

## **Dorset Minerals Sites Plan**

### **Moreton Plantation**

#### **Objection by Affpuddle and Turners Puddle Parish Council**

The Mineral Sites Plan prepared by Dorset County Council (DCC) identifies potential sites for Mineral Extraction. Moreton Plantation, sited in the Parish of Affpuddle & Turnerspuddle, is one of those identified.

Over a number of months the Parish Council has considered this matter and has now responded to DCC objecting to the selection of this site. This response is part of DCC's Consultation about their proposals.

The full submission appears below. This and other submissions can be viewed on the Dorset for you website or by following the link [http://consult.dorsetforyou.com/portal/minerals\\_and\\_waste/mineral\\_sites\\_plan?pointId=s1384254166910#section-s1384254166910](http://consult.dorsetforyou.com/portal/minerals_and_waste/mineral_sites_plan?pointId=s1384254166910#section-s1384254166910)

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### **NATURE CONSERVATION AND AMENITY IMPACTS**

The Minerals Sites Plan contains a proposal for gravel and sand extraction over an area of 194 hectares at Moreton Plantation. The Parish Council has the strongest objection to the inclusion of this location as a proposed mineral extraction site.

The site is entirely former heathland, planted by the Forestry Commission along with many other parts of the former extensive Dorset heathland during the 20<sup>th</sup> century. Although the original heathland has been replaced over a large part of the site by planted conifers, the soils, subsoils and natural drainage are largely unaltered and indeed in places still support open heathland.

The proposal site slopes generally down from the north/north-east. The natural drainage pattern of surface water and ground water from the higher dry heathland of Clouds Hill, and from the classic valley mire of Oakers Bog, passes across and beneath the proposal site towards Cranesmoor and the valley of the River Frome along the south-west side.

Dorset heathland is of outstanding importance for nature conservation and virtually all of the surviving heathland carries both national and international designations that reflect this importance. The heaths are thus Sites of Special Scientific Interest (SSSI) - the national designation. They also variously contribute to the Natura 2000(N2K) network of sites that covers the Dorset heaths. This N2K series comprises sites classified under the EU Habitats Directive (Special Areas of Conservation - SACs), and sites classified under the EU Birds Directive (Special Protection Areas - SPAs). Ramsar Sites (Wetlands of International Importance, under the Ramsar Convention) are given the same weight as N2K sites as a matter of UK government policy.

The proposal site is adjoined by large tracts of this designated heathland: Oakers Bog to the north and Turners Puddle Heaths to the north, east and south sides. Moreover the proposal site itself includes elements of the designated site - dry heathland at Clouds Hill that is part of Turnerspuddle Heaths SSSI and the SAC and SPA, and the mire of Cranesmoor that is also part of this SSSI, SAC,SPA and of the Dorset Heaths Ramsar site. The River Frome, to the south -west of the proposal site, is also of national nature conservation importance (SSSI) as is Oakers Wood, immediately to the north of the proposal site.

It is the N2K sites that carry the highest level of protection, with their conservation covered by EU Directives, transposed into UK law through the Habitats Regulations. There are strict tests that must be sequentially applied to plans and projects that may affect the N2K sites, to ensure that the integrity of these sites and their component species is maintained (and where necessary restored). Only in circumstances of over-riding public interest and the availability of no alternatives are member states permitted to sanction any projects that may have adverse effects on the integrity of the N2K sites, and then adequate, and necessarily onerous, compensation is likely to be required.

As a result of a European Court of Justice ruling in 2005, it has been determined that development plans (and in this case that is the Minerals Sites Plan) are "plans or projects" as defined within the Directive, and are also therefore subject to the Habitats Regulations and must be assessed for compliance. This process commonly referred to as Habitats Regulations Assessment. If any plan is likely to have a significant effect on a N2K site, alone or in combination with other plans, it must be subject to a detailed and rigorous form of assessment, which is an "appropriate assessment", as required under the Habitats Regulations.

The Regulations restrict the adoption of a plan if it cannot be ascertained that the proposal, alone or in combination, would not have an adverse effect on any N2K site. Unlike most other planning decisions, the Habitats Regulations apply the precautionary principle as a matter of law. The appropriate assessment should conclude that the plan or project will not have an adverse effect on the integrity of the N2K site before it is adopted or given consent. If this is not the case, or the effects are uncertain, the precautionary principle must apply and it must be assumed that there will be an adverse effect.

The Annex I habitats listed in the Directive that are particularly well represented within the Dorset heaths and for which the Dorset Heaths is selected as SAC are North Atlantic wet heaths; European dry heaths and; depressions on peat substrates of the 'Rhynchosporion'. This feature is especially well represented in Purbeck where the nationally scarce brown-beak sedge *Rhynchospora fusca* is found in larger amount than anywhere else in UK. This rare plant is recorded on the wet heath /mire within the Moreton proposal site.

Dry heathland in Dorset supports a large number of rare and often specially protected species. For instance, among the specially protected animals, sand lizard *Lacerta agilis* and smooth snake *Coronella austriaca* occur in higher numbers in Purbeck than anywhere else in the country. It is one of the few places in UK where all six native British reptiles can be found. Sand lizard and smooth snake are European Protected Species and both occur widely on the adjoining heaths, with sand lizard also recorded from several locations within the proposal site. These are mobile species that can be expected to use heathland habitat in clearings and the fringes of rides for instance, and thus may well permeate much of the proposal site. Moreton Plantation proposal site is also the only location for the specially protected ladybird spider *Eresus sandaliatus* - the only site in UK (other than a few recent experimental re-introduction sites) for this extremely rare species.

The qualifying Annex 1 breeding birds for the Dorset Heaths SPA are nightjar *Caprimulgus europaeus*, woodlark *Lullula arborea* and Dartford warbler *Sylvia undata*. They occur across the heathlands of SE Dorset but are at their highest densities on the relatively less disturbed heaths of Purbeck district. The wintering bird feature species - hen harrier *Circus cyaneus* and merlin *Falco columbarius* - are in far smaller number in the Dorset Heath SPA, but here are almost confined to the heaths of Purbeck. The Moreton proposal site is of particular relevance for nightjar.

Annex 1 species are given special protection under European law regardless of their location. The Government is obliged under the Birds Directive to ensure that these birds "*are the subject of special conservation measures concerning their habitat in order to ensure their survival and reproduction in their area of distribution*". The population of breeding nightjars within and around Moreton Plantation is of national importance with Moreton Plantation constituting a part of an interlinked series of habitats for both breeding and foraging birds. Not only would these proposals directly affect a number of breeding nightjars but would also have indirect effects on the surrounding population by reducing foraging opportunities, increasing noise and activity in the area, displacing existing recreational users and increasing the possibility of human disturbance on more sensitive sites.

The National Nightjar Survey of 2004 recorded that the adjoining Oakers Bog SSSI held 6 nightjar territories, Oakers Wood SSSI held 2 and Turnerspuddle Heaths SSSI held 28 nightjar territories, with a further 16 territories in nearby heath/wooded heath habitat. Eight of these non-SSSI territories were within the proposal site along with 2 further territories in parts of the SSSI that lie within the proposal site. Thus 10 nightjar territories fell within the Moreton Plantation proposal site and many of the others were close by. SPA designation is a matter for Natural England. We are not aware whether there is a review of SPA boundaries or new SPAs under way in Dorset. Nonetheless whether or not Moreton Plantation is actively being considered as potential SPA, the existing population of nightjars and its position within and adjoining a wider population of nightjars of European significance, means that it could readily meet the criteria for such a designation.

Moreton plantation clearly sits in an area of very high biodiversity and sensitivity and, notwithstanding its current character as commercial plantation, itself is of very considerable nature conservation importance. The original heathland is still a strong influence on the nature of the site because its natural soils, topography and drainage are largely unaltered, and it could very easily, by removal of the planted conifers, be restored to high quality open heathland. FC has successfully pioneered some restoration of this type already at Moreton, including both wet heath/mire and dry heathland. It is the Parish Council's contention that if

the conifer crop presently growing at Moreton is expendable - as its proposal as a sand and gravel extraction site plainly indicates - then the rest of the plantation block should be restored to open habitat of heath and mire.

The Dorset heathlands once extended to some 40,000ha but have been reduced to around 15% of that extent over the past two or three centuries. One of the causes for this loss has been planting with conifers and the subsequent invasion of open heathland by tree seeds emanating from the plantations. Unlike the other reasons for loss - agriculture, development and mineral extraction - the afforested heath is by far the most simple and successful to restore to heathland.

This would be a far more beneficial outcome for the local and indeed wider community and much more in line with the belief that everyone had when a strong and successful campaign was underway only a couple of years ago, to retain the forest estate in public hands. It is doubtful that anyone anticipated then that custodianship of the public forests might translate to disposal of core parts of the estate, and ones in such highly sensitive locations, to mineral extraction.

The Minerals Sites Plan rightly identifies for the Moreton site potential significant impacts on ecology, landscape, historic environment, hydrology and traffic. Amenity is not considered significant but we suggest that this is incorrect as the site is dedicated open access land by FC and is much used by people from a wide area, for walking, dog walking, cycling, jogging, horse riding, and carriage driving. The transformation of the site into an industrial minerals site will preclude all of these activities and moreover is likely to shift these current recreational uses onto nearby heathland. This will risk concentrating adverse impacts on nearby nationally and internationally important sites.

If the proposal for sand and gravel extraction at Moreton goes ahead the site will be unavailable for both people and wildlife for many years. Moreover the fundamental disruption caused to drainage patterns both of this site and its adjoining heathlands, and the removal of all soils and subsoils will leave a great void that can never be restored to anything approaching a natural landscape. The site and most of its current and potential wildlife interest will be lost and the context of this highly biodiverse area, together with its strong cultural history and landscape setting will be destroyed.

### **TRAFFIC IMPACTS**

With up to 200 lorry movements per day the suggestion that some of these might take place onto the B3390 is totally unacceptable to our council. The situation on that road is already beyond the limit of what is acceptable. The B3390 to the north is very narrow in places and its course includes a number of tight turns and structures (bridges). In recent years a number of vehicles including at least two lorries have left the road down a steep bank on the eastern side of the road because of oncoming wide vehicles suddenly appearing. The brickwork of the side channel bridge on the northern approach to Affpuddle is frequently hit and damaged by vehicles. Lorries using the road often meet on the narrow parts and hold up traffic whilst having to reverse significant distances. In addition the structure of this road is insufficiently robust for use by heavily laden mineral lorries. It already suffers from slumping at its edges and potholing. Similarly, to the south the road has major visibility problems at Waddock junction but also at the approach to the old stone Moreton bridge which has been damaged by

vehicles a number of times in recent years. Finally, the impact on quality of life of those living in the houses immediately adjacent to the road is already unacceptable.

### **IMPACT ON HISTORIC BUILDINGS**

The extra lorry traffic on the Waddock to Gallows hill road would tend to deter visitors to Clouds Hill, and the additional levels of dust and noise from the (upwind) working area would make visiting this site less attractive. Maintenance costs for the cottage would be increased because of dust deposition.

### **LOCAL ECONOMIC IMPACTS**

Whilst there would undoubtedly be some economic gains in the local area, they need to be set against losses such as reduced property values due to the loss of quality of life of those living in the area and reduced income of those businesses which currently benefit from tourists staying in the area to visit such sites as Cloud's Hill and from the recreational activity which takes place in and around the proposed mineral site (preliminary enquiries suggest that horse-riders from a number of liveries in the area currently make use of the site). The costs of road maintenance and alteration are also likely to be considerable. The potential net economic gain or loss is what should then be weighed against the potential enormous loss of irreplaceable wild life, habitats and recreational opportunity.

### **IMPACT ON SURFACE WATERS**

As well as causing major change to patterns of water movement across the site, with potential impacts on designated sites, including the R.Frome, this type of working site can give rise to runoff and discharges carrying very fine suspended solids which can cause their own undesirable impacts on ecology and also on recreations such as angling on the R.Frome. The risk posed in this highly sensitive location is unacceptable.

### **SUMMARY**

With the full list of potential significant impacts already identified by the Minerals Planning Authority, and with the further argument and information presented here, Affpuddle and Turners Puddle Parish Council registers its very strong objection to the continued inclusion in the Minerals Sites Plan of Moreton Plantation and requests that this proposal site is deleted.