



Appeal Decisions

Hearing held on 1 October 2025

Site visits made on 30 September and 2 October 2025

by A J Sutton BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decisions date: 5 December 2025

Appeal A Ref: APP/D1265/W/25/3365869

Downs Quarry, Kingston Road, Worth Matravers, Dorset BH19 3JP

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Lovell Stone Group Ltd against the decision of Dorset Council.
 - The application Ref is P/FUL/2023/07355.
 - The development proposed is a northern extension of Downs Quarry for the extraction of building stone.
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Appeal B Ref: APP/D1265/W/25/3365872

Downs Quarry, Kingston Road, Worth Matravers, Dorset BH19 3JP

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission under section 73 of the Town and Country Planning Act 1990 (as amended) for the development of land without complying with conditions subject to which a previous planning permission was granted.
 - The appeal is made by Lovell Stone Group Ltd against the decision of Dorset Council.
 - The application Ref is P/VOC/2023/07522 .
 - The application sought planning permission for the extraction of Viviparus and Burr Limestones and restoration to deciduous native woodland without complying with a condition attached to planning permission Ref 6/2021/0167, dated 28 June 2021.
 - The condition in dispute is No 20 which states that: Extraction of minerals and the storage of soils and overburden shall cease by 31st December 2030 and the site shall be restored to woodland by 31st December 2031 or within 12 months of the permanent cessation of mineral extraction and soil and overburden storage, whichever is the earlier.
 - The reason given for the condition is: To limit the duration of and disturbance from the development hereby permitted having regard to the location of the site within the Dorset AONB and to Policies RS1, DM1 and DM2 of the Bournemouth, Dorset & Poole Minerals Strategy.
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Appeal C Ref: APP/D1265/W/25/3365874

Downs Quarry, Kingston Road, Worth Matravers, Dorset BH19 3JP

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission under section 73 of the Town and Country Planning Act 1990 (as amended) for the development of land without complying with conditions subject to which a previous planning permission was granted.
- The appeal is made by Lovell Stone Group Ltd against the decision of Dorset Council.
- The application Ref is P/VOC/2023/07502.
- The application sought planning permission for an extension of Downs and Southdowns Quarries for the extraction of Purbeck Stone without complying with a condition attached to planning permission Ref 6/2021/0165, dated 28 June 2021.
- The condition in dispute is No 20 which states that: Extraction of minerals in the Downs Extension area as shown edged red on Drawing No. 496H-04 dated January 2021 shall cease by 31st December 2030. Restoration to limestone grassland shall be completed by 31st December 2031 or

within 12 months of the permanent cessation of extraction, whichever is the earlier.

- The reason given for the conditions is: To limit the duration of and disturbance from the development hereby permitted having regard to the location of the site within the Dorset AONB and to Policies RS1, DM1 and DM2 of the Bournemouth, Dorset & Poole Mineral Strategy.
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Decision

1. Appeals A, B and C are dismissed.

Procedural Matter and Main Issues

2. As set out above there are three appeals related to this site. The first (appeal A) seeks to extend the existing quarry and the other two appeals (B and C) seek to modify conditions of extant permissions to extend the duration of those permissions, purely to facilitate an internal haul road to serve the proposed quarry extension that is subject of appeal A. Appeals B and C relate to planning permissions granted to allow development to be carried out without complying with conditions on a previous planning permission. While the main issues principally relate to appeal A, the cases are intrinsically connected, and I have addressed them in these decisions in a linked manner accordingly.
3. The main issues are:
 - whether the proposed extension in appeal A would comply with the mineral strategy for the area;
 - the effect of the proposals on the landscape and scenic beauty in the Dorset National Landscape; and
 - the effect of the proposals on the living conditions of occupants of neighbouring properties and users of nearby tourism facilities, having regard to amenity.

Reasons

Compliance with Mineral Strategy

Mineral Proposed to be Extracted

4. The scheme under appeal A proposes to extend Downs Quarry into a field north of the current permitted workings. The appellant asserts that the bedrock occurring in the proposed north extension, in this appeal, comprises burr and stone that would take a polish such that it would have similar characteristics of Purbeck Marble. It is also stated that a proposed 10 m depth of working is sought to avoid sterilising the remaining beds of the Stair Hole Member found beneath the appeal A Site.
5. Purbeck Marble has a unique appearance and subtle colour variations that, once polished, mimics marble. With these qualities, it was the foremost decorative stone of the English medieval period. Generally used for internal columns, pillars and monuments, Purbeck Marble is present in many of the Nation's high status buildings, including Westminster Abbey and several Cathedrals. As with any stone there will be variation in detail, but generally this stone once polished is distinctive with fossilised gastropods framed in blue, green or red hues.

6. Burr stone, characterised by large shell fragments, is generally cream in colour weathering to grey. With hard compressed qualities it has proven suitable for precisely cut dressed stonework including decorative architectural features such as door archways, quoins and sills in local and national historic buildings.
7. While records show a history of these rock types being extracted near Downshay Wood and the description of development previously permitted at the site subject of appeal B states Viviparus ('Marble') and burr limestones, the main parties agreed at the hearing that the occurrence of Purbeck Marble and burr strata are generally limited to the Peveril Point Member geological unit in the Durlston Formation parent unit.
8. The British Geological Survey (BGS) maps indicate that the Peveril Point Member is located north of this proposed extension and is a relatively narrow swathe that tracks roughly mid-way along the valley wall south of the sites that are subject of these appeals. The proposed extension in appeal A is several metres outside of that geological unit, and is shown to be, according to the BGS Maps and the appellant's evidence, in the Stair Hole Member of the Durlston Formation.
9. The appellant asserts that the lithologies of the stone occurring in the upper strata of this part of the Stair Hole Member are directly comparable to the composition of rock types found in the Peveril Point Member ('Upper Purbeck'). Addressing this matter, Purbeck Marble is generally understood to occur at the top of this Peveril Point Member geological unit and is characterised by the concentration of Viviparus gastropods and the colours resulting from these fossils. Burr largely occurs lower in the sequence of beds comprising the 'Upper Purbeck' of the Durlston Formation in the same geological unit as the 'Marble' and is very fine grained rock with massive broken shells.
10. Laning Vein, also asserted by the appellant to occur in appeal A site, is indicated as an 'upper building stone' bed found towards the top of the Stair Hole Member, that is described as the 'Middle Purbeck' of the Durlston Formation. Similar to burr and Purbeck Marble, this is a fossiliferous limestone, with broken shells. However, this bedrock yields cream to grey Purbeck building stone and generally lacks some of the distinctive characteristics of Purbeck Marble and burr. These are all bioclastic limestones, but as highlighted in the submitted evidence, they have different lithologies which in turn influences their end use and the very particular demand for them.
11. Although a Geological Assessment (dated 2008) in support of a previous application for mineral extraction at the appeal B site indicated that that site contained burr, the stratigraphic assessment related to just one trial pit in that site. That Geological Assessment goes on to state that two beds of limestone referenced as 'Viviparus' had an extremely hard texture such that it would take a polish.
12. However, the 2008 Assessment concluded that this was not a 'text book blue Purbeck Marble', and again, these findings appear to be drawn on just one trial pit within the appeal B site area, which is now understood to be worked out. Also, while 'marble like stone' was said to be present, this Assessment provides very limited information as to the extent of that rock type in that parcel of land neighbouring the proposed extension in this case.

13. Five relatively shallow exploratory trials pits were dug in the appeal A site area in 2023 (Exploratory Trial Pits 2023). The images of the pits are annotated to indicate burr at two of the five pits, and Laning Vein to be present. An Aerial Image (3) is also submitted in these appeals and is marked as comprising burr and Laning Vien deposits at the northern boundary of appeal B site area, bordering the appeal A site. These findings appear at odds with published geological information which to date indicate that burr is unlikely to occur in this geological unit and Laning Vein, though part of the Stair Hole Member sequence, is a stratum found at a much greater depth than the depth of the trial pits.
14. Images of stone extracted are also included in the 2023 site exploration. But even if some lithologies may be similar to burr, it is difficult to determine rock types with such little detailed assessment. While material extracted from trial pits 4 and 5 may establish the presence of workable and economic dimension stone in the appellant's view, I have not been convinced that this limited information confirms the significant presence of burr or that this is Laning Vein.
15. The confidence regarding the stratigraphy of geological units and location and quality of different beds of stone can only be improved by exposures of strata. However, without detailed logs I am not persuaded that the images alone demonstrate the stated findings of the Exploratory Trial Pits 2023 site investigation outlined above. Moreover, given the relatively shallow depth of the trial pits and the limited assessment that accompanies them, conclusions of this site investigation, that appear to contradict long established understanding of the stratigraphy of the 'Upper and Middle Purbeck' Durlston Formation, is not supported by firm evidence.
16. This intrusive site exploration is supplemented by the Exploration and Minerals Resource Assessment by Touchstone Geological Services Ltd (Touchstone Report). A number of trial pits were dug for the purpose of this Report, and a written summary of findings along with images are provided. However, while this Report includes stratigraphical examples, these are not specific to the deposit samples extracted from the appeal A site area.
17. It was clarified at the hearing that the trialling in the Peveril Point Member, outside the proposed extension, was conducted for comparison purposes with the resource found in the appeal A site. Be this as it may, only two of the trial pits of the Touchstone Report are in the appeal A site area.
18. Burr was said to be found, but this was only in one pit in the appeal A site and without detailed logs it is difficult to confirm this. A polished sample of rock from pit 5 is referenced burr. However, this is at odds with the short description of the stone sequence found in that pit, which does not include burr.
19. Sample images from trial pit 2 of the Touchstone Report are described as burr and Marble respectively. However, these undressed and polished examples bear limited resemblance to the burr sample from trial pit 4 taken from the Peveril Point Member or the actual Purbeck Marble examples illustrated in evidence. In any event, this trial pit is not within the appeal A site.
20. Although the Touchstone Report suggests the presence of Laning Vein, as already stated, geological convention indicates that this bed of stone would be at a greater depth than the trial pits. Again, no compelling evidence is advance to confirm that this bed of stone is present. In any event, while this may be a biosparite limestone, I find no substantive evidence that this would match the lithologies of Purbeck

Marble and burr, or that this bedrock is particularly different from other Purbeck building stone permitted for extraction in the wider area or that could be found in site allocations and designated areas of the development plan. A matter which I will return to later in these decisions.

21. A comparative analysis of samples extracted from the trial pits are included in the Touchstone Report. While, once polished, samples may be similar in appearance to dressed burr and Purbeck Marble, this does not address the concerns outlined above regarding demonstrating the principal bedrocks that would be worked if these appeals were allowed. Also, despite the conclusion that the lithologies across the two geological units in question are near identical and testing showing similar physical properties, nonetheless the appearance of the stones from the Peveril Point and Stair Hole Members seem to differ both in characteristics and appearance.
22. The appellant highlights that geological science recognises that transition from one major geological unit to another is often marked by a series of steps. Addressing this, Purbeck Marble is a consequence of a restricted environment with an abundance of gastropods followed by mass mortality. Thicker seams of Purbeck Marble worked in Medieval times is understood to be a result of large lagoons that supported the gastropods.
23. Evidence also indicates that there is potential for smaller lagoons being part of the former environment described above. Also, in geological terms, that environments at one location may pass latterly or in steps to another and this could account for the occurrence of the 'Marble' outside the expected geological unit. However, consistent with the historic patterns of quarrying in the wider area and the BGS maps and the memoirs drawn to my attention, in this case, Purbeck Marble was only described at the trial pit shown to be within the Peveril Point Member. Moreover, the trial pit where 'Marble' is suggested is some distance north of the appeal A site and there is no compelling evidence to confirm that significant deposits with similar characteristics to Marble (as a consequence of small lagoons) are to be found in the proposed extension.
24. As previously stated, the proposed depth of working at appeal A site would be around 10 m. In light of the above, the best available information indicates in this case, that Purbeck Marble would not be extracted from the proposed extension. Moreover, limited information has been submitted to persuade me that significant deposits of burr would be found.
25. Also, with minimal information advanced, there remains uncertainty as to the extent of Laning Vein in the few trial pits dug in the appeal site. However, even if Touchstone's conclusions are accepted, available information points to the beds of stone that would be principally worked in this case is upper building stone from the Stair Hole Member ('Middle Purbeck') of the Durlston Formation and not burr or Purbeck Marble.

Need and Location

26. Historic England's technical advice note on Purbeck Marble Conservation and Repair highlights that this historic stone detail is especially vulnerable to deterioration and there are examples of it being damaged and obscured overtime by poor restoration. No suitable method of protecting this polished mineral has yet

been developed. Burr stone can also fail, adopting a honeycomb textured once weathered.

27. Regarding Purbeck Marble architectural features, where conservation and repairs are considered not sufficient, replacement of the stonework may be necessary to preserve the interest in heritage assets. Evidence highlights the challenges of extracting stone of a sufficient depth to yield the dimensions that may be required for the replacement of historic features such as monuments originally constructed with a deep Purbeck Marble base. Identifying suitable deposits, the quarrying process as well as the craftsmanship in polishing the stone are highly skilled work.
28. Historic England recognises the challenges outlined above and advises that where Purbeck Marble is not available other options which result in 'honest repairs' (that is, accepting the reduction in aesthetic historic value) may be suitable. While this suggests some flexibility, it is stated that this approach is considered the last resort.
29. The Clerk of Works from Salisbury Cathedral highlights the importance of the continued extraction of Purbeck stone in preservation work. It is also stated, on inspection of stone samples from recent test pits, that that sample exhibits the hardness and durability for it to be considered for use as "Purbeck Marble" within the Cathedral. Concern is also raised about losing access to essential resource.
30. I note that tests on colour and density and a sample from the 2008 extension area, south of the proposed extension in this case matched that present in Salisbury Cathedral cloisters. However, while these matters are not doubted, and as stated, Historic England's practice guidance indicates some flexibility, careful assessment would likely be necessary for replacement of stone, particularly in restoration of Grade 1 listed structures. Moreover, it remains unclear as to which samples (and from which test pits) the Clerk of Works based his comments on.
31. Relevant to this matter, the Minerals Planning Authority (MPA) highlights the short campaign for the extraction of Purbeck Marble permitted at Quarr Farm. While Historic England's practice note indicates this as the only active quarry for this rock type, it is understood that that particular permitted reserve has now been worked out and the appellant highlights that it is not extracted in any other active quarry. Be this as it may, the evidence in this case has failed to demonstrate that the mineral deposits of the proposed extension (appeal A) includes these bed rocks. I will return to the availability of these particular stone types in due course.
32. This aside, as previously stated, the principal beds of stone relevant in this case would be upper building stone of the Durlston Formation. The continued supply of Purbeck building stone is needed for restoration of heritage assets and to maintain the local vernacular. Minerals can only be worked where they occur, and this resource is largely confined to a limited coastal area of the County. It is also important that mineral operators should have access to a range of beds given the variety of colour and textures.
33. It is asserted by the appellant that there is currently an under supply of Purbeck Stone (separate of 'Marble' and burr) and that there is a need for the replacement of South Downs and the Downs Quarry extensions (sites appeal B and C) as these reserves are now exhausted. The output limits on the workings that comprise appeal B and C is 5,000 tonnes per annum (tpa) and the proposal in appeal A seeks to replace this output.

34. Related to this, attention is drawn to the annual sales returns submitted by mineral operators to the MPA. National guidance does not require MPAs to maintain landbanks of permitted reserves for building stone, but MPAs should consider how to meet demand for stone needed for the repair of heritage assets.
35. Accordingly, the Bournemouth, Dorset & Poole Minerals Strategy (Minerals Strategy) recognises the importance of maintaining provision of building stone for use locally and nationally. Taking account of past sales trends, amongst other factors, Policy PK1 of the Minerals Strategy aims to provide at least 20,000 tpa of saleable Purbeck stone. While there is support in the development plan for Purbeck Marble and burr supply, these types of limestone are excluded from the provision in this Policy.
36. The Minerals Strategy estimated that, in 2011, permitted reserves of building stone, discounting waste, amounted to 238,000 tonnes, and it was calculated that there was a requirement for new sites that could supply 102,000 tonnes of stone to ensure continued supply over the plan period (until 2028).
37. At the time the Minerals Strategy was adopted there were around eleven active quarries, and the Minerals Sites Plan indicates a slight increase to 13 by 2017. If South Downs, existing Downs Quarry extensions and Quarr Farm are discounted as being worked out, the most recent sales returns suggests that there remain six mineral operators, including the appellant, selling Purbeck stone extracted from around eleven active quarries in the area. Therefore, even towards the end of the current Minerals Strategy period, the number of extant quarries appear relatively consistent.
38. I am presented with two tables summarising Purbeck Stone Sales 2012 – 2024. While the appellant suggests caution be applied to the table submitted directly by the MPA, which shows the higher sales figures, no substantive evidence is advanced that the figures in that table are inaccurate.
39. That table shows sales of Purbeck stone prior to 2016 fell well short of the annual supply sought by Policy PK1. However, since that time sales have generally been met or have exceeded the 20,000 tonnes minimum envisaged. The exception to this coincided with the Covid pandemic. While appreciating the sales in the year following the pandemic were likely high due to ‘bounce back’, even with the loss of 5,000tpa from Downs Quarry, supply from other sources appear able to achieve close to 20,000 tpa. In any event, sales is just one indicator of whether adequate provision for continuous supply is being made, and that demand is being met.
40. Addressing the need for new permitted reserves to ensure a steady and adequate supply of building stone up until 2028, the Minerals Strategy designated an Area of Search, and Bournemouth, Christchurch, Poole and Dorset Minerals Sites Plan (Minerals Sites Plan) Policy MS-5 allocates five new sites or extensions to existing sites.
41. Given the tension of ensuring the continued supply of stone and protecting the scenic beauty of the National Landscape, in preparing the Minerals Strategy, an assessment was undertaken to review the extent of the Purbeck Stone resource. An Area of Search was identified, guided by the findings of the Purbeck Stone Resource Area Landscape and Visual Sensitivity Study, that is judged to be of a lower sensitivity to the potential adverse effects of future mineral workings in terms of landscape visual impacts, than other parts of the Dorset National Landscape.

42. The Minerals Strategy recognises the difficulty with regards confidence in quality of different beds of stone, that a range of beds needs to be available and notes the importance of the local minerals industry's knowledge on these matters. The appellant highlights that during the examination of the Minerals Strategy, draft policy of the Minerals Strategy limited future mineral working to within the area of search. Be this as it may, policies of the Minerals Strategy that was subsequently adopted have flexibility. Designating a relatively broad Area of Search also provides flexibility, and seeks to address the challenges outlined, whilst supporting the local minerals industry and ensuring provision for the continued supply of building stone.
43. While the appeal A site may be adjacent to the adopted Area of Search, it is outside this designation. Policy PK2 of the Minerals Strategy permits applications for non-allocated sites outside the Area of Search subject to satisfying stated criteria. Addressing this, the first part of the relevant criterion in this case requires that it is demonstrated that there is a need for a specific bed of stone that cannot be met by identified sites within the Minerals Sites Plan (allocated sites) or non-allocated sites in the Area of Search.
44. Regarding allocated sites in Policy MS-5 of the Minerals Sites Plan, Planning Practice Guidance (PPG) states designating specific sites in minerals plans provides the necessary certainty on when and where development may take place. The appellant highlights that four of the allocations are on National Trust (NT) land. A letter from the NT confirms that five mineral companies operate on its land, one of which is the appellant. Operators are limited to working only one quarry, and with output of raw stone limited to 2,000 tpa. It also stated that the NT will not allow an increase in output nor any new quarries.
45. However, the NT does not preclude direct replacement for existing permitted quarries. Moreover, while appreciating the variation in the grade of stone and the need to secure planning permission for extensions of existing sites or their replacements, even if current permitted reserves on NT land were worked out, the potential replacements go a long way in maintaining the current level of provision of Purbeck Stone. The continued adequate and steady supply of this material to the market for the remainder of this plan period and beyond would be assured. This is so even taking account of the high percentage wastage common with this material and the resultant amount of saleable stone that can be produced.
46. Also, Acton (Quarry 4) is one of the four allocations on NT land, the stone from which is understood to be transferred to the service area of Downs Quarry for processing. Even noting the National Trust's comments with regards seeking new mineral permissions on its land, no compelling evidence has been advanced that this existing arrangement will alter as a consequence of these appeal decisions or for any other reason. Downs service area would still have a supply of stone from this source.
47. The allocation at Southard Quarry is stated as unlikely to come forward until after the current plan period. Even if this site is delayed until 2029, this is very shortly after the end of this period and in any event, this suggests that this operator has sufficient permitted reserve presently.
48. None of the allocations coincide with the Peveril Point Member geological unit, but as established this is also the case for the appeal A site. However, similar to this

proposal, some of these allocations are understood to comprise Middle Purbeck bedrock.

49. These allocations may be near to settlements and residential units, but this is also the case for appeal site A and very limited information has been advanced that the beds of stone sought in this case have not been or cannot be met from allocated sites through this plan period. Indeed, the Minerals Strategy highlights that permitted and allocated sites are capable of delivering a higher level of production and I find no convincing evidence to contest this.
50. Turning to the Area of Search, the appellant has provided a review that discounts much the Area of Search as it is land within the control of the NT. However, as outlined the NT has not precluded mineral working on its land and replacements would likely contribute significantly to future supply.
51. This aside, there are significant parts of the Area of Search outside the control of the NT. This includes a sizeable area of land just south of Downs Quarry (Ref Area F on the Review of Area of Search in the Further Information and Review of Policy document). This area has been narrowed down in the appellant's Statement of Case (SofC ref figure 5 D) to show the extent of the beds of the Durlston Formation. It is indicated that that resource is found to be of a poor quality due to deep overburden.
52. That said, a considerable part of the wider site Area F (Review of Area of Search in the Further Information and Review of Policy) coincides with the Lulworth Formation which the appellant indicates yields inferior stone compared to the beds of the Durlston Formation. However, the BGS Lexicon states that the Lulworth Formation comprises three geological units which include the Lower Purbeck beds and the lower part of the Middle Purbeck sequence of beds. Indeed, the Minerals Strategy recognises lower building stones including New Vein, and several other beds that have been worked for building stone in the past, and as already stated that operators need to be able to access a range of beds. No substantive evidence is presented that there is not a demand for material from these lower building stone strata or that this is not economic and workable building stone.
53. Area H of the Review of the Area of Search Rev B of the appellant's Further Information and Policy Review document (Area F in the appellant's SofC) contains two extant quarries worked by different operators to the appellant. However, those existing workings only cover part of this area of land. The appellant also asserts that this area is sensitive regarding access due to proximity to a residential estate. However, as already stated, proximity to residential properties is a consideration for the proposal comprising appeal A.
54. It is also asserted that working in Area H would require a 6 mile round trip in terms of transporting the stone extracted to the service area at Downs Quarry. Although this would be less convenient for the appellant's service area than if the stone was extracted adjacent to Downs, this factor does not discount this area from being of interest to other operators of extant quarries and service yards close by.
55. The appellant's SofC outlines that there are at least twenty different landowners in the designated Area of Search. However, as the area is broad, this is unsurprising and as illustrated at figure 4 of the appellant's SofC, while some land assembly may be necessary, landownership in this area does not appear to be particularly complex such that it would prevent future mineral working.

56. The appellant has made significant attempts to contact these landowners to establish an interest for mineral development on their land. While some parties have indicated no interest, this is a small number of those contacted. Moreover, these landowners could have existing relationships with other mineral operators in this area. The submitted information does not persuade me that a lack of response indicates no appetite for this type of development on these plots of land.
57. Evidence shows that the geology of the designated Area of Search is reasonably well understood, and the appellant has submitted no compelling evidence to robustly challenge this understanding. It also appears to cover specific beds of stone likely to be principally present at the appeal site.
58. Furthermore, the appellant appears to have discounted much of this Area of Search, where planning permission may be granted subject to a suitable application, in most cases based on very limited assessment of the underlying resources and/or constraints that appear applicable to the site in appeal A.
59. Also, landownership is highlighted as a preclusion. This is acknowledged as a potential constraint to future mineral working in the Minerals Strategy and is undoubtedly a constraint for the appellant in this case. Nonetheless, the evidence fails to demonstrate, with regards land assembly, that this is a precluding factor for future mineral working in this area by other operators. Moreover, even if it is accepted that the appellant is unable to secure additional workings on NT land, there appears other options in the Area of Search for operators to secure permitted reserves, separate of a single quarry per operator indicated by the NT.
60. Returning to the supply of Purbeck Marble, the Area of Search also includes some small sections of land understood to coincide with the Peveril Point Member geological unit, therefore potential sources of Purbeck Marble and burr.
61. The appellant contends that these parcels of land have not yet come forward for mineral working (marked as A and B on the Review of the Area of Search Plan Revision B). Concern is raised that Area B has already be worked in part, but limited evidence is presented to suggest that the resource in that area is exhausted.
62. It is also suggested that these areas have access issues. However, the very specific end use of these distinctive rock types would unlikely warrant the scale of working that may be necessary for other types of building stone, as illustrated by the consented short campaign at Quarr Farm. Moreover, while that campaign is now complete, that site, similar to the Area of Search parcel of land marked as A and B, is accessed by informal farm tracks. The operator in that case utilised farm haulage equipment, and I find no clear justification that this solution would not be acceptable in other areas with similar access issues, where short campaigns are proposed to extract this specialist mineral when demand arises.
63. Policy PK2 also requires, for proposals outside of the Area of Search, that it would offer a net environmental, economic or social benefit compared to similar development within the Area of Search. Regarding this requirement, the wider Downs Quarry hosts, in addition to the Company's head office and show room, a group of sheds with stone cutting machines and hi-tech equipment that includes a 3D printing machine for stone. There are also areas in the sheds for hand worked stone masonry and I understand apprentices are taught in this space. This service area therefore not only supports 37 jobs but provides opportunities to pass down

the skills of experienced stone masons to help ensure the craft, essential in the conservation of historic buildings, is maintained.

64. There are other indirect economic benefits of this operation with use of local hauliers, and the supply of stone supports local construction businesses. Employees of Lovells are likely to support local services, and this Company is a significant mineral operator which adds to the local vitality of the area. Supporting jobs and services also provides social benefits. I find that the existing extent of operations at the wider service area of Downs and the activities it supports is a considerable economic and social benefit to the area. However, as already stated, the appellant is one of six operators, and there are other examples of large service areas offering similar benefits close by in the Area of Search.
65. Moreover, in addition to the significant amount of stone that appears to be stored in the Downs Quarry (shown as storage area on Drawing no. 496-H04), as previously outlined, stone is imported to this service area from Quarry 4 (Acton). As Quarry 4 is an allocated site in the Area of Search and the National Trust has not precluded its replacement once permitted reserves are worked out, a supply of this source of stone for processing at Downs Quarry would likely continue. While this stone once extracted would need to be transported to the service area of the appeal property, this is only a very short distance on local roads, and as already stated while there may be implications on local residential properties, this consideration is also applicable at the Downs proposed extension.
66. In any event, the considerable investment in the equipment that comprises the Downs service area in question is housed in structures that are permitted by an old mineral permission for Downs Quarry, the duration of which does not cease until 2042. Therefore, not only does this complex have a supply of local stone from bedrocks similar to that stated to be underlying the appeal A site, but Downs Quarry also benefits from a long term permission that could sustain significant employment and many of the social and economic benefits outlined above, regardless of the outcome of the appeals before me.
67. Also, the Minerals Strategy highlights that small scale masonry yards have a role to play and that a combination of dressing stone on site and processing at central service areas is necessary for the industry to operate effectively. Acton is cited as an example, and I find no convincing evidence that other parts of the Area of Search could not support small masonry yards or established larger service yards such as that found at Downs Quarry. The economic benefits that would result from this proposal are countered by the above factors.
68. Building stone is described as a lower carbon product than other construction material. The short journey of transporting extracted material to the adjacent service area of Downs Quarry would help keep fuel consumption and emissions lower than if stone was imported from elsewhere. However, as already outlined there is an existing supply of stone from beds of the Durlston Formation that only need transporting a relatively short distance on local roads. Also, there is no robust evidence that existing operations in the Area of Search, but outside the appellant's control, could not be extended such that those operations would deliver similar environmental benefits.
69. As previously stated, the appellant suggests that the stone found in Appeal A site could be a replacement for Purbeck Marble. While used in historic buildings

nationally and locally, Purbeck Marble is stated as being in less than 450 listed buildings. Stone of this nature for restoration in these high status heritage assets is important but at this scale the demand is likely to be limited and intermittent and the quantity of material would be less than that necessary for dimension stone required for the construction of new buildings and maintaining the local vernacular. Given these factors, proposals for this specialist stone type would likely differ from the working of other traditional building stone quarries, and impacts deemed unacceptable for a mineral working with a duration of several years may prove acceptable when considered in the context of a substantially less intensive campaign period for the extraction of Purbeck Marble and burr.

70. While it was suggested that stocks of this stone type are dwindling, this was in 2019, and the campaign at Quarr Farm sought to address this. Regarding the current availability of this specialist stone while the permitted site at Quarr Farm is now worked out, at the hearing it was stated that most of the stone extracted is currently stockpiled. This is a recognised feature of this type of mineral development, and I find no compelling evidence to dispute this assertion or the flexibility that the MPA adopts when considering proposals to ensure the supply of these specialist minerals.
71. Some of this very specialist stone appears to be already available for future heritage conservation projects as and when required. Furthermore, beyond the material that is already stock piled, parts of the designated Areas of Search have the potential for further supply of burr and Marble. The availability of this material elsewhere, in my view, would likely negate the justification for replacement stone that may not fully maintain the original historic aesthetic of heritage assets. In light of these factors, even if I accept that the rock type found in the proposed extension includes burr, and could be a substitute for Purbeck Marble, for the reasons stated I do not find this to be a significant benefit of this proposal.
72. This aside, the supply and processing of other types of Purbeck stone for use locally is important to maintain the quality and character of this National Landscape. The continued supply of local stone is also necessary for heritage projects nationally. There would be some positive cultural and environmental benefits from these proposals in this respect. However, I find no compelling evidence that this benefit would not arise if mineral working was to be permitted elsewhere within the Area of Search, and this considerably diminishes this particular benefit in this case.
73. It is highlighted that proposal A would ensure the site is restored to a higher quality of grassland than is currently the case. In respect of that scheme, hedges and walls would be improved and additional trees planted. Bat and bird boxes would also be installed. These environmental benefits can be secured by condition. This would be a moderate benefit given the scale of the development and proposed measures.
74. Approved restoration schemes already exists for sites of appeal B and C, and the appellant appears to suggest that ensuring that these sites are largely restored sooner than anticipated would be a benefit. However, while the permissions for those developments require working to cease by 2030 and for the sites to be restored by the following year, this is only if the mineral working is not ceased earlier than this time. Moreover, even if the sites in appeal B and C were a pre-commencement requirement of the working of the site in appeal A, the evidence

indicates those sites are already largely worked out such that permanent cessation of working is likely to occur earlier than the longstop dates of 2030.

75. Also, while a good proportion of those sites would be restored, a haul road to the proposed extension would bisect the worked out site of appeal B and C such that full restoration of those sites would be considerably delayed in order to facilitate the scheme in appeal A. Given this factor, the scale of the development and the measures that are compensation as opposed to net gains, the environmental benefits in respect of restoration appear limited at best. And again, I find very little firm evidence that this level of benefits could not be achieved in areas and sites designated in the Minerals Strategy and the Minerals Sites Plan.
76. It is asserted that if the development was to be limited to the extraction of burr and Purbeck Marble, cumulatively, this would mean a greater footprint of extraction and associated impacts within the wider area as other building stone would need to be extracted elsewhere. But given the uncertainty regarding this type of stone at the appeal site I am not convinced that this would be a significant benefit of this proposal.
77. It is contended that working the proposed extension to a 10 m depth would avoid sterilising a potential resource. However, as already concluded, the principal mineral that would be extracted from this extension would be upper building stone, and this appears to be available in the Area of Search which is deemed to be less sensitive in landscape visual terms with regards quarrying than areas outside this designation, such as the appeal site. This counters the benefits that may occur in respect of this matter.
78. The appellant states as there are no available sites for this proposed development in the Area of Search, the benefits arising in this case, would not be achieved elsewhere in the designated area. However, although development elsewhere may be potentially less convenient for the appellant than extending Downs Quarry, as already set out, I find no persuasive evidence that all of the Area of Search is unavailable for the type of development proposed in this case, and that the need for a specific bed of stone, that appear to be available at the appeal A site, could not be met by identified sites in the Minerals Site Plan or within the Area of Search. Along with this, no clear evidence has been advanced to demonstrate that the proposals would deliver a net environmental, economic or social benefit over granting of comparable sites within the Area of Search. The criteria of Policy PK2 iii is not satisfied in this case.
79. In summary, it has not been demonstrated that Purbeck Marble occurs in appeal site A. Also, the extent of the occurrence of burr has not been convincingly demonstrated. Accordingly, the best available information before me indicates that Purbeck stone other than those mineral types would be principally extracted from the appeal A site. Setting aside other concerns about the site specific intrusive investigation, the principal beds of stone that would likely be worked if this appeal was allowed would be upper building stone of the Durlston Formation.
80. The submitted evidence does not suggest that, even taking account of the loss of stone supplies from the existing Downs Quarry extensions, that there is or would be an undersupply of this type of Purbeck stone to the market or that there is currently a shortfall in permitted reserves to ensure adequate supply at the level sought by Policy PK1 of the Minerals Strategy.

81. Limited information has been provided as to the appellant's assertions about the quality of bedrock of the Lulworth Formation, but in any event, I am not persuaded by the evidence presented that allocated sites of the Minerals Sites Plan and sections of the designated Area of Search could not provide the type of stone indicated as being available at this proposed extension outside the Area of Search. Indeed, there appear to be designated areas, that subject to permission being secured, are capable of replacing permitted reserves when exhausted to ensure continued and adequate supply of building stone for the remainder of this plan period and beyond.
82. Accordingly, the proposed extension in appeal A would not comply with the mineral strategy of the area. In this regard, the proposal would conflict with Policies SS2 and PK2 of the Minerals Strategy. These Policies collectively seek to ensure an adequate supply of Purbeck stone, and, in addition to the aims already set out, amongst other matters, state permission will be granted for [mineral development] on unallocated (windfall) sites where it can be demonstrated that there is a need that cannot be met within allocated sites and where development would not prejudice the delivery of allocated sites.

National Landscape

83. The Downs Quarry service area is at the plateau above the valley and adjacent to Haysom's service area and quarry. Although the wider site has an extensive history of mineral workings, extensions to date are largely confined to this plateau or in the case of the Southdowns Quarry extension extensively screened by Downshay Wood.
84. The sites in appeals B and C, while near to the slope of the valley, are nevertheless also largely contained on this high flat land and significantly screened in the wider landscape by mature vegetation. At the time of the site visit these sites were largely worked out voids.
85. The appeal A site is part of a field comprising rough grazing. The field is at the upper slope of a valley wall and is bounded by a mix of hedging and trees. The land to the north and northwest is predominantly pastureland which at the western boundary is used for seasonal camping. The wider area is part framed by Haycrafts Lane, along which there are scattered dwellings near the appeal sites.
86. The appeal sites are in the Corfe Valley landscape character area and Clay Valley landscape character type of the Dorset National Landscape (formerly the Dorset Area of Outstanding Natural Beauty). This character area is distinct with sweeping landscapes of the Kimmeridge Coast, Corfe, and Bride Valleys, each of which have a unique identity. Valued landscape features of the character area and key characteristics of this landscape type that provide the setting for the appeal sites, as illustrated by images in the appellant's Landscape and Visual Appraisal (LVA) and the LVA Addendum, include a patchwork of rolling pastures with mixed boundaries, scattered woodlands and agricultural improvement on steeper slopes and larger woods on valley sides.
87. Even close to existing mineral development, as a relatively undeveloped plot of land the appeal A site has a distinctly rural quality and high on the south slope of the Corfe Valley it fits with the patchwork of fields that positively contributes to this character area of the protected landscape.

88. Changes made to s.85 of the Countryside and Rights of Way Act 2000, as introduced by the Levelling-Up and Regeneration Act 2023, has altered the duty in respect of National Landscapes, and now requires that authorities must seek to further their statutory purposes rather than having regard for these purposes in decision making.
89. The site area of appeal A is approximately 1.8 ha, but the proposed area of extraction is stated as 1.2 ha. This would be a relatively modest scale of workings in the terms defined in the assessment that underpin the policies of the Minerals Strategy, (Purbeck Stone Extraction in the Dorset Area of Outstanding Natural Beauty) and generally in keeping with the scale of site allocations of the Minerals Sites Plan. Proposed phased working, with progressive restoration, would limit the extent of excavations at any one time and the 17 year duration of working would not be an unduly long period given the nature of this development. Again, this would not be dissimilar to the duration indicated as acceptable in respect of allocated sites.
90. However, as outlined, those allocated sites are confined to the parts of this National Landscape that have been assessed¹ as being less sensitive, in terms of visual impact and effect on tranquillity, than the Corfe Valley character area where this proposed mineral working would occur; a conclusion that was tested by examination through the plan preparation process.
91. The site is reasonably well screened by mature hedging in the immediate vicinity such that, when near the site, significant views of the working would be largely limited to the upper floors of the nearby dwellings and in views from the gates that break the mature field boundaries close to the site. However, images supporting the appellant's LVA and the LVA addendum confirm that, even with a site area smaller than that which is actually proposed, the phased working would be visible particularly in mid distance views at Harman's Cross and from the footpaths near Tabbitt's Hill Farm (viewpoints 2, 3 and 4 of the LVA). The workings would also be seen at a greater distance than this, on the footpath along the Purbeck Way, and visible from some other distance views to the northeast from Sandy Hill Lane.
92. The stripping of the field and extraction of the stone to a depth of up to 10 m, as proposed in appeal A, would considerably alter the existing character of this land. Phasing would go some way to limiting the visual impact of this change and bunding is proposed to provide some screening. While this could be secured by condition, as indicated at the hearing, bunds are not a common feature in this part of the landscape and given the gradient of the slope and height of the appeal site on the valley wall, the scar resulting from the stone extraction would appear stark in this verdant setting. This contrast in land uses would be clearly apparent at the viewpoints outlined and as evidenced further in the appellant's Zone of Theoretical Visibility plan (ZTV), from a considerable expanse of the Corfe Valley.
93. The appellant's evidence somewhat dismisses concerns about adverse cumulative visual effects as the Downs service and storage area is on the Plateau and appeal sites B and C would be largely restored before the proposed extension is worked. However, a haul road would cross the restored area of appeals B and C. A significant part of these sites would remain unrestored for a considerable time as a result of these proposals.

¹ Purbeck Stone Resource Area Landscape and Visual Sensitivity Study

94. This aspect of the scheme is not illustrated on the images appended to either of the LVAs. But it seems likely given the evidence that this connecting feature between the existing service area and the proposed extension would also be visible at many of the viewpoints assessed. Without the detailed assessment of this aspect of the development, cumulative visual harms cannot be completely discounted in my opinion.
95. The LVA Addendum concludes that the proposed extension would not have significant visual effect on the landscape, stating the magnitude of the proposal's visual effect would be negligible, and the overall level of effect considered minor at most of the viewpoints assessed. However, it is agreed that this is a landscape of high sensitivity. Moreover, with reference to the criteria of the Assessment Methodology², the appellant's conclusions are drawn despite the nature of activities proposed and the resultant considerable change in the existing elements and valued qualities of the landscape at this site, as well as the evidence pointing to this significant change being discernible across at least a moderate proportion of the designated landscape, and this visual impact being notable for over 10 years.
96. As already stated, 17 years duration may not be unusually long for this type of development, but that duration is generally deemed acceptable in the current development plan with regards sites in a different character area to that in which the appeal A site is located. Moreover, in terms of the Landscape Assessment Methodology employed in this case, and key criteria for determining the magnitude of visual effect, this is a significantly longer duration of effects than that which would likely be assessed as giving rise to at least a medium magnitude of visual effect. Judgement factors into these matters, but even if I accept the appellant's assessments regarding the level of impacts, adverse visual effects are nonetheless identified at a number of the viewpoints appraised, and at one viewpoint this would be moderate/substantial (LVA Addendum viewpoint 7).
97. The appellant asserts that from a distance the proposed workings would not be overly dominant in panoramic views. Addressing this point, as stated I accept a degree of judgement is necessary in these circumstances. Walking the Purbeck Way on a very clear and still day I was aware of the existing mineral activities on the Plateau across the Corfe Valley, but it is appreciated that this is perhaps not surprising as the key aim of the walk was focussed in part on that type of development in that locale. Nonetheless, the industrial nature of the activities were discernible albeit largely contained in visual terms on the plateau edge of the valley.
98. Turning to the proposed extension area when viewed from this distant location, I agree with the appellant that the relatively limited land take would appear small as part of panoramic views. However, once operational, the existing pasture would be replaced by the rugged faces of a quarry extension and the activities associated with stone extraction working, and the site's existing positive qualities would be considerably altered for the duration of the working. The mineral activity that is generally contained at the plateau would encroach significantly down the valley slope.

² Ref Appendix B of the Landscape and Visual Appraisal: Addendum 2025

99. Images of the LVAs confirm that this negative change in the character of the land, high on a slope, would be visible in views spanning around 4 kms across the Corfe Valley, particularly encroaching into mid distance view at Harman's Cross and north of this. At these viewpoints, the appearance of the existing patchwork of pastureland would be significantly disrupted by the working. In turn this key characteristic of this part of the protected landscape would be visually harmed, and in this localised context, this adverse impact would not be diluted in a wide panorama.
100. The harm would be towards the lower end of the spectrum of adverse effects given the scale and phased working proposed. However, as the existing positive qualities of the site would be considerably altered for the duration of the operations the visual impacts on the character of this part of the National Landscape, and the special qualities in this area, would be significant such that these proposals would fail to conserve the landscape and scenic beauty of this National Landscape. Moreover, the visual harm would be compounded, in my view, by an unnecessary delay in fully restoring appeal sites B and C. The development would not further the primary purpose of conserving and enhancing the natural beauty of the area of outstanding natural beauty.
101. The LVA Addendum highlights that quarrying is long established. Addressing this point, as acknowledged in development plan policies and the Dorset Area of Outstanding Natural Beauty Management Plan, mineral working has been a feature of this sensitive landscape since Roman times. While the nature of modern mineral development has changed considerably since that time, it nonetheless remains a characteristic feature of this working environment and as already mentioned is important not least to maintain the local vernacular that is a positive characteristic of this National Landscape and a draw for tourists.
102. The Minerals Strategy recognises that a balance has to be struck between the supply of stone and the conservation of the special qualities of this landscape and its scenic beauty. To this end, in preparing the Minerals Strategy, the concentrated extraction strategy of the previous plans was deemed visually harmful to this protected landscape. Seeking to avoid past harm, the assessment supporting the preparation of the Minerals Strategy (Purbeck Stone Extraction in the Dorset Area of Outstanding Natural Beauty) sought a scattered pattern of future workings.
103. In carrying out this assessment, the different character areas, where Purbeck stone is found, were considered and the proposed scattered approach to quarrying was assessed as being generally in keeping with the Purbeck Plateau character area. That broad character area is characterised by exposed limestone plateau with coastal valleys, geometric field pattern with an expansive of stonewalls and sweeping views of coast and Purbeck Ridge. With these features the landscape of the Plateau has very distinct special qualities that differ considerably from the qualities that positively define the Corfe Valley and that are evident at the appeal A site.
104. Although significant quarrying is a current feature in the Purbeck Plateau character area, as previously set out, in recent history, mineral development in the Corfe Valley has been generally limited to very short campaigns that are much smaller scale, with less visual impacts, than is proposed in this case. The wider area may continue to be characterised by quarrying of a similar scale proposed in this scheme, but this factor has limited visual influence on the character of the area

within which these proposals would be located, such that this matter attracts limited weight.

105. It is asserted that the restoration would improve the existing grassland, stone walls and boundary hedges as well as introducing more trees. This enhancement can be conditioned but would only significantly address the visual harm when mineral extraction ceases. The appellant is also content to accept a condition which avoids working during the summer months. However, this is a protected landscape, and its special qualities attract visitors throughout the year and the workings, albeit not active for a short period, would still be clearly visible, particularly in the mid distance views. These measures would not address the visual harms to the National Landscape for these reasons.
106. The appeal proposals were screened as not requiring an Environmental Impact Assessment (EIA). This is a specific process carried out in accordance with particular Regulations and guidance. And although these proposals were screened by the MPA and the Planning Inspectorate as not being EIA development, this is in terms of the EIA Regulations. This does not in itself indicate that harm would not occur, and this factor is reflected in the screening opinions which suggests some impacts on the surrounding area and nearby designated sensitive areas are not ruled out. My findings are not altered by this matter.
107. Accordingly, I find that the proposals would have a significant harmful visual effect on the landscape and scenic beauty in the Dorset National Landscape. In this regard, the proposals would fail to comply with Policies SS1, RS1, PK2, DM1, DM4 of the Minerals Strategy. These Policies collectively state that, amongst other matters, development will be expected to ensure the protection of designations of national importance in accordance with relevant statutory requirements.

Amenity

108. As outlined the proposed extension is in a rural area with limited surrounding development. However, there is a small group of dwellings on the eastern boundary of the site. The field to the west, at Downshay Farm, is also used for seasonal camping. Downshay Farmhouse is north of the campsite, with Downshay Farm Cottage a short distance east of the main farmstead. Other dwellings closest to the proposed development, include Braidhe and Culverwell Cottage, on the north boundary of the wider field that comprises appeal site A, and a scattering of properties are to be found to the east of this part of Haycrafts Lane.
109. Compared to other types of mineral extraction, most building stone quarries are small-scale and have a far lower rate of extraction when compared to other quarries. This means that their local environmental impacts may be significantly less. That said, mineral working is an industrial process and as evidenced in the Noise Assessment (v2) which supports these proposals, the background sound level in this rural setting is relatively quiet. However, as already outlined, Downs Quarry has a sizeable service area with permission until 2042, and this is adjacent to another yard controlled by a different operator, both of which are fairly close to the residential properties on this part of Haycrafts Lane. Furthermore, the evidence confirms mineral activities have been part of the residents' environs for many decades.
110. As already stated, this extension would be relatively modest and would be worked in six phases, with only two sections of the site working or being restored during

the life of the development. Plant used in the extension would be limited to a dumper truck and excavator. Phases three and six of the working would be very close to the shared boundary with Jesty's and Glenview. But, when assessed from the field edge close to this shared boundary, the Noise Assessment showed no more than a 10dB(A) increase against the existing background levels during the normal operational hours (0700 – 1900), when the stone is being extracted. Indeed, estimated increases of noise, against the existing background sound level, would not exceed the levels set in national guidance at any of the sensitive receptors considered in the appellant's Noise Assessment, which include near the campsite and dwellings located north of the proposed extension.

111. Acceptable noise levels would be achieved in part with the construction of temporary bunds at the boundary with the proposed extension [appeal A] and Jesty's, as well as on the western and north site boundaries. Soil-stripping and the construction and removal of bunds are noted as being particularly noisy activities. However, national guidance recognises that this short-term disruption could bring longer-term environmental benefits to the site or its environs. Given the site circumstances already described, that would be so in this case. Moreover, the Noise Assessment indicates that the higher noise limited for a temporary 8 week period to carry out such works, as stated in national guidance, would not be exceeded.
112. Disturbance from vehicles reversing in the site was also highlighted. However, I find nothing preventing this significant tonal element from being suitably managed by imposing separate limits to control this aspect of the development.
113. Concerns have been raised about the accuracy of the Noise Assessment, but these appear to relate to labelling errors rather than any substantive matters. In any event, the evidence on this matter indicates that the main characteristics of the production process have been considered, the assessment has confirmed the acoustic baseline in this locale and the likely future noise from the development has also been established. Moreover, measures to minimise noise have been incorporated into the proposals, and at the hearing an approach to monitoring noise levels once operational was accepted by the appellant.
114. These are all matters that can be secured by condition to ensure that these developments would accord with noise levels accepted in national guidance. The Council has not raised issues regarding the efficacy of the noise evidence supporting these proposals and for the above reasons I find no compelling reason to disagree with its findings on this matter.
115. Local residents living close to these proposals indicate general support for quarrying, but state they have endured mineral working close to their property with an expectation that the permitted extensions at sites subject of appeal B and C would shortly be restored. At the hearing it was highlighted that the gardens close to the workings would not provide a pleasant outside space for residents to sit, and particular concerns were raised about the effect of continued working in this area on elderly and disabled residents living close by. In addition to concerns about noise, dust from the workings was also highlighted.
116. As set out, noise levels from the working would not exceed levels stated in national guidance. While I appreciate that this working would be close to the garden boundaries to the east, as set out, mineral working has been part of this environ

for some time, such that this would not be a substantial change to the sense of place currently experienced by these residents.

117. While I accept that the bunds would be visually harmful to the character of this part of the National Landscape, as a baffle mound they would help to protect nearby properties from unacceptable noise emissions. Although the quarry activities would be heard whilst in the gardens near the site, the operations hours imposed by condition would ensure residents would enjoy more peaceful periods every weekend and early mornings and evenings during the week. Moreover, the appellant is willing to accept a condition that temporarily stops the working of the site for a few weeks during the summer period. Therefore, although local residents would continue to live near an active quarry, there would be regular and significant periods where they are free from these activities for the life of the development.
118. The visual impact of the bund at the shared boundary with properties to the east was highlighted. However, there is already a very high mature hedge at this boundary such that a 2m bund would not appear unreasonably oppressive to the residents of these properties when using their gardens. Also, the boundary near the camp site, in addition to the temporary bund, would be improved with additional planting such that the visual changes in the appeal site from this neighbouring tourist site would be largely screened.
119. Interested parties at the hearing drew attention to respirable crystalline silica as a consequence of quarrying. While this may be a matter to be addressed for employees working in the site no compelling evidence is advanced that this would be harmful to the health of those living around the site. Moreover, no substantive details are advanced that this area suffers with poor air quality or that this proposal would give rise to significant fine particulate matter such that the air quality of this area would be harmfully changed.
120. Residents indicate they have been affected by dust emissions from workings in the past. However, mainly anecdotal evidence has been presented, and given there is another operator close by it is unclear as to the source of any nuisance that may have previously occurred.
121. That said, dust emissions is a feature of mineral working, and as stated there are nearby residential properties. Limited assessment of this matter is provided in support of these proposals. However, the appellant has submitted a dust scheme which identifies sources of potential emissions, the nearest sensitive receptors and mitigation measures to ensure that dust emissions would be kept to an acceptable level in the extension and on the haul road. The scheme includes monitoring measures and a review of practices if deemed necessary. Also, as stated the operational area at any one time close to the properties would be relatively limited such that the mitigation proposed, which could be secured by condition, would ensure that the development could be made acceptable in this regard.
122. Concerns have been raised that the changes resulting from the working would harm the existing sense of place which is currently an attraction for visitors to the area. In particular, it is asserted that these changes would have negative consequences for visitors to the Downshay campsite. I saw that this campsite comprises a large field on the valley slope that affords panoramic views of the Purbeck Ridge that include Corfe Castle.

123. Located south of the campsite, the mineral working would not interfere with these views. Moreover, the landform and boundary features which would be improved under this scheme would provide a significant buffer such that the workings would largely be screened from campers in visual terms. While some quarry sounds would be apparent to visitors, this is already a feature in this locale. Also, with the mitigation measures outlined, noise levels would be kept to an acceptable level and there would be significant breaks in operations. I find this verdant and expansive undulating site would largely retain its existing pleasant qualities which draws visitors.
124. Given the factors outlined, the highlighted environmental effects of the proposed developments could be satisfactorily controlled through condition such that unacceptable living conditions would not arise in this case, and the quality of life for those living in this area who may have protected characteristics, in respect of age and disability, would not be unreasonably affected if these proposals were to be allowed.
125. I therefore find that the proposals would not have an unacceptable effect on the living conditions of the occupants of neighbouring properties and users of nearby tourism facilities, having regard to amenity. In this respect, the proposal would accord with Policies PK2, DM1 and DM2 of the Minerals Strategy. These Policies collectively, with regards proposals for Purbeck stone quarries, amongst other matters, require they are such that adverse impacts upon the amenity can be avoided, minimised or adequately mitigated.

Other Matters and Planning Balance

126. Attention is drawn to the MPA's notice regarding the review of the minerals development plan that suggests that the current development plan is out of date. The review of the Minerals Strategy in 2020 indicated a further review should be undertaken in 2021, and this process has only just commenced. The Minerals Sites Plan was adopted in 2019.
127. The Minerals Strategy is towards the end of its plan period and both plans require review in accordance with Regulations. That said, Policies PK1 and PK2 of the Minerals Strategy and Policy MS-5 of the Minerals Site Plan relevant to these proposals make provision for the extraction of Purbeck stone and provides support for the supply of Purbeck Marble and burr, which are mineral resources of local and national importance. As already outlined, the local strategy adopts a flexible approach to help meet demand for the extraction of building stone needed for the repair of heritage assets, whilst recognising the nature and impact of building stone quarries.
128. Evidence shows that in designating the Area of Search as part of this local mineral strategy, account was taken of the great weight that should be given to conserving the landscape and scenic beauty of National Landscapes. Policy DM4 of the Minerals Strategy also requires the protection of the Dorset Area of Outstanding Beauty (now called the National Landscape) and appears generally consistent with this provision of the Framework in this regard.
129. Furthermore, Policies DM1 and DM2 of the Minerals Strategy, in keeping with the Framework, set out criteria to ensure that proposed operations do not have an unacceptable impact on the natural and historic environment. Also, in accordance with national guidance, Policy RS1 of the Minerals Strategy provides for

restoration and aftercare at the earliest opportunity. The main parties agreed at the hearing that the relevant Policies in these appeals are generally consistent with the Framework, and I agree with this conclusion for the reasons set out. Accordingly, these Policies attract full weight in these appeals.

130. The Framework states when considering development within National Landscapes, permission should be refused for major development other than in exceptional circumstances, and where it can be demonstrated that the development is in the public interest. The winning and working of minerals is defined in the Town and Country Planning (Development Management Procedure) (England) Order as major development. However, the Framework states when considering development in National Landscapes, whether a proposal is a major development is a matter for the decision maker.
131. Addressing this matter, the development may be modest in scale when compared to other quarrying activities, but nonetheless, the nature of this industrial activity would as outlined have a significant adverse impact on the purposes of the protected Landscape. Accordingly, I find that this would comprise major development in terms of paragraphs 190 and 191 of the Framework.
132. In determining whether exceptional circumstances exist, I am mindful that the Framework requires great weight should be given to the benefits of mineral extraction, including to the economy. It has already been set out that the appellant is a significant employer in this area, offering skilled jobs. It is also asserted that the resource that would be extracted from the proposed extension is necessary to replace the now worked out permitted reserves at the wider complex. Without newly permitted reserves the jobs and investments at Downs Quarry are said to be at risk.
133. In support of this assertion a financial assessment by BJH Ltd Accountancy has been submitted. This assessment states that 50% of the business income is derived from sales from Purbeck quarried stone in relation to Downs Quarry and this is indicated as being fundamental to the Company's operations. However, while appreciating that detailed information is commercially sensitive, the evidence submitted on this issue is extremely limited, and it is not clear whether this figure relates to stone extracted at the site or imported from elsewhere to be processed in the Downs service area.
134. While noting that Lovell's can no longer rely on the 5,000 tpa of stone permitted at the existing extensions in appeal sites B and C, the appellant has been aware of this circumstance for some time. Indeed, by their very nature, quarrying activities are entered into on the understanding that they are time limited. There is little evidence that an alternative other than this harmful development has been sought to replace that supply of stone for this operator.
135. This aside, although I am in no doubt about the level of investment at the Downs service area or the costs of wages and overheads for this business, it has already been clarified that the activities at the service area are permitted under a separate planning permission. Moreover, in addition to the stone already stored at Downs, there are permitted reserves locally available from Quarry 4. In light of these factors, and in the absence of any compelling evidence indicating otherwise, it has not been shown that the business would be unviable as a consequence of dismissing these appeals. The existing significant economic and social benefits in

terms of skilled employment and indirect local economic benefits could continue regardless.

136. Moreover, while there would be some economic benefits from this proposal, I am not convinced that this harmful development, that is contrary to the local minerals strategy, is the only option open to support economic growth and productivity and to meet the needs of this business. This counters the weight that this benefit attracts in this case.
137. Evidence, including the support from Salisbury Cathedral Clerk of Works, points to the extraction of Purbeck stone, other than burr and Purbeck Marble, is still of local and national importance for repair of heritage assets and to maintain local distinctiveness. However, as already outlined there is no compelling evidence that there is currently a shortfall in the supply of this type of stone from permitted reserves or that potential resources in a less sensitive part of the National Landscape than the appeal site could not ensure the continued and adequate supply of this stone to meet demand. The current need for the specific bed of stone that would principally be extracted on this site outside the designated areas of the development plan has not been demonstrated in this case. Accordingly, this limits the weight that this benefit attracts.
138. As outlined, there would be some public benefits in terms of employment, indirect economic gains and the supply of stone and some environmental gains at the appeal A site, particularly once restored. However, again, there is no convincing argument presented, that these benefits could not be achieved, in a less harmful manner than is proposed in this case, on sites designated in the development plan. These benefits of these proposals are moderated by this factor.
139. I have found moderate social, economic and environmental benefits. However, as already mentioned, I have no basis to find these benefits could not be achieved on an allocated site or in the designated Area of Search for minerals working in the current development plan. Furthermore, in designating those sites and areas, regard was had for the primary purpose of the National Landscape to conserve and enhance the natural beauty of the area of outstanding natural beauty and this was a matter that was tested at examination in the development plan process.
140. It has not been shown that these allocated sites and designated areas, that were found to be less sensitive in this protected landscape in terms of the visual impact of this type of development, are not available for the production of the type of bedrock that would principally be extracted at the appeal A site. These factors count considerably against these proposals. Considering the matters above, the exceptional circumstances necessary to justify major development in this protected landscape do not exist.
141. The benefits of mineral extraction may attract great weight in national guidance, but this is not unqualified and in considering such proposals, authorities should amongst other matters ensure that there are no unacceptable adverse impacts on the natural environment. There would be significant visual harm to the protected landscape under these schemes, and this would include the unnecessary delay in restoring part of appeal sites B and C, which would be at odds with provisions of the Framework which seek restoration at the earliest opportunity.
142. Consistent with the Framework, the local mineral strategy seeks to avoid unacceptable adverse impacts on the natural environment and to conserve the

landscape and scenic beauty of National Landscape. Not only has visual harm to the protected landscape been identified but the proposals conflict with this strategy and in turn the relevant provisions of the Framework. Consequently, the application of policies of the Framework that protect areas of particular importance provide a strong reason for refusing the development proposed. Moreover, the adverse impacts of these proposals would significantly and demonstrably outweigh the limited environmental, social and economic benefits identified above, when assessed against the policies of the Framework when taken as a whole.

Conclusion

143. The need to work a bedrock outside the designated Area of Search has not been demonstrated in appeal A, and the proposal consequently conflicts with spatial policies of the Minerals Strategy. The appeal proposals would also fail to conserve the landscape and scenic beauty of the Dorset National Landscape and exceptional circumstances for major development in this part of the National Landscape do not exist.
144. The proposed modification to conditions relating to the duration of the permitted mineral workings subject of appeals B and C were sought purely to facilitate the temporary retention of a haul road to enable access to the proposed extension in appeal A. As appeal A is dismissed, the delay in completing the approved restoration of these two existing quarries would not be justified.
145. Having regard to the development plan, the Framework and other material considerations appeals A, B and C should be dismissed.

A J Sutton

INSPECTOR

Participants at the Hearing

For the Appellant:

S Hart - Lovell Stone Group Ltd
O Laidler - Planning Consultant
N Dunn - Planning Consultant
D Brittain - Landscape Architect
E Bailey - Touchstone Geological Services Ltd
B Hyde - BJH Accountancy
T Waddington - Lovell Stone Group Ltd

For the Minerals Planning Authority:

T Cosgrove – Principal Planning Officer
F Hart – Minerals and Waste Planning Manager
H Jordan – Service Manager for Spatial Planning
M Peacock – Senior Landscape Architect
R Brown – Landscape Planning Officer, Dorset National Landscape
A Gale – Emeritus Professor University of Portsmouth

Interested Parties:

Mr Pike
Mr Groom
Mr Bray
Mrs Bray
Mr Wiggins
Mrs Wiggins
Mr Hole
Mr Golob

Documents

Information submitted prior to hearing

Appellant:

APP1 : Comments on Council's Statement of Case

APP2: Redacted Sales Returns Table

APP3: Notice of Minerals and Waste Plan Consultation

APP4: Additional comment on Minerals Strategy Policy PK1 and Sale Returns (turned away in the interest of fairness and not considered in this decision).

Council:

LPA1: Response to Appellant's Late Evidence addressing comments on Policy PK1

LPA2: Clarification on Sale Returns Table

LPA3: Information relating to Appropriate Assessment

Information submitted at the hearing

Appellant:

APP5: Printed copy of Submission

APP6: Photomontages showing corrected application site (turned away in the interest of fairness and not considered in this decision)

Information submitted following the hearing

Appellant:

APP7: Certificate of Lawful Use or Development (Existing) Ref 6/2011/0770 Seasonal Camping
Downshay Farm

APP8: Revised list of conditions .