including the need to protect the underlying groundwater and local hydrogeology to ensure surface water continues to flow eastwards adjoining local streams and tributaries of the River Frome. In addition, there is a need to provide sufficient capacity to store surface water runoff from storm events and also a need to ensure that the development and adjacent areas remain safe from flooding for their lifetime taking into account the predicted effects of climate change. Other aspects that have been considered in the proposal are the need to protect and conserve and promote the rare plant species Heath Lobelia, recognised in the adjacent SNCI designation at Hurst Heath, and overall proposing to mitigate and compensate for any adverse impact on biodiversity.

Conveyor System

- 6.13 Once the mineral is extracted, it would be transported to the Plant site for processing. The Plant site is proposed to be located in the south-west corner of the Hurst Farm site, which is the point across the application site that is situated furthest from residential properties. In order to reduce the use of dump trucks within the site, the applicant proposes to use an extendable conveyor to transport the mineral extracted.
- 6.14 For River Terrace sand and gravels, transport would involve using a loading shovel to load the mineral onto a mobile hopper and into a field conveyor system. The conveyor would then transfer the mineral to the processing plant, which would separate out the material. Any silty water from the processing plant would be passed through silt lagoons to remove the silt and then into clean water lagoons.
- 6.15 Similarly, the blend of water and sand from the dredger would be pumped through a pipe adjacent to, or above, the conveyor system. The processing plant would then separate out the sand and the water, and the water would then be pumped back to the dredging lakes, maintaining water levels. Additional long-term water storage would be available, to ensure any water loss during processing is compensated for.
- 6.16 No processing plant is proposed at the Station Road site. The proposal has been designed with the construction of a temporary conveyor bridge which would cross the B3390 diagonally to connect the Station Road site with the Plant site at Hurst Farm. This conveyor crossing would pass through a wooded area between the two sites, known as either Hurst Heath or Ragged Firs. The proposed conveyor crossing would allow mineral at Station Road to be transported to the Plant site without the use of large dump trucks on the B3390.

Plant Site and Office

- 6.17 In addition to the processing plant, it is proposed that there would be an aggregate bagging plant (to bag the aggregate, ready to sell to be collected and sold to customers), a ready-mix concrete plant, and a cement silo (to store imported cement). There would be a stockyard area for storage, and a small area with portacabins, parking, and workshop.
- 6.18 Outside of the Plant site area, and close to the access with the B3390 on the Hurst Farm site, a single storey site office is proposed, with car park. This building would be constructed as a permanent structure and is proposed to be retained upon restoration of the land, to be used as a visitor centre.

Proposed Output, Imports, and Concrete

- 6.19 In addition to the 600,000 tonnes of mineral that would be extracted from the site each year, the proposal would also involve the importation of 69,000 tonnes of aggregate and cement each year. Of the imported material, 6,000 tonnes would be cement and the remaining 63,000 tonnes would be aggregate of various types. Cement is an essential ingredient to produce concrete.

- 6.20 The ready-mix concrete plant would have an output of 60,000 tonnes per annum. It is anticipated that 12,000 tonnes of the 60,000 tonnes of concrete produced would be water content. This water weight explains the slightly higher figure of 681,000 tonnes that would be exported from the site each year, in comparison to the slightly lower figure of 669,000 tonnes extracted and imported.
- 6.21 Approximately 441,000 tonnes per annum of mineral extracted on site would be exported in bulk, without bagging.
- 6.22 The processing plant would be located in the western field of Hurst Farm and will manage mineral extracted from both Hurst Farm and Station Road.

Transport and HGVs

- 6.23 Heavy Goods Vehicles (HGVs) exporting mineral from the application site would enter and leave from an upgraded access onto the Hurst Farm site from the B3390, in the same location as the existing farm access to Hurst Farm. Most aggregate would leave in 28 tonne articulated lorries. The proposal is expected to generate 200 two-way HGV movements per day (100 in, 100 out). A haul road to the plant site is proposed to be constructed running from the Hurst Farm entrance, along the southern perimeter of the Hurst Farm site, leading to a weighbridge and wheel-wash facility, and the remainder of the haul road to the Plant site would be unsurfaced, although a dust suppression system is proposed.
- 6.24 Three routes are proposed to be used for HGV traffic: one north to Bere Regis; one west through Crossways to Dorchester; and one south through Warmwell. It is anticipated that approximately 5% of HGVs would take the Warmwell route, and the remainder would be approximately evenly split between the other two routes.
- 6.25 The site is proposed to be progressively enclosed by perimeter bunds measuring approximately 3 metres from base to crest. These bunds will be formed from site derived excavation material with topsoil and overburden replaced in separate layers to preserve soil horizons and former suitable landscaping substrate. The bunds would be seeded and actively managed integrating the site into the surrounding landscape. In specific locations, adjacent to Hurst Cottage and Hurst Dean Cottage and on the Station Road site adjacent to the Coach House and Moreford Hall the slope of the bunds have been designed with a 1 in 5 gradient aiming to mitigate any visual impact.
- 6.26 The bunds will serve several functions, storage of topsoil and subsoils until they are required for restoration, screening of operations from relevant viewpoints and noise attenuation.

Hours

- 6.27 The proposed hours of operation (i.e. working hours and vehicle movements) are:

07:00 to 18:00 Monday to Friday, and

07:00 to 13:00 on Saturday.

No operations are proposed to take place on Sundays or on Public Holidays.

Water environment

- 6.28 No dewatering is proposed at either Hurst Farm or Station Road. It is proposed that the river terrace gravel deposits will be worked wet and the deeper pool formation sand will be extracted by dredger. Mineral washing will be facilitated via licenced abstraction from the clean water lagoon. Resulting silt laden waters will be sent to the silt ponds for treatment via settlement before being recirculated to the clean water lagoon and re-used for mineral washing.

Restoration

- 6.29 The restoration of the majority of the application site would be to a series of large-scale waterbodies with some areas of wetland, hydrologically connected to the River Frome. The proposed water-based restoration scheme would incorporate new habitats, through lake margins, wetlands, and tree, scrub, and hedgerow planting. This is designed to attract species of wetland birds and create habitat for protected mammal species such as Otter and Water Vole.
- 6.30 The Station Road site is also proposed to have a restoration that is predominantly water based and a green infrastructure of linked, retained hedgerow and habitat corridors across the valley is envisaged. The two large lakes – one at Hurst Farm and one at Station Road – would feature very prominently at the respective sites. These would be some of the largest lakes in Dorset and some of the deepest in the South-West.
- 6.31 Restoration will also include returning some specific fields smaller areas back to agricultural use both in the north and the south. These would be used for lowland grazing.
- 6.32 Overall, a variety of different habitats are proposed, aiming to provide biodiversity enhancement. These habitats include the following: 11.49 hectares of native woodland; 2320m of native hedgerow with hedgerow trees; 23.22 hectares of lowland/acidic/neutral grassland and 6.61 hectares of reed bed and marginal aquatic planting.

Afteruse

- 6.33 It is proposed that the Hurst Farm site would have a mixed after use, combining nature conservation and public access. The large lake at Hurst Farm would provide some shallow margins as well as some very deep areas. The shallow margins have been designed to attract birds. A footpath leading away from the visitor centre is proposed to be created, encircling the lake, with the route arriving back at the visitor centre. Part of the footpath would incorporate a boardwalk constructed over the marshier areas. It is also proposed that some bird hides would be constructed along the circular lake route. The building that will have initially been constructed and used as the quarry operator's site office, next to the lake, would later be converted and

used as a visitor centre, once quarry operations have ceased. A car park is proposed to be created next to the building adjacent to it, which could accommodate a coach. It is envisaged that the visitor centre would be open to the public and to youth groups and organisations wishing to learn more about the nature conservation of the area. Parking is intended to be charged for, and this is covered in the draft S.106 agreement.

- 6.34 The Station Road site would also become primarily a water body landscape, once quarrying is completed. This site is not proposed to have public access though, with the exception of land close to the northern and eastern boundaries which will become the permissive off-road route linking Moreton village and Moreton station, as described below. The applicant has agreed that the route can be constructed as a bridleway, thereby allowing cyclists and horse riders as well as pedestrians, a safe off-road route. A gate is located at the halfway point on Station Road, which will allow users the opportunity to exit onto the National Cycle Way. At a later date, when Hurst Farm visitor centre opens, the route will provide a safer opportunity for users to get from Moreton Station to the visitor centre and lake.

Permissive route link from Moreton Station to Moreton Village

- 6.35 As part of the Mineral Sites Plan (2019), the development guidelines for the Station Road site require that a safe pedestrian access be provided between Moreton village and Moreton Station over land owned by the Moreton Estate. At present, there is no pedestrian link between the two areas, with pedestrians having to walk a long distance on the unsafe verge of the B3390. This application includes a proposal for a permissive footpath which would be made available and retained in perpetuity. From Moreton village, the route would pass along the northern edge of the Station Road site, turn south being routed along land parallel to and alongside the B3390, eventually crossing over the B3390 and continuing along the northern side of the B3390 towards Moreton Station. The details of the route are discussed in later sections.

7 Planning History

- 7.1 In 2013, the Moreton Estate nominated the application site for inclusion in what would later become the adopted Minerals Sites Plan 2019, in response to a 'call for sites.' Station Road was initially referred to as AS25 and was eventually allocated as AG5. Hurst Farm was initially referred to as AS26 and was eventually allocated as AG6.
- 7.2 The Hurst Farm site had been considered for mineral extraction much earlier, with reference in a 1993 document to the site being "*a preferred area for sand and gravel extraction*," and referred to as SG3. The site was surveyed with boreholes in 1978 by the British Geological Survey (BGS), for its mineral potential.
- 7.3 The current application was submitted in July 2023. Prior to this, the Council had issued an Environmental Impact Assessment (EIA) Scoping Opinion in February 2023, confirming that the development would require an Environmental Statement (ES).

- 7.4 In response to the comments of consultees, the applicant submitted additional information under Regulation 25 of the EIA Regulations, in order to enable the authority to reach an appropriate conclusion on the likely significant effects of the development, as well as to address any other issues highlighted within the supporting documents under Section 62(3) of the TCPA 1990. These additional information documents were submitted in three batches: one in February 2024, another in May 2024, and a final one in October 2024.
- 7.5 The previous planning application history of the site comprises primarily a series of agricultural buildings and extensions, none of which are of any relevance to this application.

8 Constraints and Relevant Designations

- 8.1 Relevant designations within or in the vicinity of the application site, and other features worthy of note, are listed below.

8.2 Landscape Designations

- National Character Areas (Natural England): Dorset Heaths
 - Landscape Character Areas (Dorset Council): Valley Pasture (>90%) and Heath/Farmland Mosaic (<10%).

8.3 Ecological Designations

- Ramsar
 - Dorset Heathlands; approximately 2050m to the north-east, 2050m to the east, 820m to the south, and 2710m to the south-west
- Special Protection Area (SPA)
 - Dorset Heathlands: approximately 2050m to the north-east, 2050m to the east, 820m to the south, and 2710m to the south-west
- Special Areas of Conservation (SAC)
 - Dorset Heaths: approximately 2050m to the north-east, 2050m to the east, 820m to the south, and 2710m to the south-west
- Sites of Special Scientific Interest (SSSI)
 - River Frome: approximately 10m to the north-east
 - Winfrith Heath: approximately 820m to the south
 - Warmwell Heath: approximately 2710m to the south-west
 - Oakers Wood: approximately 1km to the north-east
 - Oakers Bog: approximately 2km to the north-east
 - Turner's Puddle Heath: approximately 1.85km to the east
- Sites of Nature Conservation Interest (SNCI)
 - Hurst heath: borders the site, to the south of Hurst Farm
 -
 - Redbridge: approximately 235m to the south
 - Sheep's Walk Pit: approximately 330m to the south

- Possible Areas of Ancient Woodland
 - 'Hurst Copse', within the site, and 'Little Hurst Coppice', bordering the site, are areas which could be Ancient Woodland.

8.4 Heritage Assets

Listed buildings:

- Lilac Cottage (Grade II): approximately 116m to the east
- East Cottage (Grade II): approximately 105m to the east
- Hurst Green Cottage (Grade II): approximately 240m to the east
- Hurst Dairy House (Grade II): approximately 22m to the east
- Barn, East of Hurst Dairy House (Grade II): approximately 48m to the east
- Pallington Farm House (Grade II): approximately 415m to the north
- Bwthyn (Grade II): approximately 445m to the north
- Hendra Cottage (Grade II): approximately 275m to the east
- Grave of Lawrence of Arabia (Grade II): approximately 700m to the east

Conservation Areas:

- Moreton Conservation Area: approximately 60m to the east

8.5 Tree Protection Orders

- PDC/TPO 496: Covers the eastern half of the Station Road site. Originally issued by Purbeck District Council.
- TPO 2023/0005: Covers most of the Hurst Farm site, and the western edge of the Station Road site. Issued in 2023, in anticipation of this application.

8.6 Rights of Way

Most relevant:

- S60/3 Footpath: approximately 270m to the west
- SE4/18 Footpath: approximately 600m to the north-east
- SE4/24 and SE4/23 Bridleways: approximately 730m to the north
- S43/3 Footpath: approximately 1.25km to the north

8.7 National Cycleway

The national cycle route passes close to the site, along Station Road crossing north-south over the B3390.

9 Representations

9.1 66 representations have been received from individuals, 58 of which were objections, and 8 were comments. The objections and comments from individuals to the proposed development can be summarised as follows:

9.2 Comments have been made on the following topics:

Noise and impact on road safety

There are concerns regarding increased noise levels in the area and that the road infrastructure cannot support increased traffic levels. The speed limit of the road is too fast to have more lorries.

Concerns that school children have to cross the main road without any safety features - this was brought to the council's attention a few years ago and they said it was safe- if this goes ahead it is paramount that this is readdressed before there is an accident with a lorry and a child

This would be a hugely disruptive proposal next to a small village which attracts numbers of tourists to the church, ford and walled gardens. Next to the proposed area is a large horse livery with paddocks adjacent to the site. It is a totally inappropriate and potentially hugely disruptive proposal in such an area.

The section of road from the western edge of Crossways through to the Railway bridge is constantly suffering road breakup and potholes due mainly to the existing lorry traffic. Concern that the predicted increase of 48 movements a day with 12-wheel lorries would drastically affect what is a grade C road that was never built to carry such heavy and sustained traffic and road safety could be affected. There will be air pollution from HGVs and quarry workings.

Route 2 drives by Crossways village of 2 sides within a few metres of residential housing. It should be noted that there are plans to expand the village to the east side of the B3390 which would mean that route 2 will in fact be passing through the village with pedestrians crossing both ways to access shops, health care and other amenities.

According to the World Health Organisation (WHO), diesel is a Group 1 carcinogen.

Nitrogen Oxides (NOx) and small particles known as Particulate Matter (PMs) – both prevalent in diesel fumes. The tiny 'PM2.5' particles released by diesel vehicles are so small that they can travel deep into the lungs, aggravating breathing problems such as asthma, and lead to worsening of heart and lung diseases. Given the predicted number of movements,

particular on Route 2 passing Crossways village there is potentially significant health risk to local residents.

Truck noise, specifically the banging and rattling of empty bodies, is a major cause of irritation to residents living on or near to transport routes used by quarries.

Assuming an average 8 hour working day the predicted 48 movements on Route 2 around Crossways village would generate around one lorry movement every 10 minutes. This will be a significant detrimental impact on the quality of life.

Total - Objections	Total - Support	Total - Comments
58	0	6

Issues raised in representations

9.3 Traffic

A significant number of representations have raised concerns over the predicted increase in HGV traffic as a result of the development. Most mention the current frequent use of local roads by HGVs, and the negative impact on amenity these already cause. Some refer to the fact that the current road infrastructure is unfit for use by HGVs, particularly on the route through Warmwell village. Others reference a lack of safety features for pedestrians and cyclists in the area. Other objections referencing traffic included: impact on health; the effect of increased weight of the trucks on the road; impact of increased traffic on local business; references to the speed limit in the area; impact on local wildlife; and increased noise.

9.4 Several suggestions were provided in representations on how to mitigate the impact of any future increase in HGV traffic: upgrade bridges along the route before operations commence; speed management and cameras; improvement of the current road; installation of safety features in areas frequently used by pedestrians and cyclists such as barriers and designated walking and cycling paths to the train station; upgrading road classifications; ensure that HGVs do not go north via the village of Affpuddle or south via Warmwell; and a discount on council tax for residents most affected by the increase in traffic.

9.5 Noise

Over 30 objections to noise pollution, originating from both the quarry itself and the traffic resulting from it. Some made reference to possible noise produced by the quarry outside of normal working hours, with a concern about noise in the evenings and on weekends.

9.6 Natural Environment

Several objections referenced the ‘destruction’ of the local countryside, and adverse impacts on ecology, with references to the presence of rare plants (specifically Heath Lobelia), bats, and protected trees. There were also references to other wildlife in the area, including deer, voles, dormice and owls.

9.7 Restoration

Five objections to the proposed restoration plan to create several large water bodies, with some saying that lakes would be inappropriate, potentially dangerous, and negative for wildlife. Some preferred the land to be entirely restored to agriculture.

9.8 Dust

Around 20 objections to the creation of dust through the quarry operations or movement of traffic. Some referenced the impact on human health of particulates including exacerbation of asthma symptoms and other serious conditions.

9.9 Cement Plant

Eight objections to the cement plant proposed on the site, citing a further increase in traffic, and claiming it as unnecessary and excessive.

9.10 Hydrology

Seven Objections regarding the hydrology of the area, citing proximity to the river Frome, the effect of operations on the local water table, and the risks of flooding associated with the development.

9.11 Conveyor Bridge

Six objections to the conveyor bridge, with some citing the visual impact of the structure.

9.12 Cycling

Six objections to a lack of safe cycle routes in the area, and concerns for cyclists as a result of increased HGV traffic.

9.13 Tourism

Three objections to the impact of the development on tourism in the area, with references made to walkers and eco-tourism.

9.14 Visual Impact

Three objections to the wider visual impact of the development.

9.15 Dredging

Two objections in relation to proposed dredging activity, with concerns over the operator/applicants lack of direct experience with the technique.

9.16 Light Pollution

One objection to the light pollution associated with evening operating hours at the development site.

9.17 Cumulative Impacts

A few objections referenced the already established quarries in the area, as well as other allocated mineral sites, and claimed that a further quarry in the area was unnecessary and/or inappropriate.

Groups and Organisations

Frome Residents Against Mineral Extraction

9.18 FRAME is a local group of residents which was first formed to oppose the allocation of several sites near to the River Frome within the Mineral Sites Plan 2019 and claims to represent 80 residents. FRAME objects to the application.

9.19 FRAME argues that the application does not comply with the Plan, as the amount of mineral proposed to be extracted is almost double the figure in the allocations and therefore calls for extraction to be reduced. FRAME is concerned that the development would cause the destruction of valuable farmland, create vast acreages of lakes and result in unacceptable stress on all aspects of the environment.

Dorset CPRE

9.20 CPRE objects to the application citing issues in relation to *road maintenance and controls over timings in the safe use of a road system likely to need a classification upgrade*.

Hallam Land Management

9.21 Nexus Planning, a planning consultancy, wrote a letter on behalf of Hallam Land Management, a land promoter with an interest in future housing development around Crossways. They object to the application, primarily due to the increase in HGV movements.

9.22 They express concern that the initial Transport Assessment does not consider the likely development of 500 dwellings south of Warmwell Road, which received a resolution to grant subject to a satisfactory Section 106 (WD/D/16/000378). Further, they argue that possible future allocations for housing around Crossways, such as those in the January 2021 Draft Local Plan, should be assessed as part of the Transport Assessment for this application.

Wessex Trailers

9.23 Wessex Trailers is a local business, a short distance to the north-east of the Hurst Farm site, on the B3390. They manufacture and supply trailers, of the kind that is pulled by vehicles. They express concern for the *“increased number of heavy vehicles travelling at high speeds along this stretch of the*

road down to the narrow Hurst Bridges.” They call for speed management of this section of the B3390, where they have witnessed several near misses.

Shoreline Surveys Ltd

- 9.24 The company is based at Moreford Hall, which is one of the closest residential properties to the Station Road site. They object to the increased traffic, noise, dust, visual impact, ecological damage, because of the proposed development. They oppose the proposal for a cement plant and oppose the longer anticipated lifespan of the quarry. They oppose the creation of the conveyor crossing and consider that the level of noise generated by the development would be illegal and against their Article 8 Human Rights.

Parish Councils

Moreton Parish Council

- 9.25 The Parish submitted their response on 29/09/23, and Object. The main basis of the objection is that the proposal does not comply with the Plan, and the Parish considers that the scheme proposed is quite different to that which the Inspector endorsed at the Plan Examination.
- 9.26 The Parish Council would like to see Station Road worked first, instead of Hurst Farm, and they would also like to see the level of extraction reduced to be similar to the figure in the Plan. They make the point that the larger quantity of extraction will mean that less land is restored to agriculture and larger lakes will be formed. They have concerns about the number of HGVs proposed and ask that this number is significantly reduced. They also ask that most HGVs should go via Bere Regis, rather than Crossways.
- 9.27 The Parish also raises concerns regarding potential noise from the proposed quarries.

Bere Regis Parish Council

- 9.28 The Parish submitted their responses on 18/08/23 and 25/03/24. Bere Regis Parish Council does not oppose the extraction of sand and gravel but note that a large quantity of the vehicle movements would take place through the village, along the C6. Although a strategic route, the C6 Rye Hill, is classified as a C road and is already taking more heavy traffic than many A roads in the county. The Parish Council therefore requests that the road be upgraded, with significant safety measures put in place before excavation takes place.

Affpuddle & Turnerspuddle Parish Council

- 9.29 The Parish submitted their response on 31/08/23, and Object. They express concern that HGV traffic may travel through Affpuddle along the B3390, or along other unsuitable narrow country lanes elsewhere in the parish. In addition, the parish considers that Hurst Bridge requires highway changes to be a safe route for the increased number of HGVs; they suggest a formal traffic

control installed, either by a priority system, or a traffic light system, together with more restricted speed limit areas to improve road safety.

Knightsford Parish Council (Group)

- 9.30 Knightsford Parish Council is a group that includes Woodsford, Tincleton, West Knighton, and West Stafford Parish Councils.
- 9.31 The Parish submitted their response on 29/09/23, and Object. They express concern over increased HGV traffic, and question how these movements will be managed when railway crossings, or other main roads, are closed. They express concern that drivers may not adhere to the outlined routes and may take shortcuts through villages. They call for the B3390 to have a reduced speed limit, traffic calming, and a speed camera.
- 9.32 The Parish opposes the construction of the conveyor crossing over the B3390 and believe that an underground option is viable instead. They question how the plant site area will be lit. They are concerned that stockpiles may be high enough to be visible from outside of the plant site area, and that the office/parking may be visible from the B3390.
- 9.33 The Parish notes that the restoration will be phased but are sceptical that this will be enforced and asks the Council to insist on timely restoration.
- 9.34 The Parish is concerned that the proposed permissive footpath will place users in danger: instead, they suggest a route through the woods to the south of the Station Road site, or a footpath to the western edge of the Station Road site, with a new pedestrian crossing and a reduced speed limit.
- 9.35 The Parish includes detailed comments of the noise impact of the development, which is one of their primary concerns, and make comments on various specific noise sources based on their direct experience of living near quarries, as well as suggest various mitigation measures. In turn, they discuss: the processing plant, acoustic barriers, dredging pump, meteorological and topographical effects, stone crushing, excavators, dumper trucks, scalping screens, conveyors, caterpillar tracks, reverse alarms, etc.

Warmwell Parish Council

- 9.36 The Parish submitted their response on 29/09/23, and Object. They support the comments of Crossways and Moreton Parish Councils.
- 9.37 Noting that the proposal would involve 5% of HGVs passing through Warmwell, the Parish request that:
- a) no trucks through Warmwell*
 - b) if this is not possible, at least that the 5% should be enforceable with a planning condition*
 - c) we will also work with Crossways and Moreton to get an overall speed reduction on the B3390 (possibly the "20splenty" initiative), and*

- d) *as B3390 is a relatively narrow road through Warmwell, we request that only smaller trucks (not 40 tonne trucks) should be permitted to come this way."*

Crossways Parish Council

- 9.38 The Parish submitted their response on 07/09/23 and stated that "Crossways Parish support the views of Moreton Parish Council."

Consultation responses

Dorset Council – Landscape

- 9.39 Comments received 03/11/23
- 9.40 The Landscape Officer raised concerns over potential adverse landscape and visual impacts as a result of the proposals, which could result in the character of the landscape being significantly and permanently changed due to the proposed restoration to lakes. The long-term temporary mineral working operations would also change the landscape.
- 9.41 Further Information was requested to allow a more comprehensive assessment of the impacts which could arise from the proposed development. Visualisation images are requested depicting how the development may look over time in order to inform the LVIA process as the ones provided do not adequately demonstrate future key landscape and visual changes that will result from the proposals. It is expected that these will be taken from each of the named viewpoints in the winter and show placement of all proposed structures on site, as the provided images from the summer do not depict the 'worst case' visibility or show the scale of development on the site.
- 9.42 Further evidence of the visual impacts of the widening of the Hust Farm access junction is also requested alongside any details of the associated visibility splays and wheel wash facility and restoration details for the access and road areas. Details of the proposed restoration and the visitor centre and details/elevations of all buildings and structures in the processing, plant and concrete plant areas are also requested.
- 9.43 The cumulative impacts of the development alongside any impacts from Woodsford should be assessed and measures taken to reduce them. Consideration must be made over the restoration plan including further drawings regarding the final state of the access junctions and future projects, and details provided over planting plans, schedules and management programmes.
- 9.44 Further comment received on 25/06/2024 which provided greater detail regarding the proposal, including cumulative impact with Woodsford, impact on landscape character, landscape and visual impacts. However, there are still elements which will create landscape impact that must be mitigated against.

- 9.45 Updated plans and illustrations show a more realistic change for the entrances, buildings and car parks, and removal of G12 causing more landscape and visual impact from key viewpoints.
- 9.46 A new landscape scheme has been proposed to mitigate adverse impacts alongside restoration planting on the eastern margin which can be required as pre-commencement conditions. It is recommended that this includes plans for screening, banking and native planting to include larger tree species to compensate for proposed tree removal. Additional drawings are also required to demonstrate the final schemes for the site entrances at their final stage, including plans for tarmac removal, if used, and removal of gates, fencing and narrowing of entrances for restoration.

Dorset Council – Archaeology

- 9.47 Comment received 12/12/23. No Objection
- Notes that there “*are areas of both sites where there appear to be significant archaeological remains.*” Suggests a standard condition to secure archaeological fieldwork and publication.

Dorset Council – Minerals & Waste Policy Comment received 27/10/23

- 9.48 Estimates the ‘landbank’ as of 12th October 2023. Finds that the ‘landbank’ for Poole Formation sand has fallen below the 7 years set out in the NPPF and was estimated at 6.1 years. In contrast, the landbank for River Terrace sand and gravel was estimated at 8.6 years. Therefore, the combined landbank for both was estimated at exactly 7.0 years.
- 9.49 An updated set of Landbank figures calculated in January this year (2025), shows the river terrace gravel total to be 9.54 years, with 8.56 years for Poole Formation sand (both figures relate to figures obtained at the end of 2023).
- 9.50 If Hurst Farm /Station Road projected figures are added to those Landbank figures the Landbank figure for River Terrace gravel would rise to 18.05 years. (This has been calculated without any other sites becoming available, just Hurst Farm/Station Road). If the calculation is done for Poole Formation sand, the Landbank figure would rise to 17.6 years, again, only adding in the increase from Hurst Farm/Station Road. These figures show that a substantial increase in the Landbank would occur if planning permission is granted for this planning application. Although the current Landbank figures are over the minimum 7 years that the NPPF says should be the minimum Landbank kept for or sand and gravel, there is no upper limit recommended. Para. 226 of the NPPF states that Minerals Planning Authorities should plan for a steady and adequate supply of aggregates, and it is considered that the projected higher Landbank figures that would be available, should this application be given planning permission, would contribute to the steady and adequate supply in Dorset over the next 20 years.
- 9.51 In relation to the increased tonnage of mineral proposed to be extracted, relative to the figures in the Plan, they note that “*there are benefits in taking more aggregate from the proposed sites, in that for a given area being dug*

there will be a greater yield – meaning less (or delayed) impacts in other areas of Dorset.” Although they consider the 600,000 tpa proposed as “high,” they also note that with “this high level of extraction the period of disruption during working is reduced, as the site will be worked more quickly.”

- 9.52 Nonetheless, they accept that *“the amount proposed for extraction significantly exceeds what is identified in the allocation in the MSP. This does not make the proposal unacceptable...”* They conclude that: *I consider the fact that the sites are allocated in the Plan for aggregate extraction is material and establishes the principle of mineral extraction at these locations. The proposed development may significantly exceed the amount identified in the MSP but this does not detract from the fact that the sites are allocated.”*

Dorset Council – Natural Environment Team

Comments received on 16/10/23

- 9.53 Survey data including European Protected Species (EPS) to inform mitigation measures to avoid/ minimise impacts incomplete, notably for Hazel dormice and bats. The ecological assessment and proposed mitigation and compensation measures should be provided to the authority prior to determination. Planning authorities have a legal duty to regard biodiversity, including the need for adequate information regarding EPS prior to determining an application. This is in accord with case law which determined that to leave surveys for EPS to planning condition would be to disregard the requirements of the relevant regulations (often referred to as the Habitats Regs). Government circular 06/05 helps to interpret the legislation.

Bats

- 9.54 Static detector data and analysis for the spring sampling is not available. Not feasible to identify all calls from recordings to species level, so many recordings are attributed to long-eared and Myotis groups. A trapping exercise would have established whether Bechstein's bats (Annex II rare bat species associated with woodland) are using the site.
- 9.55 No timing of recordings or possibility of nearby roosts in relation to the site's potential value as a Core Sustenance Zone evident in the report.
- 9.56 Recorded use of the site by Barbastelle bats is notable.
- 9.57 The report states that bat species found in the zone of influence as "relatively diverse," but this may be understated. With 11 species recorded despite limitations in identifying all calls, this likely represents a minimum count. Given that 17 bat species breed in the UK, recording 11 suggests the site supports a higher level of bat diversity.
- 9.58 NET consider the data and interpretation of available data to be inadequate to fully inform the application and consider that this should be addressed prior to determination of the application. However, in a later comment NET confirm that submitted Dormice and Bat surveys are now acceptable and no further ecological surveys are necessary before determination.

Planning Obligations

- 9.59 If consent is granted, planning obligations and conditions must ensure detailed plans for protected species mitigation, compensation, and enhancement are submitted and agreed before any development phase begins. This includes Construction Environmental Management Plans and final Ecological Mitigation and Management Plans, with specific monitoring and remediation measures for hydrology. All documents should comply with BS42020:2013, the biodiversity code of practice for planning and development.

Trees

- 9.60 NET supports the DC Tree Officer's comments and highlights the need to address air quality impacts, particularly dust, on sensitive ecological features during operations and restoration. This includes veteran and notable trees, and hedgerows. Further consideration should be given to the potential translocation of veteran trees:
- [Government guidance \(Jan 2022\)](#)
 - [Keepers of time: ancient and native woodland and trees policy in England \(publishing.service.gov.uk\)](#) and
 - [The England Trees Action Plan \(publishing.service.gov.uk\)](#)

Restoration

- 9.61 The restoration plan should be revised to capitalise upon the opportunity to revert to a pre-large field pattern, a more ambitious wetland interface with the River Frome, increase the range of Heath Lobelia and general diversity with natural regenerative management potentially including grazing.
- 9.62 The provision of smaller ponds is welcome. Additionally, provision of wetland habitat linked to and bolstering the existing riparian corridor would support the identified range of priority associated bird species and contribute a significant biodiversity net gain.
- 9.63 The soils within the site lend themselves well to heath/acid/scrubby habitats. It would be desirable to see a greater variety of habitats included in the restoration scheme, including establishing satellite colonies of Heath lobelia by translocation in suitable locations. Further consideration in discussion with the MPA would be welcomed.

Second comment received 31st July 2024

- 9.64 The submitted Dormice and Bat surveys are acceptable and no further ecological surveys are necessary before determination.

Proposed removal of Veteran Tree 174

- 9.65 Retention of veteran trees must be in-line with the National Planning Policy Guidance Mitigation Hierarchy. Development proposals that would result in the removal of veteran trees should be refused planning permission, unless there are wholly exceptional reasons. If so, a suitable compensation strategy must be in place and agreed before determination.

9.66 Compensatory measures might include

- translocation of the tree to another part of the site
- management, set out in a management plan, of existing woodland under the Moreton Estate's control, including mapped removal of rhododendron
- individual trees, particularly oaks, within managed woodland and in retained treelines and hedgerows to be identified as future veterans and management secured to enhance their condition
- identification of trees that could be subject to veteranisation techniques
- creation of new areas of naturalistic woodland planting designed to restore ecological function

Restoration Plan and Afteruse

9.67 A bespoke approach to restoration should aim to achieve varied ecological functionality that can be managed sustainably in the long-term. Rather than strict like-for-like replacement of habitats lost, those created should deliver the equivalent value with a more landscape-sensitive approach.

9.68 The interface between the Hurst Lake (the proposed lake in the centre of the Hurst Farm site) and the surrounding areas to the north, east, and west should be reconsidered. There is an opportunity for extending the wetland habitats created into these areas, providing a more graduated ecotone, in contrast to some of the abrupt edges of the lake in the current proposed plan.

9.69 Where well justified, removal of additional hedgerow to facilitate a more integrated and extensive wetland creation would be welcomed. Rather than compensatory hedgerow planting to recreate lost fields and hedges, to the west and east of the lake, approaches delivering more diverse habitats with the same ecological function should be included, such as double hedgerows and the creation of scalloped edges and small copses to facilitate more extensive grazing post-restoration. This could avoid the need to create traditional field parcels and allow grazing to help manage the restoration site, reducing manual or mechanical intervention.

9.70 This approach should be achievable with minimal change to the working phases. For example, the areas of proposed pasture to the north-west, north-east, and east of the Hurst Lake would all be worked wet during the development, naturally forming into waterbodies, which are then proposed to be backfilled with overburden and soil to restore above water level. Restoring these areas to wetland/lake margins should not therefore be a task onerous to the operator. This may result in a surplus of overburden and soil, which could be used in restoring the rest of the site, or to reduce the depth of the large lake creating shallow gradients

9.71 Opportunity for a greater ecological connection between Hurst Lake and the proposed shallow pond in the north-east corner. The proposed outfall between the two could be expanded. The high quality oak trees in the hedgerows to the north and east of the buildings in this area should be retained and safeguarded.

- 9.72 Consideration of the siting of proposed wading shallows for birds is recommended; where adjacent to tall vegetation birds may be more vulnerable to predators.
- 9.73 Extensive shallows and pools over a wider, open area are likely to be more deliverable and successful than several discreet wetland shallows. Areas for potential recreation and amenity should be identified and zoned with clear parameters for acceptable future use identified.
- 9.74 The applicant has committed to nature conservation management of the site and Hurst Heath area for a period of 30 years. Expressions of interest from nature conservation bodies more appropriately placed to take on the long-term management of the site, should be sought by the applicant. Currently unclear as to who will operate the retained proposed visitor centre. Proposed use in-keeping with the nature conservation aims and the Restoration Vision in the Minerals Sites Plan (2019) is encouraged.
- 9.75 The specification for planting and seed mixes for grassland restoration must be consistent within all submitted plans and documents. The Ecological Mitigation and Management Plan (EMMP) and the Restoration scheme plans contain conflicting specifications. The applicant's Response Note to Ecology Consultees (February 2024) highlights that the Restoration Plan will need to agree with the EMMP regarding the grassland seed-mix used.

Biodiversity Net Gain

- 9.76 The EMMP and Biodiversity gain plan proposes potential future marketing of 'surplus' biodiversity units on the site, where measurable Biodiversity Net Gain exceeds the statutory requirement of 10%.
- 9.77 Clear identification of how 'surplus' in biodiversity unit generation is calculated is required. Enhancement of the site post-restoration to deliver higher quality habitats is a policy requirement under Policy DM5 of the Bournemouth, Dorset & Poole Minerals Strategy 2014.
- 9.78 To deliver additionality, post-development habitat creation and enhancement must be demonstrated as being over and above what is required to fulfil policy requirements.

Heath Lobelia

- 9.79 Ensuring the survival and long-term management and improvement of this rare plant species is of the highest priority.
- 9.80 Commitment to a long-term management plan secured by a Legal Agreement for the Hurst Heath area is welcomed.
- 9.81 The Species Recovery Trust helps in the understanding of the needs of this complex plant, informing the actions within the final management plan. It is

recommended that the Trust are involved throughout, including discharge of condition stage and over the decades of management. Translocation (through seed collection and dispersal) of the Heath Lobelia plant to other areas of the site and surrounding estate land should be seriously considered as part of the management plan.

- 9.82 Prior to determination it would be desirable to see at least the specific identification of the areas in which Rhododendron is present and will be managed as close to elimination as possible.
- 9.83 Nearby mineral working may lower the water table at Hurst Heath, to the detriment of the Heath Lobelia plant. Although the applicant predicts this to be highly unlikely, they accept that the possibility cannot be ruled out until post-extraction groundwater monitoring provides the data for actual drawdown.
- 9.84 Accurate monitoring and sufficient number and location of monitoring boreholes is very important.
- 9.85 In principle, the applicant's proposal to only work the nearest area of extraction to Hurst Heath is acceptable, subject to sufficient monitoring and appropriately worded conditions. It would be helpful to see consultation between the Species Recovery Trust and the applicant included in the management plan for reassurance.

Informal comments received from NET 23rd August 2024

- 9.86 NET welcomes the increased wetland areas in the north-west section of the site and enhanced connectivity, somewhat constrained by the landform, between the lake and the waterbody in the north-east part of the site.
- 9.87 The possibility of a walking route circumnavigating the lake was discussed. In principle this is acceptable provided there is sufficient buffering between the lake and marginal area and the path. The lake edge should be adequately buffered and designed to avoid disturbance from visitors. Locations of bird hides and the access to those will need to be carefully designed to minimise disturbance to wildlife.
- 9.88 Recreational uses - from an ecological perspective it would be advisable to restrict recreation to educational and bird watching activity. It is also recommended that dogs are not permitted, to fit with a nature conservation primary objective whilst other sites with a recreational primary purpose are available in the locality.
- 9.89 Re: Long-term management of the site, it's recommended that this is undertaken by a body with a proven track record in nature conservation management. Failing this, the authority will need legally securable assurances that expert advice on the management, monitoring, and reporting of certain ecological receptors and the wider site during the 30-year period will be taken.

Dorset Council Tree Officer

9.90 Comments received 3rd October 2023

Area TPO 496, covering the southern part of the Station Road site was served in 2018 following the felling of a suspected veteran oak. A new TPO (TPO/2023/0005) was subsequently served as an area TPO and later modified, protecting key trees, groups, and woodlands across the two sites.

9.91 An Arboricultural Method Statement (AMS) and Tree Protection Plan (TPP) were submitted as part of this application. A generic AMS such as this was considered by the DC Tree Officer to be inappropriate given the scale of this site and the operations proposed.

9.92 As the TPP does not follow the phased plans as submitted, it is not clear when fencing will be erected around the site. As neither the AIA nor the AMS discuss the restoration of the site and how this relates to protective measures, it is not clear how long the fencing will remain in-situ.

9.93 The TPP should follow the phased plans, with a timeline for the installation and removal of protective measures detailed within the AMS. Currently neither the AMS nor the TTP are suitable to be used as an on-site 'working document'.

Removal of features

9.94 The Barrells Arboricultural Impact Assessment (AIA) notes the loss of the following features:

- Category A: 1 veteran, 16 individual trees, 1 part of one group and a number of stems within two woodlands.
- Category B: 4 individual Trees, 2 groups, and part of 4 groups.
- Category C: 4 individuals, 8 groups, parts of 2 groups, 4 hedges and parts of 5 hedges

9.95 The loss of the higher quality trees and groups are regrettable; however, it is noted that there will be a significant amount of compensatory planting.

9.96 The loss of the veteran (V174) has been proposed to enable maximum extraction between phase 10 and 12 and facilitate retention of the features between phase 9A and 9B; which also includes 2 further veterans.

9.97 If the veteran is to be lost, sufficient compensation must therefore be secured by way of condition. This should follow the '[Ancient woodland, ancient trees and veteran trees: advice for making planning decisions](#)', which notes that loss of veteran trees can be partially compensated by planting young trees of the same species with space around each one to develop an open crown, and new trees near to the trees they're replacing.

Little Hurst Coppice and Hurst Copse

- 9.98 An earlier (June 2022) ecology statement produced as part of the Scoping Opinion highlighted the potential for 'Hurst Copse' and 'Little Hurst Coppice' to contain some ancient woodland indicator species and stated that the status and composition of these woodlands would be investigated further to inform the Environmental Statement. However, the current ecology report makes no reference to these woodlands or to the presence of veteran trees on site.
- 9.99 Given the earlier comments, a detailed assessment of these woodlands is required as this could influence the layout and design of the site.

Impact of Extraction Operations

Bunds

- 9.100 Section 1.2 of the AIA references the design of the temporary soil bunds. These have been pulled out from the veteran trees buffer zone, and it is unclear what will separate them from the mining activities/act as a buffer. V194 is particularly close to the top of the excavation.
- 9.101 V55 is situated adjacent to the main haul road. The buffer zone is shown to extend south of the existing track with no protective measures shown to accommodate this. It would be reasonable to expect ground protection on the track due to increased use and some form of fencing to limit access in the buffer area south of the track.
- 9.102 Clarity is sought as to why there is no protective fencing for a number of trees in the southern portion of the site north of phase C.
- 9.103 Storage bunds containing soil which will remain for more than 6 months or over the winter period should be grassed over, weed controlled and maintained to the satisfaction of the MPA. Care must be taken when applying herbicides in close vicinity of trees.

Dust

- 9.104 High dust levels and leaf coverage can negatively impact tree health and development, affect stomatal/lenticel function, inhibit growth and development of leaves, seed and fruit and reduce the photosynthetic rate.
- 9.105 The receptors identified within the dust management plan are predominately adjacent dwellings. Only Hurst Heath SNCI is noted as a receptor expected to experience up to moderate adverse effects and mitigation is proposed – why is other vegetation not also recognised? Do trees, including veteran trees, fall into the 'vegetation' category
- 9.106 There is likely to be dust generation from vehicle movement and transportation of the minerals, and the main haul road runs immediately adjacent to at least three veterans, Little Hurst woodland and a significant number of A category trees. Possible dust generation in the restoration phase of transporting the infill and restoring the land is not mentioned.

Hydrology

- 9.107 The bunds will consist of free draining material and the risk of water pooling in high rainfall events is considered low. However, the lowering of groundwater levels and its impact on trees does not however appear to have been covered. Altering the water table will have negative consequences for older and veteran trees in periods of drought. Possible impacts of warmer, drier summers should be further explored to determine the likely level of impact and possible management techniques to ensure retention of these important features.

Conveyor Corridor

- 9.108 The TPP states trees will be retained where possible subject to design. The Dorset Tree Officer was unable to locate the full design proposals for the conveyor or specific details of tree removal. As removal of trees adjacent to the road to facilitate this are likely to have a greater impact on public amenity it is important to seek clarity on the detailed design and implications.

New Planting

- 9.109 The Dorset Tree Officer was unable to locate the detailed restoration scheme, as specified by the project Landscape Architect, that is referred to in section 1.10 of the planning statement. Only drawing HF/523/16-3A provided an overview of the restoration layout.
- 9.110 Section 6.40 refers to 725m² of planting completed in April 2023 ahead of planning consent being undertaken and a further 15,190m² to be carried out post planting consent.
- 9.111 Section 6.58 notes the different elements of habitat creation achieved in restoration which includes 1.49 hectares of native woodland/scrub planting and 2320m of native hedgerow planting.
- 9.112 The Dorset Tree Officer commends this, but notes the lack of detail on the species to be used and maintenance or management of the planting that has already been undertaken or is due to go in. A comprehensive landscaping scheme and management plan covering an appropriate time length (in excess of the 25 years) should be secured by way of condition.
- 9.113 If approved, the Dorset Tree Officer also asks for details of the specific compensatory planting for the veterans and for other valued trees (for example southwest of Hurst Farm) to be clarified to ensure sufficient compensation is secured. This should be in accordance with the Government Standing advice.

Further comment received from Dorset Tree Officer on 23rd May 2024.

- 9.114 I have reviewed the amended plans and AIA and have the following comments to make. I have also revisited some of the earlier issues raised, as on further reflection I do not feel adequate responses have been provided.

Removal of Veteran Tree V174

9.115 In the government guidance [Ancient woodland, ancient trees and veteran trees: advice for making planning decisions - GOV.UK](#) veteran trees are defined as irreplaceable habitats. Their features, such as branch death and hollowing, contribute to their exceptional biodiversity, cultural and heritage value.

9.116 Under the title 'Making Decisions' it states the following;

'When making planning decisions, you should consider:

- *conserving and enhancing biodiversity*
- *avoiding and reducing the level of impact of the proposed development on ancient woodland and ancient and veteran trees*

You should refuse planning permission if development will result in the loss or deterioration of ancient woodland, ancient trees and veteran trees unless both of the following applies:

- *there are wholly exceptional reasons*
- *there's a suitable compensation strategy in place (this must not be a part of considerations of wholly exceptional reasons) - see paragraphs 33 and 34 of the [planning practice guidance](#) on compensation guidance*

You should make decisions in line with paragraph 180 (c) of the NPPF.

(NB- this has since been updated to para 186 (c) which states "development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons 67 and a suitable compensation strategy exists; and

(d) development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity or enhance public access to nature where this is appropriate".

**Footnote 67: For example, infrastructure projects (including nationally significant infrastructure projects, orders under the Transport and Works Act and hybrid bills), where the public benefit would clearly outweigh the loss or deterioration of habitat.)*

Ancient woodland, ancient trees and veteran trees are irreplaceable. Therefore, you should not consider proposed compensation measures as part of your assessment of the merits of the development proposal.'

9.117 The AIA refers to the site's restoration plans as the compensation strategy for the veteran proposed for removal. Compensation measures should be a last resort and considered only once the existence of 'wholly exceptional circumstances have been ascertained (para 033 of Natural Environment Planning Practice Guidance).

- 9.118 A statement justifying the removal of veteran V174 was requested previously, with the planning agent confirming on site it is to enable maximum extraction between phase 10 & 12 and facilitate retention of the features between phase 9A and 9B, which also includes 2 further veterans.
- 9.119 The AIA refers to strategic importance to justify removal of V174 but when considering the above government guidance, the justification does not appear as a wholly exceptional reason. The justification lacks detail and appears to be solely about maximising return.
- 9.120 Given the above guidance and responses from the agent and arboriculturist, the primary position should be to retain all veteran trees on site – this should be explored further given the current lack of a wholly exceptional reason and specific compensation strategy.

Removal of G12

- 9.121 Trees to the southwest of Hurst farm (G12 protected by TPO/2023/005) are still proposed for removal, which is disappointing given the DC Senior Landscape Architects comments highlighting the significant visual contribution made by this group. The retention of this feature is supported on amenity grounds, and this is reflected by the modified TPO.

Bunds and tree protection measures

- 9.122 The revised plans show the fencing extended around trees to the north of phase 9c and increased fencing around Veteran tree 55.
- 9.123 On reflection and further discussion with the adjacent site at Woodsford Quarry, I question the justification provided for placement of the bunds within the RPAs of the remaining trees.
- 9.124 In section 1.2 of the AIA, Barrells specifically refer to paragraph 7.4.4.4 of BS5837:2012 to justify the placement of bunds within the root protection areas, following original concerns raised at my initial site meeting.
- 9.125 Section 7.4 of the BS specifically relates to permanent hard surfacing within the RPA; with the raising of levels typically used to create a level subbase if the existing ground is undulant.
- 9.126 I struggle to see the comparison between marginally altering levels for new hard surfacing and significantly altering levels to facilitate the storage of soils in up to and in some cases over 30% of the RPA.
- 9.127 The issue of the AMS not being site specific and too generalised for such a long-term operation is compounded by this - it fails to address the soil handling method for building and grading the bunds and later dismantling/excavating the bunds for restoration.
- 9.128 It is expected that heavy machinery will be required to facilitate this and these will require access to both build, shape and dismantle; which if the bunds are situated within root protection areas leaves them vulnerable to damage.
- 9.129 It is not practicable to expect all tree protective measures to be implemented prior to commencement and a phased approach with a timeline for the installation and removal detailed in phase specific tree protection plans is preferred. These more detailed documents could be conditioned as a pre-

commencement condition for each phase with an overarching TPP and AMS if it can be assured that the bunds will be pulled out of the RPA's.

Recommendations

- 9.130 AIA and AMS are not able to fully demonstrate that the operations can be undertaken with minimal risk of adverse impact on trees to be retained. The proposal cannot be supported if the bunds remain within the root protection areas of trees.
- 9.131 The DC Senior Landscape architects' comments in respect of retaining G12 and are supported and it is agreed that it should be retained and protected in accordance with the Bournemouth, Christchurch, Poole and Dorset Minerals Sites Plan (MSP) 2019.
- 9.132 The removal of the veteran tree V174 is contrary to the government standing advice in relation to ancient woods, ancient trees and veterans: advice for making planning decisions and paragraph 186 (c) of the NPPF. The primary position should be to retain all veteran trees on site, and I would suggest that this is explored further given the lack of wholly exceptional reasons and specific compensation strategy.

Further comment received from Dorset Tree Officer on 17th Oct 2024.

Encroachment into root protection areas

- 9.133 Much improved, there is still some creep into the RPAs of a number of trees to the south of, and in between phases 7a and 7b, along with T200 which conflicts with section 2.2 of the AIA. There doesn't appear to be any specific barriers to roots here i.e. ditches to justify this.

Loss of V174 & Compensation Strategy

- 9.134 Compensation strategy details 1 hectare of new woodland, rhododendron management on and around the estate, the translocation of V174 into the new woodland and the identification of 50 future on-site veterans – all commendable, but decision maker has to determine if the reasons of economic loss are wholly exceptional to justify the loss of V174. Government guidance states that "The compensation strategy must not be a part of consideration of wholly exceptional reasons" and planning should be refused if the above is not met.
- 9.135 An overview of the translocation methodology for V174 has been detailed within section 1.6 of the AIA, but not later in the section 2.5 table 'Phasing summary for tree protection'.
- 9.136 Moving a tree of this size does not yet appear to have been tried and tested within the UK, with larger equipment seemingly patented to the US. If this option is approved the largest sized root ball which is feasible for movement should be retained and full details of its translocation must be outlined in the veteran management plan discussed below.

- 9.137 Being placed in an area of new woodland, it is important sufficient space is given around V174 in its new position to avoid creating competition for light, water or nutrients.
- 9.138 In respect of the rhododendron management, reference has been made within section 1.12 of the AIA to a full and detailed Rhododendron management plan. It is understood that this will be secured via the section 106 agreement.
- 9.139 Regarding future veteran management, section 1.13 refers to a long-term veteran tree management plan. As many of the trees are protected on site by TPO (TPO/2023/005 & PDC/TPO 496) the production of this must be secured by condition if you are minded to grant consent. It is recommended that the management plan be inclusive of but not limited to the following:
- detailed survey of all veteran trees on site
 - methodology and aftercare for translocating V174 with specialist input/supervision and detailed timeline.
 - methodology for planting new area of woodland around V174
 - future management of land surrounding veteran trees and future identified veterans to prevent overcrowding from new planting/compaction from site users
 - Scope of any tree works to current or future on-site veterans (works to be undertaken by registered contractors only and TPO Tree work application required).

Restoration and new planting

- 9.140 Section 1.14 briefly refers to new planting and the restoration proposals. The latest restoration scheme includes the outline of several of the veteran trees (mostly in the station road site). It is not clear what the circle denotes but it has potentially highlighted areas of planting within the veteran buffer zones for trees V202, V205, V109 and V55.
- 9.141 Space must be afforded to the veterans for restoration as well – the planting locations of new trees should not interfere with the veterans as they grow and develop.
- 9.142 Wading shallows encroach into the buffer zone of V194 - wetland creation needs to be moved outside of the buffer zone.
- 9.143 Footpath proposed north of phase 5 with rolled gravel surface that is not mentioned in the AIA. As this runs through the buffer zone of V55 a no-dig solution is recommended to improve the existing site conditions. This should be detailed within the TPP and AMS.
- 9.144 The new outfall between Hurst Lake and the proposed shallow pond in the north-east corner is not mentioned with the AIA.
- 9.145 It is understood that more detailed restoration plans are to be conditioned and therefore further detail on tree protection could also be secured.

Permissive Path

- 9.146 It is disappointing that a no dig solution is considered unviable along the northern side of the B3390. There are examples of other local authorities accepting and adopting paths with alternative technical solutions near trees [Adopted-Road-and-Footpath-examples-Cellweb-TRP.pdf \(geosyn.co.uk\)](http://geosyn.co.uk/Adopted-Road-and-Footpath-examples-Cellweb-TRP.pdf)
- 9.147 The use of no-dig for the remaining pathway is supported and a full spec of this should be secured via condition of a detailed AMS.

Conditions:

- 9.148 It is preferable for the tree protection conditions to be phased with pre-commencement site visits on each new phase. Attendees should include the appointed tree specialist, quarry site manager and LPA tree officer/representative to discuss appropriate tree protection measures. Photographic monitoring records must be kept available for inspection.

Suggested condition: Before any preparatory works or extraction works commence on each phase, a pre-commencement meeting shall be held on site and attended by the developers appointed arboricultural consultant, the site manager/foreman and a representative from the Local Planning Authority (LPA) to discuss details of the working procedures and agree either the precise position of the approved tree protection measures to be installed OR that all tree protection measures have been installed in accordance with the approved tree protection plan. The development shall thereafter be carried out in accordance with the approved details, or any variation as may subsequently be agreed in writing by the LPA.

- 9.149 In respect of a more detailed AMS, I have included Barrells suggested heads of terms within a suggested condition as they do pretty much cover what is required.

Suggested condition: Prior to the commencement of development hereby approved (including all preparatory work), a scheme for the protection of the retained trees, in accordance with BS 5837:2012 (or updated standards at that time), including phase specific tree protection plan(s) (TPP) and a phase detailed arboricultural method statement (AMS) shall be submitted to and approved in writing by the Local Planning Authority.

Specific issues to be dealt with in the TPPs (Tree Protection Plans) and AMS (Arboricultural Management Scheme):

- 9.150
- 1. Preparation of a written site management protocol for dealing with tree issues, to be incorporated into formal site management procedures, and to specifically include induction training for all operatives related to tree protection.*
 - 2. The order of work on site, including phased site clearance, the installation of protective measures, the phasing of successive work locations, the installation of the conveyor and bridge, the phased removal of tree protection, and restoration works.*
 - 3. A specification for tree protection measures as each phase progresses and an updated plan indicating the alignment of these measures.*
 - 4. Who will be responsible for protecting the trees on site.*

5. Detailed proposals for inspecting and supervising the tree protection by a suitably qualified tree specialist. To include details of how this will be reported to the LPA.
6. How accidents and emergencies involving trees will be managed, including accidental damage to roots and their treatment.
7. Details of facilitation pruning and access into site. What size vehicles will be used under canopies and will large machinery be lifted over trees.
8. The parking arrangements for workers and visitors.
9. A schedule of emergency contact numbers relating to trees.
10. Areas for loading and unloading of materials and storage of materials and plant.
11. Where site facilities will be located and when will they be installed.
12. How machinery and equipment (such as excavators, cranes and their loads, concrete pumps and piling rigs) will enter, move on, work on, and leave the site.
13. Pollution control to specifically consider chemical storage and wheel washing facilities in relation to trees.
14. Recycling and storage of waste in relation to trees.
15. Details of earthworks, grading and mounding and removal of spoil, including any planned lowering or raising of ground levels.
16. Precise services locations, including the method of excavation when near trees.
17. Details and precise cross-sections for the conveyor support structure and overbridge is to be installed.
18. A full specification and methodology of new footpath link from Moreton Village to the station and permissive path around Hurst Lake.
19. Details of wetland creation adjacent to RPAs, and how the movement of excavators will be managed.
20. Methods to improve the rooting environment for retained and proposed trees and landscaping

Each phase of extraction and restoration thereafter shall be implemented in strict accordance with the approved details. Reason: Required prior to commencement of extraction to satisfy the Local Planning Authority that the trees to be retained will not be damaged during extraction or restoration and to protect and enhance the appearance and character of the site and locality.

Suggest a condition is added to say the following: There shall be no excavation or raising or lowering of levels within the prescribed root protection area or buffer zones of retained trees unless agreed in writing by the Local Planning Authority.

Further comment received from Dorset Tree Officer on 4th December 2024.

9.151 Having reviewed the following: Barrell's Tree Protection Plan 22117-13A and Barrell's Arboricultural Impact Appraisal and Method Statement 22117-A1A6-CA it is noted that the encroachment into the RPAs as detailed in point 1 of the comments made on 17th October 2024 has been addressed. The remaining comments made on that date still stand.

9.152 It is considered useful to provide some definitions in respect of what is a veteran tree and why it is considered irreplaceable. Text has been taken from the Woodland Trust's [Ancient and veteran trees. An assessment guide.](#) (Gilmartin 2022).

"A veteran is a mature tree that has developed valuable decaying wood features, not necessarily as a consequence of time, but due to its life or environment. Veteran trees may not be very old, but share similarities with ancient trees, such as trunk or branch hollowing, or significant amounts of other decaying wood."

"Ancient and veteran trees are disproportionately valuable parts of the natural environment. They are keystone structures, containing unique microhabitats for specialist wildlife, and are host to hundreds of species at any one time. For this reason, they are vital attributes of woodland sites and open wooded habitats. Trees outside of woods, i.e. scattered and hedgerow trees, are also particularly important for landscape connectivity. Where trees have persisted for a long time, so too has the soil around and beneath them. This soil reserve, and community of life within, is therefore also old and is precious. Much is still to be discovered about the ground below ancient and veteran trees, but research has shown that it holds unique communities, including that of mycorrhizal fungi – the fungi that make up the 'wood-wide web' – which trade nutrients in exchange for sugar made by the trees through photosynthesis."

9.153 And the NPPF's definition of an **"Ancient or veteran tree"** *A tree which, because of its age, size and condition, is of exceptional biodiversity, cultural or heritage value. All ancient trees are veteran trees. Not all veteran trees are old enough to be ancient but are old relative to other trees of the same species. Very few trees of any species reach the ancient life-stage."*

Dorset Council – Highways

9.154 Submitted on 08/08/23, and again on 14/09/23 and 05/03/24. No Objection.

They consider that the *"increase of HGV movements is deemed acceptable and can be safely accommodated on the network."* Overall, they consider that the impact of the development would not be severe and therefore consider that there are no highway grounds for refusal.

9.155 They draw attention to the highway assessments conducted by the applicant, including the Transport Management Plan, and consider that it *"contributes towards the mitigation of the proposed development which includes an agreed route distribution which seeks to ensure that all HGVs use the strategic highway network as much as possible and aims to avoid sensitive areas."*

- 9.156 The Highways Officer suggests that several conditions be added if permission is granted, regarding submission of a Construction Logistics Plan (CLP), visibility splays, access construction, and turning/manoeuvring.

Dorset Council – Transport Planning

Comments received 01/09/2023

- 9.157 Transport Planning was asked by the Case Officer to comment on the need or feasibility of a pedestrian crossing of the B3390, alongside the new proposed footpath. They recognise the *“lack of pedestrian facilities connecting Moreton Station to Moreton village,”* and note the emphasis given in the Mineral Sites Plan to this connection.
- 9.158 They note that *“none of the 14 collisions within the PIA study area involved pedestrians, whilst two slight collisions involved cyclists.”* Although agreeing that *“a crossing would improve pedestrian safety across the B3390,”* they list a series of requirements that would need to be met before a proposal for a crossing could be supported by the authority. This includes further assessments, possible traffic calming measures, lighting, signage, etc.

Second comment received 2nd November 2024

- 9.159 The applicant submitted a Transport Assessment Modelling Note 8th May 2024 to consider the cumulative impacts of the proposal in relation to a development located on Land South of Warmwell Road Crossways WD/D/16/000378. They conducted sensitivity testing on the relevant junction's, using industry standard tools, and it was concurred there are no detrimental highway impacts with both development proposals operating at the same time. The Highway Authority find this to be acceptable.

Station Road access

- 9.160 The access onto Station Road required modification and the applicant submitted a revised swept path and visibility splay drawing to reflect these changes. A banks person will be in place to manage HGV movements during the temporary construction phase before it reverts to standard vehicle use. The Highway Authority find this to be acceptable.

The permissive footpath route

- 9.161 The permissive footpath proposals have been subject to an independent Stage 1 Road Safety Audit. An element of these works will become footway works facilitated on to the adjacent adopted public highway and be subject to a section 278 of the Highways Act 1980. The Highway Development team have found this to be acceptable and will require a Grampian condition.
- 9.162 The Highway Authority have no objection subject to the following conditions being added and consolidated with its previous responses 8 August 2023 and 20 September 2023:

Condition: Visibility splays as submitted

Before the development hereby approved is occupied or utilised the visibility splay areas as shown on the submitted plans must be cleared/excavated to a level not exceeding 0.6 metres above the relative level of the adjacent carriageway. The splay areas must thereafter be maintained and kept free from all obstructions.

Reason: To ensure that a vehicle can see or be seen when exiting the access.

Grampian condition

Before the development hereby approved is occupied or utilised the following works must have been constructed to the specification of the Planning Authority in accordance with: Drawing 174-0006-0015 P01 Footpath and Crossing Design (or similar scheme to be agreed in writing with the Planning Authority).

Reason: These specified works are seen as a pre-requisite for allowing the development to proceed, providing the necessary highway infrastructure improvements to mitigate the likely impact of the proposal.

INFORMATIVE NOTE: Grampian

In addition to this permission, the highway improvement(s) referred to in the recommended condition above must be carried out to the specification and satisfaction of the Highway Authority in consultation with the Planning Authority and it will be necessary to enter into an agreement, under Section 278 of the Highways Act 1980, with the Highway Authority, before any works commence on the site.

Dorset Council – Bridges Team

9.163 Submitted on 30th January 2024. No Objection

Notes that none of the bridges along the three HGV routes in the Traffic Management Plan are weight restricted and considers that *“there is no reason to limit the number of vehicle movements for structural reasons.”*

On the condition of Hurst Bridge, they note that the *“bridge is in sound structural condition,”* and that *“defects noted are age and exposure related deterioration as a result of weathering.”*

Dorset Council – Conservation Officer

Comments submitted 20th October 2023. No Objection

9.165 Overall, the Conservation Officer finds that the scheme would cause no harm (either directly or indirectly) to any heritage asset, except for Hurst Bridge (1425777).

9.165 The Bridge is Grade II listed, and the Officer finds there would be less than substantial harm, due to *“a perceived increase of industrial scale transport,”* as well as *“tangible concerns with regard the future structural integrity.”* He

concludes that any harm can be adequately mitigated by securing from the applicant “*an agreement for an appropriate schedule of periodic structural investigation and monitoring,*” and that terms of liability in case of damage should be explored.

Dorset Council – Environmental Health

Air Quality and Dust

- 9.166 Environmental Health have viewed the following documents of the Environmental Statement:
- Chapter 7, Hurst Farm and Station Road Quarry Proposal, Chapter 7 Air Quality and Dust, by DustScan AQ, dated July 2023
- 9.167 The assessment considers transport emissions associated with the proposed development for the earliest year of operation (2024). It concludes the air quality impact will be negligible and proposed development will not result in a significant negative effect on local air quality.
- Chapter 7.1 Dust Assessment, Hurst Farm and Station Road by DustScan AQ, dated May 2023
- 9.168 This assessment considers impacts from ‘disamenity’ (or ‘nuisance’) dust, associated with annoyance. The assessment concludes that the vast majority of receptors are likely to experience no more the negligible effects as a result of the proposed development. Slight adverse effects are predicted at receptors to the east of Hurst Farm and to the north of Station Road during site preparation and restoration activities, however a Dust Management Plan has been produced to mitigate these effects. I would suggest a condition to ensure the following document is implemented should planning permission be granted:
- Dust Management Plan, Hurst Farm, by DustScanAQ

Dorset Council – Flood Risk

Comments submitted 04/08/23, and again on 20/02/24. No Objection.

- 9.169 Dorset Council Flood Risk are satisfied with the assessments submitted by the applicant and conclude that: “*it is reasonable to assume that the peak surface water runoff rates and volumes will be less than the current rates and this may go some way to reducing downstream flood risk.*” They suggest two standard pre-commencement conditions in relation to surface water management and drainage.

Environment Agency

First comment 18/09/23, object.

- 9.170 Insufficient information to determine risks to water environment

Groundwater and hydrology

9.171 Geological evidence

- Require evidence of geological logs for boreholes and geological sections to review hydraulic connection between operations and River Frome

9.172 Groundwater level data - logger and wet conditions

- Require flow data for winter 2022/23 to show full range in levels after 2022 drought

9.173 Permeability distribution and hydraulic impacts due to abstraction at 1B

- Clarification in differences between groundwater level shown on contour plot at 29-29.5m AOD and proposed clean water lagoon level at 28.5m AOD which implies a gradient will be present from the river at 29-30m AOD

9.174 Flow constraints implications for working 5.3.3.12

- Clarification of measures in place to accommodate operations during constrained abstraction periods

9.175 Moreton Estate network

- Clarification on whether MEN is a private network or mains supply as it does not appear to be licensed as private but is referred to as private by applicant

9.176 Dredging operations water management scheme and transfer license requirements

- Clarification of whether dredging will require a transfer license
- Further information confirming operational controls on pond and groundwater systems to manage impacts during dredging

9.177 Environmental monitoring plan - survey levels for the river Frome channel and water levels related to the channel and restoration lake levels and potential for river loss

- Confirmation of the relative groundwater vs river level related to the assessed current river level and confirmation of current conditions by surveying between Pallington Lakes and Moreton
- Restored groundwater level contour plot to be provided to conclude risk to river drainage patterns and to the SSSI watercourse between Pallington and Waddock Cross
- Environmental Management Plan to describe the constraints on operation lake levels, groundwater levels and river levels to demonstrate effective mitigation and prevent impact to the River Frome ensuring a positive hydraulic gradient towards the river

- 9.178 **Woodsford Quarry**
- Clarification on whether preference to not work simultaneously with Woodsford Quarry is due to hydraulic risk, and what the risk is
- 9.179 **Hurst Dene Cottage well**
- Derogation agreement to be drawn up between the applicant and well owner to allow for an abstraction license to be issued in the case that the private water supply was derogated
 - Clarification with regard to impacts on private well supply
- 9.180 **Water quality**
- Clarification on how restoration works will reduce fine sediment load to the River Frome with concern over how this will be achieved
- 9.181 **Hydrology**
- Further detail with regard to the difference in flow further downstream via spot gauges taken at a range of flows to assess scale of loss to the main channel
 - Current hydrological impact assessment based on December to March and should show full year
 - Flow comparison is to the total flow of the Dorchester gauging station not taking account of a split in the channel between the two - this should be better understood with further spot gauging in each of the channels
 - Clarification of whether data taken by telemetric flow loggers at points 2 and 4 are continuous and reliability of data
 - Clarification on whether evaporation from ponds has been considered/estimated
- 9.182 **Fisheries and biodiversity**
- More detailed understanding of hydrology and more information on scale of change to flow of main river as change to groundwater flow away from the river between Waddock Cross and Pallington lakes and changes in flows could impact salmon habitat and population
- 9.183 **Flood risk**
- Fluvial flood extents/levels
 - FRA does not consider fluvial flood risk in sufficient detail
 - Update FRA to consider fluvial flood risk, improved flood extents and flood level estimation for present day and future due to climate change to confirm works do not impact fluvial flood risk
- 9.184 **Advice to LPA and applicant**
- Environmental Enhancement

- 9.185 Second comment received 15/02/2024
- Objection
- Request further information/clarification
 - Groundwater and hydrology
- 9.186 **Geological evidence**
- Require hydrogeological section combining details of working depths and groundwater contour for interpretation of flows in Hurst Farm ditch and clean water lagoon excavation and extraction
- 9.187 **Groundwater level data record**
- New data shows limited groundwater head range across the working area with potential northerly flow
- 9.188 **Permeability distribution and hydraulic impacts**
- Unclear how raising of lagoon levels to 29.3mAOD will be maintained in permeable gravels and subject to Woodsford quarry workings and abstraction
- 9.189 **Flow constraints implications for working**
- Confirmation of calculations for water lost and stored for compensation as they are sensitive in relation to the works
 - Clarification on amount to be abstracted from clean water lagoon
 - Details for storage of compensation water and mitigation of loss due to operations
- 9.190 **Moreton Estate network**
- Information accepted
- 9.191 **Dredging operations water management scheme and transfer licence requirements**
- Dredging licence required
 - Confirmation of restoration flow regime
- 9.192 Environmental monitoring plan - survey levels for the River Frome channel and water levels related to the channel and restoration lake levels and potential for river loss.
- 9.193 Third EA Comment received 16/12/2024
- 9.194 The EA confirms that they would be able to withdraw their objection, provided the following conditions and informatives are included if permission is granted.
- Groundwater Protection**
- 9.195 The EA has set out a number of conditions relating to the surface water and groundwater at the site and in the River Frome adjacent. The EA considers

that that the acceptability of the scheme is dependent on water management and on the relationship between the levels at the site and in the River Frome.

- 9.196 The protection of water levels, flows and quality in the River Frome, particularly at low flow, is considered to be a very significant issue because of the SSSI status of this Chalk stream. The successful operation of any quarry site in this location will require a clear baseline data set on which to establish working and restoration water levels as part of the 'wet working' operation.

9.197 **Pre-development conditions proposed 16th December 2024**

Condition 1 Scheme of surface water and groundwater monitoring

Condition 2 Baseline report

Condition 3 Wet working proposed water levels

Condition 4 Monitoring scheme to protect the SNCI community.

Condition 5 Protection of flows in Hurst Ditch and Moreton Stream

Condition 6 Overall plan of working for Hurst Farm, Station Road and Woodsford Quarry

Condition 10 Construction Environmental Management Plan (CEMP)

Condition 7 Annual monitoring reports

Condition 8 - restoration monitoring

Condition 9 no import of materials to site, or land raising in Flood Zone 3

Fourth EA comment received 21st May 2025

- 9.198 In summary the overall position on the application remains the same. The details submitted for Hurst Farm give sufficient confidence that the impacts on the River Frome can be adequately managed through conditions. Hurst Farm and Station Road sites are capable of being extracted using wet working techniques which are not based on the need to dewater strata. If permission is granted it will be on the basis that the mineral workings and all water uses will be required to maintain water levels above defined river levels.

New EA Suggested Conditions

- 9.199 EA's Legal advice says that Condition 1 (Interpretive conceptual model update report and monitoring and mitigation plan) should be amended to:

"A revised scheme of surface water and groundwater monitoring and reporting shall be submitted to and approved in writing by the Mineral Planning Authority. Extraction of minerals shall not commence until (a) surface water and groundwater monitoring as specified in the revised scheme of surface water and groundwater monitoring have been undertaken for a continuous period of not less than 12 months and (b) an interpretive conceptual model update report and monitoring and education plan has been submitted to and approved by the mineral planning authority. Thereafter, mineral extraction

shall at all times be fully in conformity with the monitoring and mitigation plan as approved.”

Condition 2 (Wet working proposed water levels) should read “ Extraction of minerals shall not commence until scheme of wet working and water level monitoring has been submitted to and approved in writing by the mineral planning authority. Working and monitoring shall be undertaken in accordance with the approved scheme.

Condition 3 (Annual Monitoring Reports) This condition needs to be specific enough to ensure that the information required is provided as part of these reports and these need a method of approval to ensure they are compliant.

“Annual surface and groundwater monitoring report shall be submitted to the mineral planning authority by the 1st of March each year for approval in writing. The reports shall include the extent of the works in the past 12 months, observed water levels and flows and compliance/non-compliance issues in relation to the approved monitoring and mitigation plan. Continued mineral extraction shall at all times be fully in conformity with the approved monitoring and mitigation plan and minerals planning authority approval.”

Condition 4 (Restoration monitoring and verification)

“Prior to the commencement of any restoration works, a revised restoration plan, based on the interpretive conceptual model and water level monitoring data shall be submitted to, and approved in writing by, the Mineral Planning Authority. The revised plan will include post restoration monitoring and a verification plan following the completion of works. Restoration will be undertaken in accordance with the approved scheme.”

Condition 5 (Storage of oils, fuels and chemicals)

“ Details of any facilities for the storage of oils, fuels or chemicals, associated with this development shall be submitted to and approved by the mineral planning authority. The details shall include:

- Secondary containment that is impermeable to both the fuel, oil, chemical and water, with no opening used to drain the system
- a minimum volume of secondary containment at least equivalent to the capacity of the tank plus 10% or, if there is more than one tank in the secondary containment, at least equivalent to the capacity of the largest tank plus 10% or 25% of the total tank capacity, whichever is greatest
- all fill points, vents, gauges and sight gauge located within the secondary containment
- associated above ground pipe work protected from accidental damage
- the low ground pipe work having no mechanical joints, accept at inspection hatches and have either leak detection equipment installed or regular leak checks
- all fill points and tank vent pipe outlets designed to discharge downwards into the bund

The scheme shall be implemented as approved prior to any storage of oils fuels or chemicals.

Natural England

9.200 Comment submitted on 12th January 2024

NE has Concerns regarding the proposed restoration of land at Station Road, as the stream is not shown on the restoration plans and recommendations on how to change the plan to incorporate it into restoration in order to reduce nitrogen loads into the river.

9.201 Recommendations for the Hurst Heath area improvement of mitigation measures due to uncertainty over their sufficiency to protect heath lobelia. Requirement of more extensive piezometer data to monitor the blocking and filling of drains and ditches and a more robust and aggressive rhododendron management strategy to prevent a substantial rhododendron problem past the currently quoted 30 year plan. Further critique is made of the 100 year vision for Hurst Heath; there is recommendation of faster action to be taken in hydrological restoration and balancing the open and wooded areas, especially with regards to the proposed 'reduction' of rhododendron and holm oak in favour of eradication.

9.202 There is a further question over whether the proposed planting of heath lobelia within the site is sufficiently ambitious to secure the necessary mitigation, and it is recommended that a more extensive metapopulation is established to protect against hydrological changes and other unpredictable factors.

Natural England

Second comment received 21st March 2025

9.203 Effects on the River Frome SSSI – NE notes that the EA previously objected due to the risk of potential harm to the river and Natural England has also objected on the same grounds. The EA has now withdrawn their objection on the basis that any significant harm to the river can be avoided if appropriate conditions are applied. Natural England also withdraws its objection provided that it is subject to these conditions

9.204 Hurst Heath, heath lobelia and SNCI - regarding the issue of the risk to the heath lobelia population from the working of the nearest phase 6C to the lobelia site, we have considered the monitoring and mitigation approach to the concerns and in principle are happy that the scheme once agreed through a planning condition would be able to reduce the risk to the lobelia population to an acceptable level. There is much common ground regarding removal of rhododendron and holm oak and hydrological restoration and a detailed ecological management plan secured through the S106 should be acceptable.

9.205 Hydrological restoration should be integrated with heath lobelia conservation and it would be better in the long term if new heath lobelia locations are not established where they are dependent on continued artificial drainage. Regarding the timing of the removal of rhododendron we would also note that the continued authorisation of herbicide that is vital in the control of rhododendron of regrowth cannot be guaranteed. This is a further factor that

supports the need for early removal of as much mature rhododendron as possible. We welcome the improvements to the overall restoration plan for Hurst Farm itself.

Dorset Wildlife Trust

Comment Submitted on 14th September 2023

9.206 DWT considered that the ecological information submitted initially was insufficient, such as the lack of follow-up bat trapping surveys, despite the likely presence of rare bat species¹. DWT discussed the proposed mitigation for the Heath Lobelia plant and queries various technical details of how this will be implemented. They argue that *“if changes are detected which could impact Heath Lobelia habitat from any cause, additional minerals extraction which may have the potential to exacerbate this must not be undertaken.”* Further, they question what remedial action would be possible if extraction reduces groundwater levels to the extent that the plant is impacted, as ceasing extraction would not necessarily raise levels back to their previous level.

9.207 DWT strongly supports the draft Hurst Heath Management Plan, particularly the introduction of regular grazing of the area.

In relation to restoration, DWT *“would like to see greater ambition and imagination,”* and conclude that *“Although the large, deep waterbodies proposed and marginal and additional habitats will create value for biodiversity, there is scope to deliver much more diverse and wildlife rich habitats by applying greater variety in the landscape and topography than the current plan shows.”* DWT question the type of grassland at restoration, which appears to be inconsistent across documents.

Network Rail

Comment received on 30/08/23 – Holding Objection.

9.208 Network Rail were concerned that the development may change groundwater levels around the railway that serves Moreton Station and could affect the earthworks and embankments. They *“would like to see an assessment of the impacts of the works on the local surface water drainage, including our assets, including information on volume, flow rate and direction.”*

9.209 Second comment received 7th June 2024 – following a review of additional documents produced by the hydrogeologists, Network Rail confirms they withdraw the objection and have no further comment to make.

Active Travel England

9.210 Submitted on 20/02/24. No Objection.

Sport England

9.211 Submitted on 03/08/23, and again on 19/02/24. No Comment.

National Grid

9.212 Submitted on 04/08/23, and again on 03/04/24 and 19/02/24. No Objection.

10 Policy

Applications for planning permission must be determined in accordance with the development plan unless other material considerations indicate otherwise. The term 'other material considerations' is broad in scope, encompassing all matters outside the development plan that should be considered in making a planning decision. Whether a consideration is material in any given case depends on the circumstances and should be relevant to planning and to the making of the planning decision in question. National policies, such as those contained within the NPPF, are material considerations in planning decisions.

Development Plan

10.1 The 'Development Plan' comprises:

- [Bournemouth, Dorset and Poole Minerals Strategy](#) (adopted May 2014)
- [Bournemouth, Christchurch, Poole and Dorset Mineral Sites Plan](#) (adopted December 2019)
- [Purbeck Local Plan](#) (adopted July 2024)

10.2 The most relevant policies from the statutory Development Plans are:

10.3 [Bournemouth, Dorset and Poole Minerals Strategy](#) 2014

- Policy SS1 – Presumption in favour of sustainable development
- Policy SS2 – Identification of Sites in the Mineral Sites Plan
- Policy CC1 – Preparation of Climate Change Assessments
- Policy AS1 – Provision of Sand and Gravel
- Policy AS2 – Landbank Provision
- Policy RS1 – Restoration, Aftercare and Afteruse of Minerals Development
- Policy RS2 – Retention of Plant, Machinery, and other Ancillary Development
- Policy DM1 – Key Criteria for Sustainable Minerals Development
- Policy DM2 – Managing the Impacts on Amenity
- Policy DM3 – Managing the Impact on Surface Water and Ground Water Resources
- Policy DM4 – Protection and Enhancement of Landscape Character and the Countryside

- Policy DM5 – Biodiversity and geological interest
- Policy DM6 – Dorset and East Devon Coast World Heritage Site
- Policy DM7 – Historic Environment
- Policy DM8 – Transport and Minerals Development
- Policy DM10 – Planning Obligations

10.4 [Bournemouth, Christchurch, Poole and Dorset Mineral Sites Plan](#) 2019

- Policy MS-1: Production of Sand and Gravel
- Allocation AG4: Woodsford Quarry Extension, Woodsford
- Allocation AG5: Station Road, Moreton
- Allocation AG6: Hurst Farm, Moreton

10.5 [Purbeck Local Plan](#)

- Policy E1 – Landscape
- Policy E2 – Historic Environment
- Policy E4 – Assessing Flood Risk
- Policy E7 – Conservation of Protected Sites
- Policy E8 – Dorset Heathlands
- Policy E10 – Biodiversity and Geodiversity
- Policy E12 – Design
- Policy I2 – Improving Accessibility and Transport

Other Material Considerations

10.6 In addition to statutory development plans, there are other policies that are material planning considerations, including the [National Planning Policy Framework](#) (NPPF) and other guidance issued by the national government, and Supplementary Planning Documents (SPDs) issued by both Dorset Council and the former Purbeck District Council, and Guidance documents prepared by Dorset Council and the former Purbeck District Council.

10.7 SPDs and Guidance of relevance include:

- [Dorset Heathlands Planning Framework 2020 - 2025](#) (Dorset Council)
- [Nitrogen Reduction in Poole Harbour 2017](#) (Purbeck District Council)
- [Planning for climate change 2023](#) (Dorset Council)

10.8 The NPPF sets out the government's national planning policies and is an important material consideration in decision-making. Below is a list of the most relevant paragraphs, but is not exhaustive:

- Presumption in Favour of Sustainable Development: Paragraph 11
- Decision-Making: Paragraph 38, 47, 54, 55, 56, and 57
- Building a strong and competitive economy: Paragraphs 85, and 87
- Promoting healthy and safe communities: Paragraph 104
- Promoting sustainable transport: Paragraph 115
- Conserving and Enhancing the Natural Environment: Paragraphs 180, 186, 191 (a, b, and c), and 194

- Conserving and enhancing the historic environment: Paragraphs 205 and 208
- Facilitating the Sustainable Use of Minerals: Paragraphs 215, 217 (d and e), and 219 (h and i)

10.9 In addition to adopted development plans, further material considerations that need to be taken into account relate to the emerging Dorset Council Local Plan, that, if adopted, would apply to the area.

The Dorset Council Local Plan is not expected to be adopted until 2027. This Plan will supersede the Purbeck Local Plan when it is eventually adopted. Although it is a material consideration, little weight should be given as it is in draft and has not passed examination or been adopted.

11 Public Sector Equalities Duty

11.1 As set out in the Equalities Act 2010, all public bodies, in discharging their functions must have “due regard” to this duty. There are 3 main aims:

- Removing or minimising disadvantages suffered by people due to their protected characteristics.
- Taking steps to meet the needs of people with certain protected characteristics where these are different from the needs of other people.
- Encouraging people with certain protected characteristics to participate in public life or in other activities where participation is disproportionately low.

11.2 In considering the merits of this planning application, officers have taken into consideration the requirements of the Public Sector Equalities Duty. It is not considered that there will be any material impact on anyone with protected characteristics. Moreton Station Footpath/bridleway route & the proposed Hurst Lake path will be designed to be accessible by all.

12 Human Rights

12.1 The provisions of the Human Rights Act and principles contained in the Convention of Human Rights have been taken into account in reaching the recommendation contained in this report. The articles and protocols of particular relevance are:

- Article 6 - Right to a fair trial.
- Article 8 - Right to respect for private and family life and home.
- The first protocol of Article 1 Protection of property.

12.2 This recommendation is based on adopted Development Plan policies and material planning considerations, the application of which does not prejudice the Human Rights of the applicant or any third parties.

13 EIA development

This proposal is EIA Development and has been assessed under the terms of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017. An Environmental Statement has been submitted as part of the application and any likely significant effects of the development on the local environment have been assessed. This is discussed in Section 15 Planning Assessment.

14 Habitats Regulations

An 'appropriate assessment' of the application was undertaken by Dorset Council as Competent Authority, in accordance with the requirements of Regulation 63 of the Conservation of Habitats and Species Regulations 2017, Article 6 (3) of the Habitats Directive and having due regard to its duties under Section 40(1) of the Natural Environment and Rural Communities (NERC) Act 2006 to the purpose of conserving biodiversity. The Appropriate Assessment concluded that there will be no adverse effect on the integrity of the designated sites.

15 Planning Assessment

15.1 The main issues relating to this application are as follows:

	Whether the development is acceptable in principle
	Impact on the water environment (groundwater, flooding, the River Frome, and Morton stream etc)
	Impact on landscape
	Impact on trees
	Impact on heritage
	Loss of BMV agricultural land
	Impact on traffic and Highway safety
	Impact on ecology and the environment
	Impact on amenity and the local community
	Restoration, aftercare and after-use
	Planning balance

Principle of Development

Allocations and Landbank

- 15.2 The application site jointly consists of two site allocations in the Bournemouth, Christchurch, Poole, and Dorset Minerals Sites Plan (2019): AG6: Hurst Farm; and AG5: Station Road. It was anticipated at the time that both sites would be worked as one connected site, rather than separately. This application proposes that the Hurst Farm site would be worked first (over approximately 10 years) followed by Station Road (also over approximately 10 years). The sites would be connected by an overhead conveyor that would cross the B3390 at a high level. The two allocations were made, according to Policy MS-1 (Production of Sand and Gravel), to maintain an adequate and steady supply of sand and gravel.
- 15.3 The Mineral Planning Authority (MPA) is required to plan for the adequate and steady supply of minerals. As paragraph 222 of the NPPF notes, *“it is essential that there is a sufficient supply of minerals to provide the infrastructure, buildings, energy, and goods that the country needs.”*
- 15.4 The NPPF, in paragraph 226, advises that MPAs should maintain a landbank of at least 7 years for sand and gravel, and to maintain separate landbanks for any distinct and separate markets or types of minerals. In this case, that means one landbank for Poole Formation sand and another landbank for River Terrace sand and gravel, with an extra one for both combined. The need to maintain an adequate landbank is also recognised in Policy AS1 of the Minerals Strategy (2014), which states that *“an adequate and steady supply of locally extracted sand and gravel will be provided by maintaining a landbank of permitted sand and gravel reserves equivalent to at least 7 years’ worth of supply...”* A landbank only considers reserves that have achieved a planning permission for extraction and not reserves simply within allocations.
- 15.5 As of June 2025, the landbank for river terrace gravel is at 9.1 years, and the landbank for Poole Formation sand is at 6.3 years. The Mineral Planning Authority is required to maintain landbanks above 7 years for sand and gravel [Paragraph 226 (f)] and unless new sites come forward, the landbank levels will continue to fall. The NPPF Paragraph 226(e) says that Mineral Planning Authorities should use landbanks principally as an indicator of the security of minerals supply, and to indicate the additional provision that needs to be made for new aggregate extraction. It is considered that the substantial quantities of Poole Formation sand that would be available for extraction under this proposal would be particularly helpful in raising the landbank which currently is at a lower level than it should be and thereby providing security of minerals supply.

Context with other mineral sites in Dorset

- 15.6 There are several existing mineral sites in Dorset which produce Poole Formation sands, including: Masters Quarry; Hyde Pit; Binnegar Quarry; Henbury Quarry; and Tatchell’s Quarry. However, not all sands are suitable to be used as building sand, due to their size or shape. Sands obtained from other quarries can be used for other purposes.

- 15.7 Binnegar Quarry in Dorset, also operated by Raymond Brown Ltd (applicants for this planning application) has previously produced a high output of Poole Formation sand over the last 20 years. However, Binnegar Quarry is predicted to have exhausted its reserves very soon and is expected to close this year. The applicant for this application is therefore keen to seek a replacement source to maintain their supply to the market.
- 15.8 In addition to the application site, there are two other allocations in the MSP 2019 for Poole Formation sands. First, AG1: Great Plantation, with an estimated 2 million tonnes of sand and gravel. Second, AG3: Tatchells Quarry extension, with an estimated 330,000 tonnes of sand and gravel. Tatchells Quarry extension was granted planning permission in 2019, but was not lawfully commenced within three years, and therefore the permission lapsed. Sand from Tatchells is also not suitable for building sand.
- 15.9 There is another type of sand in the Plan area, which is similar to Poole Formation called Bagshot sand. For the purposes of the Plan and of the Local Aggregates Assessment (LAA), Bagshot sand is treated as part of the Poole Formation sand statistics, due to the similarity. There is one allocation in the MSP 2019 for Bagshot sands: AG7 Horton Heath, with an estimated 3.5 million tonnes of Bagshot sand and gravel.

Estimated Reserves

- 15.10 Within the MSP 2019, each allocation was given an “*estimated mineral resource*” figure. Hurst Farm was estimated to have “*approximately 3,300,000 tonnes*” of sand and gravel. Station Road was estimated to have “*approximately 3,100,000 tonnes*” of sand and gravel. The total estimated mineral resource figure for the two sites within the MSP is recorded as 6.4 million tonnes.
- 15.11 The estimate referred to in the MSP of 6.4 million tonnes is significantly lower than the 11.5 million tonnes which is proposed to be extracted in this planning application. In 2015, a trial pit survey was conducted at the Hurst Farm and Station Road sites. This survey was submitted to support the allocation of the sites in the MSP. Later in 2016, the application site was surveyed by 42 boreholes, and a further report submitted. Between the 2015 report and the 2016 report, the estimated figures increased by 30%.
- 15.12 The borehole survey in 2016 still underestimated the depth of the Poole Formation sands, as the boreholes did not go any deeper than 10m, however it has since been found that Poole Formation sand in some areas actually extends to a depth of more than 25m. In 2021, detailed borehole surveys were conducted by the applicant. These sonic boreholes, which went deeper into the Poole Formation sands, are the basis for the revised figures in this application. These surveys found that the Poole Formation sand extends much deeper than previously thought. The increase in the estimated mineral reserve at the application site is therefore solely as a result of an increase in the estimated quantity of the deeper Poole Formation sands, with the River Terrace figure remaining unchanged.
- 15.13 Extraction of 11.5 million tonnes instead of 6.4 million tonnes at the sites is therefore now proposed. Poole Formation sand would be ‘sucked’ out by a

floating dredger which would create the lakes forming the final restored landscape. In some areas dredging would go to a depth of 25 metres, and so the proposed lakes would become deeper, although some shallow lake margins would be created as part of restoration to improve biodiversity.

- 15.14 There is no policy requirement for the quantity of sand and gravel to be extracted from the application site to be limited to the estimates in the allocations, but there are benefits to be gained from extracting a greater quantity of aggregate than originally estimated, as for each given area being dug there will be a greater yield, which can mean less (or delayed) impacts on other areas of Dorset. Therefore, the principle of extraction of 11.5 million tonnes is supported.

Competition

- 15.15 The NPPF, in paragraph 226, advises that MPAs should seek to ensure “*that large landbanks bound up in very few sites do not stifle competition.*” As this proposal will result in a substantial increase in the landbank for sand and gravel, it is appropriate to consider whether there is the potential for a stifling of competition. The application proposes extraction to be at a rate of 600,000 tpa, which would be approximately 48% of the rolling annual 10-year sales average in the plan area between 2013-2024 (1,240,000 tpa) or 58% of aggregate sales for 2024 (1,026.488 tonnes). If the same calculation is done for only Poole Formation sand, the market share percentage is similar. Although 44% would clearly be a dominant market share, it is considered unlikely to result in monopoly pricing or to stifle competition.

Economy

- 15.16 Paragraph 224 of the NPPF states that, when determining planning applications, great weight should be given to the benefits of mineral extraction, including to the economy. Once commenced, it is anticipated that the Hurst Farm and Station Road sites will employ around 11 people which is approximately twice the number from the previous mineral extraction site worked by this applicant at their Binnegar site. Binnegar Quarry is closing as mineral reserves are exhausted, and the Applicant would like to re-employ people at the new Hurst Farm quarry if planning permission is granted. Therefore, this proposal gains great weight in the planning balance in relation to the economy.

Policy MS-1

- 15.17 Policy MS-1 of the Minerals Sites Plan (MSP) 2019 aims to maintain an adequate and steady supply of sand and gravel in the area. The policy lists the allocated sites that would be able to contribute to the adequate and steady supply and the list includes AG5 Station Road, Moreton and AG6, Hurst Farm, Moreton. The policy goes on to say that proposals will be permitted where they meet three criteria, as follows:
- that applications address the Development Guidelines set out for each site in Appendix A of the MSP;

- that they demonstrate that any adverse impacts, including cumulative impacts, from the development will be mitigated to the satisfaction of the authority; and
 - that proposals demonstrate that possible effects (including those related to hydrology, displacement of recreation, species, proximity, land management and restoration) and that these effects would not adversely affect the integrity of European or Ramsar sites either alone or in combination with other plans or projects. This needs to be identified through a Habitats Regulations Appraisal screening and will be a key element in meeting these requirements.
- 15.18 Policy AS-1 of the Dorset Minerals Strategy requires that an adequate and steady supply of locally extracted sand and gravel is provided by maintaining a landbank of permitted sand and gravel reserves equivalent to at least seven years' worth of supply. This requirement is also in the NPPF. Poole Formation sand and river terrace/plateau sand and gravels are geologically different, and it is therefore considered appropriate to monitor their supply separately. These separate land banks are a requirement as laid down in policy AS2 'Land bank provision'. This policy requires at least the equivalent of at least seven years supply in each case.
- 15.19 The current Landbank figures show River Terrace at 9.1 years and Poole Formation sand at 6.3 years. Clearly, Poole Formation sand has currently slipped below the 7 years which Mineral Planning Authorities are required to maintain and therefore this proposal is considered to comply with both national and local policy on this issue.
- 15.20 The **development guidelines** for each allocation include various requirements to be taken into account in relation to each site. A landscape-scale approach is expected to be adopted, taking into account the existing natural, built, historic and cultural landscape character, along with existing or proposed restoration of minerals sites adjacent to or in the vicinity of the allocation.
- 15.21 In relation to the Hurst Farm site (AG6) and Station Road site (AG5) these include the following topics:
- Natural Environment -full assessment of ecological impacts, particularly in relation to the SSSI River Frome and Heath Lobelia SNCI
 - Hydrology and flood risk
 - Transport and access
 - Historic/Cultural Environment
 - Landscape and visual
 - Sensitive receptors – amenity, noise and visual impact
 - Cumulative impacts
- 15.22 The Minerals Site Plan also states that "*Station Road should preferably be worked before Hurst Farm.*" However, the applicant for this application has chosen to work Hurst Farm first followed by Station Road. This is due to designing the plant and processing site location towards the rear of the Hurst

Farm site (southwest corner) being the furthest location away from residential properties. The reason this was stated in the Plan as 'preferably' is because it was envisaged at the time that the Station Road site would be worked first, during which time it was also thought that the Woodsford Quarry Extension would be worked, then later on Hurst Farm would be worked, aiming to avoid any cumulative effects due to the proximity of the Hurst Farm and Woodsford Quarry Extension sites.

- 15.23 The development guidelines in the MSP 2019 also state that the eastern area of the Woodsford Quarry Extension (which is separately allocated as AG4) and the western area of Hurst Farm "*should preferably not be worked simultaneously.*" Dorset Council has been separately considering the adjacent planning application for Woodsford Quarry extension (Reference: P/FUL/2023/04753), however approval for this application has been delayed due to technical hydrology issues highlighted by the Environment Agency. It is considered that it is not possible to control whether the two sites are worked simultaneously or not (see the EA's letter of 21st May 2025)
- 15.24 Also, a cumulative impact assessment has been submitted with this planning application which concludes that even if both sites were to be worked simultaneously, it is unlikely that any unacceptable impact would occur. The Environment Agency (at the time of writing this report) maintains its objections and concerns regarding the impact on hydrology and the River Frome in relation to the method of working proposed in the Woodsford Extension application. The development guidelines do refer to the two sites being 'preferably' not worked simultaneously and as this is now unlikely. In conclusion it is considered that the proposal is compliant with this aspect of Policy MS-1.
- 15.25 Paragraph 187 of the NPPF requires that planning decisions should protect and enhance valued landscapes, sites of biodiversity, soils etc. The application site itself does not have any formal designations, except for being Grade 2 and 3 Best and Most Versatile agricultural land, the majority of which would be lost following mineral extraction. The designations do include the nearby SSSI River Frome and Hurst Heath SSCI. Each of these issues and impacts are considered in detail, further on in this assessment.
- 15.26 The application site, covering both site extraction areas, are allocated sites in the MSP, including within the first part of Policy MS-1 of the MSP 2019, as the development would allow for an adequate and steady supply of sand and gravel to be produced from allocated sites. As later sections demonstrate, the proposal also complies with other criteria addressing the development guidelines and demonstrating that adverse impacts, including cumulative impacts associated with the development will be mitigated to an acceptable degree as well as demonstrating that any possible effects, including those relating to hydrology, species, proximity, land management and restoration would not adversely affect the integrity of any European or Ramsar sites. The proposal therefore complies with Policy MS-1 as a whole.

Concrete Plant and Bagging Plant

- 15.27 The application proposes within the plant site area, in the south-west corner of Hurst Farm, to site a concrete plant and a bagging plant. Some representations have argued that these are unnecessary additions and should be removed. However, it is often usual for large sand and gravel sites to have such plants, which allow the operator to offer a wider selection of aggregate to customers. For example, the sand and gravel quarry to the immediate west of the application site, Woodsford Quarry, has both a concrete plant and a bagging plant on their site. The proposed location of the concrete plant and bagging plant is sited well away from any residential properties and there would be no visual intrusion. It is also considered that there would be no further impact in relation to highway movements. Overall, it is therefore considered that there is no objection in principle to the inclusion of these facilities as part of the development.

Water Environment and hydrology

- 15.28 Policy DM3 of the Minerals Strategy (2014) states, in part, that *“Provision should be made to ensure the protection and maintenance of the:*
- a) Quality;*
 - b) Direction and rate of flow; and*
 - c) Volume of flow of groundwater, watercourses, and all other surface water.*
- 15.29 Policy DM3 also requires that proposals at risk of causing flooding include measures to avoid or mitigate that risk.
- 15.30 The development guidelines for the application site in the MSP (2019) highlights several possible issues in relation to the water environment, including: a nearby groundwater Source Protection Zone to the north-east of Hurst Farm; the nearby River Frome SSSI; and the nearby Moreton Stream.
- 15.31 In relation to Moreton Stream, the development guidelines explain that: *“Although it is recognised that the rate and volume of flow in water courses varies naturally, development of this site must ensure that the preparation, working, and restoration of this site does not cause or result in any overall, long-term or permanent decrease in the rate or volume of flow or deterioration in water quality.”*
- 15.32 The Environment Agency (EA) has made several detailed comments regarding the proposal, the latest of which concludes that there is no objection to the application, subject to conditions and obligations which are summarised in paragraph 15.34.
- 15.33 The EA withdrew their previous objection to the proposal in December 2024 and proposed a number of conditions relating to surface and groundwater at the site, stating that the acceptability of the Hurst Farm/Station Road proposal is dependent on water management and on the relationship between the levels at the site in the adjacent River Frome. They went on to say that the protection of water levels, flows and quality in the River Frome, particularly at low flow, is a very significant issue because of the SSSI status of the chalk stream. The EA considers that the successful operation of the quarry site in

this location requires a clear baseline set, on which to establish working and restoration water levels as part of the wet working operation.

15.34 The EA, in their most recent letter concludes that the proposals and site-specific information submitted with this planning application gives them sufficient confidence that impacts on the River Frome can be adequately managed through appropriate conditions. The conditions that the EA would like to be added, if permission is granted, would be as follows:

- Interpretive conceptual model update report and monitoring and mitigation plan. The EA would like surface water and groundwater monitoring to be undertaken for a continuous period of 12 months and an interpretive conceptual model update report and monitoring and mitigation plan to be submitted.
- Scheme of wet working and proposed water levels The EA would like a scheme of wet working and water level monitoring to be submitted.
- Annual Monitoring Reports The EA would like an annual report to be submitted showing the extent of works over the previous 12 months, observed water levels and flows and compliance/non-compliance issues
- Restoration monitoring and verification The EA would like a revised restoration plan submitted based on the interpretive conceptual model and water level monitoring data to include post restoration monitoring
- Storage of oils, fuels and chemicals The EA would like to have details of any facilities for the storage of oils, fuels or chemicals submitted

15.35 Subject to the above conditions, the Environment Agency is satisfied that as the mineral to be worked at Hurst Farm is capable of being extracted using wet working techniques, which are not based on the need to dewater strata, that the proposal is acceptable on the basis that the mineral workings and all water uses will be required to maintain water levels above defined river levels.

15.36 Paragraph 182 of the NPPF advises that applications that could affect drainage on or around the site should incorporate sustainable drainage systems....these should provide multifunctional benefits wherever possible through facilitating improvements in water quality and biodiversity, as well as benefits for amenity. LLFA also suggest conditions in relation to surface water management and drainage.

15.37 The EA has a wide range of responsibilities in relation to mineral sites, and the operator would be required to apply for, and receive, at least two permits from the Agency. The environmental permitting process is similar but distinct and separate from the planning process. The operator would be required to comply with the conditions of the permit which would be monitored and enforced by the Agency.

- 15.38 In summary, subject to conditions, the Environment Agency and Dorset Council Flood Risk team are satisfied that the proposed development will be acceptable with suitable conditions imposed if planning permission is granted. As such the proposal is therefore considered to be in compliance with local and national policy.

Landscape

- 15.39 Policy DM4 of the Minerals Strategy (2014) requires that proposals should include provisions to protect/and/or enhance the quality, character and amenity value of the countryside and landscape. It goes on to say that development which affects the landscape will only be permitted if it can be demonstrated that any adverse impacts can be avoided; or, if avoidance is not possible, adequately mitigated; or, if avoidance or mitigation is not possible, compensatory enhancements are secured to offset the impact.
- 15.40 This mineral extraction planning application covers a large area of what is currently open countryside, and although it is scenic, it has no official local or national designations, although there are nearby ecological designations of SSSI and SNCI. The land forming the two mineral sites on either side of the B3390 is characterised by a flat landscape with mature hedgerows interspersed with trees, some being veteran. If the development is to take place, some of these mature hedgerows will need to be removed.
- 15.41 Paragraph 187 of the NPPF advises that planning decisions should recognise the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland.
- 15.42 The application was accompanied by a Landscape and Visual Impact Assessment (LVIA), which includes proposals for landscaping and planting. After the submission of the LVIA, a Cumulative Impact Assessment was submitted, which included an additional chapter of the LVIA. In total, 15 viewpoints were assessed within the original LVIA, and three viewpoints were assessed as part of the Cumulative LVIA.
- 15.43 The application site, as noted by the Landscape Officer, is “*very representative of the existing landscape character of the Valley Pasture Landscape Character Type and the Mid Frome Valley Pasture Landscape Character Area.*” The application site is currently well-screened by existing hedgerows and tree belts, and the number of public viewpoints into the site are limited with no public access to any part of the site. The Dorset National Landscape (former Area of Outstanding Natural Beauty) is situated c.4km to the south, and it is considered that, at that distance, the development would not have any visual impact upon it.
- 15.44 The landscape impact of the proposal can be distinguished between the impacts during the operational phase and the impacts post-restoration.
- 15.45 There are likely to be greater adverse landscape impacts during the operational phase of the development, when machinery (e.g. conveyors and excavators) and the plant site area (e.g. the concrete plant and the processing plant) may

be visible, although set back at the rear of the site. The working scheme also incorporates bunding of topsoil and overburden, which would provide some visual screening during operational phases.

- 15.46 The Landscape Officer raises some concern over the view into the site from Viewpoint 1, which is located at the entrance to Hurst Farm on the B3390. As there is no pavement or public access currently, and as there is an existing hedgerow, this view would likely only impact drivers and passengers in vehicles and therefore is considered to be of low sensitivity. The Landscape Officer notes however, that the loss of a tree belt known as G12 (which is located in what would become the main Hurst Lake) would be noticeable from this viewpoint. He agrees that the scheme put forward is however, well-designed and would include an element of screening banking/mounding between the proposed car park and the B3390 main road, together with substantial appropriate native planting. This would be incorporated into a wider landscaping scheme as part of a pre-commencement condition.
- 15.47 Viewpoints 2 ('Dairy Cottage') and Viewpoint 3 ('Hurst Dene Cottage' and 'Hurst Cottage') are from residential properties along the B3390. It is likely that some construction operations on the application site would be partially visible and could have some adverse visual impact upon views from first floor windows. Overall though, this impact is considered to be acceptable and would be mitigated by proposed planting along the eastern boundary of the application site at Hurst Farm, and from screening bunds.
- 15.48 As the application site is proposed to be restored to several large waterbodies, the magnitude of the change in the landscape as a result of the development would clearly be significant. However, the change is not unprecedented locally; there are already a series of waterbodies in the immediate area which are the result of former and historic sand and gravel working. These include Pallington Lakes to the north, and Silverlakes to the west. The allocated Woodsford Quarry extension to the immediate west would similarly involve the creation of a large number of waterbodies, if approved. It was recognised at the time of the allocation of the application site in the MSP (2019), that the change in the landscape as a result of mineral extraction would involve the creation of waterbodies, which is unavoidable in this location due to the high water-table.
- 15.49 The proposed restoration scheme for Hurst Farm and Station Road would involve extensive planting and landscaping, which would aim to ensure the restored quarry would appear less artificial and become part of the landscape. Overall, it is considered that the landscape impact of the restored site, when considered alongside the proposed planting scheme, is likely to be neutral or negligible, and is therefore considered acceptable.
- 15.50 The Cumulative LVIA considered whether the application site and the adjacent proposed Woodsford Quarry extension would both be visible. There are relatively few locations from which both would be visible simultaneously. The most notable is from Bridleway SE4/23, looking south-west from the high ground to the north of the River Frome, and approximately 1.5km from the Hurst Farm site. The view of the Hurst Farm site from this viewpoint is relatively limited, while the view of the possible adjacent Woodsford Quarry extension is more extensive. Overall, the perceived cumulative landscape impact is not considered to be significant.

- 15.51 As the site office / visitor centre is proposed to be retained as a permanent building, along with the associated parking, the Landscape Officer has said that details should be secured through condition for the restored access, internal haul road, and gates. This would ensure that the retained accesses, roads, and gates would not be too overengineered or be visually intrusive.
- 15.52 Policy DM4 requires that a hierarchy of avoidance, mitigation, and compensation is followed. Overall, it is considered that the application has followed this hierarchy and is compliant with Policy DM4. The siting of the plant site area in the south-west corner of the Hurst Farm site would avoid placing the tallest and most visually intrusive structures to the north or east, from where they would be more visible. Where views into the site are unavoidable, it is considered that the impact has been adequately mitigated by proposed planting, bunding, setbacks, and other measures.
- 15.53 In conclusion, it is considered that that both during operations and upon restoration, the application site, subject to sufficient mitigatory landscaping, would not result in an unacceptable adverse impact on the landscape or visual amenity, and complies with Policy DM4 of the Minerals Strategy 2014.

Trees

- 15.54 Chapter 15 of the NPPF aims to ensure that planning decisions should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes and recognising the intrinsic character and beauty of the countryside. Para. 193 requires local planning authorities, when determining planning applications, to apply a number of principles, one of which is; if development results in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient and veteran trees) then planning permission should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists.
- 15.55 This application would result in the loss of a veteran tree (V174). The tree is located in the centre of the proposed sand and gravel extraction area at Station Road. Once extraction has completed in that area, the restoration plan shows the formation of a large lake. Given the physical size of the lake that would be formed and the position of the veteran tree, the only possible way to save the tree in its current location would be to reduce the amount of mineral extraction in that area. This would result in a substantial loss of sand and gravel from the site, which could otherwise be obtained.
- 15.56 As the Station Road site would contribute 4 million tonnes of Poole Formation sand (and 1.5 million tonnes of River Terrace Gravel) to the land bank, an important material consideration in line with the policies of the Minerals Plan 2014 and the Minerals Sites Plan 2019, and as NPPF Para. 222 states that minerals are a finite resource and can only be worked where they are found, best use needs to be made of them to secure their long-term conservation. It is considered in this instance, that on balance, more weight should be given to maximising the amount of mineral accessed in the site area, rather than to the retention of the veteran tree. In concluding this, policy background supporting mineral extraction, where it is found, means that the veteran tree in this instance, cannot be retained as the deep strata of Poole Formation sand is

located around the area where the tree is located and due to the wet working extraction, the land would not be stable enough to support the tree on an island. Therefore, it is considered that there are wholly exceptional reasons in this case to allow the removal of the tree. As such, the applicant has submitted a compensation strategy in order to be compliant with Paragraph 193 (c) of the NPPF.

- 15.57 The submitted Compensation Strategy details the provision of around 1 hectare of new woodland to be planted, rhododendron management on and around the Moreton Estate, together with the translocation of V174 into the new woodland as well as the identification of 50 future on-site veterans. The translocation of the veteran tree is of course not guaranteed to be successful, and it is possible that the tree could die in the process. However, as a veteran tree, even if it died, it would still host a good level of biodiversity and would therefore still contribute to the ecology of the area, even if the translocation process was not successful. It is therefore considered in these circumstances that it should be accepted that the veteran tree should be translocated in order to provide access to the minerals to be extracted.
- 15.58 The new vehicular entrance to the Station Road site would involve the removal of a section of hedgerow and a mature oak. The hedgerow and tree survey looked in detail at the vegetation along the B3390 where the access to the Station Road is needed and the loss of one tree was considered to be the better solution, as moving the access further along would have meant the removal of a group of three trees. Gates would be provided 18m into the site, enabling a low loader to park off the highway before opening the gates. It is intended that this entrance would only be used infrequently, and the loss of the oak tree is unfortunately unavoidable.
- 15.59 With regard to the trees adjacent to the B3390 close to Moreton Station, which are adjacent to the new path route to Moreton village, it has been suggested that the best way of preserving the trees closest to the new pavement would be to use a 'no-dig' solution which should be a requirement in the S106 (as this area is outside of the planning application site). This method of footpath construction has been used successfully in other areas, including in Poole. There is a possibility that as the roots grow over the years the surfacing would require more maintenance or repair sooner than if the pavement was a traditional construction. To accommodate the traditional construction, some trees may have to be felled, whereas using the 'no-dig' solution they could be retained. Dorset Council Highways are of the view that the new footpath should be a traditional construction, whereas Dorset Council Tree Officer is in favour of using the 'no dig' method, thereby allowing retention of the trees. It is considered that from an environmental point of view, that it would be better to use the 'no dig' solution and minimise tree damage/loss. This could potentially lead to Dorset Council having to do more maintenance of the footpath, in the future, and pay subsequent maintenance costs, than if it was built with traditional construction methods. On balance, as it is consistent with DM1(b&c), DM2(e), DM4 and DM5 it is considered better that the trees are not felled and the 'no dig' solution is used.
- 15.60 A number of conditions have been proposed to protect the trees that are to be retained on the application site, as well as the Root protection Areas of these

trees. Overall, it is considered that the application proposal is acceptable from a tree point of view.

Heritage

- 15.61 Policy DM7 of the Minerals Strategy (2014) states, in part, that: *“proposals for mineral development . . . will only be permitted where it can be demonstrated through an authoritative process of assessment and evaluation that heritage assets and their settings will be conserved in a manner appropriate to their significance. Adverse impacts should be avoided or mitigated to an acceptable level.”*
- 15.62 The Council has a statutory duty under section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have: *“special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses”*.
- 15.63 The Council has a statutory duty under section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, which states that *‘special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area’*.
- 15.64 Paragraph 199 of the NPPF states; *‘When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation. This is irrespective of whether any potential harm amounts to substantial harm, total loss of or less than substantial harm to its significance.’*
- 15.65 Paragraph 213 of the NPPF states that: *‘any harm to, or loss of, the significance of a designated heritage asset, should require clear and convincing justification’*.
- 15.66 Paragraph 215 of the NPPF states; *‘Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.’*
- 15.67 There are several listed buildings in close proximity to the application site, and a list is available in paragraph 7.4 of this report. There is also the nearby Moreton Conservation Area, approximately 60m to the north-east of the Station Road site.
- 15.68 The village of Moreton is famously the home of Lawrence of Arabia’s grave, located approximately 720m to the east of the eastern end of the Station Road site.
- 15.69 The Conservation Officer, following a site visit, found (with one notable exception) that “a conclusion of no harm is considered appropriate with regard to the scheme’s impact on identified designated heritage assets.” It is considered that this conclusion, is supported by the restricted views to and from heritage assets and the site, which would be obscured by hedgerows and trees as well as the proposed soil bunds. With regard to impacts on the non-visual experience of the heritage assets, such as potential impacts from noise and dust, it is considered that the predicted levels of noise and dust outlined

in the Noise Assessment and Dust Assessment is such that they would not detract from the appreciation of these assets by visitors or onlookers.

- 15.70 However, the Conservation Officer concluded that “less than substantial harm” would occur as a result of the proposed development, with regard to Hurst (South) Bridge. Hurst Bridge is Grade II listed, constructed in 1834 and spans over the River Frome. It is currently in use on the B3390, and due to its narrowness, vehicles can only cross in one direction at a time. The proposed development would involve an estimated 94 HGVs crossing the bridge each working day (i.e. 47 in one direction and 47 in the other). In particular, the Conservation Officer’s concerns were “*with regard [to] the future structural integrity of Hurst (South) Bridge,*” and that the nature of the predicted impact was “*physical and direct.*”
- 15.71 As a result of the concerns for the structural integrity of the bridge which could be impacted as a direct result of the proposed development, and any wider physical and direct impacts from the HGVs, Dorset Council’s specialist Bridges team within Dorset Highways note that the “*bridge is in sound structural condition,*” and that “*defects noted are age and exposure related deterioration as a result of weathering.*” They are clear in their view that the proposed HGV movements, on top of the considerable numbers of vehicles which use the bridge currently, would not pose any structural risk to the bridge, or risk accelerating weather-related deterioration. They note that none of the bridges along the three HGV routes in the Traffic Management Plan are weight restricted and conclude that “*there is no reason to limit the number of vehicle movements for structural reasons.*”
- 15.72 The Conservation Officer suggested that the applicant conduct a “*periodic structural investigation and monitoring*” of the bridge. The Bridges team already conduct a regular structural survey of the bridge every two years, and it is considered that additional monitoring is unnecessary. The applicants have submitted their own structural survey of the bridge as part of this application, by a qualified structural engineer, who found it to be in overall “*good condition*”.
- 15.73 To reduce any potential harm, the Dorset Council Conservation Officer also suggests a mitigation strategy to reduce the risks to this important heritage asset. This should be agreed before commencement of development and be periodically reviewed and updated to the satisfaction of the MPA in consultation with specialist conservation colleagues.
- 15.74 On the basis of the evidence above, there is the potential for harm to occur to Hurst Bridge from HGV traffic connected with the proposed development. However, there are numerous substantial public benefits that would arise from the development including the provision of vital mineral supply, employment and public access. However, the periodic bridge survey in combination with the mitigation strategy outlined above, which is designed to mitigate and address any future harm from the proposed development, combined with the substantial public benefits that would arise, means that the proposed development is considered acceptable in planning terms as it is consistent with Policy SS1 and Policy public DM1(d).

Archaeology

- 15.75 In addition to the heritage assets in the vicinity of the application site (e.g. listed structures), there are also undesignated heritage assets underneath the site. As is the case on other mineral sites, there is a high possibility that excavation will result in archaeological discoveries.
- 15.76 Prior to the submission of the application, a desk-based study and a geotechnical survey were conducted. Following consultations with Dorset Council's Archaeologist, an archaeological evaluation was undertaken. In total, 487 trenches were dug across the application site in the summer of 2023. The trenches' lengths ranged from 18m to 32m, in depth from 0.15m to 0.9m, and all were 2m wide. 57 of the trenches contained potential archaeological features.
- 15.77 Some of the artefacts found were dated to the 1st and 2nd Century (ie. Late Iron Age/Early Roman period), including a near complete jar with a diameter of 14cm. Flints and blades were found from the Neolithic/Bronze Age, with a small number possibly from the Mesolithic period. The stem of a 17th Century clay pipe was found.
- 15.78 While the trenches and survey indicated that the majority of the application site was of low archaeological interest, there is notable archaeological interest in the area to the south-east of Hurst Farm. There is even the possibility that it may be the site of a settlement from the Late Iron Age to the Middle Roman period. The County Archaeologist notes that there "*appear to be significant archaeological remains.*"
- 15.79 A condition is recommended to require the submission and approval of a written scheme of investigation, in order to secure a programme of archaeological works. This will involve both on-site fieldwork, and post-excavation work, such as publication of discoveries.

Best and Most Versatile (BMV) Agricultural Land and Soil

- 15.80 Policy DM1 of the Minerals Strategy (2014) recognises the importance of appropriate management of soils and of steering development towards areas of poorer agricultural land quality. It states, in part, that minerals development must address satisfactorily the "*protection of soil resources throughout the life of the development and where significant development of agricultural land is demonstrated to be necessary and there is a choice of location, giving preference to the development of poorer quality land over higher quality or best and most versatile land.*" Policy RS1 similarly states, in part, that soil quality should be protected for use in restoration during "*stripping, storage, and management of soils, subsoils, and overburden arising as a result of site operations.*"
- 15.81 The NPPF similarly highlights the importance of BMV agricultural land, stating in paragraph 170 that the "*economic and other benefits of the best and most versatile agricultural land*" should be recognised in planning decisions. In relation to the allocation of land for development in a development plan, the NPPF advises in a footnote that:

Where significant development of agricultural land is demonstrated to be necessary, areas of poorer quality land should be preferred to those of a

higher quality. The availability of agricultural land used for food production should be considered, alongside the other policies in this Framework, when deciding what sites are most appropriate for development.”

- 15.82 The application site was allocated in the MSP (2019), and in accordance with the footnote above, alternative sites were considered as part of the plan-making process. It was recognised in the development guidelines for the application site in the MSP (2019) that *“the land is good quality agricultural land and protection and appropriate management of soils is required to enable the land to retain its longer term capability.”*
- 15.83 The Agricultural Land Classification system divides agricultural land into five grades (Grade 1 ‘Excellent’ to Grade 5 ‘Very Poor’), with Grade 3 subdivided into Subgrade 3a ‘Good’ and Subgrade 3b ‘Moderate. Grades 1 to 3a are considered to be ‘Best and Most Versatile’ (BMV). Approximately 40% of farmland in England is BMV, and approximately 20% of farmland in England (ie. half of BMV land) is Grade 1 or 2. Within Dorset, approximately 4% of land is Grade 1 or 2.
- 15.84 The application site is currently in agricultural use. An ‘Impact Assessment of Agricultural Land Quality and Soil Resources’ was submitted in support of the application. This concludes that 74% of the application site is Grade 2, and an additional 12% is Grade 3a. Therefore, a total of 85.5% BMV. The proposed development would result in the combined loss of 100ha of Grade 2 land, along with the loss of 16ha of Grade 3a. This loss would be permanent, as the majority of the land would be restored to water bodies. Only a very small amount of land after restoration would likely be able to be used for agricultural purposes, with remainder being lost. This is because of the high water table in this location which means that it is not possible to restore most of the land back to agricultural use as most of the land will be restored to water bodies.
- 15.85 The loss of 116ha of BMV land would be large and significant. However, due to the nature of mineral extraction, which ‘can only be worked where they are found’ (Para. 222 NPPF) such loss in this location is regrettably unavoidable. The Mineral Sites Plan has endorsed the principle of the use of the land changing from agriculture to mineral extraction, in the knowledge that the land would not be able to be restored back to agricultural fields and alternative sites were considered as part of a comprehensive plan examination. Overall, the permanent loss of BMV land is considered to carry moderate weight in the planning balance against the proposal.
- 15.86 In order to ensure that soils are appropriately managed throughout the life of the development, it is recommended that a Soil Resource Strategy is secured through condition, a draft of which has been submitted. This strategy would follow the industry best practice, as outlined in the “Code of Practice for the Sustainable Use of Soils on Construction Sites” issued by DEFRA, and “Good Practice for Handling Soils in Mineral Workings” issued by the Institute of Quarrying. This is consistent with NPPF para 187 requiring soils be protected in a manner commensurate with their identified quality, and with DM1.

Traffic and Highways matters

- 15.87 The application site is in two halves, Hurst Farm and Station Road, to be worked in that order. When designing the proposal, it was considered that the Hurst Farm site had the better area for a plant site, being less visible and away from any houses. As such, this then dictated that the Hurst Farm site would be extracted first in terms of phasing. A new HGV access is proposed at the Hurst Farm site, at the point where the existing access is located. The new access would be wider and designed to the necessary standards for HGVs. The B3390 is a straight road in that location so there is good visibility, however the speed limit there is 60mph.
- 15.88 The Station Road site also proposes a new vehicular access onto the B3390, however this access would be for cars and vans only, but not HGVs. The development guidelines in the MSP for the Station Road site states that a new access could be formed directly onto the B3390, however, peak hours should be avoided, and movements may need to be capped with consideration given to the routing particularly to the north due to the constraints at Alfpuddle and Briantspuddle. The guidelines also refer to the National Cycle Network which crosses the B3390, and runs along Station Road, stating that this needs to be taken into account in the transport assessment, along with existing housing and proposed housing in the local area and other mineral sites.
- 15.89 A permissive route to bridleway standards is proposed to be constructed as the new route between Moreton Station and Moreton village. This was also a requirement of the MSP development guidelines. This has been designed, taking into account safety for users of the route, directness of the length and convenience for users as well as the need to ensure that no user groups are discriminated against. The route will involve constructing a pavement on the northern side of the B3390 for a short section away from Moreton Station in a northern direction, until a point where the route would safely cross over the B3390 so that it can continue along the inside of the B3390 up towards the crossroads with Station Road, where it would then turn right and continue easterly following Station Road in the direction of Moreton village. Halfway along Station Road there would be an exit off the route for those wishing to exit onto the National Cycle Network at Station Road, or, at a later date once mineral extraction has been completed, it would provide access for cyclists and pedestrians to go north along Policeman's Lane towards the entrance to Hurst Farm and the visitor centre and the footpath around Hurst Farm Lake once it is opened to the public.
- 15.90 The proposed permissive route between Moreton Station and Moreton village has been the subject of extensive discussion with the Applicant and the route, as described above is now considered to be acceptable. It would provide an appropriate, pleasant and safe route for people, allowing an off-road connection between the station and the village. A stage 1 Safety Audit has been undertaken which included the proposed highway agreements works (section 278 works) for construction of a footway along the side of the B3390, and the audit considered all users. The Highway Authority, who are the overseeing authority, agreed the brief with the designer and were

accepting of the audit outcomes. There were no recommendations to change the speed limit. A change in speed limit could only proceed with a Traffic Regulation Order and this is not something that could be achieved through a planning condition as the legal order is outside of the planning process which may include making physical changes to the highway for the speed limit to be enforceable. Planning has been informed, however, that should the parish council wish to pursue this matter, there are mechanisms in place to deal with these requests, again outside of the planning process.

- 15.91 The development guidelines also state that it would be preferred if Woodsford Quarry extension is not worked at the same time as Hurst Farm. As the applicant for this Hurst Farm application fully intends to commence works at the earliest possible opportunity, if planning permission is granted, then it is considered likely that Woodsford Quarry extension would be further behind in terms of timeline. Even if Woodsford Quarry extension were to commence whilst Hurst Farm is still active, it is considered that there would not be an adverse impact due to cumulative HGV movements in the area.
- 15.92 To the east of Hurst Farm on the B3390, is Hurst Bridge. The bridge is a heritage asset, known as Hurst (South) Bridge and is Grade II Listed, built in 1834 and designed by Dorset's County Surveyor, William Evans. It is an 8 span bridge constructed in brick with Portland stone cut edges and footings. Traffic using the bridge is one-way, controlled by traffic lights. The Dorset Council Bridges team have advised that they consider the bridge to be structurally sound, given its age, and that they consider the increase in HGV traffic over the bridge if the proposal is to go ahead, would not adversely affect the structure.
- 15.93 In terms of the numbers of HGVs that the proposal will generate, this has been put forward in the application as being a maximum of 100 loads per day which would generate 200 two-way HGV movements per operational day (07.00 - 18.00 hours). Other trips generated by car/van are likely to total 25 per day. or 50 two-way movements per day. Although a vehicular entrance into the Station Road site is proposed to be created, this would not be used by HGVs collecting sand and gravel as the extracted minerals from the Station Road site would be pumped over the conveyor bridge to the processing site at Hurst Farm.
- 15.94 Although it is the case that there would be an increase in HGV movements on the local road network, as a result of this proposal, if granted planning permission, Dorset Council Highways have advised that they consider that the increase in traffic can be safely accommodated on the B3390. In addition, as Binnegar Quarry is due to close this year, the HGV movements that were generated from there, would effectively be replaced with the Hurst Farm and Station Roads trips. As a result, there would be no further increase in cumulative impact. In conclusion, the predicted traffic impact from the development is considered to be acceptable and complies with Policy DM2 of the Minerals Strategy (2014).

- 15.95 Policy DM8 of the Minerals Strategy (2014) states that *“Minerals development which could have an adverse impact as a consequence of the traffic generated by it will only be permitted where it is demonstrated, through a Transport Assessment, that:*
- a) a safe access to the proposed site will be provided;*
 - b) there will be no adverse impact on the Strategic, Primary and/or local road network;*
 - c) developers will provide funding for any highway and transport network improvements necessary to mitigate or compensate any adverse impacts....*
 - d) the proposal, where possible, has direct access or suitable links with the Dorset strategic highway network or primary route network.*
- 15.96 Policy DM8 also states that *“Sustainable transportation should be used where possible and practical, including through minimising distance travelled by road and maximising the use of transport means such as rail, water, pipelines, or conveyor belts to transport minerals where practicable and environmentally acceptable.”*
- 15.97 Paragraph 111 of the NPPF advises that *“Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.”*
- 15.98 The development guidelines for the application site in the MSP (2019) advise that *“...[HGV] movements may need to be capped with consideration given to routing...”*, and in relation to highways, that *“cumulative impact, taking into account existing and proposed housing development and other mineral sites, is a key issue to be addressed.”*
- 15.99 However, the Highway Officer has no objection to the proposals and a Transport Assessment, two separate Road Safety Audits, a draft Traffic Management Plan, and a Cumulative Impact Assessment have been submitted in support of the application.
- 15.100 Crossways is likely to expand significantly in the future, as new housing developments are proposed to be built. An application for 500 dwellings on land south of Warmwell Road (Reference: WD/D/16/000378) received a resolution from committee to grant planning permission subject to the completion of a S106 agreement, but it is unclear when this will proceed. Several sites in the village were allocated in the recently adopted Purbeck Local Plan (2024), and other were identified as possible sites in the Dorset Local Plan at consultation stage (January 2021).
- 15.101 The cumulative impact of these housing developments, alongside the proposal for this planning application, as well as existing traffic associated with existing quarries in the area (e.g Woodsford Quarry and Redbridge Quarry), is nonetheless considered to be acceptable. It should be noted that Redbridge Quarry will shortly close permanently, and the number of HGVs from Woodsford Quarry will remain the same even if the extension is approved. Dorset Council Highways have assessed the cumulative impacts that could arise from the development and consider the proposal to be acceptable in relation to this issue.

15.102 A number of concerns have been raised in representations regarding highway safety and capacity of the local road network in relation to each of the three proposed routes. The main causes of concern are:

- The route north to Bere Regis would involve crossing the narrow Hurst Bridge, which requires vehicles to give way as only one direction can pass through at a time.
- The route south through Crossways involves a level crossing across the main railway line. As the route continues through the village of Crossways, there may be conflict with vehicles parking and reversing outside of the local co-operative supermarket.
- The route south through Crossways and then through Warmwell would involve passing through the narrow bends at the latter village, which are not easily passable by large vehicles.

15.103 Overall, in examining this issue, Dorset Council Highways consider that the proposed routes are considered to be safe and suitable, provided that drivers exercise caution and that the number of HGV movements are capped. It is considered that the proposal therefore complies with Policy DM8 and would not have an unacceptable impact on highway safety or a severe cumulative impact on the road network. In accordance with paragraph 111 of the NPPF, it is therefore considered that there are no highway objections to the proposal.

Amenity (Noise, Dust, Vibration, Lighting, Traffic, etc.)

15.104 Policy DM2 of the Minerals Strategy (2014) states, in part, that proposals will only be permitted where they demonstrate that: *“any potential adverse impacts associated with the following considerations are avoided and/or adequacy mitigated to an acceptable level:*

- a) *Noise levels;*
- b) *Dust levels;*
- c) *Air emissions;*
- d) *Lighting;*
- e) *Visual and landscape impacts;*
- f) *Vibration levels;*
- g) *Site related traffic impacts; and*
- h) *Stability of the land at and around the site, both above and below ground level.”*

15.105 Paragraph 191 of the NPPF states that planning decisions should *“ensure that new development is appropriate to its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions, and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development.”* It continues to say that decisions *“should mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development – and avoid noise giving rise to significant adverse impacts on health and the quality of life...”* and should *“limit the impact of light pollution from artificial light on local amenity...”*

- 15.106 Paragraph 224 of the NPPF, which applies specifically to minerals applications, advises that mineral planning authorities should “*ensure that any unavoidable noise, dust, and particle emissions and any blasting vibrations are controlled, mitigated, or removed at source, and establish appropriate noise limits for extraction in proximity to noise sensitive properties.*” However, it also states, “*when developing noise limits, recognise that some noisy short-term activities, which may otherwise be regarded as unacceptable, are unavoidable to facilitate minerals extraction.*”
- 15.107 The Planning Practice Guidance (PPG) for Minerals provides detailed guidance for how to assess minerals application in regard to impacts on amenity and nearby properties, including appropriate noise levels.
- 15.108 The development guidelines for the application site in the MSP (2019) state, in part, that development “*must take into consideration sensitive receptors... particularly the northern parts of the sites [and] must demonstrate how noise and visual impacts will be minimised to a level considered acceptable by the MPA.*”

Noise

- 15.109 Mineral extraction is likely to generate significant noise, and consideration of the impact of noise from the proposed development on sensitive receptors nearby is necessary.
- 15.110 The PPG on Minerals outlines the following noise limits during normal operations:
- “Mineral planning authorities should aim to establish a noise limit, through a planning condition, at the noise-sensitive property that does not exceed the background noise level (LA90,1h) by more than 10dB(A) during normal working hours (0700-1900). Where it will be difficult not to exceed the background level by more than 10dB(A) without imposing unreasonable burdens on the mineral operator, the limit set should be as near that level as practicable. In any event, the total noise from the operations should not exceed 55dB(A) LAeq, 1h (free field).”*
- 15.111 In other words, there are two separate requirements. First, predicted average noise levels at sensitive receptors (e.g residential properties) must be below 55dB. Second, predicted average noise levels should not exceed the existing background noise level by more than 10dB, unless doing so would impose an ‘unreasonable burden’ on the operator.
- 15.112 The PPG on Minerals sets different noise limits for temporary operations (defined as up to 8 weeks), such as soil-stripping, and the construction and removal of bunds. For these activities, an “*increased temporary daytime noise limit of up to 70dB*” should be considered.
- 15.113 The applicant has submitted both Noise Impact Assessment, as well as a Cumulative Noise Impact Assessment which considers the impact alongside the proposed Woodsford Quarry extension. The Council commissioned a review of the assessment by an external qualified expert. Following revisions to the assessment by the applicant, a further external review was commissioned.

- 15.114 The most significant noise from the development is anticipated to be generated during the formation and removal of the soil bunds, which are temporary operations and therefore benefit from higher noise limits. The processing plant, concrete plant, and bagging plant, which all generate noise, have been sited in the furthest possible area from residential properties. While the dredging operations on the formed lakes are anticipated to be relatively quiet, the use of excavators to extract gravel is anticipated to generate more noise.
- 15.115 The consultant commissioned by the Council concluded in their final review that *"it is considered that the points raised in earlier correspondence have been addressed and it is agreed that it has been demonstrated that the site can be worked in the manner described whilst keeping noise levels at the nearest noise sensitive receptors to within environmentally acceptable levels."*
- 15.116 However, the consultant also notes, *"that the calculated site noise levels in Phases 11a and 12 at New House are still marginally over the recommended background plus 10dB(A) site noise limit."* There are two residential properties near this receptor, within the woods to the south-west of the Station Road site.
- 15.117 The applicant's suggested noise limit for the 'New House' receptor would be 12dB above existing background levels, which is 2dB above the 10dB advised in the guidance. The consultant advises that *"It is the decision of the local authority as to whether this upper daytime limit is acceptable for a limited period of the development as proposed in the assessment."*
- 15.118 As the predicted noise levels at the receptor are marginally higher than the 10dB above background noise level that the PPG guidance advises, it must be considered whether there are any reasonable measures the operator can take to reduce the predicted noise level further. The consultant noted that *"the assessment indicates that additional mitigation measures were considered but demonstrated negligible benefit. This is likely to be due to the topography."* The PPG advises that Minerals Planning Authorities (MPAs) should not impose *'unreasonable burdens on the mineral operator'*, and that higher limits can be considered.
- 15.119 Therefore, in conclusion, the proposed 12dB noise level limit at 'New House' is considered to be acceptable. The predicted noise level at the receptor would only be above the '10dB-above-background' limit for up to 8 weeks, and even then, only marginally above it. The predicted noise levels in the assessment are assessed under a worst-case scenario, with actual noise levels typically lower than predicted. The operator has amended their phasing in order to condense the period of time in which noise levels would be higher at the receptor. Finally, and most importantly, the existing background noise level at the receptor is exceptionally quiet, and the actual predicted noise level would be substantially lower than the 55dB limit in the PPG guidance considered to be unacceptable. For context, the proposed 45dB limit at New House would still be significantly lower than the proposed 50dB limit at Hurst Cottages, where background noise levels are higher due to the noise from traffic on the B3390.
- 15.120 In conclusion, the predicted noise impact from the development is considered to be acceptable, and compliant with Policy DM2 of the Minerals Strategy (2014). A condition is recommended to require the submission and approval

of a Noise Management Plan, which would include monitoring and complaint procedures.

Vibration

- 15.121 Due to the distances involved, and the type of working proposed, the development would have no risk of perceptible vibration to the nearest residential properties. The predicted vibration impact from the development is considered to be acceptable and compliant with Policy DM2 of the Minerals Strategy (2014).

Dust

- 15.122 A Dust Assessment and draft Dust Management Plan have been submitted with the application. The assessment concludes that the vast majority of receptors are likely to experience no more than negligible effects.
- 15.123 Slight adverse effects are anticipated during site preparation and restoration activities (i.e. soil stripping, formation and dismantling of bunds) at some receptors, which would be short-lived and temporary.
- 15.124 The only moderate adverse effect anticipated is on the Hurst Heath SNCI during site preparation and restoration activities, which would be short-lived and temporary. This SNCI is an area of woodland near Hurst Farm which is home to the rare Heath Lobelia plant. The Tree Officer has also enquired about the impact of dust from the site on retained trees throughout the site. While dust from quarry activities can cause adverse impacts on vegetation and trees, it is unlikely to be significant and the control measures in the proposed Dust Management Plan are considered to be sufficient to mitigate this risk.
- 15.125 In conclusion, the predicted dust impact from the development is considered to be acceptable, and compliant with Policy DM2 of the Minerals Strategy (2014). A condition is recommended to require the submission and approval of a Dust Management Plan.

Lighting

- 15.126 It is important that appropriate lighting is used at the site, at appropriate times, and that lighting is not detrimental to the amenity of nearby residents. A condition is recommended to require that details of lighting across the site be submitted and approved.

Ecology and the Environment

- 15.127 Policy DM5 of Minerals Strategy (2014) states, in part, that proposals for mineral development “*will only be permitted where adverse impacts on biodiversity and/or geodiversity will be:*” avoided; or, if avoidance is not possible, adequately mitigated; or, if avoidance or mitigation is not possible, compensatory enhancements secured to offset the impact.

- 15.128 Policy DM5 also requires that ecological assessments “*have particular regard to the need to protect, maintain and/or enhance sites and species of international and national importance... [and] also consider the potential for existing habitats on the site to be restored to higher quality habitats, during and after mineral working.*”
- 15.129 The NPPF requires that planning decisions should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes or sites of biodiversity value, recognising the intrinsic character and beauty of the countryside and the wider benefits including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland. The guidance also requires that new development is prevented from contributing to or being put at an unacceptable risk from or being adversely affected by unacceptable levels of soil, air, water or noise pollution. Where possible development should help to improve local environmental conditions.
- 15.130 Para 193 of the NPPF requires that when determining planning applications, whether proposals are for development on land within or outside a site of special scientific interest which is likely to have an adverse effect on it (either individually or in combination with other developments) should not normally be permitted unless the benefits of the development in the location proposed clearly outweigh both its likely impact on the features of the site and any broader impacts on the national network of SSSI's.
- 15.131 Paragraph 193c of the NPPF goes on to say that development which would result in the loss or deterioration of irreplaceable habitats such as ancient woodland and ancient or veteran trees should be refused unless there are wholly exceptional reasons and a suitable compensation strategy exists. Opportunities to improve biodiversity in and around the development should be within the site and integrated as part of its design and enhance public access to nature where this is appropriate.
- 15.132 Concern has been expressed regarding the proposed removal of veteran tree 174 located within the site. The application states that the veteran tree would need to be removed as it is in a central position where mineral is to be extracted. The issue has been the subject of extensive discussion with the Applicant to understand if there could be a solution that would retain the tree. Unfortunately, the quantity of gravel and Poole Formation Sand that would be lost if the proposed extraction area were to be redesigned, would be significant. Therefore, it has been concluded that the veteran tree 174 would have to be relocated. The Natural Environment Team are aware of this issue and advise that every effort should be made to ensure the survival of the tree, however, in the event that the tree does not survive translocation then the tree should be retained as standing deadwood. Compensatory measures that have been agreed with the Applicant are management of invasive rhododendron in adjacent woodland; identification of individual trees in retained hedgerows and treelines to be future veterans and management of those; creation of new areas of naturalistic woodland planting designed to restore ecological function and contribute to a rich mosaic of habitats in the landscape.

- 15.133 The Council's Natural Environment Team also advises that although this application is not subject to statutory BNG having been registered prior to the enactment of this policy, the environmental management plan and the biodiversity game plan both proposed the potential future marketing of surplus biodiversity units on the site where measurable BNG exceeds the statutory requirement of 10%.
- 15.134 In addition, a rare plant called Heath Lobelia (a species of principal importance in England & Wales under the NERC Act 2006 and is a UK Biodiversity Action Plan Priority Species) has its habitat close to the site, and ensuring its survival and the long term management and improvement of this rare species is of the highest priority. The applicant has committed to a long term management plan for the Hurst Heath area which would be secured through the Section 106 legal agreement. The Species Recovery Trust has a crucial role in assisting with understanding the needs of this complex plant and informing the actions within the final management plan it is therefore recommended that the Trust continues to be involved throughout in the future. Translocation through seed collection and disposal of the Heath Lobelia plant to other areas of the site should be seriously considered as part of the management plan. It is known that there is a possibility that nearby mineral working may lower the water table at the Hurst Heath which would be to the detriment of the Heath Lobelia plants. Phasing will ensure the closest part of the proposed extraction at Hurst Farm (phase 6C) will be delayed until after Station Road has been fully extracted. A condition, supported by pre-commencement monitoring of water levels around Phase 6C area, will ensure extraction of 6C will only occur if the Environment Agency confirms to the MPA that they are satisfied that there will be no adverse effect due to water levels on the Heath Lobelia.
- 15.135 Natural England noted (in their comment on the Woodsford Quarry Extension application dated 11/03/2025) that this Hurst Farm application includes plans to manage Hurst Heath for heath lobelia and secure the expansion of its population, as well as to benefit other ecological interests, whereas the evidence from the Woodsford extension application provides little certainty that the groundwater levels fundamental to the species survival would not be compromised as the existing population is only c.120m away from that application boundary and is also close to the locations where expansion of the plant is planned.
- 15.136 Natural England objected to this application in January 2024, and at that stage stated that they understood and supported the detailed concerns of the Environment Agency, particularly with regard to river flow of the River Frome. Natural England were of opinion that the Hurst Farm and Station Road sites offer opportunities for substantial biodiversity gains both off and on site. NE considered that the potential gains would be both partly from restoration and partly from the management of Hurst Heath. Since then, the Applicant has

agreed to provide a Management Plan for Hurst Heath, which would be secured through the S106 Agreement.

- 15.137 The restoration of both Hurst Farm and Station Road was considered by NE to be lacking in terms of quantity of reed and wetland habitat. NE also hoped that a proportion of the river could be diverted to become a large wetland in order to have a more positive effect on river nitrogen concentrations. NE also asked that the restoration plan be revised to show more shallow wetlands. The updated restoration plan for Hurst Farm now shows more shallow wetland areas proposed, although it has not been possible to divert the River Frome due to land ownership issues.
- 15.138 The Environment Agency withdrew their previous objection to the proposal in December 2024 and proposed a number of conditions relating to surface and groundwater at the site, stating that they now consider the acceptability of the Hurst Farm/Station Road proposal is dependent on appropriate water management and on the relationship between the levels at the site in the adjacent River Frome. They went on to say that the protection of water levels, flows and quality in the River Frome, particularly at low flow, is a very significant issue because of the SSSI status of the chalk stream. The EA considers that the successful operation of the quarry site in this location requires a clear baseline set on which to establish working and restoration water levels as part of the wet working operation.
- 15.139 Overall, both Natural England and Dorset Council Natural Environment Team are now satisfied with the proposals. As such it is considered that with appropriate conditions applied, there is no objection to the application from an ecology perspective and that the restoration of the land to the water bodies will encourage new species into the area that are limited currently. The proposal is therefore considered to be in accordance with NPPF paragraph 187 and 188 and Minerals Strategy policies DM1, DM3 and DM4.

Restoration, Aftercare and Afteruse

- 15.140 Policy RS1 of the Minerals Strategy (2014) has a list of detailed requirements that proposals must demonstrate to be permitted, with the overall aim that they should “*demonstrate a high quality and appropriate restoration scheme*” with “*an appropriate after-use and the long-term maintenance and enhancement of the environment.*”
- 15.141 In particular, Policy RS1 requires that “*the restoration scheme will maximise the potential for the site for the successful adoption of the proposed after-use and where necessary offer flexibility for a range of potential after-use*”; that “*restoration will be undertaken at the earliest opportunity...*”; that “*the aftercare scheme incorporates an aftercare period of at least five years...*”; that “*the after-use will be compatible with the wider context of the site*”; and that “*where opportunities arise the after-use provides benefits to the local and wider community which may include enhanced biodiversity...enhanced landscape character... improved public access, employment, tourism...*”

- 15.142 Policy RS3 of the Minerals Strategy (2014) encourages the “*the establishment of local liaison groups to run for the lifetime of any extraction site...*” The applicant has agreed, as part of a Section 106 Legal Agreement, to create and host such a regular liaison group, as the applicants currently do at their existing site in Dorset.
- 15.143 Policy RS2 of the Minerals Strategy (2014) states that the “*retention of plant, machinery and any other ancillary development associated with any minerals development/operation will not extend beyond the life of the development... except where it can be demonstrated that...there is an identified need for the continued use...*” and retention would not affect restoration of the wider site
- 15.144 The MSP contains paragraphs for both Hurst Farm and Station Road stating that the sites are within the Valley Pasture Landscape Type of the Frome Valley, “*a predominantly flat landform creating a multi-functional landscape where recreation and amenity are just as important as agriculture, enhanced nature conservation value and flood water management*”.
- 15.145 The restoration vision goes on to say that post mineral working it is important to create a multifunctional green infrastructure for the area, linking adjacent areas of population. And that the main aims are to protect the positive landscape attributes of the landscape and improve landscape condition and overall resilience to climate change.
- 15.146 The NPPF in Para.224 (e) requires that, when determining planning applications, that restoration and after care should be provided for at the earliest opportunity, to be carried out to high environmental standards, through the application of appropriate conditions. In order to maximise the biodiversity of the site, the applicant has agreed to an extended after care period of 30 years.
- 15.147 The Minerals Strategy encourages the green infrastructure network to be strengthened and improved and, where opportunities arise the after-use should provide benefits to the local and wider community, which may include enhancements of biodiversity, enhanced landscape character, together with improved public access, employment, tourism and provision of climate mitigation measures.
- 15.148 The proposed mineral extraction at Hurst Farm and Station Road, subject of this planning application, is likely to take approximately 20 years. During that time, there will be significant changes to the local landscape, and HGV movements in the local area will continue. However, this planning application has been improved during the course of its assessment and now proposes a safe route between Moreton Station and Moreton village, with an added exit/entrance onto/off Station Road to provide further links to the National Cycle Network and eventual safe access to the Hurst Farm Visitor Centre from Moreton Station for visitors on foot or bicycle, which would open after mineral extraction has completed.
- 15.149 Substantial planting is proposed to replace the lost trees and hedges, some of which has already been planted as ‘advance planting’. The Visitor Centre on the Hurst Farm site would be accommodated in the Raymond Brown site office, a permanently constructed building, once they have vacated the site at the end of extraction. The Visitor Centre would have space for exhibitions and

rooms for students attending to learn about the local ecology and landscape history. The new biodiversity is expected to be primarily water based, attracting a variety of birds. A walking route is proposed to be implemented around the new Hurst Farm Lake which will be of interest to all and would contain a boardwalk section and bird hides. The Visitor Centre and walking route around the lake would be under the control of the Moreton Estate (land owners) and would remain open for public access, to be controlled through the S106 agreement.

- 15.150 The Station Road site would be restored to waterbodies and agriculture, and the permissive bridleway route which would link Moreton village with Moreton Station would stay in perpetuity. The conveyor bridge would be removed.
- 15.151 Overall, the proposal is considered to provide a number of lasting features that would benefit the local community in years to come along with also having the potential to add to the attractiveness of the area for tourists, whilst contributing to the Dorset Biodiversity Strategy. The visitor centre is intended to be open to the public as well as school, youth groups who may wish to learn more about the biodiversity of the site. The public will be able to attend the visitor centre and go for walks around the Hurst Farm Lake. The Visitor Centre would remain in the ownership of the landowner, the Moreton Estate S106 agreement sets out the details with regard to car parking charges. It is intended that visitors arriving on foot or bicycle would pay no entrance fee and would be able to use the permissive route from Moreton Station to the junction of Station Road and Policemans Lane, with safe walking or cycling along the lane towards Hurst Farm via The Common. It is considered that these proposals that would benefit the local community once the mineral extraction is complete. This accords with Policy RS1 of the Minerals Strategy where the proposal maximises the potential of the site for a successful after-use, creating and maximising ability for habitat creation and providing benefits to the local and wider community, linking site restoration to green infrastructure and improving public access and employment.
- 15.151 The Station Road site also has a 'spare' piece of land adjacent to the B3390 which the applicant has suggested could be used for a scheme of solar panels in the future, or the piece of land could have the potential for community use in the future given that it would be accessible via the new permissive bridleway, however no firm proposals have been put forward for this land at the current time and therefore any proposals are just suggestions and can therefore carry no weight in the determination of this application.

16.0 Conclusion and Planning Balance

- 16.1 Paragraph 222 of the NPPF states that since minerals are a finite natural resource, and can only be worked where they are found, best use needs to be made of them to secure their long-term conservation. This proposal is located in an area of Dorset that has reserves of river terrace gravel and Poole formation sand, which are important minerals for the building industry. As house building is predicted to increase, looking ahead, the supply of

suitable mineral becomes more and more important. The site is also an allocated site in the Minerals Sites Plan 2019.

- 16.2 The principle of sand and gravel extraction is therefore considered acceptable in this location. Para. 224 of the NPPF states that when determining planning applications, great weight should be given to the benefits of mineral extraction, including to the predicted expansion of house building looking ahead. The NPPF also states that mineral planning authorities should provide for the maintenance of landbanks of non-energy minerals from outside protected areas (e.g. National Landscapes), which this proposal complies with.
- 16.3 The NPPF also requires that proposals need to ensure that there are no unacceptable adverse impacts on the natural and historic environment and human health, as well as taking into account the cumulative effect of multiple impacts from individual sites and/or from a number of sites in a locality. Although the local area has been known historically for sand and gravel extraction, and will continue to be known looking ahead, the sites of Hurst Farm and Station Road can be extracted whilst providing improvements to ecology in the area, and although there will be some adverse impacts, these, it is considered, have been adequately mitigated. This site is situated well away from residential properties and the method of wet working and pumping should ensure that there would be no significant adverse impacts on sensitive receptors through noise or dust.
- 16.4 It is accepted that there will be some adverse impact from the development, over the years of its operation, this being primarily impact from HGVs using the local road network. However, Dorset Council Highways are satisfied that the local roads have suitable capacity for the HGVs.
- 16.5 The NPPF also requires that sites for mineral extraction should be restored and placed in aftercare at the earliest opportunity, and this proposal is anticipated to last around 20 years in total, after which both parts of the application site will be restored after which they will enter aftercare for a length of 30 years to ensure the best results are achieved. Therefore if this mineral extraction is to go ahead, together with restoration and aftercare of both areas designed to a high environmental standard, together with the Hurst Farm site opening a visitor centre, together with the creation of a footpath and boardwalk around the lake to provide a community benefit for locals and tourists, with an emphasis on the ecology that the newly formed lake will attract. All of these aspects are positive and a new permissive bridleway will be constructed to link Moreton Station and Moreton village, thereby improving sustainability and local community cohesiveness.
- 16.6 The proposal would accord with NPPF Paragraph.226 as the mineral extraction that would take place would maintain the Dorset Landbank at a level higher than 7 years, ensuring that sufficient mineral supply will be available in the area for a number of years ahead. Overall, taking all material considerations into account, in the planning balance, it is considered that this application, subject to conditions and a S106, should be approved.

17. Recommendation

GRANT PLANNING PERMISSION subject to the following conditions and the completion of a legal agreement under section 106 of the Town and Country Planning Act 1990 (as amended) in a form to be agreed by the legal services manager to secure the following:

S106 Heads of Terms

- a. Submission of:
 - Ecological Mitigation & Management Plan;
 - Biodiversity Gain Plan;
 - Outline Hurst Heath Management Plan;
 - Aftercare scheme covering a period of 30 years.
- b. Afteruse. Hurst Farm land to be used for no other purposes other than nature conservation, agriculture and informal recreation uses by the public. The informal recreation uses shall be limited to walking, bird watching and education in connection with the visitor centre. Station Road land shall be limited to nature conservation and agricultural uses together with a permissive Bridleway.
- c. Visitor centre and car park and permissive path to be open to the public upon final completion of restoration. Details re: car parking charges for the visitor centre car park.
- d. Hurst Farm permissive path shall be constructed during restoration and shall be completed within 12 months of the date that the mineral operator vacates the site office (visitor centre).
- e. HGV routeing agreement.
- f. Station Road Permissive Bridleway to be constructed within 2 years of commencement of Development.
- g. Highway works to provide constructed pavement on B3390 near to Moreton Station and associated pedestrian crossing.
- h. Submit a scheme for water environment monitoring and mitigation
- i. Submit a Hurst Heath Management Plan in particular for the protection and creation of habitat and conditions suitable for Heath Lobelia with annual monitoring and periodic review undertaken.
- j. Setting up and running of a Liaison Panel to meet on a regular basis to discuss operational issues with the operator. Attendees to be the Operator, Dorset Council officers, Parish Council and representatives of the local community.
- k. Submit a Rhododendron Management Plan within 12 months of grant of planning permission.

- I. Phase 6c not to be worked until a scheme for protection of groundwater levels in Hurst Heath wood has been submitted to and approved by the MPA as required by condition. In the event that working of phase 6c can no longer proceed without causing unacceptable change in groundwater level at Hurst Heath Wood, a revised restoration scheme for the site showing how the land and lake margin will be restored to nature conservation use, incorporating a revised route for the Hurst Farm Permissive Path shall be submitted for approval.

CONDITIONS

1. Time Limit

The development to which this permission relates must be begun not later than the expiration of three years beginning with the date of this permission.

Reason

In accordance with Section 91 of the Town and Country Planning Act 1990 (as amended).

2. Plans List – Approved

The development hereby permitted shall be carried out in accordance with the following approved plans:

Existing Site Plans

Location Plan	HF/523/07
Application Boundary	HF/523/23A
Existing Site	HF/523/19D
Existing Cross-Section A-E	HF/523/24-1A
Existing Cross Section F-I	HF/523/24-2A
Existing Cross Section K-N	HF/523/24-3

Quarry Working Plans

Proposed Site Phasing Plan	HF-523-21F
Stage1	HF/523/15-1C
Stage 2	HF/523/15-2B
Stage 3	HF/523/15-3B
Stage 4A	HF/523/15-4B
Stage 4B	HF/523/15-5C
Stage 5	HF/523/15-6D
Stage 6A	HF/523/15-7C
Stage 6B	HF/523/15-8C
Stage 7	HF/523/15-9A

Stage 8A	HF/523/15-10A
Stage 8B/8C	HF/523/15-11A
Stage 9	HF/523/15-12A
Stage 10	HF/523/15-13A
Stage 11A & Stage 11B	HF/523/15-14C
Stage 11C & Stage 11D	HF/523/15-15C
Stage 12	HF/523/15-16C
Stage 13	HF/523/15-17
Proposed Station Road Frontage drawing	HF523-33D
Proposed Extraction Cross-Sections A-E	HF/523/26-1A
Proposed Extraction Cross-Sections F-I	HF/523/26-2A
Proposed Extraction Cross-Sections K-N	HF/523/26-3
Storage Pond Sections O-O & P-P	HF/523/36
Proposed Conveyor Crossing Layout	HF/523/11C
Proposed Conveyor Bridge Details	HF/523/30-1
Proposed Conveyor Bridge Montage	HF/523/22
Proposed Permissive Path	HF/523/20G
Proposed Pre-Planting Scheme	HF/523/31
Northern Planting Belt: Planting Plan	HF/523/12
Proposed Rhododendron Management Areas	HF/523/35A
<u>Infrastructure Plans</u>	
Proposed Hurst Farm Frontage	HF/523/10D
Proposed Station Road Frontage	HF/523/33D
Proposed Office Building Floorplan	HF/523/SD210A
Proposed Office Building Elevations	HF/523/SD240A
Proposed Office Building Roof Plan	HF/523/SD211A
Proposed Plant Site Area Layout	HF/523/17-1C
Proposed Aggregate Processing Plant Layout	PL/RB251011-D01
Proposed Aggregate Processing Plant Elevations	PL/RB251022-D02
Proposed Portable Cabin Detail	HF/523/30-2
Proposed Workshop Detail	HF/523/30-3
Proposed Bagging Plant Elevations	HF/523/17-2A
Proposed Concrete Plant Elevations	HF/523/17-3
Proposed Wheel wash	WW Eco wash Extra Spec Sheet WW V2.0
Footpath and Crossing Design	174.0006-0015 P01
<u>Restoration Plans</u>	
Proposed Restoration Scheme (combined)	HF/523/37
Proposed Restoration Scheme Hurst Farm	HF/523/16-1J
Proposed Restoration Scheme Station Road	HF/523/16-2G
Proposed Restoration Cross-Section Hurst Farm A-E	HF/523/28-1B
Proposed Restoration Cross-Section Hurst Farm F-I	HF/523/28-2B

Proposed Restoration Cross-Section Hurst Farm K-N	HF/523/28-3A
Working Scheme with Phased Restoration Stage 4A	HF/523/35-1
Working Scheme with Phased Restoration Stage 4B	HF/523/35-2
Working Scheme with Phased Restoration Stage 5	HF/523/35-3
Working Scheme with Phased Restoration Stage 6A	HF/523/35-4
Working Scheme with Phased Restoration Stage 6B	HF/523/35-5
Working Scheme with Phased Restoration Stage 13	HF/523/35-6

Reason

For the avoidance of doubt and in the interests of proper planning.

3. Notification of Commencement of Development

Notice must be provided to the Mineral Planning Authority of the date of the commencement of development. This notice must be provided in writing by the operator within seven days of the date of commencement.

Reason

To ensure an accurate record for monitoring of conditions relating to the date of the commencement of development and in accordance with Policy DM1 of the Bournemouth, Dorset & Poole Minerals Strategy (2014).

4. Notification of Commencement of Phases

Within 5 working days of the commencement of each phase of the development, written notice shall be given to the Mineral Planning Authority of the date of the commencement of each phase of the development.

Reason

To assist with the monitoring of other planning conditions which explicitly refer to the commencement of individual phases of the development and in accordance with Policies DM1 of the Bournemouth, Dorset & Poole Minerals Strategy (2014).

5. Time Limit – Cessation of Mineral Extraction

The extraction of minerals hereby permitted shall be for a limited period and shall cease by whichever date is earliest of the following:

- a) Twenty-one years following the date of the commencement of development;
- b) 31 December 2048

Reason

To ensure the development and associated impacts are temporary and that the site is restored in a timely manner and in accordance with Policies DM1 of the Bournemouth, Dorset & Poole Minerals Strategy (2014).

6. Hours of Working

No extraction or processing of minerals or loading of lorries shall take place except between the hours of 7.00am and 6:00pm Mondays to Fridays and 7:00am to 1:00pm on Saturdays. No working shall take place on Sundays or public holidays.

No operations shall take place outside these hours except for maintenance and the operation of other equipment to maintain the safe operation of the quarry.

Reason

To protect the amenities of local residents and in accordance with Policies DM1 and DM2 of the Bournemouth, Dorset & Poole Minerals Strategy (2014).

7. Withdrawal of Permitted Development Rights for Site Office/Visitor Centre Building

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking or re-enacting or amending those Orders with or without modification), no enlargement shall be carried out to the Visitor Centre building hereby permitted, nor the erection of any building ancillary to the Visitor Centre, without express planning consent from the Mineral Planning Authority being first obtained.

Reason

Having regard to the size of the building, and the surrounding landscape, the Mineral Planning Authority wishes to retain control over any future extension of the building in the interests of amenity and proper planning and in accordance with Policies DM1 and DM4 of the Bournemouth, Dorset & Poole Minerals Strategy (2014).

8. Storage of Oils, Fuels and Chemicals

Prior to the extraction of minerals from within the development hereby permitted, details of any facilities for the storage of oils, fuels or chemicals associated with this development shall be submitted to and approved by the Mineral Planning Authority. The details shall include:

- secondary containment that is impermeable to both the fuel oil, chemical and water, with no opening used to drain the system
- a minimum volume of secondary containment at least equivalent to the capacity of the tank plus 10% or, if there is more than one tank in the secondary contamination tank plus 10% or 25% of the total tank capacity, whichever is greatest
- all fill points, vents, gauges and sight gauges located within the secondary containment

- associated above ground pipework having no mechanical joints, except at inspection hatches and have either leak detection equipment installed or regular leak checks
- all fill points and tank vent pipe outlets designed to discharge downwards into the bund

The scheme shall be implemented as approved.

Reason

To avoid any contamination of the water environment and in accordance with Policies DM1, DM3 and DM5 of the Bournemouth, Dorset & Poole Minerals Strategy (2014).

9. Materials for external elevations of site office/visitor centre

Prior to commencement of development details of the materials to be used in the construction of the weighbridge/site office/visitor centre building shall be submitted to and approved in writing by the Mineral Planning Authority. The details shall be implemented as approved.

Reason

In the interests of visual amenity and in accordance with Policies DM1 and DM4 of the Bournemouth, Dorset & Poole Minerals Strategy (2014).

10. Limit on Importation of Mineral

No more than 65,000 tonnes of aggregate shall be imported into the site each year. All other aggregate stored, exported, or sold from the development hereby approved shall be extracted or originate from the site. No restrictions apply to the importation or export of cement or concrete. Records of imported aggregate shall be kept and made available on request of the Mineral Planning Authority. All such records shall be kept for at least two years.

Reason

To ensure that the development hereby approved is primarily for the extraction of aggregate from the site, and that the quantity of supplementary aggregate imported for mixing and sale is controlled and in accordance with Policy DM1 of the Bournemouth, Dorset & Poole Minerals Strategy (2014).

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11. Veteran Trees

Prior to commencement of development, a Veteran Tree Management Plan shall be submitted to the Mineral Planning Authority for approval in writing. The Plan shall identify oaks and other native trees, in retained treelines and hedgerows, that

can be identified as future veteran trees. Further trees should be identified that can be subjected to a veteranisation technique including features suitable for bat roosting. The Plan shall include the following:

- Detailed survey of all veteran trees on site
- Methodology and aftercare for translocating V174 with specialist input/supervision and detailed timeline
- Methodology for planting new area of woodland around V174
- Future management of land surrounding veteran trees and future identified veterans to prevent overcrowding from new planting/compaction from site users
- Scope of any tree works to current or future on-site veterans
- Details of enhancing the condition of all future veteran trees.

The development shall be carried out in accordance with the approved Plans.

Reason

In the interests of protection of local ecology and protection of veteran trees and in accordance with Policies RS1, DM1, DM4 and DM5 of the Bournemouth, Dorset & Poole Minerals Strategy (2014).

12. Arboricultural Method Statement

No development shall take place until an Arboricultural Method Statement prepared by an arboricultural consultant holding a nationally recognised arboricultural qualification is submitted to, and approved in writing by, the Mineral Planning Authority. This scheme shall provide for:

- Arboricultural supervision;
- Written site management protocols and procedures;
- Erection and maintenance of tree protection measures in accordance with BS5837:2012.
- Accidental damage and treatment;
- Facilitation pruning and access into the site.

The development, and all operations with the potential to impact any trees, shall be carried out in accordance with the approved scheme throughout the life of the development.

Reason

To ensure the health and vitality of retained trees across the site, which have the potential to be impacted from mineral operations and in accordance with Policies DM1 and DM5 of the Bournemouth, Dorset & Poole Minerals Strategy (2014).

13. Translocation of Veteran Tree 174

Details of the location identified for the translocation of veteran tree 174, together with a methodology and timeline for the translocation shall be submitted to and approved by the Mineral Planning Authority prior to the commencement of any works on the Station Road site. The tree shall be translocated in accordance with the approved details. In the event that the tree does not survive translocation, it shall be retained as standing deadwood.

Reason

To ensure appropriate translocation of a veteran tree and in accordance with Policies DM1 and DM5 of the Bournemouth, Dorset & Poole Minerals Strategy (2014)

14. Retention of Vegetation, Hedgerows and Trees

No hedgerows or trees within the application site shall be removed or felled for the duration of the development hereby permitted, except for those approved for removal or felling within one or more of the following approved documents:

- a) the approved Tree Protection Plans;
- b) the approved Ecological Mitigation and Management Plan;
- c) the approved Phasing Plans; and any approved Landscaping Scheme.

Reason

In the interests of visual amenity and biodiversity and in accordance with Policies DM1, DM4 and DM5 of the Bournemouth, Dorset & Poole Minerals Strategy (2014).

ENVIRONMENT

15. Lighting Strategy

No development shall take place until a Lighting Strategy is submitted to and approved in writing by the Mineral Planning Authority. This scheme shall aim to avoid harm to protected species and to amenity through minimising light spill and glare. Details of lighting, installation, maintenance, and use must be provided. There shall be no lighting of the site other than in accordance with the approved scheme.

Reason

In the interests of biodiversity, amenity, and the character of the area and in accordance with Policies DM1, DM2, DM4 and DM5 of the Bournemouth, Dorset & Poole Minerals Strategy (2014).

16. Noise Monitoring

No development shall take place until a Noise Management Plan is submitted to and approved in writing by the Mineral Planning Authority. This Plan shall provide for mitigation measures, noise monitoring protocols, and complaint procedures.

These shall detail how noise measurements are taken in the event of a complaint which is deemed credible by the Mineral Planning Authority, and the steps to be taken if noise exceeds the permitted limits, including the suspension of operations. Mitigation measures within the Plan shall include, where possible:

- Modern reversing alarm technology, such as smart white sound reverse alarms or radar activated alarms;
- Routing design to ensure that vehicles avoid unnecessary reversing;
- Regular maintenance and greasing of equipment, such as bearings;
- Use of electric power instead of diesel generators for machinery;
- Acoustic barriers and insulation.

The development shall be carried out in accordance with the approved Plan.

Reason

To ensure that noise levels generated by mineral operations are controlled to an acceptable level, and do not adversely impact the amenity of nearby receptors and in accordance with Policies DM1 and DM2 of the Bournemouth, Dorset & Poole Minerals Strategy (2014).

17. Noise Limit – Temporary

Noise from the development hereby approved, during temporary operations shall not exceed 70 dB (LAeq, 1 hour) at any noise sensitive receptor. Temporary operations include soil stripping, bund formation, bund removal, and final restoration. Temporary operations in the vicinity of a receptor shall not exceed a total of eight weeks in any calendar year.

Reason

In the interests of the amenity of nearby residents and visitors and in accordance with Policies DM1 and DM2 of the Bournemouth, Dorset & Poole Minerals Strategy (2014).

18. Noise Limit – Operational

Noise from the development hereby approved, during normal operations (i.e. all operations except for temporary operations), shall not exceed the following levels (LAeq, 1 hour) at the following receptors:

- Sculptures by the Lakes: 49 dB
- Hurst Cottages: 50 dB
- East Cottages: 45dB
- New House: 45 dB
- Cuckoos Mead: 39 dB

The locations of these receptors are as in the Noise Impact Assessment by 24 Acoustics, dated April 4th 2024. Measurements at receptors should be taken at the closest accessible points to the curtilages of the sensitive receptors.

Reason

In the interests of the amenity of nearby residents and visitors and in accordance with Policies DM1 and DM2 of the Bournemouth, Dorset & Poole Minerals Strategy (2014).

19. Dust Control

No development shall take place until a Dust Management Plan is submitted to and approved in writing by the Mineral Planning Authority. This Plan shall be based on the draft Dust Management Plan, dated April 2024, submitted as part of the application. The development shall be carried out in accordance with the approved Plan.

Reason

To ensure that dust levels generated by mineral operations are controlled to an acceptable level, and do not adversely impact the amenity of nearby receptors and in accordance with Policies DM1 and DM2 of the Bournemouth, Dorset & Poole Minerals Strategy (2014).

20. Construction Environmental Management Plan (CEMP)

Prior to commencement of development, a Construction Environmental Management Plan, incorporating pollution prevention measures and a timetable, shall be submitted to, and approved in writing by, the Mineral Planning Authority. The plan shall subsequently be implemented in accordance with the approved details and the agreed timetable for the duration of the life of the development.

Reason

To prevent pollution of the water environment and in accordance with Policies DM1 and DM3 of the Bournemouth, Dorset & Poole Minerals Strategy (2014).

21. Ecological Mitigation and Management Plan (EMMP)

No development shall take place until an Ecological Mitigation and Management Plan is submitted to and approved in writing by the Mineral Planning Authority. This scheme shall be based on the draft EMMP, date 7 July 2023, submitted as part of the application. The development shall be carried out in accordance with the approved scheme.

Reason

To secure ecological mitigation and long-term biodiversity benefits and in accordance with Policies DM1 and DM5 of the Bournemouth, Dorset & Poole Minerals Strategy (2014).

22. Archaeology

No development shall take place until a written scheme of archaeological investigation is submitted to and approved in writing by the Mineral Planning Authority. This scheme shall cover archaeological fieldwork, post-excavation work, and the publication of the results. The programme of archaeological work must be implemented and completed in accordance with the approved scheme.

Reason

To ensure the protection, recording, and publication of potential archaeological discoveries during the course of the development and in accordance with Policies DM1 and DM7 of the Bournemouth, Dorset & Poole Minerals Strategy (2014).

HYDROLOGICAL

23. Surface Water Management Scheme

No development shall take place until a detailed Surface Water Management Scheme for the site, based upon the hydrological and hydrogeological context of the development, has been submitted to, and approved in writing by the Mineral Planning Authority. The Surface Water Management Scheme shall be implemented before extraction commences, in accordance with the approved scheme.

Reason

To prevent the increased risk of flooding, to improve and protect water quality, and to improve habitat and amenity and in accordance with Policies DM1, DM2, DM3 and DM5 of the Bournemouth, Dorset & Poole Minerals Strategy (2014).

24. Maintenance and Management of the Surface Water Drainage Scheme

No development shall take place until details of maintenance & management of both the surface water sustainable drainage scheme and any receiving system have been submitted to and approved in writing by the Mineral Planning Authority. The scheme shall include a plan for the lifetime of the development, the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the surface water drainage scheme throughout its lifetime. The scheme shall be implemented before extraction commences, and thereafter managed and maintained in accordance with the approved details.

Reason

To ensure future maintenance of the surface water drainage system, and to prevent the increased risk of flooding and in accordance with Policies DM1 and DM3 of the Bournemouth, Dorset & Poole Minerals Strategy (2014).

25. Wet Working Proposed Water Levels

Extraction of mineral for the purpose of anything other than construction of the plant site and silt management system shall not commence until a scheme of wet

working and water level monitoring has been submitted to and approved in writing by the Mineral Planning Authority. The working and water level monitoring shall be undertaken in accordance with the approved scheme.

Reason

To ensure that the proposed development, including mineral extraction, does not harm the water environment, specifically the River Frome designated SSSI and private water supply, in line with paragraph 181 of the National Planning Policy Framework and 'The Environment Agency's approach to groundwater protection' and in accordance with Policies DM1, DM3 and DM5 of the Bournemouth, Dorset & Poole Minerals Strategy (2014).

26. Interpretive Conceptual Model Update and Report and Monitoring and Mitigation Plan

Extraction of minerals for the purpose of anything other than construction of the plant site and silt management system shall not commence until:

- A) A revised scheme of surface water and groundwater monitoring and reporting have been submitted to and approved in writing by the Mineral Planning Authority; and
- B) surface water and groundwater monitoring as specified in the approved revised scheme of surface water and groundwater monitoring, shall be undertaken for a continuous period of not less than 12 months; and
- C) within 2 months of completion of surface water and groundwater monitoring, a report (based on the surface water and groundwater monitoring collection of data) and monitoring and mitigation plan shall be submitted and approved by the Local Planning Authority. This report shall comprise of an updated conceptual model showing the relative relationship between pre-worked surface water flows, groundwater levels and proposed working water level elevations stated in the planning application addendum, (November 2023 and September 2024) , updated impact assessment calculations including the loss of the sand and gravel solid strata and outline any need to augment flows in Hurst Stream and Moreton Stream.

Thereafter, mineral extraction shall at all times be fully compliant with Interpretive Conceptual Model Update report and Monitoring and Mitigation plan, as approved.

Reason

To ensure that the proposed development, including mineral extraction, does not harm the water environment specifically the River Frome designated SSSI, in line with paragraph 181 of the National Planning Policy Framework, 'The Environment Agency's approach to groundwater protection' and Policies DM1, DM3 and DM5 of the Bournemouth, Dorset & Poole Minerals Strategy (2014).

27. Water Storage Pond

Prior to the development proceeding beyond Phase 1, details of the above-ground-level water storage pond and associated bunding to be constructed in the area of the application site referred to as Phase 6C, shall be submitted to and approved in writing by the Mineral Planning Authority. The water storage pond and bunding shall be constructed and maintained in accordance with the approved details.

Reason

For the avoidance of doubt and in the interests of visual amenity and in accordance with Policies DM1 and DM4 of the Bournemouth, Dorset & Poole Minerals Strategy (2014).

28. Depth of Water Bodies

The maximum depth of the water bodies that will form as a result of the development hereby approved, and retained upon restoration, shall be strictly limited to the following:

- Hurst Farm
Main Dredging Lake - 8m AOD
Phase 1B - 25m AOD
Phase 4B - 21.5m AOD
- Station Road
Phase 8A/9A - 6m AOD
Main Dredging Lake -6m AOD

A survey confirming the final depths of the water bodies following restoration shall be provided to the Mineral Planning Authority if requested by the Mineral Planning Authority.

Reason

For the avoidance of doubt, and to ensure compliance with the approved plans and in accordance with Policy DM1 of the Bournemouth, Dorset & Poole Minerals Strategy (2014).

29. Annual Monitoring Reports

Annual surface and groundwater monitoring reports shall be submitted to the Mineral Planning Authority by 1st March each year for approval. The reports shall include the extent of the works in the past 12 months, observed water levels and flows and compliance/non-compliance issues in relation to the approved monitoring and mitigation plan. Continued mineral extraction shall at all times be fully compliant with the approved monitoring and mitigation plan and the Minerals Planning Authority approval.

Reason

To ensure that the proposed development, including mineral extraction, does not harm the water environment in line with paragraph 181 of the National Planning Policy Framework and 'The Environment Agency's approach to groundwater

protection' and in accordance with Policies DM1, DM3 and DM5 of the Bournemouth, Dorset & Poole Minerals Strategy (2014).

30. No Importation of materials to site, or land raising in Flood Zone 3

No import of materials to the site for permanent deposition shall be allowed and no land raising shall take place within Flood Zone 3.

Reason

In the interests of flood risk safety and in accordance with Policies DM1 and DM3 of the Bournemouth, Dorset & Poole Minerals Strategy (2014).

LANDSCAPE

31. Early Landscaping Scheme (Part 1)

A detailed scheme of landscaping shall be submitted to, and approved in writing by, the Mineral Planning Authority prior to commencement of development. The scheme shall include screening banking/mounding between the car park and the B3390 main road, and shall include substantial appropriate native planting, including larger growing tree species including oak and field maple. New areas of naturalistic woodland planting shall be incorporated into the overall design to restore ecological function and contribute to a rich mosaic of habitats in the landscape. The approved landscaping scheme shall be constructed in within 2 months of the date of commencement of development and all soft landscaping in conjunction with the Pre Planting scheme as shown on Plan no. HF- 523 31 shall be planted in the next available planting season following construction of the Hurst Farm site entrance and haul road.

Reason

In the interests of visual amenity and in accordance with Policies DM1 and DM4 of the Bournemouth, Dorset & Poole Minerals Strategy (2014).

32. Landscaping Scheme (Part 2)

The development hereby permitted may not proceed beyond Phase 6b until a further scheme of restoration landscaping covering the Hurst Farm site has been submitted to and approved in writing by the Mineral Planning Authority. This scheme shall be based on the approved restoration plan, and include details of hedgerow and tree planting, and details of fencing and gates.

The approved planting scheme shall be carried out in the first available planting season after completion of Phase 6b. Any plants which die or are removed shall be replaced within the first five years.

Reason

In the interests of visual amenity in accordance with Policies DM1 and DM4 of the Bournemouth, Dorset & Poole Minerals Strategy (2014).

33. Landscaping Scheme (Part 3)

The development hereby permitted may not proceed beyond Phase 11D until a further scheme of restoration landscaping is approved in writing by the Mineral Planning Authority. This scheme shall cover both the Hurst Farm and the Station Road areas. This scheme shall be based on the approved restoration plan, and include details of hedgerow and tree planting, and details of fencing and gates.

The approved planting scheme shall be carried out in the first available planting season following completion of Phase 11D. Any plants which die or are removed shall be replaced within the first five years.

Reason

In the interests of visual amenity and in accordance with Policies DM1 and DM4 of the Bournemouth, Dorset & Poole Minerals Strategy (2014).

34. Soil Resource Strategy (SRS)

No development shall take place until a Soil Resource Strategy is submitted to and approved in writing by the Mineral Planning Authority. This scheme shall provide for the safeguarding and reuse of soil resources on site. This shall include:

- Separate storage between topsoil and subsoil bunds;
- Grassing and weed control of soil storage bunds, including seed mixtures;
- Ground preparation and soil stripping methods;
- Handling of soils in appropriate weather conditions;
- Best practice for soil handling, as set out by Defra and Institute of Quarrying, etc.

All handling, storage, and use of soils, for the duration of the development, must be carried out in accordance with the approved scheme.

Reason

To ensure the appropriate handling and preservation of soil resources for use in restoration and in accordance with Policies RS1, DM1 and DM4 of the Bournemouth, Dorset & Poole Minerals Strategy (2014).

HIGHWAYS-TRANSPORTATION

35. Construction Logistics Plan (CLP)

No development shall take place before a Construction Logistics Plan is submitted to and approved in writing by the Mineral Planning Authority. The CLP shall include:

- Construction vehicle details (number, size, type, and frequency of movement)
- A programme of construction works and anticipated deliveries

- Timings of deliveries so as to avoid, where possible, peak traffic periods
- A framework for managing abnormal loads
- Contractors' arrangements (compound, storage, parking, turning, surfacing, and drainage)
- Wheel cleaning facilities
- Vehicle cleaning facilities
- Inspection of the highways serving the site (by the developer or his contractor and Dorset Highways) prior to work commencing at regular, agreed intervals during the construction phase
- A scheme of appropriate signage of vehicle route to the site
- A route plan for all contractors and suppliers to be advised on
- Temporary traffic management measures where necessary

The development must be carried out in accordance with the approved Construction Logistics Plan.

Reason

To minimise the likely impact of construction traffic on the surrounding highway network and prevent the possible deposit of loose material on the adjoining highway and in accordance with Policies DM1 and DM8 of the Bournemouth, Dorset & Poole Minerals Strategy (2014).

36. Vehicle Access Construction Hurst Farm

Details and specification of the new vehicular access onto the B3390 at Hurst Farm site shall be submitted to the Mineral Planning Authority and approved in writing prior to commencement of development. The first 20.00 metres, measured from the rear edge of the highway must be laid out and constructed in accordance with the approved specifications.

Reason

To ensure that a suitably surfaced and constructed access to the site is provided that prevents loose material being dragged and/or deposited onto the adjacent carriageway causing a safety hazard and in accordance with Policies DM1 and DM8 of the Bournemouth, Dorset & Poole Minerals Strategy (2014).

37. Vehicle Access Construction Station Road

Details and specification of the new vehicular access onto the B3390 from the Station Road site shall be submitted to the Mineral Planning Authority and approved in writing prior to any commencement of development on the Station Road site. The first 20.00 metres, measured from the rear edge of the highway must be laid out and constructed in accordance with the approved specifications.

Reason

To ensure that a suitably surfaced and constructed access to the site is provided that prevents loose material being dragged and/or deposited onto the adjacent carriageway causing a safety hazard and in accordance with Policies DM1 and DM8 of the Bournemouth, Dorset & Poole Minerals Strategy (2014).

38. Footpath around Hurst Farm Lake

Prior to the development proceeding beyond Phase 6A, details of the permissive footpath to be constructed around the main Hurst Farm Lake shall be submitted to and approved in writing by the Mineral Planning Authority. The development shall be carried out in accordance with the approved details. The section of the footpath from X to Y shall be constructed prior to the development proceeding to Phase 7, and the path shall be regularly cleared of any overgrowth for the duration of the development. The remainder of the footpath from Y to X shall be constructed as part of the final restoration.

Reason

For the avoidance of doubt and in the interests of public safety and visual amenity and in accordance with Policies DM1, DM2 and DM4 of the Bournemouth, Dorset & Poole Minerals Strategy (2014).

39. Permissive Route – Moreton Station to Moreton Village

Prior to any works to form the new access to the Station Road site, details of measures to ensure the safety of users of the permissive route between Moreton Station and Moreton Village (as secured in the Section 106 Legal Agreement), shall be submitted to and approved in writing by the Mineral Planning Authority. These measures should include details of fencing along the route, and appropriate barriers and signage at the crossing between the new access to the Station Road site and the permissive footpath. The approved measures shall be implemented prior to the extraction of any mineral from the Station Road site and be maintained for the duration of the development hereby approved.

Reason

In the interest of public safety and visual amenity and in accordance with Policies DM1, DM4 and DM8 of the Bournemouth, Dorset & Poole Minerals Strategy (2014).

40. Turning/manoeuvring and parking construction

Before the extraction of any mineral as part of the development hereby approved, the turning/manoeuvring and parking area shown on Drawing Number HF-523-33D, shall have been constructed, completed, and marked out. Thereafter, these areas, must be permanently maintained, kept free from obstruction and made available for the purposes specified.

Reason

To ensure the proper and appropriate development of the site and to ensure that highway safety is not adversely impacted upon and in accordance with Policies DM1 and DM8 of the Bournemouth, Dorset & Poole Minerals Strategy (2014).

41. Visibility Splays

Before the extraction of any mineral as part of the development hereby approved, the visibility splay areas as shown on Drawing Numbers, 174.0006.001, 174.0006.004, pages 153 & 154 Transport Assessment, must be cleared/excavated to a level not exceeding 0.60 metres above the relative level of the adjacent carriageway. The splay areas must thereafter be maintained and kept free from all obstructions.

Reason

To ensure that a vehicle can see or be seen when exiting the access and in accordance with Policies DM1 and DM8 of the Bournemouth, Dorset & Poole Minerals Strategy (2014).

42. Heavy Goods Vehicle (HGV) Numbers

The maximum daily number of HGV movements using the Hurst Farm site entrance is limited to 200 (100 in and 100 out).

There shall be no HGVs using the Station Road site entrance.

Reason

In the interests of highway safety and the amenity of the area and in accordance with Policies DM1, DM2 and DM8 of the Bournemouth, Dorset & Poole Minerals Strategy (2014).

43. Traffic Numbers Recording

Appropriate records of Heavy Goods Vehicle traffic entering and leaving the site in connection with the development hereby approved shall be maintained by the operator. Copies of these records shall be made available to the Mineral Planning Authority within 10 working days of a request. All such records shall be kept for at least two years.

Reason

To allow the MPA to monitor compliance and traffic generation from the site in the interests of highway safety and the amenity of the area and in accordance with Policies DM1, DM2 and DM8 of the Bournemouth, Dorset & Poole Minerals Strategy (2014).

44. Wheel Cleaning of Lorries

No vehicle from the site shall enter the public highway unless their wheels and chassis are sufficiently clean so as to prevent material being deposited on the highway. All Heavy Goods Vehicles must use the on-site wheel wash facility before leaving the site.

Reason

To prevent mud and dust from getting onto the highway in the interests of highway safety and amenity and in accordance with Policies DM1, DM2 and DM8 of the Bournemouth, Dorset & Poole Minerals Strategy (2014).

45. Details of Bridge Conveyor

Details of the Conveyor Bridge and the Conveyor, from the Processing Plant to the Station Road site, shall be submitted to and approved in writing by the Mineral Planning Authority. These details must be submitted and approved prior to the development proceeding beyond Phase 6A. The Conveyor Bridge and Conveyor shall be constructed and maintained in accordance with the approved details. No mineral shall be extracted from the Station Road site until the Conveyor Bridge is completed and operational.

Reason

In the interests of visual amenity and highway safety and in accordance with Policies DM1, DM2 and DM8 of the Bournemouth, Dorset & Poole Minerals Strategy (2014).

46. Removal of Bridge Conveyor

The Conveyor Bridge shall be fully removed within six months of the cessation of mineral extraction at Station Road, or by 31 December 2048, whichever is earliest.

Reason

In the interest of visual amenity and highway safety and in accordance with Policies DM1, DM4 and DM8 of the Bournemouth, Dorset & Poole Minerals Strategy (2014).

47. Transport of Mineral from Station Road

No mineral extracted from the Station Road site is permitted to be transported to the Hurst Farm site using vehicles on a public highway.

Reason

To ensure that unnecessary HGV traffic movements on the public highway are minimised in the interests of amenity and highway safety and in accordance with Policies DM1, DM2 and DM8 of the Bournemouth, Dorset & Poole Minerals Strategy (2014).

48. Sheeting of loaded lorries

All loaded lorries leaving the site carrying sand or gravel shall be adequately sheeted to secure their loads and prevent the emission of dust or other debris.

Reason

To prevent mud and dust getting onto the public highway and in the interests of highway safety and amenity and in accordance with Policies DM1, DM4 and DM8 of the Bournemouth, Dorset & Poole Minerals Strategy (2014).

49. Maintenance of Plant and Vehicles & Use of Silencers

All vehicles, plant and machinery operated within the site shall be maintained in accordance with the manufacturer's specification at all times and shall be fitted with and use effective silencers to prevent unnecessary noise.

Reason

To limit noise generated by the operations on the local community and within the area and in accordance with Policies DM1 and DM2 of the Bournemouth, Dorset & Poole Minerals Strategy (2014).

50. Fencing

Details of any fencing to be erected on either Station Road or Hurst Farm sites shall be submitted to and approved in writing by the Mineral Planning Authority, prior to being erected.

Reason

In the interest of public safety and visual amenity and in accordance with Policies DM1, DM4 and DM8 of the Bournemouth, Dorset & Poole Minerals Strategy (2014).

RESTORATION – AFTERCARE

51. Notification of Completion of Mineral Extraction

Within one week of the completion of mineral extraction operations, the operator will give the Mineral Planning Authority written notification that mineral extraction is complete.

Reason

In order to ensure compliance with conditions post mineral extraction and in accordance with Policy DM1 of the Bournemouth, Dorset & Poole Minerals Strategy (2014).

52. Prohibition on Importation of Waste

No waste material shall be imported into the site for any reason including filling or deposition.

Reason

For the avoidance of doubt, and to ensure that the restoration scheme is followed and in accordance with Policies RS1, DM1 and DM4 of the Bournemouth, Dorset & Poole Minerals Strategy (2014).

53. Restoration and Aftercare Notification

The Mineral Planning Authority shall be notified in writing within one month of the:

- a) commencement of any phase of restoration works;
- b) completion of any phase of restoration works;
- c) completion of final restoration; and
- d) completion of aftercare under this permission.

Reason

To ensure that restoration works can be completed in accordance with other conditions and in accordance with Policies RS1 and DM1 of the Bournemouth, Dorset & Poole Minerals Strategy (2014)

54. Restoration Monitoring and Verification

Within 6 months of the commencement of any restoration works, a revised restoration plan, based on the interpretive conceptual model and water level monitoring data shall be submitted to the Mineral Planning Authority for approval in writing. The revised plan will include post restoration monitoring and a verification plan following the completion of works. Restoration will be undertaken in accordance with the approved scheme.

Reason

To ensure that the proposed development, including mineral extraction, does not harm the water environment in line with paragraph 181 of the National Planning Policy Framework and 'The Environment Agency's approach to groundwater protection' and in accordance with Policies DM1, DM3 and DM5 of the Bournemouth, Dorset & Poole Minerals Strategy (2014).

55. Restoration of site entrances

Detailed drawings showing a final restoration landscaping scheme for future arrangements regarding the junctions with the B3390 following cessation of mineral extraction, shall be submitted to and approved in writing by the Mineral Planning Authority 3 years before final extraction. The junctions shall be reduced in size, with removal of high kerbs and introduction of new smaller scale kerbs, gates and landscaping. The approved details shall be implemented within 1 year of the date of final cessation of mineral extraction.

Reason

In the interests of visual amenity and in accordance with Policies DM1 and DM4 of the Bournemouth, Dorset & Poole Minerals Strategy (2014).

56. Restoration of Site Haul Roads and Entrances

Within 6 months of the cessation of extraction of mineral at the site, a detailed scheme showing the removal of the tarmac/concrete surfacing on haul roads and access tracks and any security fencing/gates shall be submitted for approval in writing by the Mineral Planning Authority. The scheme shall include soft and hard landscaping, pedestrian and cyclist entrances and design and type of any fencing and gates. The approved details shall be implemented within 1 year of the date of final cessation of mineral extraction.

Reason

To ensure the site is developed appropriately post mineral extraction and in accordance with Policies DM1, DM4 and DM8 of the Bournemouth, Dorset & Poole Minerals Strategy (2014).

57. Aftercare

An aftercare scheme shall be submitted to and approved in writing by the Mineral Planning Authority within 6 months of completion of extraction in Phase 6b. Aftercare on a phased basis shall be carried out in accordance with the approved scheme.

Reason

To secure long-term nature conservation benefits and in accordance with Policies RS1 and DM1 of the Bournemouth, Dorset & Poole Minerals Strategy (2014).

Informatives

Informative: National Planning Policy Framework Statement

In accordance with paragraph 39 of the NPPF the council, as local planning authority, takes a positive approach to development proposals and is focused on providing sustainable development.

The council works with applicants/agents in a positive and proactive manner by:

- offering a pre-application advice service, and
- as appropriate updating applicants/agents of any issues that may arise in the processing of their application and where possible suggesting solutions.

In this case:

- The applicant/agent was updated of any issues and provided with the opportunity to address issues identified by the case officer.

Informative: Construction Environmental Management Plan (CEMP)

The submitted CEMP must include safeguarding measures to deal with the following pollution risks:-the use of plant and machinery-wheel washing and vehicle wash-down and disposal of resultant dirty water-oils/chemicals and materials-the use and routing of heavy plant and vehicles-the location and form of work and storage areas and compounds-the control and removal of spoil and waste.

Informative: Prior Land Drainage Consent (LDC)

Prior Land Drainage Consent (LDC) may be required from DC's FRM team, as relevant LLFA, for all works that offer an obstruction to flow to a channel or stream with the status of Ordinary Watercourse (OWC) – in accordance with s23 of the Land Drainage Act 1991. The modification, amendment or realignment of any OWC associated with the proposal or under consideration, is likely to require such permission. We would encourage the applicant to submit, at an early stage, preliminary details concerning in-channel works to the FRM team. LDC enquiries can be sent to floodriskmanagement@dorsetcouncil.gov.uk

Informative: Highways

In addition to this permission, the highway improvement(s) referred to in the recommended condition above must be carried out to the specification and satisfaction of the Highway Authority in consultation with the Planning Authority and it will be necessary to enter into an agreement, under Section 278 of the Highways Act 1980, with the Highway Authority, before any works commence on the site. The applicant should contact Dorset Council's Highways Development team. They can be reached by email at highwaysdevelopment@dorsetcouncil.gov.uk, or in writing at Highways Development team, Economic Growth and Infrastructure, Dorset Council, County Hall, Dorchester, DT1 1XJ.

Informative: Environmental Permit

The Environmental Permitting (England and Wales) Regulations 2016 require a permit to be obtained for any activities which will take place:

- on or within 8 metres of a main river (16 metres if tidal)
- on or within 8 metres of a flood defence structure or culverted main river (16 metres if tidal)
- on or within 16 metres of a sea defence
- involving quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert
- in the floodplain of a main river if the activity could affect flood flow or storage and potential impacts are not controlled by a planning permission

Notes

The construction of a 'bridged conveyor crossing' will require a licence in accordance with the Highways Act 1980 Section 176: Restriction on construction of bridges over highways.

A condition of that licence will be that the applicant follows the full Technical Approval process detailed in the Design Manual for Roads and Bridge (DMRB) CG 300 Technical Approval of Highway Structures.

The requirements for clearance above the highway for a lightweight structure and the lateral clearance to the supports are detailed in DMRB CD 127 Cross-sections and headrooms.

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Updated Committee Report

Application Number:	P/VOC/2024/03497		
Webpage:	https://planning.dorsetcouncil.gov.uk/		
Site address:	Anaerobic Digester Plant, Rainbarrow Farm, Monkeys Jump Roundabout To Junction Below Alington Place, Martinstown, DT2 9JF		
Proposal:	The construction and operation of an Anaerobic Digestion and Combined Heat and Power Plant and associated infrastructure including a new site access road at Rainbarrow Farm (Site 1) and underground service corridor linking to a new Combined Heat and Power engine in existing Engine House (Site 2) at Poundbury to supply Poundbury with renewable heat and power (Revised proposal) (Changes to proposed plant, infrastructure and land profiling at Rainbarrow Farm (Site 1)) and as varied by 1/D/2011/2113 to include repositioning of flare and CHP container, and additional equipment to include standby generator, switch gear, back up boiler, DMT Membrane Plant, transformer, 3 tank propane store and new gas pipeline to site boundary, to enable the majority of the gas produced by the Anaerobic Digester Plant to be fed directly into the public gas supply network at the pressure regulating station adjacent Monkeys Jump Roundabout (with variation of conditions 27 and 28 of planning permission 1/D/2011/2113 to regularise the existing development by increasing traffic levels, annual feedstock throughput and feedstocks).		
Applicant name:	Ixora Energy Limited		
Case Officer:	Eleanor Godesar		
Ward Member(s):	Cllr Tarr		
Publicity expiry date:	25 October 2024	Officer site visit date:	4 October 2024
Decision due date:	22 November 2024	Ext(s) of time:	11 June 2025
No of Site Notices:	4		
SN displayed reasoning:	Adjoining neighbours and public rights of way		

1.0 Reason application is going to committee:

- 1.1 This application is being re-reported to the Strategic and Technical Planning Committee due to the decision by members to defer the application at the committee meeting on 14 March 2025.
- 1.2 Determination of the application was deferred to allow officers to liaise with the applicant to facilitate further collaboration between the Local Planning Authority and the applicant in relation to highways issues.

2.0 Summary of recommendation:

Grant planning permission subject to conditions set out in section 8.

3.0 Background and Assessment:

- 3.1 At the Strategic and Technical Planning Committee on 14 March 2025, Members resolved to defer determination of the application.
- 3.2 A meeting was held with the applicant and their agents on 20 March 2025. In this meeting, the applicant stated that they did not consider that the Delivery and Servicing Plan (DSP) had been effectively taken into account by the Committee. They suggested they would like to provide additional information on the DSP to relevant Committee members, Ward councillors and Parish and Town Councils. Discussion also focused on amendments to the planning conditions to address matters raised by Members during the committee meeting.
- 3.3 The applicant submitted additional transport information on 7 April 2025. This document provides some additional background to Rainbarrow Farm Anaerobic Digestate Plant, the aims of the DSP, enforcement and monitoring of vehicle movements associated with the site and setting up of a Community Liaison Group. The document, along with the previously submitted Delivery and Servicing Plan, has been published on the Council's planning register.
- 3.4 This report considers the additional information, further consultation responses received and provides an update on the relevant planning matters they relate to.
- 3.5 Unless otherwise stated, all other matters set out in the 14 March 2025 Committee Report and Update Sheet relating to: description of site, description of development, relevant planning history, list of constraints, consultation responses, duties, relevant policies, human rights, public sector equalities duty, financial benefits, environmental implications and planning assessment remain unchanged. The Committee Report and Update Sheet are provided at **Appendix 1** for ease of reference or click [here](#).

4.0 Relevant Planning History

- 4.1 A planning application which seeks to retain the existing digestate lagoon and hardstanding & install a proposed lagoon cover (P/FUL/2025/00591) on adjoining land associated with the Anaerobic Digester Plant at Rainbarrow Farm has been submitted and is currently under consideration.

5.0 Consultation Responses

5.1 Due to the nature of the additional information submitted since the March committee, officers have undertaken a targeted re-consultation of the following consultees:

- Dorchester Poundbury Ward Member
- Winterborne and Broadmayne Ward Member
- Winterborne St Martin Parish Council
- Winterborne Farringdon Parish Council Group (Winterborne Monkton PC)
- Dorchester Town Council
- Stinsford Parish Council

5.2 All additional consultee responses received since the March Committee meeting are summarised below and can be viewed in full on the Council's website.

5.3 Winterborne St Martin Parish Council

Additional Comments (received 23/04/2025)

- The additional information received from the applicant does not alter the concerns of the Parish Council already submitted.

5.4 Stinsford Parish Council

Additional Comments (received 06/05/2025)

- The only real change to the approach outlined in the DSP comes in the covering letter to councillors. Paragraph 2 concludes 'We take the Welfare of our Communities seriously'. Under the section Aims of the DSP, bullet 4 offers 'ongoing communication with local communities over concerns'. The final paragraph suggests that they are prepared to meet with community, arrange a site visit and meet with councillors at any venue of their choosing.
- The overall outcome is that: 1) the offer to meet is welcome; 2) the plan offers little more detail on what will happen on roads within Stinsford parish (Slyers Lane / Cuckoo Lane / Lower Bockhampton); and 3) there is no offer to actually change anything.
- In the Parish Council's initial response to the Delivery and Servicing Plan (received 11 March 2025) 5 questions were posed. Three of these remain unanswered.
- In conclusion Stinsford Parish Council does not believe that the amended information provides confidence that existing issues will be addressed and that the expansion of trips will not create further issues. The Parish Council therefore continues to object to the proposals.

5.5 Correspondence with Members

The additional transport information that was submitted by the applicant on 7 April 2025 has also been shared with Members of the Strategic and Technical Committee on 22 June 2025.

6.0 Planning Assessment

Highways

- 6.1 Whilst the Highway Authority raises no highway safety concerns, the observed vehicle movements recorded since 2020 show that harvest time feedstock deliveries have grown significantly above the number of trips accepted by the previous permissions.
- 6.2 Conditioning a daily or hourly upper limit for vehicle movements during the harvest time would be challenging due to the nature of how crops are harvested and delivered to the site. However, parish councils have raised amenity concerns relating to vehicle movements. As a compromise, a Delivery and Servicing Plan (DSP), including a Route Management Plan has been submitted by the applicant. The aims of the DSP are:
- Manage peak delivery periods efficiently, particularly during harvest time, while maintaining flexibility to optimise feedstock quality.
 - Prevent excessive vehicle movements, with the DSP Manager assessing weekly delivery schedules and taking proactive steps to avoid exceeding agreed daily averages by more than 10%.
 - Maintain accurate records of incoming and outgoing vehicle movements via the weighbridge system, ensuring transparency and accountability.
 - Provide ongoing communication with stakeholders, including suppliers, hauliers, and the local community, to ensure adherence to the DSP and address any concerns.
 - Regularly review and update the DSP to reflect operational changes and best practices, with annual reviews ensuring continued effectiveness.
- 6.3 Compliance with the DSP would be achieved through the following measures:
- All delivery and collection vehicles are required to pass through the weighbridge to record movements and material tonnage.
 - Deliveries and collections must be by prior arrangement only and the DSP Manager is required to monitor scheduled deliveries weekly, taking action if planned deliveries exceed limits.
 - Records of vehicle movements are required to be kept and made available for inspection by the Local Planning Authority (LPA) when requested.
- 6.4 Condition 2 would secure the DSP and the compliance it contains. The condition also provides the opportunity for annual review of the DSP and any updates to be submitted to, and agreed in writing by, the LPA.
- 6.5 Since the March meeting, the previous wording in Condition 2 associated with the log of vehicular movements has been put into a separate condition (now Condition 3). This would enable the LPA to inspect the log of vehicular movements to deal with any concerns or complaints associated with the site. The condition now also requires this log to be submitted to the LPA on an annual basis for the next 5 years. This would facilitate regular monitoring of the site to inform an understanding of vehicle movements and address issues.

- 6.6 Paragraph 1.32 of the revised Planning Support Statement in the original planning permission (1/D/10/001372) for the site stated, and was subsequently secured by condition, that 'the majority of the feedstock will be generated within 10 miles of Rainbarrow Farm'. The applicant has requested that Condition 5 (Condition 4 in the 14 March Committee report), be amended to reflect this previous agreement and provide more flexibility.
- 6.7 Condition 13 (Condition 12 in the 14 March Committee report) is worded so that import of feedstock during harvest times does not have restricted operating hours. At the March meeting, there was some discussion about restricting imports to specific hours. This has been discussed with the applicant and concluded that this would be likely to result in more intensive vehicle movements on the highway network at times of the highest volume of traffic. As previously highlighted, the supply of feedstock crop is dependent upon when the crop is at its prime and ready for harvest, as well as weather conditions. In periods outside harvest time, the main vehicle movements would be significantly lower and mostly associated with export of digestate and CO₂ for a substantial part of the year. No amendments to the condition are therefore proposed.

Community Liaison Group

- 6.8 The applicant is offering to set up a community liaison group. This would be open to the public and provide local residents the opportunity to raise concerns associated with operation of the site.
- 6.9 There are a number of liaison groups that currently operate in Dorset, most typically for minerals sites. These have either been set up by an operator, or have been the requirement of a planning permission. Condition 19 secures the submission of a terms of reference for the meetings, and should include details such as the general purpose of the group and representatives.

7.0 Conclusion

- 7.1 At the 14 March 2025 Strategic and Technical Planning Committee, members resolved to defer determination of the application to allow officers to liaise with the applicant to facilitate further collaboration between the Local Planning Authority and the applicant in relation to highways issues.
- 7.2 The applicant has provided further justification and a targeted re-consultation has been carried out. The exercise corroborates the officer's view that amending the original Condition 27 to secure a Delivery and Servicing Plan is an acceptable compromise for managing vehicle movements associated with feedstock supply during the harvest. The DSP contains measures including recording vehicle movements and material tonnage, providing records to the LPA on request, deliveries and collections by prior arrangement and the DSP Manager being required to monitor scheduled deliveries weekly. The DSP is enforceable through suggested Conditions 2 and 3.
- 7.3 It is considered that the proposal is in accordance with the Development Plan and there are no material considerations meaning that planning permission should be refused. The application is therefore recommended for approval subject to planning conditions.

8.0 Recommendation

Recommendation: Grant planning permission subject to the following conditions.

1. Plans List - Approved

The development hereby permitted shall be carried out in accordance with the following approved plans:

02 Planning Application Boundary dated December 2010
9100 Rev P2 Access and Site Road Details dated April 2010
003 Proposed Site Access and Access Road drawing dated April 2010
004 Proposed Site Access & Typical Cross Section Detail dated April 2010
16569/006 Drainage Layout as agreed on 22 February 2012
87i/01/TW/100 Rev N Overall Site Plan dated 11 June 2012
Feedstock Locations and Routes received 18 November 2024

Reason: For the avoidance of doubt and in the interests of proper planning.

2. Delivery and Servicing Plan

Imports and exports of the Anaerobic Digester Plant shall be implemented in accordance with the Delivery and Servicing Plan (Entran, January 2025). In particular, the site operator shall comply with paragraphs 4.13-4.21 of the Delivery and Service Plan. The Delivery and Servicing Plan, along with the approved Feedstock Locations and Routes plan, shall be reviewed annually by the site operator to consider updates to the approved scheme. If any updates are necessary, these shall be submitted to, and agreed in writing by, the Minerals Planning Authority.

Reason: To ensure that the proposal does not result in any adverse impact on highway safety and the amenities of the surrounding area and nearby residential properties and in accordance with Policies ENV16 and COM 7 of the West Dorset, Weymouth & Portland Local Plan 2015 and Policies 12 and 13 of the Bournemouth, Christchurch, Poole and Dorset Waste Plan 2019.

3. Log of Vehicular Movements

A log of vehicular movements shall be kept and these formal records shall be submitted annually to the Local Planning Authority until 30 June 2030. After this date, the log shall be made available for inspection by the Local Planning Authority at seven days notice.

Reason: To ensure that the proposal does not result in any adverse impact on highway safety and the amenities of the surrounding area and nearby residential properties and in accordance with Policies ENV16 and COM 7 of the West Dorset, Weymouth & Portland Local Plan 2015 and Policies 12 and 13 of the Bournemouth, Christchurch, Poole and Dorset Waste Plan 2019.

4. Feedstocks - Quantity and Type

Feedstock from supply farms imported to Rainbarrow Farm, that require transport on the public highway, shall be limited to a maximum of 60,000 tonnes per annum. The feedstocks shall be limited to maize, rye and oat crops.

Reason: To ensure that the proposal does not result in any adverse impact on highway safety and the amenities of the surrounding area and nearby residential properties and in accordance with Policies ENV16 and COM 7 of the West Dorset, Weymouth & Portland Local Plan 2015 and Policies 12 and 13 of the Bournemouth, Christchurch, Poole and Dorset Waste Plan 2019.

5. Feedstock Source Sites

Any new feedstock source sites, which have not been shown on drawing 'Feedstock Locations and Routes' received 18 November 2024, shall be located within 15 miles of the site.

Reason: To ensure that the proposal does not result in any adverse impact on highway safety and the amenities of the surrounding area and nearby residential properties and in accordance with Policies ENV16 and COM 7 of the West Dorset, Weymouth & Portland Local Plan 2015 and Policies 12 and 13 of the Bournemouth, Christchurch, Poole and Dorset Waste Plan 2019.

6. Height of Storage within Feedstock Clamps

All feedstock shall be stored within the silage clamp as identified on the approved plans. The maximum height of any settled material shall not exceed 5 m above ground level in accordance with the details as submitted in paragraph 1.24 of the Planning Supporting Statement (Revised Proposal) revised December 2010 submitted as part of the planning application reference number 1/D/10/001372.

Reason: To minimise any impact on the surrounding landscape character and in accordance with Policy ENV1 of the West Dorset, Weymouth & Portland Local Plan 2015 and Policy 14 of the Bournemouth, Christchurch, Poole and Dorset Waste Plan 2019.

7. Cover to feedstocks kept in silage clamp

Any feedstocks stored within any of the individual bays shall be covered by a dark green cover to RAL 6005 (Moss Green) or alternatively a black coloured cover. The feedstocks shall continue to be covered in accordance with the details outlined above so long as the silage clamps are in use.

Reason: To minimise any impact on the surrounding landscape character and in accordance with Policy ENV1 of the West Dorset, Weymouth & Portland Local Plan 2015 and Policy 14 of the Bournemouth, Christchurch, Poole and Dorset Waste Plan 2019.

8. Colour of the Gas Storage Balloon

The gas storage balloon that is located on top of the digestate store shall be retained in a grey external colour (Window Grey RAL 7040) in accordance with the details sent to the Waste Planning Authority in the email from Nick Finding dated 27 January 2011 as part of application reference number 1/D/10/001372.

Reason: To minimise any impact on the surrounding landscape character and in compliance with Policy ENV1 of the West Dorset, Weymouth & Portland Local Plan 2015 and Policy 14 of the Bournemouth, Christchurch, Poole and Dorset Waste Plan 2019.

9. Retention of Re-profiled Land

The re-profiled land (as shown on plan Ground Levels Plan 8, dated 10 July 2017) shall be retained for the duration of the development.

Reason: To protect the character of the landscape and in the interests of visual amenity in accordance with Policy ENV1 of the West Dorset, Weymouth & Portland Local Plan 2015 and Policy 14 of the Bournemouth, Christchurch, Poole and Dorset Waste Plan 2019.

10. Visibility Splays

The visibility splay areas as shown on drawing number 003 titled Proposed Site Access and Access Road dated April 2010 submitted as part of planning application 1/D/10/001372 shall be retained and maintained free of any obstruction (including any growth) above 600 mm when measured from the level of the adjoining highway to enable a clear line of sight.

Reason: In the interests of highway safety and in compliance with Policy COM 7 of the West Dorset, Weymouth & Portland Local Plan 2015 and Policy 12 of the Bournemouth, Christchurch, Poole and Dorset Waste Plan 2019.

11. Vehicle Access

All vehicles associated with the operation of the Rainbarrow Farm site shall access the facility via the roadway that approaches the main site from the east along the access approved as part of the development of the site under planning application reference number 1/D/10/001372.

Reason: In the interests of highway safety in accordance with Policy COM 7 of the West Dorset, Weymouth & Portland Local Plan 2015 and Policy 12 of the Bournemouth, Christchurch, Poole and Dorset Waste Plan 2019.

12. Noise levels

The development hereby permitted shall be undertaken and operate within the noise parameters as set out within the Noise Assessment document (Revised Proposals) dated June 2010 and revised December 2010 submitted as part of the planning application reference number 1/D/10/001372.

Reason: To ensure that the proposal does not result in any adverse impact on the amenities of the surrounding area and nearby residential properties and in accordance with Policy ENV16 of the West Dorset, Weymouth & Portland Local Plan 2015 and Policy 13 of the Bournemouth, Christchurch, Poole and Dorset Waste Plan 2019.

13. Operating Hours

Excluding harvest times of the feedstocks to supply the Anaerobic Digester Plan hereby approved, the site shall only be open to receive or dispatch any vehicle carrying feedstocks, digestate or any other material or equipment associated with the operation of the site between the hours of 07:00 to 18:00 hours Mondays to Fridays inclusive and 07:00 to 13:00 hours on Saturdays and at no time on Sundays, Bank, or Public Holidays.

Reason: To protect the amenities of nearby properties from harm and in accordance with Policy ENV16 of the West Dorset, Weymouth & Portland Local Plan 2015 and Policy 13 of the Bournemouth, Christchurch, Poole and Dorset Waste Plan 2019.

14. Air Quality

The development hereby permitted shall be undertaken and operate within the air quality parameters as set out within the Air Quality Assessment document (Revised Proposals) dated June 2010 and revised December 2010 submitted as part of the planning application reference number 1/D/10/001372.

Reason: To ensure that the proposal does not result in any adverse impact on the amenities of the surrounding area and nearby residential properties and in accordance with Policy ENV16 of the West Dorset, Weymouth & Portland Local Plan 2015 and Policy 13 of the Bournemouth, Christchurch, Poole and Dorset Waste Plan 2019.

15. Air Quality Mitigation Measures

The mitigation measures to ensure that there are no odour or emissions from any part of the site operation that would cause any amenity concerns or impact on the surrounding environment as detailed in the Air Quality Assessment document dated July 2010 submitted as part of the planning application reference number 1/D/10/001372 shall be implemented throughout the life of operation of the site.

Reason: To ensure that the proposal does not result in any adverse impact on the amenities of the surrounding area and nearby residential properties and in accordance with Policy ENV16 of the West Dorset, Weymouth & Portland Local Plan 2015 and Policy 13 of the Bournemouth, Christchurch, Poole and Dorset Waste Plan 2019.

16. Remove plant if no production

Should the plant fail to generate any methane gas for a period in excess of 12 months then the fermenter, feed hopper, digestate store, gas storage balloon, biogas engine, CHP container, flare and the control building implemented as part of the planning application reference number 1/D/10/001372 and those items of plant above ground implemented as part of the current application 1/D/2011/2113 shall be removed from the site.

Reason: To minimise any impact on the surrounding landscape character and in accordance with Policy ENV1 of the West Dorset, Weymouth & Portland Local Plan 2015 and Policy 14 of the Bournemouth, Christchurch, Poole and Dorset Waste Plan 2019.

17. Surface Water Drainage

The surface water drainage scheme as shown on the Drainage Layout Drawing number 16569/006 revision B and agreed in writing with the Waste Planning Authority in the letter dated 22 February 2012 shall be retained and maintained in effective order throughout the use of the site.

Reason: To prevent the increased risk of flooding, and to protect water quality for the benefit of the local habitat and in compliance with Policy ENV 5 and ENV 9 of the West Dorset, Weymouth & Portland Local Plan 2015 and Policy 17 of the Bournemouth, Christchurch, Poole and Dorset Waste Plan 2019.

18. Floodlighting

No further external lights shall be installed on the application site unless details of their location, height above ground, power and measures to reduce light spillage including the use of movement sensors and timers are submitted to, and approved in writing by, the Local Planning Authority. Agreed lighting shall be implemented and maintained in accordance with the approved details.

Reason: To protect the amenity of the surrounding area in accordance with Policy ENV16 of the West Dorset, Weymouth & Portland Local Plan 2015 and Policy 13 of the Bournemouth, Christchurch, Poole and Dorset Waste Plan 2019.

19. Community Liaison Group

Within one month of the date of this permission, the operator shall submitted to, and agree in writing with, the Local Planning Authority terms of reference for and membership of a Community Liaison Group. The group shall invite at least representatives from parish and town councils and members of the public as a minimum and shall meet at least twice a year until such time that the Local Planning Authority is notified in writing that the Anaerobic Digester Plant has ceased to be in use.

Reason: To protect the amenity of the surrounding area in accordance with Policy ENV16 of the West Dorset, Weymouth & Portland Local Plan 2015 and Policy 13 of the Bournemouth, Christchurch, Poole and Dorset Waste Plan 2019.

Informative Notes:

1. Informative: National Planning Policy Framework Statement

In accordance with paragraph 39 of the NPPF the council, as local planning authority, takes a positive approach to development proposals and is focused on providing sustainable development.

The council works with applicants/agents in a positive and proactive manner by:

- offering a pre-application advice service, and
- as appropriate updating applicants/agents of any issues that may arise in the processing of their application and where possible suggesting solutions.

In this case:

- The applicant/agent was updated of any issues and provided with the opportunity to address issues identified by the case officer.
- The applicant was provided with pre-application advice.

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Application Number:	P/VOC/2024/03497		
Webpage:	https://planning.dorsetcouncil.gov.uk/		
Site address:	Anaerobic Digester Plant Rainbarrow Farm Monkeys Jump Roundabout To Junction Below Alington Place Martinstown DT2 9JF		
Proposal:	The construction and operation of an Anaerobic Digestion and Combined Heat and Power Plant and associated infrastructure including a new site access road at Rainbarrow Farm (Site 1) and underground service corridor linking to a new Combined Heat and Power engine in existing Engine House (Site 2) at Poundbury to supply Poundbury with renewable heat and power (Revised proposal) (Changes to proposed plant, infrastructure and land profiling at Rainbarrow Farm (Site 1)) and as varied by 1/D/2011/2113 to include repositioning of flare and CHP container, and additional equipment to include standby generator, switch gear, back up boiler, DMT Membrane Plant, transformer, 3 tank propane store and new gas pipeline to site boundary, to enable the majority of the gas produced by the Anaerobic Digester Plant to be fed directly into the public gas supply network at the pressure regulating station adjacent Monkeys Jump Roundabout (with variation of conditions 27 and 28 of planning permission 1/D/2011/2113 to regularise the existing development by increasing traffic levels, annual feedstock throughput and feedstocks).		
Applicant name:	Ixora Energy Limited		
Case Officer:	Eleanor Godesar		
Ward Member(s):	Cllr Tarr		
Publicity expiry date:	25 October 2024	Officer site visit date:	4 October 2024
Decision due date:	22 November 2024	Ext(s) of time:	18 March 2025
No of Site Notices:	4		
SN displayed reasoning:	Adjoining neighbours and public rights of way		

1.0 Reason application is going to committee

Objections from Winterborne Farringdon Parish Council Group (Winterborne Monkton PC), Dorchester Town Council and Stinsford Parish Council

2.0 Summary of recommendation:

Grant planning permission subject to conditions set out in section 18.

3.0 Reason for the recommendation:

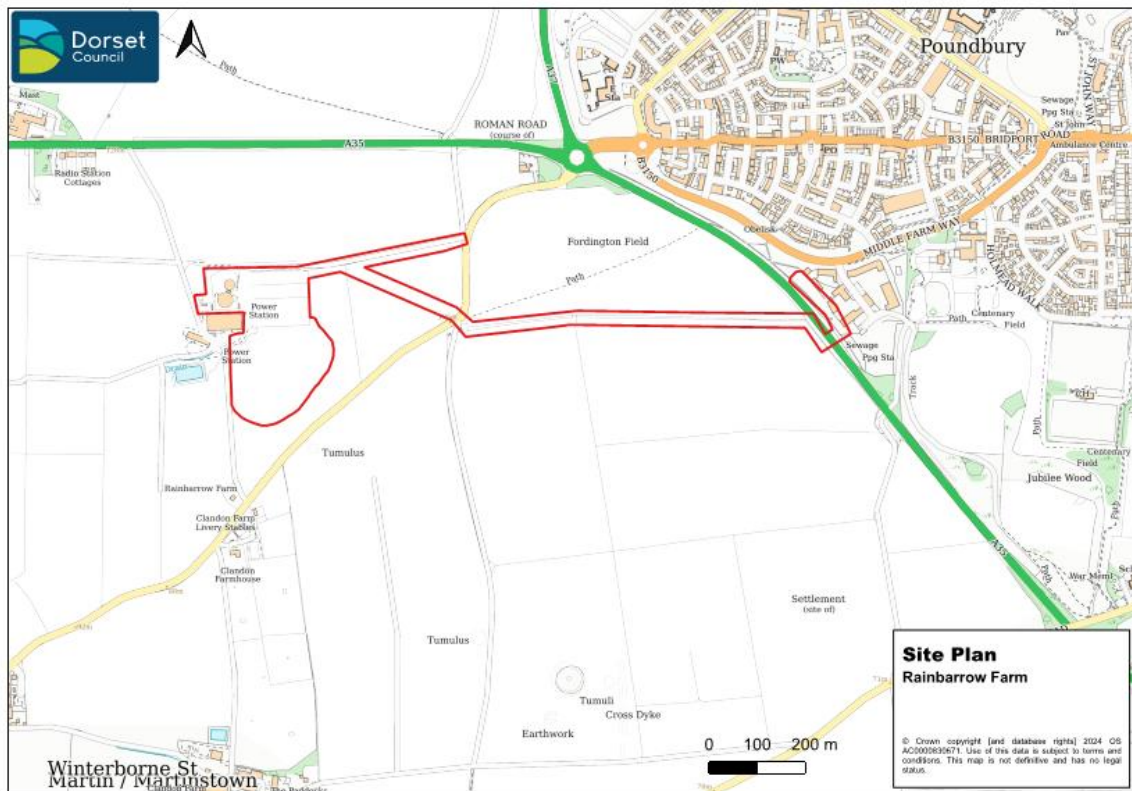
As set out in Sections 16 and 17 of this report, in summary:

- The proposal raises no highway safety concerns due to trips to and from the farm being concentrated on a short length of highway between the plant entrance and Monkeys Jump Roundabout and then dispersing along the A35 and A37.
- A change to agricultural crop only feedstock has generated a very high, but significantly variable, numbers of vehicle trips which mainly take place during short periods in the spring and autumn. Amending Condition 27 to secure a Delivery and Servicing Plan would be an acceptable compromise for managing a more consistent feedstock supply during the harvest and address amenity concerns associated with the site.
- Agricultural crop feedstocks have been accepted as feedstock at the site since the 2017 permission and have provided the Anaerobic Digester Plant with more stable operating conditions and reduced spikes in gas production. Amending the previous Condition 28 to rye, oats and maize crops would be acceptable to the applicant.

4.0 Key planning issues

Issue	Conclusion
Principle of development	The principle of an Anaerobic Digester Plant was accepted in the 2012 and 2017 permissions.
Highway impacts, safety, access and parking	Trips to and from the site would be concentrated on a short length of highway between the plant entrance and Monkeys Jump Roundabout and then disperse along the A35 and A37. Filling of the storage clamps during harvest periods would generate high numbers of vehicle trips, which could be regulated through agreement of a Delivery and Servicing Plan, limiting the annual feedstock imports to 60,000 tonnes and ensuring any new supply sites are within 10 miles of Rainbarrow Farm.
Feedstock	Amending the list of feedstock types to maize, rye and oat crops would be acceptable.
Impact on the living conditions of the occupants and neighbouring properties	There is sufficient separation distance from the closest dwellings to the site to preserve neighbouring amenity from direct impacts, such as noise and disturbance. Securing a Delivery and Servicing Plan through a condition that demonstrates a scheme for managing feedstock supply during the harvest period. Changes to the annual tonnage of feedstock and feedstock types are considered acceptable with no material harm to residential amenity occurring.
Scale, design, impact on character and appearance / landscape and heritage assets	No amendments are proposed to existing buildings, equipment or site features, such as the feedstock storage clamps or screening bunds.

5.0 Description of Site



- 5.1 Rainbarrow Farm is located in open countryside, 2.5 km west of Dorchester and 1.2 km west of Poundbury between the A35 (to the north) and Bridport Road / Mallards Green which links Poundbury to Martinstown (to the south). The site is accessed via a track close to the McDonalds restaurant near Monkeys Jump roundabout.
- 5.2 Rainbarrow Farm is a commercial farmstead which also accommodates an Anaerobic Digester (AD) Plant. It occupies land on the northern and eastern sides of a large building (previously agricultural in nature). The AD plant is positioned on the northern side of the building and the four existing feedstock clamps located to the east. There is a landscaped bund around the south and east of the most southern clamp and a slurry lagoon (now used to store digestate) to the south of the buildings. Both of these features are located outside the red line of the application site and were constructed after the original permissions in 2010 and 2012.
- 5.3 The application site is on a gentle incline which slopes down to the south. It is within the Dorset National Landscape (formerly Area of Outstanding Natural Beauty) and the Dorchester Downs landscape character area with Maiden Castle approximately 1.3 km to the south. There are no public footpaths that cross close to the main part of the site, however, there is a bridleway (S57/7) which traverses from the access gate of the site on Bridport Road to the A35 to the north.

6.0 Description of Development

- 6.1 The Anaerobic Digester (AD) Plant first received planning permission in 2010 to provide heat and electricity for dwellings in Poundbury. The operation was subsequently amended to enable the majority of the gas produced by the plant to be fed directly into the public gas supply network. The change in equipment and output significantly increased the efficiency of the plant for the same amount of feedstock, specified at the time as approximately 35,000 tonnes annually. The 2012 permission was accompanied by another permission which approved the underground gas pipeline extending from the AD plant eastwards to the network pipeline.
- 6.2 The AD plant was commissioned in 2012. In 2017, a fourth feedstock storage clamp was approved. The original feedstock mix, which included dairy cow slurry, chicken manure, maize silage, grass silage and potato pulp, was reduced to the agricultural crops only ie. maize and grass silage. The additional clamp increased the storage capacity of the plant and additional deliveries to the site were accepted. The rye grass would be delivered in June and July and the maize delivered in September and October. Whilst not specified within the planning conditions, the 2017 permission resulted in annual feedstock of approximately 42,500 tonnes.
- 6.3 The list of feedstock types associated with Condition 28 of 1/D/2011/2113 were not amended in 2017 since no additional feedstock types were proposed. However, the operator has subsequently introduced oats as a feedstock. In addition, the AD plant has been operating above the accepted 2017 capacity for a number of years. As such, the current variation of condition application has been submitted to amend the following conditions:

27. Traffic Levels

The Rainbarrow Farm (site 1) traffic levels shall only operate in accordance with the scheme submitted and outlined in paragraphs 1.30 to 1.35 inclusive of the Planning Support Statement (Revised Proposal) revised December 2010 submitted as part of the planning application reference number 1/D/10/001372. Any change to these details shall be agreed in writing with the Waste Planning Authority. A log of vehicular movements shall be kept and these formal records shall be made available for inspection by the Waste Planning Authority at seven days' notice.

This application seeks to amend this condition to allow the site to process 60,000 tonnes of feedstock per annum.

28. Feedstocks

The feedstocks shall be limited to those outlined in paragraph 1.28 and sourced from the locations identified in paragraphs 1.29 and 1.32 of the Planning Support Statement (Revised Proposal) revised December 2010 submitted as part of the planning application reference number 1/D/10/001372.

This application seeks to amend the feedstock mixes to specify rye and oats, in addition to maize.

7.0 Relevant Planning History

1/D/10/001372 Decision: Grant Decision Date: 21/04/2011

The construction and operation of an Anaerobic Digestion and Combined Heat and Power Plant and associated infrastructure including a new site access road at Rainbarrow Farm (Site 1) and underground service corridor linking to a new Combined Heat and Power engine in existing Engine House (Site 2) at Poundbury to supply Poundbury with renewable heat and power. (Revised proposal) (Changes to proposed plant, infrastructure and land profiling at Rainbarrow Farm (Site 1)).

1/D/2011/2113 Decision: Grant Decision Date: 08/03/2012

Section 73 application to vary condition 2 (Development in Accordance with Technical Details) and 3 (Development in Accordance with Approved Plans) of 1/D/10/001372 to allow amendments to approved layout at Rainbarrow Farm (site 1) to include repositioning of flare and CHP container, and additional equipment to include standby generator, switch gear, back up boiler, DMT Membrane Plant, transformer, 3 tank propane store and new gas pipeline to site boundary, to enable the majority of the gas produced by the Anaerobic Digester Plant to be fed directly into the public gas supply network at the pressure regulating station adjacent Monkey Jump Roundabout

1/D/11/002061_1 Decision: Grant Decision Date: 23/02/2012

Planning application for underground section of gas pipeline to link gas feed from application site to pressure regulating station adjacent Monkey Jump Roundabout

WD/D/17/001149 Decision: Grant Decision Date: 01/08/2017

Construction of additional feedstock storage clamp & re-profiling of adjoining ground with spoil; Change of use of part of agricultural building to house equipment associated with capture of CO₂ gas and bagging of solid digestate

(both by products of AD plant) and their sale off site, with two gas storage tanks positioned adjacent southern side of building.

P/PDE/2024/00195 Decision: Planning Permission Required

Decision Date: 19/08/2024

Cover on slurry lagoon

8.0 List of Constraints

Nutrient Catchment Areas - Distance: 0

Dorchester West Parish Ward - Distance: 0

Dorchester North Parish Ward - Distance: 269.54

Winterborne St. Martin CP - Distance: 0

Bradford Peverell CP - Distance: 181.74

Dorchester CP - Distance: 0

Winterborne Monkton CP - Distance: 0

Charminster St. Mary's Ward - Distance: 181.74

Dorchester Poundbury Ward - Distance: 0

Dorchester West Ward - Distance: 552.94

Winterborne & Broadmayne Ward - Distance: 0

Right of Way: Footpath S57/6; - Distance: 0

Right of Way: Bridleway S57/5; - Distance: 0

Right of Way: Bridleway S57/7; - Distance: 0

Medium pressure gas pipeline 25m or less from Medium Pressure Pipelines (75mbar - 2 bar); - Distance: 0

Groundwater – Susceptibility to flooding; NULL; NULL; - Distance: 0

EA - Groundwater Warning Zones 2019; 111FWGSWV1; Groundwater flooding for the South Winterbourne Valley; - Distance: 0

National Landscapes (formerly AONB): Dorset; - Distance: 0

Existing ecological network (Polygons) - Distance: 0

Higher Potential ecological network - Distance: 0

Wildlife Present: S41 - bird ; - Distance: 8.88

Agricultural grade: Grade 2; - Distance: 0

Site of Special Scientific Interest (SSSI) impact risk zone; - Distance: 0

Scheduled Monument: Settlement remains N of Maiden Castle (List Entry: 1002409.0); - Distance: 344.05

Poole Harbour Catchment Area - Distance: 0

Groundwater Source Protection Zone - Distance: 0

Risk of Surface Water Flooding Extent 1 in 30 - Distance: 0

Risk of Surface Water Flooding Extent 1 in 100 - Distance: 0

Risk of Surface Water Flooding Extent 1 in 1000 - Distance: 0
Surface water flooding - 1 in 100 year event plus 20% allowance - Distance: 0

Surface water flooding - 1 in 100 year event plus 40% allowance - Distance: 0

Radon: Class: Class 3: 3 - 5% - Distance: 0

Radon: Class: Class 1: Less than 1% - Distance: 0

Contaminated Land - Distance: 0

National Landscapes (Areas of Outstanding Natural Beauty): (statutory protection Local Planning Authorities to seek further the purposes of conserving and enhancing the natural beauty of the area of outstanding natural beauty- National Parks and Access to the Countryside Act of 1949 & Countryside and Rights of Way Act, 2000)

9.0 Consultation Responses

All consultee responses can be viewed in full on the website.

9.1 National Highways

No objection (received 01/08/2024)

- Whilst in the vicinity of the A31 (officer correction – should be A35) that forms part of the Strategic Road Network, National Highways offer no objection.

9.2 Dorset National Landscapes (formerly AONB) Team

No response received

9.3 Landscape Officer

No objection (received 29/07/2024)

9.4 Highways Authority

Comments (received 23/07/2024)

- The varied conditions would not have an adverse effect on the C53 (Bridport Road) or the A37.
- Since the Transport Assessment involves the A35, it would be advisable to consult National Highways.

9.5 Rights of Way Officer

Comments (received 26/02/2025)

- No rights of way affected by this application

9.6 Environmental Services – Protection

No comment (received 23/07/2024)

9.7 Winterborne and Broadmayne Ward Member

No response received

9.8 Dorchester Poundbury Ward Member

No objection (received 14/07/2024)

- Based on the analysis of vehicular movement

9.9 Winterborne St Martin Parish Council

Comments (received 01/08/2024)

- The silage heap has been identified as exceeding the 5m height limit.
- Concerns over traffic and parked cars in and around the area
- The trees planted do not comply with planning permission
- Collections and deliveries already at double what they should be
- Concerns of the locality of materials used

9.10 Winterborne Farrington Parish Council Group (Winterborne Monkton PC)

Objection (received 21/08/2024)

- Traffic congestion with accompanying noise and pollution that is already created on local roads by the identified overuse of the site.
- The overuse should not simply be regularised without evaluation of the effect of the many feedstock deliveries and digestate collections the site receives. A large number of them are made by slow and sometimes poorly loaded vehicles.
- Request that current actual traffic movements across all the relevant feedstocks are compared with what is proposed.

9.11 Dorchester Town Council

Objection (received 06/08/2024)

- Additional generated traffic equates to almost 50% increase, as stated in the transport statement.
- Queries whether the majority of feedstock is still generated within 10 miles of Rainbarrow Farm.
- There should be full transparency of where journeys are generated from due to the increase in observed vehicle movements and to enable thorough consideration / assessment of their impact.

9.12 Stinsford Parish Council

Objection (received 31/07/2024)

- The company is already in breach of its consent. This does not mean it should be rewarded by agreeing to an unauthorised deviation.
- Proposed change in road transportation is significant.
- Not clear if the present application will continue to be set within a 10 mile radius.
- The transport statement provides no analysis of transport impacts besides those on the A35 and A37 in the immediate proximity of the site. Impacts on all other roads used in a 10 mile radius are ignored, including the roads used by the tractors in Stinsford Parish.
- The Transport Statement does not show where the materials are actually transported from. No indication of where materials to be exported from the site are scheduled to go and by what routes.
- Evidence from residents in the parish suggest that much of the import and export of materials at Rainbarrow Farm is having a serious impact through use of unsuitable B and unclassified roads in the parish.

Representations received

9.13 One representation objecting has been received with the following comments:

- Very disappointing to see virgin crops being used in Anaerobic Digestion.
- Crops should be used for human consumption.
- Food waste produced by households would be a preferable feedstock.
- Greenwash and profit in unsustainable energy.

10.0 Duties

10.1 s38(6) of the Planning and Compulsory Purchase Act 2004 requires that the determination of planning applications must be in accordance with the development plan unless material circumstances indicate otherwise.

- 10.2 S.85 of the Countryside and Rights of Way Act (2000) requires Local Planning Authorities to seek to further the purposes of conserving and enhancing the natural beauty of National Landscape (AONB).

11.0 Relevant Policies

11.1 West Dorset, Weymouth & Portland Local Plan 2015

To view, click [West Dorset, Weymouth & Portland Local Plan 2015](#)

INT1 – Presumption in Favour of Sustainable Development
ENV1 – Landscape, Seascape and Sites of Geological Interest
ENV2 – Wildlife and Habitats
ENV4 – Heritage assets
ENV5 – Flood risk
ENV8 – Agricultural Land and Farming Resilience
ENV9 – Polluted and Contaminated Land
ENV10 - The Landscape and Townscape Setting
ENV15 – Efficient and Appropriate Use of Land
ENV16 – Amenity
SUS2 – Distribution of Development
ECON1 – Provision of Employment
COM7 – Creating a Safe and Efficient Transport Network
COM9 – Parking Standards in New Development
COM11 – Renewable Energy Development

11.2 Bournemouth, Christchurch, Poole and Dorset Waste Plan 2019

To view, click [Bournemouth, Christchurch, Poole and Dorset Waste Plan 2019](#)

Policy 1 – Sustainable waste management
Policy 5 – Facilities to enable the recycling of waste
Policy 6 – Recovery facilities
Policy 12 – Transport and access
Policy 13 – Amenity and quality of life
Policy 14 – Landscape and design quality
Policy 15 – Sustainable construction and operation facilities
Policy 16 – Natural resources
Policy 17 – Flood risk
Policy 18 – Biodiversity and habitat
Policy 19 – Historic environment

Emerging Local Plans

- 11.3 Paragraph 48 of the NPPF provides that local planning authorities may give weight to relevant policies in emerging plans according to:

- the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);
- the extent to which there are unresolved objections to relevant plan policies (the less significant the unresolved objections, the greater the weight that may be given); and
- the degree of consistency of the relevant policies in the emerging plan to the NPPF (the closer the policies in the emerging plan are to the policies of the NPPF, the greater the weight that may be given).

The Dorset Council Local Plan

To view, click [Dorset Council Local Plan - Dorset Council](#)

- 11.4 The Dorset Council Local Plan Options Consultation took place between January and March 2021. Being at a very early stage of preparation, the relevant policies in the Draft Dorset Council Local Plan should be accorded very limited weight in decision making.

National Planning Policy Framework

To view, click [National Planning Policy Framework - GOV.UK](#)

- 11.5 Paragraph 11 sets out the presumption in favour of sustainable development. Development plan proposals that accord with the development plan should be approved without delay. Where the development plan is absent, silent, or relevant policies are out-of-date then permission should be granted unless any adverse impacts of approval would significantly and demonstrably outweigh the benefits when assessed against the NPPF or specific policies in the NPPF indicate development should be restricted.

- 11.6 Other relevant NPPF sections include:

- Section 4 Decision taking (paragraphs 39, 48 – 50)
- Section 6 Building a strong, competitive economy (paragraph 85) and supporting a prosperous rural economy (paragraphs 88 and 89)
- Section 9 Promoting sustainable transport (paragraph 115)
- Section 11 Making effective use of land (paragraph 124)
- Section 14 Meeting the challenges of climate change, flooding and coastal change (paragraph 172)
- Section 15 Conserving and Enhancing the Natural Environment – Habitats and biodiversity (paragraphs 187, 192 - 195 set out how biodiversity is to be protected and encourage net gains for biodiversity) and Ground conditions and pollution (paragraphs 198 and 201)

Other material considerations

- Dorset AONB Management Plan 2019-2024
- Dorset County Council Landscape Character Assessment (Open Chalk Downland)
- National Planning Policy for Waste October 2014
- Noise Policy Statement for England 2010 (NPSE)
- Dorset Council Interim Guidance and Position Statement Appendix B: Adopted Local Plan policies and objectives relating to climate change, renewable energy, and sustainable design and construction. December 2023.

EIA Development

11.7 A screening opinion was previously undertaken by Dorset Council (as the relevant competent authority) for the original permission and determined that the proposed development would not require environmental impact assessment under the terms of the previous Town and Country Planning (Environmental Impact Assessment) Regulations. The amendments proposed in this variation of condition application would not result in likely significant effects of the development on the environment. Therefore the current proposal is also not EIA development.

Habitats Regulations Assessment (HRA)

11.8 The application site is approximately 9400 metres from Dorset Heathlands (Special Protection Area, Special Area of Conservation and Ramsar), 9400 metres from Chesil Beach and The Fleet (Special Protection Area, Special Area of Conservation and Ramsar) and 7200 metres from Cerne and Sydling Downs (Special Area of Conservation), which are European designated sites.

11.9 Should likely significant effects be identified by the screening process it is necessary to further consider the effects by way of an Appropriate Assessment, in accordance with the requirements of Regulation 63 of the Conservation of Habitats and Species Regulations 2017, Article 6 (3) of the Habitats Directive and having due regard to its duties under Section 40(1) of the NERC Act 2006 to the purpose of conserving biodiversity.

11.10 However, given the significant separation distance from these protected sites and the nature of the proposed application amendments, the proposal would not have a likely significant effect on European sites and further Habitat Regulations Assessment, in accordance with the Conservation of Habitats and Species Regulations 2017 (as amended), would not be necessary.

12.0 Human rights

Article 6 - Right to a fair trial.

Article 8 - Right to respect for private and family life and home.

The first protocol of Article 1 Protection of property.

This recommendation is based on adopted Development Plan policies, the application of which does not prejudice the Human Rights of the applicant or any third party.

13.0 Public Sector Equalities Duty

13.1 As set out in the Equalities Act 2010, all public bodies, in discharging their functions must have “due regard” to this duty. There are 3 main aims:

- Removing or minimising disadvantages suffered by people due to their protected characteristics
- Taking steps to meet the needs of people with certain protected characteristics where these are different from the needs of other people
- Encouraging people with certain protected characteristics to participate in public life or in other activities where participation is disproportionately low.

13.2 Whilst there is no absolute requirement to fully remove any disadvantage, the Duty is to have “regard to” and remove or minimise disadvantage and in considering the merits of this planning application the planning authority has taken into consideration the requirements of the Public Sector Equalities Duty.

14.0 Financial benefits

14.1 Employment, particularly statutory and site operators during the lifetime of the development and on the farms which produce the feedstock (limited benefit).

15.0 Environmental Implications

15.1 At a national level the Government aims to reduce carbon emissions by 80% (compared to 1990 levels) by 2050 and fully decarbonise the electricity grid by 2035. The Government aims to achieve these targets in a number of ways, including through development of up to 50GW of offshore wind by 2030 and a fivefold increase in solar by 2035 (Powering Up Britain, 2023).

- 15.2 In May 2019 Dorset Council declared a Climate Emergency and there is a heightened expectation that the planning process will secure carbon footprint reductions in new developments.
- 15.3 Regularisation of the higher annual feedstock imports would result in higher traffic movements to and from the site. This has an impact in terms of the site's carbon emissions from vehicles. However, this would be offset over the wider site with outputs of biomethane gas to the grid and separate capture of carbon dioxide.

16.0 Planning Assessment

Principle of Development

- 16.1 The principle of an Anaerobic Digester Plant, which exports gas to the mains grid and produces digestate for use on farmland associated with feedstock imports, was accepted in the 2012 permission (1/D/2011/2113).
- 16.2 A further permission in 2017 (WD/D/17/01149) accepted a fourth feedstock storage clamp, installation of equipment for capturing carbon dioxide and bagging of solid digestate for sale. An increase in vehicle movements and change in feedstock from a mix of agricultural crops and waste to agricultural crops only was also accepted.
- 16.3 The site is occupied by the Anaerobic Digester (fermenter), Digestate Store, associated equipment and the feedstock storage clamps. A previous farm building is used for bagging of the solid digestate and carbon dioxide capture equipment.
- 16.4 The current application seeks to regularise the list of types of feedstock used in the AD process and an increase in annual feedstock imports to 60,000 tonnes. All buildings, equipment and infrastructure currently on site would remain the same. The process of generating gas and by-products would remain unchanged.

2012 Permission Annual Tonnage of Feedstock and Vehicle Movements

- 16.5 Whilst the operator seeks to increase their permitted annual feedstock tonnage, the original condition focused upon vehicle movements discussed in paragraphs of the original Planning Support Statement (as revised in October 2010) as shown below:

1.31 The feedstock will be delivered to the site by either HGV, tractor and trailer or sealed tanker. All delivery vehicles will drive over the weighbridge as they enter the site. Vehicles carrying pig and cattle slurry and potato pulp will deliver their feedstock to the slurry tank. Vehicles delivering maize, grass and poultry manure will deliver their feedstock to the silage clamp. Poultry manure will be delivered daily to the site with only a small buffer stock being kept on the clamp to cover weekend and Bank Holiday periods.

1.32 The majority of the feedstock will be generated within 10 miles of Rainbarrow Farm. The approximate number of deliveries which importation of the feedstock will generate are set out in the table below.

Type of Feedstock	Generation Site	Number of deliveries per week	Notes
Pig Slurry	Frampton	2 x 29 tonne lorries per week	
Dairy Cow Slurry	Martinstown and Winterbourne Herringston	1 x 29 tonne lorry per week	
Chicken Manure	Affpuddle and Winterbourne Whitechurch	3 x 29 tonne lorries per week	
Potato Waste	The Granby Industrial Estate, Weymouth	4 x 29 tonne lorries per week.	
Grass Silage	Farms within 10 Miles of Rainbarrow Farm	16 x 29 tonne Lorries per Day*	*Restricted to grass silage harvest time i.e. 2-3 days in May, June, July and August.
Maize silage	Farms within 10 Miles of Rainbarrow Farm	16 x 29 Tonne lorries per day*	*Restricted to maize silage harvest i.e. days in September/October.

1.33 Excluding the grass and maize silage which will be for a few days a month during the harvest time, the importation of the manure, slurry and potato pulp will generate approximately 20 two way vehicle movements per week (10 in and 10 out). This figure is based on the use of 29 tonnes lorries. If 14 tonne tractors and trailers are used, this would generate approximately 42 deliveries per week.

1.34 In addition to this vehicle generation, the end-substrate material will be transported off site by 14 tonne tractors and trailers or 29 tonne lorries and give rise to approximately 38 or 18 loads per week respectively. These vehicle movement

figures will be less in reality as a proportion of the end substrate will be used at Rainbarrow Farm and thus will not need to be exported off site.

1.35 According to these figures, daily vehicle movements may be up to 15 trips per day on the busiest days which equates to 2 trips (4 two way movements) per hour.

16.6 The current submitted Transport Statement has reviewed this wording and provided theoretical / approved vehicle loads for a 29 tonne HGV and 14 tonne tractor and trailer. Given that the current arrangements for the site now primarily use tractor and trailer for harvest imports, these are focused upon. The Transport Statement has calculated that the 2012 permission permitted 4 import loads and 7 export loads per day in winter (22 vehicle trips), 8.5 import loads and 7 export loads per day during the spring/summer period (31 vehicle trips) and 25 import loads and 7 export loads per day at the busiest autumn period (64 vehicle trips).

16.7 The Transport Statement has calculated that the annual tonnage approved for the 2012 permission was 34,858 tonnes and is consistent with the 'around 35,000 tonnes of feedstock per annum will be used', as stated in paragraph 1.27 of the original planning support statement (2010).

2017 Permission Annual Tonnage of Feedstock and Vehicle Movements

16.8 Since the original planning permissions in 2010 and 2012, a subsequent permission in 2017 approved an additional feedstock storage clamp. This resulted in the acceptance of additional annual feedstock tonnage and also an increase in vehicle movements. The additional 536 deliveries equated to an additional 7,504 tonnes annually. As such, the AD Plant currently has an accepted annual limit of approximately 42,500 tonnes.

16.9 As a result of the 2017 permission, the feedstock has changed so that the previous regular deliveries throughout the year of cow slurry, chicken manure and potato waste have ceased, and the tonnage has been replaced / increased with crop grown feedstock. The justifications at the time for removing the waste feedstocks were:

- The waste imports were resulting in a high water content, which inhibits gas production;
- The cost of potato pulp was increasing;
- Cow slurry being unreliable in generating consistent levels of gas;
- Cow slurry containing plastic that would become blocked in the AD Plant; and
- The level of contaminants in the waste imports were increasing and putting at risk the Environment Agency licences that allow spreading of the digestate on land.

- 16.10 The change to farm derived crop material with constant quantity and quality has provided the AD Plant with more stable operating conditions and reduced spikes in gas production. However, the change to crop based feedstock has resulted in deliveries being concentrated in the two harvest periods in May / June and September / October.
- 16.11 The additional 536 deliveries accepted in the 2017 permission have resulted in an average of 34 extra vehicle trips (17 in, 17 out) each day on harvest days when replenishment of the clamps is taking place. Exports for digestate were assumed to be the same level as approved in 2012 (7 in, 7 out) and the CO₂ capture would generate one extra load (1 in, 1 out).

Increase in Annual Tonnage to 60,000 Tonnes

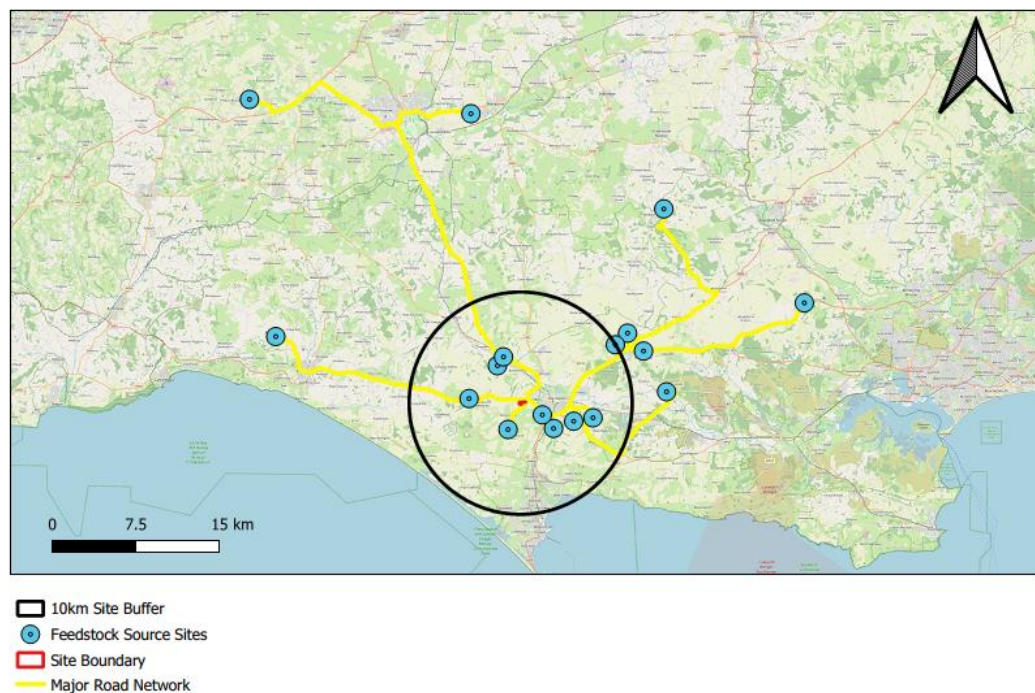
- 16.12 The Applicant has confirmed that the annual tonnage of feedstock brought to the site has in recent years been up to 55,000 tonnes, and this application seeks to regularise the approved quantity by requesting planning permission to be granted for up to 60,000 tonnes per annum. This is an increase from the maximum tonnage accepted in 2017 of approximately 42,500 tonnes.
- 16.13 The unauthorised increase in annual tonnage has led to an increase in vehicle movements associated with import of feedstock during the harvest periods. The observed vehicle movements data provided in Appendix B of the Transport Statement, and additional daily data provided for September and October 2024, shows that the number of trips varies significantly from year to year and also day to day during the time of harvest. This is due to the supply of feedstock crop being dependent upon when the crop is at its prime and ready for harvest as well as weather conditions. The result is that the harvest delivery programme has an intensively busy time interspersed with quieter days. In periods outside harvest time, the main vehicle movements would be significantly lower and mostly associated with export of digestate and CO₂ for a substantial part of the year.
- 16.14 Despite the high actual harvest vehicle movements, the Highway Authority has raised no objection to the proposal to increase the annual feedstock imports to 60,000 tonnes. The reasons for this are:
- The high vehicle movements would only be undertaken for short periods during the spring/summer and autumn harvests.
 - The access entrance of the application site is located approximately 275 metres from Monkeys Jump Roundabout. This part of Bridport Road is rural, with one business (McDonalds) along the route. There is only a short distance of travel for the greatest concentration of trips before they disperse along different routes to supply farms.
 - McDonalds experiences overflow parking on the verge of Bridport Road. However, this parking does not obstruct the highway and vehicles travelling

to and from Rainbarrow Farm are able to maintain their use of Bridport Road.

- Feedstock is delivered to Rainbarrow Farm by tractor and trailer, which tend to operate for longer hours beyond peak time (7am-6pm). The 2024 harvest vehicle movements do suggest that a significant proportion of loads were delivered after 6pm.
- Compared to the vehicle numbers that use the A35 and A37 each day, the trips generated from Rainbarrow Farm are low, despite the high figures on the busiest harvest days.

16.15 The applicant has submitted the plan below which shows the feedstock source sites. The majority of the sites are located within or close to 10 km (approximately 6 miles) from the AD Plant. Most of the sites would be able to use A roads and some B roads. There would be some limited use of C roads for short distances. The plan shows that the supply farms are dispersed so there would not be an unacceptable concentration of trips from a particular location. The plan also demonstrates that the greatest concentration of vehicle movements would be between the site entrance and the Monkey Jump Roundabout.

16.16 Five of the sites are located significantly further from the application site. A condition is therefore proposed to ensure that any new supply farms in the future are sited at a more acceptable distance from Rainbarrow Farm.



16.17 Whilst the Highway Authority raises no highway safety concerns, the observed vehicle movements recorded since 2020 show that harvest time feedstock

deliveries have grown significantly above the number of trips accepted by the 2017 permission.

16.18 Conditioning a daily or hourly upper limit for vehicle movements during the harvest time would be challenging due to the nature of how crops are harvested and delivered to the site. However, parish councils have raised amenity concerns relating to vehicle movements. As a compromise, a Delivery and Servicing Plan (DSP), including a Route Management Plan has been submitted by the applicant. This secures:

- The B3159 through Martinstown and Winterborne Steepleton as a restricted route. All hauliers and drivers shall be advised to not use this road as a through route, other than vehicles with an origin or destination immediately served by the B3159.
- Hauliers and drivers being advised to use the highest category of road available when delivering or collecting materials.
- The number of vehicle movements would be controlled by the maximum tonnage of feedstock to 60,000 tonnes per annum.
- Deliveries and collections must be by prior arrangement only. The Site Operations Manager (DSP Manager) would advise on the requirements of the Delivery and Servicing Plan in advance of the first visit or for any changes to the DSP over time.
- The DSP Manager would assess the feedstock deliveries scheduled for each forthcoming week during the harvest period. In circumstances where the numbers are predicted to exceed the numbers provided in Table 2.6 of the Delivery and Servicing Plan, the DSP Manager would be required to reorganise deliveries. Table 2.6 of the DSP (p. 6) lists average loads per day as being 111 loads for Maize, 77 loads for Rye and 100 loads for Oats.

16.19 The Delivery and Servicing Plan could be secured by condition, with the opportunity for the plan to be reviewed annually and any amendments submitted and agreed in writing with the Local Planning Authority.

16.20 In conclusion, the Anaerobic Digester Plant is supplied by a number of farms which have feedstock supply sites that are mostly located approximately 10 km from the Anaerobic Digester Plant. Trips to and from the site would be concentrated on short length of highway between the plant entrance and Monkeys Jump Roundabout and then disperse along the A35 and A37. Filling of the storage clamps during harvest periods would generate high numbers of vehicle trips, which could be managed through the Delivery and Servicing Plan and limiting the annual feedstock imports to 60,000 tonnes. With these highways aspects secured by condition, it is considered that the proposal would not cause adverse harm to highway safety and neighbouring amenity and would be in accordance with Policy COM 7 of the West Dorset, Weymouth & Portland

Local Plan 2015 and Policy 12 of the Bournemouth, Christchurch, Poole and Dorset Waste Plan 2019.

Feedstock List

16.21 Condition 28 of planning permission 1/D/2011/2113 required that the feedstocks were to be limited to those outlined in paragraph 1.28 (see below) and sourced from the locations identified in paragraphs 1.29 and 1.32 of the original Planning Support Statement (Revised Proposal) revised December 2010.

1.28 The feedstock will include the following:

- Dairy Cow Slurry
- Chicken Manure
- Maize Silage
- Grass Silage
- Potato Pulp

1.29 With the exception of the potato pulp which will come from Weymouth, the feedstock will be brought to Rainbarrow Farm from surrounding farms and the end substrate (approximately 80% of the weight of the feedstock) will also be used on those farms. The AD plant will enable the end substrate to be applied to land, reducing the use of artificial fertilisers and will be much less odorous and potentially polluting than untreated manure and slurry.

1.32 The majority of the feedstock will be generated within 10 miles of Rainbarrow Farm.

16.22 The applicant would like to reduce the approved feedstock list to maize, silage and grass (rye) silage. They would also like to introduce oats into the list, thus have a feedstock list with 3 items.

16.23 Using crops which have been specifically grown to produce energy at the AD Plant has raised comments in the representations that land is being taken away from food crop production. The applicant has indicated that feedstock crops for the plant are grown as part of a three year rotation with other food crops on the supply farms. Farm derived crop material with constant quantity and quality has provided the AD Plant with more stable operating conditions and reduced spikes in gas production. For these reasons, using maize, rye and oat crops for feedstock are considered to be acceptable and could be secured by condition.

Neighbouring Amenity

- 16.24 The closest neighbours to the application site are the Radio Station Cottages approximately 395 metres to the north west. These cottages are located on the A35 and increases in traffic movement associated with the amended application would be absorbed into the traffic numbers using the A35.
- 16.25 There is also a cluster of dwellings on Bridport Road at a similar distance from the application site. The majority of vehicles would use Bridport Road to the north of these dwellings, with only one supply farm having a route southwards along Bridport Road.
- 16.26 It is considered that there is sufficient separation distance between the closest dwellings and the application site so that no direct harm to neighbouring amenity would occur. The changes to the annual tonnage of feedstock and supply of feedstock types would be managed by the Delivery and Servicing Plan and would not lead to material harm of residential amenity from increase vehicle movements. The proposed amendments are in accordance with ENV16 of the West Dorset, Weymouth & Portland Local Plan 2015 and Policy 13 of the Bournemouth, Christchurch, Poole and Dorset Waste Plan 2019.

Other Matters

- 16.27 This current application relates specifically to the feedstock types and traffic levels only. There are no proposed changes to the on-site buildings, equipment or infrastructure. Conditions on the original permission to secure these aspects of the development are proposed to be carried forward and updated in a new planning permission, if granted.

17.0 Conclusion

- 17.1 The principle of an Anaerobic Digester Plant, which exports gas to the mains grid, production of digestate for use on farms associated with feedstock imports and the general sale and capture of CO₂, has previously been accepted in the 2012 and 2017 permissions.
- 17.2 Annual feedstock was accepted at approximately 35,000 tonnes in 2012 and then 42,500 tonnes in 2017. The 2017 permission accepted the change to crop only derived feedstocks, with the discontinuation of waste derived feedstocks to the Anaerobic Digestate Plant (AD Plant).
- 17.3 Trips to and from the farm are concentrated on a short length of highway between the plant entrance and Monkeys Jump Roundabout and then disperse along the A35 and A37. Filling of the storage clamps during harvest periods has generated high, but significantly variable, numbers of vehicle trips for a short

period in the spring/early summer and autumn. The submitted data shows that the site has been operating at up to 55,000 tonnes of feedstock per annum.

- 17.4 The submitted route map shows that the majority of supply sites are located within approximately 10 miles from Rainbarrow Farm and that the main transport routes including the A35 and A37 are used. A condition to ensure any new supply farms are located within 10 miles (as accepted by the 2012 permission) of the site could be secured by condition.
- 17.5 Whilst the Highway Authority raises no highway safety concerns, vehicle trips during the harvest periods can be very high and have raised amenity concerns with Parish Councils. Conditioning vehicle trips for harvest periods would be difficult to achieve due to supply being weather dependent and when crops are ready for harvest. However, amending Condition 27 to secure a Delivery and Servicing Plan is considered to be an acceptable compromise for managing a more consistent feedstock supply during the harvest.
- 17.6 Agricultural crop feedstocks have been accepted since the 2017 permission and have provided the AD Plant with more stable operating conditions and reduced spikes in gas production. Amending the previous Condition 28 to rye, oats and maize crops is considered to be acceptable.
- 17.7 Implementation of a Delivery and Servicing Plan that manages feedstock supply during the harvest would ensure that changes to the annual tonnage of feedstock 60,000 tonnes and feedstock types would not lead to material harm of residential amenity.

Recommendation: Grant Planning Permission subject to the following conditions:

1. Plans List - Approved

The development hereby permitted shall be carried out in accordance with the following approved plans:

02 Planning Application Boundary dated December 2010
9100 Rev P2 Access and Site Road Details dated April 2010
003 Proposed Site Access and Access Road drawing dated April 2010
004 Proposed Site Access & Typical Cross Section Detail dated April 2010
16569/006 Drainage Layout as agreed on 22 February 2012
87i/01/TW/100 Rev N Overall Site Plan dated 11 June 2012
Feedstock Locations and Routes received 18 November 2024

Reason -

For the avoidance of doubt and in the interests of proper planning.

2. Delivery and Servicing Plan

Imports and exports to and from the Anaerobic Digester Plant shall be implemented in accordance with the Delivery and Servicing Plan (Entran, January 2025). In particular, the site operator shall comply with paragraphs 4.13-4.21 of the Delivery and Service Plan. The Delivery and Servicing Plan shall be reviewed annually to enable updates to the approved scheme. If any updates are necessary, these shall be submitted to, an agreed in writing by, the Minerals Planning Authority. A log of vehicular movements shall continue to be kept and these formal records shall be made available for inspection by the Local Planning Authority at seven days notice.

Reason -

To ensure that the proposal does not result in any adverse impact on highway safety and the amenities of the surrounding area and nearby residential properties and in accordance with Policies ENV16 and COM 7 of the West Dorset, Weymouth & Portland Local Plan 2015 and Policies 12 and 13 of the Bournemouth, Christchurch, Poole and Dorset Waste Plan 2019.

3. Feedstocks - Quantity and Type

Feedstock from supply farms imported to Rainbarrow Farm, that require transport on the public highway, shall be limited to a maximum of 60,000 tonnes per annum. The feedstocks shall be limited to maize, rye and oat crops.

Reason -

To ensure that the proposal does not result in any adverse impact on highway safety and the amenities of the surrounding area and nearby residential properties and in accordance with Policies ENV16 and COM 7 of the West Dorset, Weymouth & Portland Local Plan 2015 and Policies 12 and 13 of the Bournemouth, Christchurch, Poole and Dorset Waste Plan 2019.

4. Feedstock Source Sites

Any new feedstock source sites, which have not been shown on drawing 'Feedstock Locations and Routes' received 18 November 2024, shall be located within 10 miles of the site.

Reason -

To ensure that the proposal does not result in any adverse impact on highway safety and the amenities of the surrounding area and nearby residential properties and in accordance with Policies ENV16 and COM 7 of the West Dorset, Weymouth & Portland Local Plan 2015 and Policies 12 and 13 of the Bournemouth, Christchurch, Poole and Dorset Waste Plan 2019.

5. Height of Storage within Feedstock Clamps

All feedstock shall be stored within the silage clamp as identified on the approved plans. The maximum height of any settled material shall not exceed 5 m above ground level in accordance with the details as submitted in paragraph 1.24 of the Planning Supporting Statement (Revised Proposal) revised December 2010 submitted as part of the planning application reference number 1/D/10/001372.

Reason -

To minimise any impact on the surrounding landscape character and in accordance with Policy ENV1 of the West Dorset, Weymouth & Portland Local Plan 2015 and Policy 14 of the Bournemouth, Christchurch, Poole and Dorset Waste Plan 2019.

6. Cover to feedstocks kept in silage clamp

Any feedstocks stored within any of the individual bays shall be covered by a dark green cover to RAL 6005 (Moss Green) or alternatively a black coloured cover. The feedstocks shall continue to be covered in accordance with the details outlined above so long as the silage clamps are in use.

Reason -

To minimise any impact on the surrounding landscape character and in accordance with Policy ENV1 of the West Dorset, Weymouth & Portland Local Plan 2015 and Policy 14 of the Bournemouth, Christchurch, Poole and Dorset Waste Plan 2019.

7. Colour of the Gas Storage Balloon

The gas storage balloon that is located on top of the digestate store shall be retained in a grey external colour (Window Grey RAL 7040) in accordance with the details sent to the Waste Planning Authority in the email from Nick Finding dated 27 January 2011 as part of application reference number 1/D/10/001372.

Reason -

To minimise any impact on the surrounding landscape character and in compliance with Policy ENV1 of the West Dorset, Weymouth & Portland Local Plan 2015 and Policy 14 of the Bournemouth, Christchurch, Poole and Dorset Waste Plan 2019.

8. Retention of Re-profiled Land

The re-profiled land (as shown on plan Ground Levels Plan 8, dated 10 July 2017) shall be retained for the duration of the development.

Reason -

To protect the character of the landscape and in the interests of visual amenity in accordance with Policy ENV1 of the West Dorset, Weymouth & Portland Local Plan 2015 and Policy 14 of the Bournemouth, Christchurch, Poole and Dorset Waste Plan 2019.

9. Visibility Splays

The visibility splay areas as shown on drawing number 003 titled Proposed Site Access and Access Road dated April 2010 submitted as part of planning application 1/D/10/001372 shall be retained and maintained free of any obstruction (including any growth) above 600 mm when measured from the level of the adjoining highway to enable a clear line of sight.

Reason -

In the interests of highway safety and in compliance with Policy COM 7 of the West Dorset, Weymouth & Portland Local Plan 2015 and Policy 12 of the Bournemouth, Christchurch, Poole and Dorset Waste Plan 2019.

10. Vehicle Access

All vehicles associated with the operation of the Rainbarrow Farm site shall access the facility via the roadway that approaches the main site from the east along the access approved as part of the development of the site under planning application reference number 1/D/10/001372.

Reason -

In the interests of highway safety in accordance with Policy COM 7 of the West Dorset, Weymouth & Portland Local Plan 2015 and Policy 12 of the Bournemouth, Christchurch, Poole and Dorset Waste Plan 2019.

11. Noise levels

The development hereby permitted shall be undertaken and operate within the noise parameters as set out within the Noise Assessment document (Revised Proposals) dated June 2010 and revised December 2010 submitted as part of the planning application reference number 1/D/10/001372.

Reason -

To ensure that the proposal does not result in any adverse impact on the amenities of the surrounding area and nearby residential properties and in accordance with Policy ENV16 of the West Dorset, Weymouth & Portland Local Plan 2015 and Policy 13 of the Bournemouth, Christchurch, Poole and Dorset Waste Plan 2019.

12. Operating Hours

Excluding harvest times of the feedstocks to supply the Anaerobic Digester Plan hereby approved, the site shall only be open to receive or dispatch any vehicle carrying feedstocks, digestate or any other material or equipment associated with the operation of the site between the hours of:

07:00 to 18:00 hours Mondays to Fridays inclusive and

07:00 to 13:00 hours on Saturdays and at no time on Sundays, Bank, or Public Holidays.

Reason -

To protect the amenities of nearby properties from harm and in accordance with Policy ENV16 of the West Dorset, Weymouth & Portland Local Plan 2015 and Policy 13 of the Bournemouth, Christchurch, Poole and Dorset Waste Plan 2019.

13. Air Quality

The development hereby permitted shall be undertaken and operate within the air quality parameters as set out within the Air Quality Assessment document (Revised Proposals) dated June 2010 and revised December 2010 submitted as part of the planning application reference number 1/D/10/001372.

Reason -

To ensure that the proposal does not result in any adverse impact on the amenities of the surrounding area and nearby residential properties and in accordance with Policy ENV16 of the West Dorset, Weymouth & Portland Local Plan 2015 and Policy 13 of the Bournemouth, Christchurch, Poole and Dorset Waste Plan 2019.

14. Air Quality Mitigation Measures

The mitigation measures to ensure that there are no odour or emissions from any part of the site operation that would cause any amenity concerns or impact on the surrounding environment as detailed in the Air Quality Assessment document dated July 2010 submitted as part of the planning application reference number 1/D/10/001372 shall be implemented throughout the life of operation of the site.

Reason -

To ensure that the proposal does not result in any adverse impact on the amenities of the surrounding area and nearby residential properties and in accordance with Policy ENV16 of the West Dorset, Weymouth & Portland Local Plan 2015 and Policy 13 of the Bournemouth, Christchurch, Poole and Dorset Waste Plan 2019.

15. Remove plant if no production

Should the plant fail to generate any methane gas for a period in excess of 12 months then the fermenter, feed hopper, digestate store, gas storage balloon, biogas engine, CHP container, flare and the control building implemented as part of the planning application reference number 1/D/10/001372 and those items of plant above ground implemented as part of the current application 1/D/2011/2113 shall be removed from the site.

Reason -

To minimise any impact on the surrounding landscape character and in accordance with Policy ENV1 of the West Dorset, Weymouth & Portland Local Plan 2015 and Policy 14 of the Bournemouth, Christchurch, Poole and Dorset Waste Plan 2019.

Informative Notes:

1. Informative: National Planning Policy Framework Statement

In accordance with paragraph 39 of the NPPF the council, as local planning authority, takes a positive approach to development proposals and is focused on providing sustainable development.

The council works with applicants/agents in a positive and proactive manner by:

- offering a pre-application advice service, and
- as appropriate updating applicants/agents of any issues that may arise in the processing of their application and where possible suggesting solutions.

In this case:

- The applicant/agent was updated of any issues and provided with the opportunity to address issues identified by the case officer.
- The applicant was provided with pre-application advice.

Agenda Item 8

Application Number:	P/FUL/2025/00591		
Webpage:	https://planning.dorsetcouncil.gov.uk/		
Site address:	Rainbarrow Farm, Anaerobic Digester Plant, Monkey Jump Roundabout To Junction Below Alington Place, Martinstown, DT2 9JF		
Proposal:	Retain digestate lagoon and hardstanding & install proposed lagoon cover		
Applicant name:	Mr Darren Stockley		
Case Officer:	Eleanor Godesar		
Ward Member(s):	Cllr Tarr		
Publicity expiry date:	11 April 2025	Officer site visit date:	19 March 2025
Decision due date:	6 June 2025	Ext(s) of time:	11 June 2025
No. of site notices:	4		
SN displayed reasoning:	Adjoining neighbours and public rights of way		

1. Reason application is going to committee:

Objection from Winterborne Farringdon Parish Council Group (Winterborne Monkton PC)

2. Summary of recommendation:

Grant planning permission subject to conditions set out in section 18.

3. Reason for the recommendation:

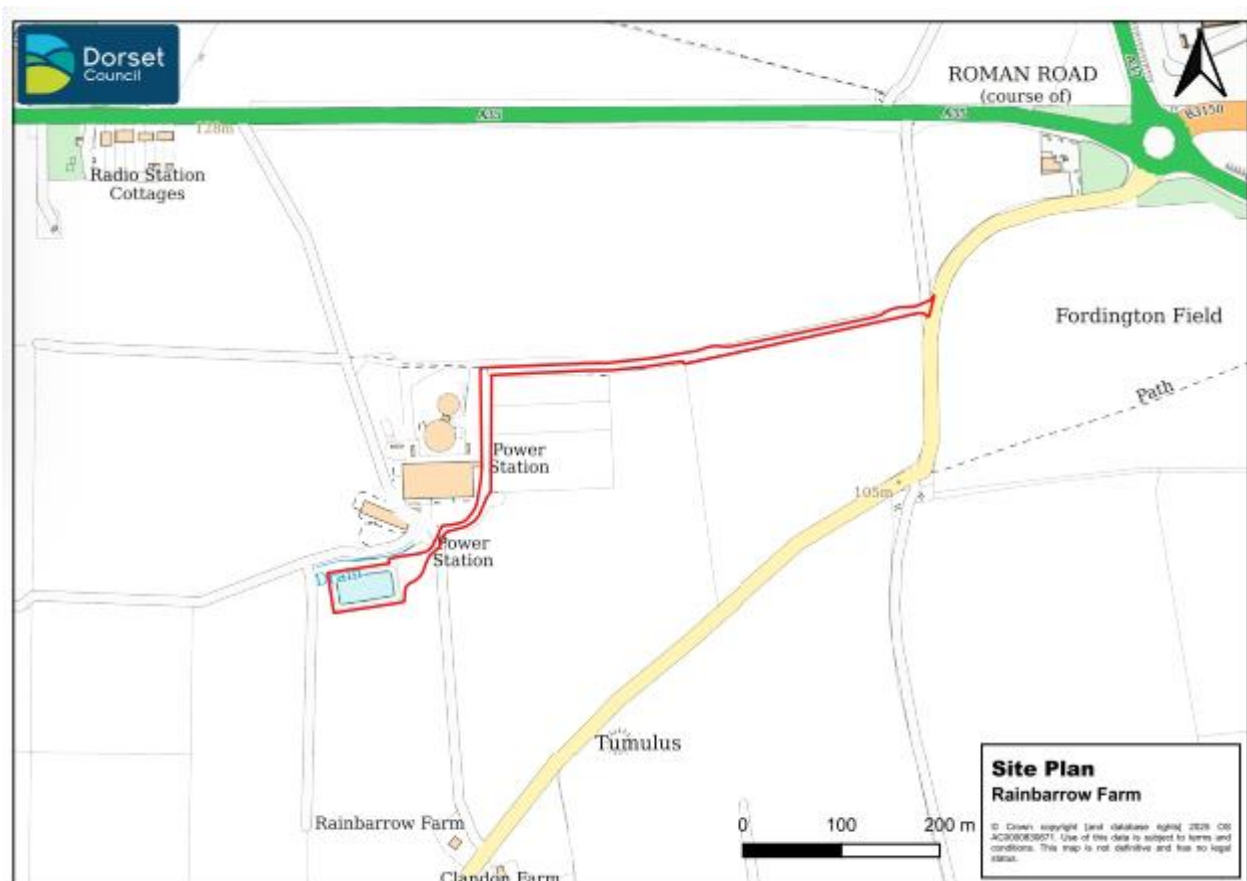
As set out in Sections 16 and 17 of this report.

4. Key planning issues:

Issue	Conclusion
Principle of development	The principle of the siting of a lagoon and associated cover and hardstanding are acceptable within this rural landscape.
Scale, design, impact on landscape character and appearance	Whilst the application site is within the Dorset National Landscapes, there is a need for the adjacent AD plant to have a lagoon to store liquid digestate from the AD process and an alternative location would be unsuitable. The design of the lagoon, fencing and hardstanding would preserve the character of Dorchester Downs Landscape Character Area and would not introduce a type or

Issue	Conclusion
	scale of development which would appear incongruous.
Impact on heritage assets	The setting of surrounding heritage assets would be preserved.
Flood risk and drainage	Recommendations and mitigation provided in the submitted Flood Risk Assessment and Drainage Strategy has been secured by condition.
Impact on the living conditions of the occupants and neighbouring properties	Suggested conditions for noise, operating hours and submission of details for possible floodlighting would mitigate against impacts on neighbouring amenity.
Highway impacts, safety, access and parking	Vehicle movements associated with the export of digestate off site lagoon would be low and would not materially impact upon highway capacity or safety.
Biodiversity	No consequence

5. Description of Site



- 5.1 Rainbarrow Farm is located in open countryside, 2.5 km west of Dorchester and 1.2 km west of Poundbury between the A35 (to the north) and Bridport Road / Mallards Green which links Poundbury to Martinstown (to the south). The site is accessed via a track to Rainbarrow Farm, close to the McDonalds restaurant near Monkeys Jump roundabout.
- 5.2 Rainbarrow Farm is a commercial farmstead which also accommodates an Anaerobic Digester (AD) Plant. It occupies land on the northern and eastern sides of a large building

(previously agricultural in nature). The AD plant is positioned on the northern side of the building and the four existing feedstock clamps located to the east. The digestate lagoon and associated hardstanding, the subject of this current application, is located to the south west of the AD Plant and feedstock clamps.

- 5.3 The application site is within the Dorset National Landscape (formerly Area of Outstanding Natural Beauty) and the Dorchester Downs landscape character area with Maiden Castle approximately 1.3 km to the south. There are no public footpaths that cross close to the application site, however, there is a bridleway (S57/7) which traverses from the access gate of the AD Plant on Bridport Road to the A35 to the north.

6. Description of development

- 6.1 The application seeks retrospective permission for the retention of a digestate storage lagoon, associated fencing and hardstanding which were constructed in 2020. The red line boundary of the application site includes the access road through the AD Plant and to the main entrance on Bridport Road. This access road has been in existence since the AD Plant was built in 2012. A cover for the lagoon is proposed, which has not yet been installed.
- 6.2 The current application has been submitted in response to a permitted development enquiry which revealed that the size of the installed lagoon, at around 70m x 40m is approximately 2,800sqm, far exceeds the 1,000sqm tolerance for an engineering operation under the General Permitted Development Order 2015. In addition, the area of hard surfacing to the east that connects to the access track also needs to be considered. The cumulative area of the lagoon and hard surfacing is estimated to be 3900sqm.
- 6.3 A cover is proposed to be installed over the stored digestate lagoon. It would be a black, soft liner which would float on the digestate and below the level of the existing embankment.

7. Background and relevant planning history

1/D/10/001372 - Decision: GRA - Decision Date: 21/04/2011

The construction and operation of an Anaerobic Digestion and Combined Heat and Power Plant and associated infrastructure including a new site access road at Rainbarrow Farm (Site 1) and underground service corridor linking to a new Combined Heat and Power engine in existing Engine House (Site 2) at Poundbury to supply Poundbury with renewable heat and power. (Revised proposal) (Changes to proposed plant, infrastructure and land profiling at Rainbarrow Farm (Site 1)).

1/D/2011/2113 - Decision: GRA - Decision Date: 08/03/2012

Section 73 application to vary condition 2 (Development in Accordance with Technical Details) and 3 (Development in Accordance with Approved Plans) of 1/D/10/001372 to allow amendments to approved layout at Rainbarrow Farm (site 1) to include repositioning of flare and CHP container, and additional equipment to include standby generator, switch gear, back up boiler, DMT Membrane Plant, transformer, 3 tank propane store and new gas pipeline to site boundary, to enable the majority of the gas produced by the anaerobic digester plant to be fed directly into the public gas supply network at the pressure regulating station adjacent Monkey Jump Roundabout

WD/D/17/001149 - Decision: GRA - Decision Date: 01/08/2017

Construction of additional feedstock storage clamp & re-profiling of adjoining ground with spoil; Change of use of part of agricultural building to house equipment associated with capture of CO2 gas and bagging of solid digestate (both by products of AD plant) and their sale off site, with two gas storage tanks positioned adjacent southern side of building.

WD/D/20/000977 - Decision: PNA - Decision Date: 05/05/2020

Excavation and construction of a manure store

P/PDE/2024/00195 - Decision: PDR - Decision Date: 19/08/2024

Cover on slurry lagoon

P/FUL/2024/03497 - Currently being assessed

The construction and operation of an Anaerobic Digestion and Combined Heat and Power Plant and associated infrastructure including a new site access road at Rainbarrow Farm (Site 1) and underground service corridor linking to a new Combined Heat and Power engine in existing Engine House (Site 2) at Poundbury to supply Poundbury with renewable heat and power (Revised proposal) (Changes to proposed plant, infrastructure and land profiling at Rainbarrow Farm (Site 1)) and as varied by 1/D/2011/2113 to include repositioning of flare and CHP container, and additional equipment to include standby generator, switch gear, back up boiler, DMT Membrane Plant, transformer, 3 tank propane store and new gas pipeline to site boundary, to enable the majority of the gas produced by the anaerobic digester plant to be fed directly into the public gas supply network at the pressure regulating station adjacent Monkeys Jump Roundabout (with variation of conditions 27 and 28 of planning permission 1/D/2011/2113 to regularise the existing development by increasing traffic levels, annual feedstock throughput and feedstocks).

8. List of constraints

National Landscapes (formerly Area of Outstanding Natural Beauty): Dorset; - Distance: 0m

Site of Special Scientific Interest (SSSI) impact risk zone; - Distance: 0m

Natural England Designation - Nutrient Neutrality Catchments - Distance: 0m

Wessex Water Treatment Works Catchment - Distance: 0m

Right of Way: Bridleway S57/7; - Distance: 0m

Medium pressure gas pipeline 12.5m or less from Medium Pressure Pipelines (75mbar - 2 bar); - Distance: 0m

Groundwater Warning Zones 2019; 111FWGSWV1; Groundwater flooding for the South Winterbourne Valley; - Distance: 0m

Poole Harbour Catchment Area - Distance: 0m

Groundwater Source Protection Zone - Distance: 0m

Radon: Class: Class 3: 3 - 5% - Distance: 0m

Radon: Class: Class 1: Less than 1% - Distance: 0m

Contaminated Land - Distance: 0m

9. Consultations

Consultees

All consultee responses can be viewed in full on the website.

9.1 Natural England

No response provided

9.2 Environment Agency

No objection (received 27/03/2025)

- Request an informative to be included with any grant of permission that relates to surface water quality.

9.3 Health and Safety Executive

No comment (received 01/04/2025)

- No need for further comment since the application site does not currently lie within the consultation distance of a major hazard site or major accident hazard pipeline.

9.4 Wessex Water

No response provided

9.5 Ramblers Association

No response provided

9.6 National Landscapes Team

Comments (received 31/03/2025)

- The lagoon serves the anaerobic digester and is not strictly agricultural. Nonetheless, its character is similar to a slurry lagoon and therefore not inherently alien within the rural landscape. The application contains a Landscape Appraisal, which typically defines the impacts of the development as 'negligible', whereas the effects would be more accurately be described as 'minor', due to the largely sub-surface nature of the development and screening by the embankments.
- The overall opinion that impacts on Dorset National Landscape are not significant is accepted.
- Conditions to restrict lighting, maintain post and wire fencing and control the colour of the lagoon cover may be appropriate.

9.7 Landscape Team

No objection (received 31/03/2025)

- There will be some limited views of this development, as described in the Landscape and Visual Appraisal. Some of these viewpoints are particularly sensitive, for example views across the National Landscape/AONB from Maiden Castle. It is therefore very important that the proposed cover is a suitable colour that does not draw attention to this new element in the landscape. The submitted documentation states that this will be black in colour, which is acceptable.
- As suggested by the National Landscape Team, restrictions on lighting, maintaining post and wire fencing and control the colour of the lagoon cover details should be

conditioned. This would ensure that the landscape and visual impacts from this development can be reduced to an acceptable level.

- The overall opinion that impacts on Dorset National Landscape are not significant is accepted.

9.8 Highway Authority

No objection (received 27/03/2025)

- The proposal does not present a material harm to the transport network or to highway safety.

9.9 Environmental Protection

No comment (received 25/03/2025)

9.10 Natural Environment Team

Comments (received 07/05/2025)

- Given the retrospective nature of the application, it is clear that the lagoon has no ecological value now that it is in place. It is likely that the application qualifies under the de minimus BNG exemption although there is no BNG Statement, confirming this.

9.11 Rights of Way

No response received

9.12 Rights of Way

No response received

9.13 Winterborne and Broadmayne Ward Member

No response received

9.14 Winterborne St Martin Parish Council

Objection (received 26/03/2025)

- Concerns relating to the planning history and the cumulative impact of repeated planning breaches.

9.15 Winterborne Farringdon Parish Council Group (Winterborne Monkton PC)

No response received

Representations received

9.16 One representation of objection has been received with the following comments:

- The slurry tankers are using their onboard vacuum pumps for loading, which causes noise disturbance at Radio Station Cottages and windows need to be closed. This is also occurring after 10pm.

- Tractors use their working lights and they light up nearly three fields to the side and rear of the lagoon. This causes light pollution and disturbance to the wildlife such as owls, deer, foxes and bats.

10. Duties

- 10.1 s38(6) of the Planning and Compulsory Purchase Act 2004 requires that the determination of planning applications must be in accordance with the development plan unless material circumstances indicate otherwise.
- 10.2 s85 of the Countryside and Rights of Way Act (2000) requires Local Planning Authorities to seek to further the purposes of conserving and enhancing the natural beauty of National Landscape (formerly known as Areas of Outstanding Natural Beauty)

11. Relevant policies

Development Plan

11.1 West Dorset, Weymouth & Portland Local Plan 2015

To view, click [West Dorset, Weymouth & Portland Local Plan 2015](#)

INT1 – Presumption in Favour of Sustainable Development
 ENV1 – Landscape, Seascape and Sites of Geological Interest
 ENV2 – Wildlife and Habitats
 ENV4 – Heritage assets
 ENV5 – Flood risk
 ENV8 – Agricultural Land and Farming Resilience
 ENV9 – Polluted and Contaminated Land
 ENV15 – Efficient and Appropriate Use of Land
 ENV16 – Amenity
 SUS2 – Distribution of Development
 ECON1 – Provision of Employment
 COM7 – Creating a Safe and Efficient Transport Network
 COM9 – Parking Standards in New Development
 COM11 – Renewable Energy Development

11.2 Bournemouth, Christchurch, Poole and Dorset Waste Plan 2019

To view, click [Bournemouth, Christchurch, Poole and Dorset Waste Plan 2019](#)

Policy 1 – Sustainable waste management
 Policy 5 – Facilities to enable the recycling of waste
 Policy 6 – Recovery facilities
 Policy 12 – Transport and access
 Policy 13 – Amenity and quality of life
 Policy 14 – Landscape and design quality
 Policy 15 – Sustainable construction and operation facilities
 Policy 16 – Natural resources
 Policy 17 – Flood risk
 Policy 18 – Biodiversity and habitat
 Policy 19 – Historic environment

Material Considerations

11.3 Emerging local plans

Paragraph 48 of the NPPF provides that local planning authorities may give weight to relevant policies in emerging plans according to:

- the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);
- the extent to which there are unresolved objections to relevant plan policies (the less significant the unresolved objections, the greater the weight that may be given); and
- the degree of consistency of the relevant policies in the emerging plan to the NPPF (the closer the policies in the emerging plan are to the policies of the NPPF, the greater the weight that may be given).

11.4 The Dorset Council Local Plan

To view, click [Dorset Council Local Plan - Dorset Council](#)

The Dorset Council Local Plan Options Consultation took place between January and March 2021. Being at a very early stage of preparation, the relevant policies in the Draft Dorset Council Local Plan should be accorded very limited weight in decision making.

11.5 National Planning Policy Framework 2024 (as amended February 2025)

To view, click [National Planning Policy Framework - GOV.UK](#)

Paragraph 11 sets out the presumption in favour of sustainable development. Development plan proposals that accord with the development plan should be approved without delay. Where the development plan is absent, silent, or relevant policies are out-of-date then permission should be granted unless any adverse impacts of approval would significantly and demonstrably outweigh the benefits when assessed against the NPPF or specific policies in the NPPF indicate development should be restricted.

Other relevant NPPF sections include:

- Section 4 Decision taking (paragraphs 39, 48 – 50)
- Section 6 Building a strong, competitive economy (paragraph 85) and supporting a prosperous rural economy (paragraphs 88 and 89)
- Section 9 Promoting sustainable transport (paragraph 115)
- Section 11 Making effective use of land (paragraph 124)
- Section 14 Meeting the challenges of climate change, flooding and coastal change (paragraph 172)
- Section 15 Conserving and enhancing the natural environment – Habitats and biodiversity (paragraphs 187, 192 - 195 set out how biodiversity is to be protected and encourage net gains for biodiversity), National Landscapes (paragraph 190) and Ground conditions and pollution (paragraphs 198 and 201)
- Section 16 Conserving and enhancing the historic environment (paragraphs 207 – 216)

11.6 Other material considerations

- Dorset AONB Management Plan 2019-2024

- Dorset County Council Landscape Character Assessment (Open Chalk Downland)
- Producing a Proposal for Covering Slurry Stores EPR 6.09 Sector Guidance Note February 2012
- National Planning Policy for Waste October 2014
- Noise Policy Statement for England 2010 (NPSE)
- Dorset Council Interim Guidance and Position Statement Appendix B: Adopted Local Plan policies and objectives relating to climate change, renewable energy, and sustainable design and construction. December 2023.

11.7 EIA Development

The development has been screened by Dorset Council (as the relevant competent authority) under the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (EIA Regs). The proposal does not fall under any of the categories in Schedule 1 or Schedule 2 of the EIA Regs. Review of the criteria listed in Schedule 3 has not revealed any likely significant effects of the development on the environment. The development would not require environmental impact assessment under the terms of the previous Town and Country Planning (Environmental Impact Assessment) Regulations. Therefore, the development is not EIA development.

11.8 Habitats Regulations Assessment (HRA)

The application site is approximately 9400 metres from Dorset Heathlands (Special Protection Area, Special Area of Conservation and Ramsar), 9400 metres from Chesil Beach and The Fleet (Special Protection Area, Special Area of Conservation and Ramsar) and 7200 metres from Cerne and Sydling Downs (Special Area of Conservation), which are European designated sites.

Should likely significant effects be identified by the screening process it is necessary to further consider the effects by way of an Appropriate Assessment, in accordance with the requirements of Regulation 63 of the Conservation of Habitats and Species Regulations 2017, Article 6 (3) of the Habitats Directive and having due regard to its duties under Section 40(1) of the NERC Act 2006 to the purpose of conserving biodiversity.

However, given the significant separation distance from these protected sites and the nature of the development, the proposal would not have likely significant effect on European sites and further Habitat Regulations Assessment, in accordance with the Conservation of Habitats and Species Regulations 2017 (as amended), would not be necessary.

12. **Human rights**

Article 6 - right to a fair trial.

Article 8 - right to respect for private and family life and home.

The first protocol of Article 1 protection of property.

This recommendation is based on adopted development plan policies, the application of which does not prejudice the human rights of the applicant or any third party.

13. **Public Sector Equalities Duty**

- 13.1 As set out in the Equalities Act 2010, all public bodies, in discharging their functions must have “due regard” to this duty. There are 3 main aims:
- Removing or minimising disadvantages suffered by people due to their protected characteristics
 - Taking steps to meet the needs of people with certain protected characteristics where these are different from the needs of other people
 - Encouraging people with certain protected characteristics to participate in public life or in other activities where participation is disproportionately low.
- 13.2 Whilst there is no absolute requirement to fully remove any disadvantage, the Duty is to have “regard to” and remove or minimise disadvantage and in considering the merits of this planning application the planning authority has taken into consideration the requirements of the Public Sector Equalities Duty. This current application is not considered to have any impact upon those with a protected characteristic.

14. Financial benefits

- 14.1 Employment, particularly statutory and site operators during the lifetime of the development and on the farms which produce the feedstock (limited benefit).

15. Environmental Implications

- 15.1 At a national level the Government aims to reduce carbon emissions by 80% (compared to 1990 levels) by 2050 and fully decarbonise the electricity grid by 2035. The Government aims to achieve these targets in a number of ways, including through development of up to 50GW of offshore wind by 2030 and a fivefold increase in solar by 2035 (Powering Up Britain, 2023).
- 15.2 In May 2019 Dorset Council declared a Climate Emergency and there is a heightened expectation that the planning process will secure carbon footprint reductions in new developments.
- 15.3 The lagoon features an impermeable liner layer, to ensure the digestate content cannot leach out to ground. The proposed lagoon cover is anticipated to reduce any potential for odour impacts.

16. Planning Assessment

Principle of Development

- 16.1 The lagoon is used to store digestate, which is a product of the Anaerobic Digester Plant (AD Plant), and some surface water runoff from the main site. The AD Plant has been in operation since 2012. The digestate is used as a fertiliser which is either spread directly onto land associated with Rainbarrow Farm or is exported to Bardolf Lagoon (near Burleston) for spreading on land there. Digestate is exported from the lagoon throughout the year with a peak in March.

- 16.2 The installed lagoon is located in open countryside and has a modest scale and similar appearance to other lagoons located on agricultural land in this rural landscape.
- 16.3 A lagoon cover is proposed so the lagoon would comply with the recommendations of the Environment Agent.
- 16.4 The principle of retaining the existing lagoon and hardstanding and the proposed lagoon cover are acceptable in principle and would be in accordance with Policy INT1 of the West Dorset, Weymouth & Portland Local Plan 2015.

Scale, Design, Impact on Landscape Character and Appearance

- 16.5 As discussed above, the digestate storage lagoon, associated fencing and hardstanding have already been constructed and is in use. A soft lagoon cover is proposed.
- 16.6 A Landscape and Visual Appraisal (LVA) has been submitted to support the application. It identifies the application site as being within the Dorchester Downs (Open Chalkland Downland), as defined by the Dorset National Landscape Character Assessment (LCA). The LCA assesses the strength of character of the Dorchester Downs with the Dorset National Landscape as 'moderate-weak' and identifies that 'towards the urban fringe of Dorchester and associated road corridors, strength of character is weaker than the more rural areas in the eastern and western extents'. The application site was identified by the LCA to contribute to the overall character of Dorchester Downs. However, it does not constitute as valued landscape on its own merit.
- 16.7 In terms of visual impact, the LVA identified some limited views of this development, including the open access land within Maiden Castle to the south, the public right of way to the south (Four Barrow Hill and National Cycle Route No. 2) and closer views from Bridport Road to the south and A35 to the north.
- 16.8 Views from Maiden Castle would be limited to the northern slopes with a separation distance of approximately 1.3 km. Due to the relatively minor scale of the proposal, there would be limited visual change when compared to the baseline view prior to the lagoon being constructed. The National Landscape Team considers that there would be a minor impact upon the landscape, due to the largely sub-surface nature of the development and screening by the embankments, with the overall opinion that impacts on Dorset National Landscape are not significant.
- 16.9 From closer viewpoints from public rights of way and the A35, the lagoon is not visually apparent, with the fence posts lining the perimeter indicating its existence. The lagoon cover is proposed to be black in colour, which would maintain this inconspicuous appearance. The LVA found that the hardstanding is only visible at one viewpoint. The lagoon and hardstanding are viewed within the context of the AD Plant and do not appear incongruous with the surrounding landscape.
- 16.10 The closest public viewpoints are along Bridport Road and A35. Neither of these roads have footpaths where there are open views towards the application site, with the site being more likely to be observed by people within vehicles travelling at speed. Therefore, the landform, intervening vegetation and design of the lagoon result in the visual effect being

concluded by the LVA as negligible, although the Council's National Landscape Team would suggest as minor.

- 16.11 The National Planning Policy Framework (paragraph 190) requires that applications be assessed in terms of the need for the development, consideration of locating the development outside the National Landscape and detrimental effects on the environment. The lagoon, cover, fencing and hardstanding are directly linked to the AD Plant and are required to enable to storage of liquid digestate before it is exported to farms that supply feedstock, including Rainbarrow Farm. The design of the lagoon, fencing and hardstanding is in keeping with the character of Dorchester Downs LCA and would not introduce a type or scale of development which would appear incongruous. The development is visually contained with views limited to a 1.6 km radius. The effects on the National Landscape are localised and overall negligible. The development is therefore in accordance with Policy ENV1 of the West Dorset, Weymouth & Portland Local Plan 2015 and paragraph 190 of the NPPF.

Heritage Assets

- 16.12 A Heritage Statement has been submitted and identifies a number of heritage assets within 1km of the application site. Four scheduled monuments are identified, the closest being approximately 760m from the application site. The scheduled monument of Maiden Castle is also considered and has a separation distance of approximately 1.3km.
- 16.13 Given the significant separation distances, the proposal would result in no harm to the setting of designated and non-designated heritage assets. The proposal would accord with Policy ENV4 of the West Dorset, Weymouth & Portland Local Plan 2015 and paragraphs 212 – 216 of the NPPF.

Biodiversity

- 16.14 The digestate lagoon and hardstanding are located on land which was previously part of an arable field of little ecological value. There are no habitats identified within the application red line boundary and the lagoon itself is unsuitable as a wildlife habitat. The proposal therefore has no consequence to protected species and in accordance with Policy ENV2 of the West Dorset, Weymouth & Portland Local Plan 2015.
- 16.15 Given that the lagoon and hardstanding are existing and the lagoon has not ecological value as a habitat, the application is regarded as de minimis in terms of Biodiversity Net Gain.

Highways

- 16.16 The hardstanding and access associated with this application are linked to the wider site of the AD Plant. Digestate is pumped directly into the lagoon from the anaerobic digester so there are not vehicle movements associated with this.
- 16.17 All spreading of liquid digestate is managed by a single contractor. It is either spread direct onto land on Rainbarrow Farm or exported to Bardolf lagoon (near Burleston), approximately 9.5 miles away, for spreading on land around that area. Liquid digestate is removed from the lagoon via tractor/tanker loads.

- 16.18 The applicant has provided digestate loads over an 11 month period from June 2024 to April 2025. These figures have been provided as a monthly total and a daily average, which is based upon a conservative 6 days per week. It is important to note, however, that these figures assume that 100% of the digestate would be exported via the local highway network and 0% would be retained for use on the fields on Rainbarrow Farm. This is therefore considered to be a worse case scenario and the actual loads that would use the highway network would be much lower. The table below shows the monthly totals and daily averages and range from 1 load per day in June 2024 to 16 loads per day in March 2025. It is noted that all daily averages, with the exception of March 2025, are less than 10 loads per day as a worst case.

	June 24	July 24	Aug 24	Sept 24	Oct 24	Nov 24	Dec 24	Jan 25	Feb 25	Mar 25	Apr 25	Average
Total	35	179	87	106	148	160	176	53	232	407	180	160
Per Day	1	7	3	4	6	6	7	2	9	16	7	6

- 16.19 Figures provided above demonstrate that vehicle movements associated with export of liquid digestate off site would be low and would not detrimentally impact upon highway capacity or safety. As such, the proposal would in accordance with Policy COM7 of the West Dorset, Weymouth & Portland Local Plan 2015.

Flood and Pollution Risk

- 16.20 A Flood Risk Assessment (FRA) and Drainage Strategy have been submitted. The site is located within Flood Zone 1, with very low risk of fluvial sources flooding, and is also at very low risk of tidal flooding and surface water flooding. However, part of the site is identified as being in an area at risk of groundwater flooding by the Environment Agency's 2019 warning zones.
- 16.21 The lagoon features an impermeable liner layer, to ensure the digestate content cannot leach out into the ground. Surface water flows from the lagoon's waterproof cover would not result in a contaminant risk and are recommended to be discharged directly into a geocellular soakaway. Details of this soakaway are found in the submitted Drainage Strategy and could be secured by condition.
- 16.22 The FRA identified that within the application site there is low risk of groundwater flooding at finished site levels, however a risk may be present to excavations. Two trial pits were excavated for infiltration testing and did not encounter groundwater. The area of hardstanding and the proposed soakaway are positioned to the east of the lagoon in an area outside the EA's 2019 warning zones for groundwater flooding. The FRA considers that groundwater flooding is unlikely during excavation of the soakaway, however the risk remains. Mitigation suggested within the FRA could be secured by condition.
- 16.23 With appropriate mitigation secured in relation to surface water and groundwater, the proposal would not result in an increased risk of flooding or pollution and would be in accordance with Policies ENV5 and ENV9 of the West Dorset, Weymouth & Portland Local Plan 2015.

Neighbouring Amenity

- 16.24 The closest neighbours to the application site are the Radio Station Cottages approximately 395 metres to the north west. There is also a cluster of dwellings on Bridport Road at a similar distance from the application site.
- 16.25 A neighbour representation has raised concerns about noise and lighting associated with vehicles exporting liquid digestate at night time. Figures provided by the applicant suggest that exports of digestate from the lagoon using a tractor and tanker are typically between 7am – 5pm October to February, although not daily, and 6:30am – 9pm, although occasionally later, during March to September.
- 16.26 The main site has a condition requiring operating hours between 07:00 to 18:00 hours Mondays to Fridays and 07:00 to 13:00 hours on Saturdays. Given the amenity concerns raised by the neighbour about evening vehicle movements, a condition for export of digestate with the same operating hours as the main site would also be appropriate for this proposal, along with a lighting condition.
- 16.27 Subject to a restriction on operating hours and potential future lighting, the lagoon, hardstanding and proposed cover would not result in any additional impacts to neighbouring amenity. The proposal would therefore accord with Policy ENV16 of the West Dorset, Weymouth & Portland Local Plan 2015.

17. Conclusion

- 17.1 The principle of a lagoon and associated cover and hardstanding are considered to be acceptable within this rural landscape.
- 17.2 Whilst the application site is within the Dorset National Landscapes, there is a need for the lagoon to store liquid digestate from the AD Plant and an alternative location would be unsuitable. The design of the lagoon, fencing and hardstanding is in keeping with the character of Dorchester Downs Landscape Character Area and would not introduce a type or scale of development which would appear incongruous.
- 17.3 The setting of surrounding heritage assets would be preserved.
- 17.4 The proposal would have no consequence to biodiversity.
- 17.5 Figures provided by the applicant demonstrate that vehicle movements associated with export of liquid digestate off site would be low and would not detrimentally impact upon highway capacity or safety.
- 17.6 Conditions could be secured to mitigate for flood risk and neighbouring amenity.
- 17.7 The proposal is therefore in accordance with Policies ENV1, ENV2, ENV4, ENV5, ENV9, ENV16 and COM7 of the West Dorset, Weymouth & Portland Local Plan 2015.

18. Recommendation

Grant Planning Permission subject to the following conditions:

1. Plans List - Approved

The development hereby permitted shall be carried out in accordance with the following approved plans:

IXO_RF_00_001 0 Site Location Plan

IXO_RF_10_001 0 Site Layout Plan

003 Site Sections Plan

60349-CDY-XX-XX-DR-C-0050 C Proposed Drainage Layout

Reason: For the avoidance of doubt and in the interests of proper planning.

2. Colour of the Lagoon Cover

The lagoon cover shall be installed within 3 months of the date of this permission and be black in colour, as specified in the Planning Statement dated 28 January 2025, and shall be retained and maintained for as long as the lagoon is in use.

Reason: To minimise any impact on the surrounding landscape and in accordance with Policy ENV1 of the West Dorset, Weymouth & Portland Local Plan 2015 and Policy 14 of the Bournemouth, Christchurch, Poole and Dorset Waste Plan 2019.

3. Noise Levels

The development hereby permitted shall be undertaken and operate within the noise parameters as set out within the Noise Assessment document (Revised Proposal) dated June 2010 and revised December 2010 submitted as part of the planning application reference number 1/D/10/001372.

Reason: To ensure that the proposal does not result in any adverse impact on the amenities of the surrounding area and nearby residential properties and in accordance with Policy ENV16 of the West Dorset, Weymouth & Portland Local Plan 2015 and Policy 13 of the Bournemouth, Christchurch, Poole and Dorset Waste Plan 2019.

4. Operating Hours

Vehicle movements on the site shall only be undertaken between the hours of 07:00 to 20:00 hours on Mondays to Fridays and 07:00 to 13:00 hours on Saturdays and at no time on Sundays, Bank, or Public Holidays.

Reason: To protect the amenities of nearby properties from harm and in accordance with Policy ENV16 of the West Dorset, Weymouth & Portland Local Plan 2015 and Policy 13 of the Bournemouth, Christchurch, Poole and Dorset Waste Plan 2019.

5. Floodlighting

No floodlighting or security lighting shall be installed on the application site surface unless details of its location, height, design, sensors, hours of proposed use and luminance have previously been submitted to, and approved in writing by, the Local Planning Authority. Any lighting shall be maintained in accordance with the approved details.

Reason: To protect the amenities of nearby properties from harm and in accordance with Policy ENV16 of the West Dorset, Weymouth & Portland Local Plan 2015 and Policy 13 of the Bournemouth, Christchurch, Poole and Dorset Waste Plan 2019.

6. Flood Risk Mitigation

Recommendations and mitigation provided in the Flood Risk Assessment (ref. 14313-R01 dated March 2025) and Drainage Strategy (ref. 60349w0001c dated 15 January 2025) shall be carried out in accordance with the agreed details. The soakaway, as shown on Proposed Drainage Layout & Schedules drawing number 60349-CDY-XX-XX-DR-C-0050 Rev C updated on 15 January 2025 shall be retained and maintained in effective order throughout the use of the site.

Reason: To prevent the increased risk of flooding, and to protect water quality for the benefit of the local habitat and to comply with Policies ENV5 and ENV9 of the West Dorset, Weymouth & Portland Local Plan 2015.

Informative Notes:

1. National Planning Policy Framework Statement

In accordance with paragraph 39 of the NPPF the council, as Local Planning Authority, takes a positive approach to development proposals and is focused on providing sustainable development.

The council works with applicants/agents in a positive and proactive manner by:

- offering a pre-application advice service, and
- as appropriate updating applicants/agents of any issues that may arise in the processing of their application and where possible suggesting solutions.

In this case:

- The applicant/agent was updated of any issues and provided with the opportunity to address issues identified by the case officer.
- The application was acceptable as submitted and no further assistance was required.

2. Surface Water Quality

The proposed development must fully comply with the terms of The Water Resources (Control of Pollution) (Silage, Slurry and Agricultural Fuel Oil) (England) (SSAFO) Regulations 2010 and as amended 2013. Environmental good practice advice is available in The Code of Good Agricultural Practice (COGAP) for the protection of water, soil and air (produced by DEFRA). The applicant is advised to review the existing on-farm slurry storage and ensure compliance with the SSAFO Regulations.

You must inform the Environment Agency, verbally (Tel: 03708 506 506) or in writing, of a new, reconstructed or enlarged slurry store, silage clamp or fuel stores at least 14 days before starting any construction work. The notification must include the type of structure, the proposed design and construction, and once an agreed proposal has been constructed we will ask you to send us a completed WQE3 notification form before you start using the facility.

Further guidance is available:

Storing silage, slurry and agricultural fuel oil

Protecting our Water, Soil and Air: A Code of Good Agricultural Practice for farmers, growers and land managers

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