

**Verwood Town Council: Response to the Regulation 19 Consultation
to the Minerals and Waste Plan Review – Purple Haze. OBJECTION
27 February 2024**



1. This representation is Verwood Town Council's response to the Regulation 19 consultation on the Hampshire Minerals and Waste Plan: Partial Update - Proposed Submission Plan, December 2023, with particular reference to the proposed allocation of the land known as Purple Haze, Ringwood Forest. Purple Haze is proposed to be allocated in the Plan for the extraction of soft sand, sharp sand and gravel. Purple Haze is located just a few hundred metres over the Dorset-Hampshire border adjacent to the town of Verwood, Dorset, which lies to the north-west. Verwood is the settlement most affected by the proposed allocation. Moors Valley Country Park, located directly to the south of Purple Haze, is the largest Country Park in Dorset, and is the recreational space most affected by the proposed allocation.
2. Verwood Town Council considers that the proposed inclusion of the land for any mineral extraction at this location will have a significant adverse impact that is lasting and damaging to the lives of Verwood residents and the surrounding environs. Verwood Parish has a population of over 14,700 residents. Moors Valley Country Park, which attracts over one million visitors each year, is nationally recognised as a quality visitor attraction.
3. Having considered the proposed allocation of Purple Haze for such extraction, as set out on pages 179-181 of the Proposed Submission Plan, **the Town Council is of the firm view that the inclusion of Purple Haze results in the entire Plan failing the tests of soundness.**

4. Representatives of Verwood Town Council wish to attend the Examination Hearing to make representations directly to the Inspector.

5. The principal arguments of Verwood Town Council are set out below:

- i. Significant adverse impacts on the highly sensitive internationally and nationally protected sites of nature conservation that have the highest degree of protection, the harm of which cannot be mitigated or compensated
- ii. Loss of recreational space and the resultant displacement of existing users onto other nearby internationally protected nature conservation sites, resulting in the degradation of those sites
- iii. Degradation of the local environment for the residents of, and visitors to Verwood and the nearby Moors Valley Country Park from significant adverse effects on air quality, noise and HGV traffic movements

6. Running parallel to this Reg.19 consultation is a live planning application for the said extraction at Purple Haze (LPA Ref: 21/10459). As such, the effectiveness of the policy for permitting extraction at Purple Haze is currently being tested. As evidenced by the on-going objections of statutory consultees to the planning application process, this allocation of Purple Haze is dated and no longer fit for purpose in the current national planning policy and legislative environment.

7. Verwood Town Council notes the sustained objections raised by Natural England to the current planning application, which the Town Council fully supports. The Town

Council notes that Natural England have reached their decision to object for the following reasons:

- i. The proposals may result in significant permanent changes to the functional hydrology of wetland habitats which will impact Dorset Heaths SAC, Dorset Heathlands Ramsar site and Ebblake Bog SSSI
- ii. The proposals are likely to significantly affect SPA birds via loss of breeding and foraging habitat on functionally linked land
- iii. The proposals may result in negative impacts on areas of the Dorset Heathlands SPA and New Forest SPA through the displacement of recreational pressures

8. Given the negative and lasting damage and impact on the hydrology, the site known as Purple Haze should be removed from the Minerals and Waste Plan unless an absolute assurance can be offered that there would be no adverse impact on the integrity of these European protected sites. There are continuing concerns of detrimental impact on the hydrology which would be very damaging to the delicate ecosystem of the internationally designated Ebblake Bog SSSI [part of the Dorset Heaths SAC, Dorset Heathlands SPA and Ramsar], which is only approx. 520 metres away from Purple Haze. Professional evidence submitted by the East Dorset Environment Partnership sets out the detailed evidence of the proposed negative impact of the allocation of Purple Haze on these protected sites. For this reason, the inclusion of Purple Haze is contrary to paragraph 35(a) of the NPPF in failing to be positively prepared and *'consistent with achieving sustainable development.'*

9. The proposed minerals to be extracted are of poor quality and would require on-site washing before being used for their stated purpose and this has been acknowledged by the Applicants. This does, therefore, raise serious concerns about how an absolute guarantee against any adverse impact on the hydrology of the immediate area and Ebblake Bog could be achieved. The Precautionary Principle must surely be applied as the low quality of this material cannot be justified when balanced against the lack of scientific certainty of no harm to the integrity of this site. The inclusion of the site at Purple Haze therefore fails the test of soundness as it is not 'justified' as per para. 35(b) of the NPPF (2023).

10. We are reassured by the reference to the CJEU judgement in the case of *'People Over Wind'*, which established a legal precedent that mitigation cannot be taken into account when considering the screening test for Likely Significant Effects. To take account of mitigation effects at the screening stage presupposes that there will be likely significant effects on the European sites therefore there is a requirement for an Appropriate Assessment (AA) to be carried out by the competent authority. However, when the assessment is carried out, the Court said that the AA, ***'must contain complete, precise and definitive findings and conclusions capable of removing all reasonable scientific doubt as to the effects of the proposed works.'*** As evidenced in the planning application, to realise the development of Purple Haze, all reasonable scientific doubt cannot be removed, despite the best efforts of the Applicant. For this reason, the policy of Purple Haze is not 'effective' and fails the test of soundness under para. 35(c) of the NPPF 2023.

11. There is a very strong and compelling case for the Precautionary Principle to be rigorously applied given the many layers of environmental and nature designations and sensitivities at this location. The proposal is therefore contrary to the objectives

of para. 181 of the NPPF (2023) which states that, *'plans should: distinguish between the hierarchy of international, national and local designated sites; **allocate land with the least environmental or amenity value**'*. Purple Haze is too environmentally sensitive a location and as such, its allocation fails the test of being *'consistent with national planning policy.'*

12. The Town Council has it on good authority that in addition to the disruption to groundwater hydrology there is also an issue of sediment run off.¹ Practical experience of this problem has found that it is not possible to prevent sediment run-off from mineral/landfill sites as the operation creates much bare ground that is readily erodible. Intense rainfall events invariably occur and overwhelm sediment capture measures (and particularly so when they are not adequately maintained).

13. The planning application has had no regard to the need to prove that the proposal will not have a negative impact on air quality locally, either to humans and the town of Verwood, visitors to Moors Valley Country Park or the sensitive protected habitats around the Purple Haze allocation. There is a serious concern about the impact caused by Silica dust which is harmful when inhaled into your lungs. As it is 100 times smaller than a grain of sand, you can be breathing it in without knowing. Exposure to silica dust can lead to the development of lung cancer, silicosis (an irreversible scarring and stiffening of the lungs), kidney disease and chronic obstructive pulmonary disease [COPD]. This is a particularly important consideration given the close proximity of Moors Valley Country Park to a large housing development on the eastern border of Verwood. The proposed allocation is therefore contrary to paragraph 180(e) of the NPPF (2023) which requires policies to *'prevent new and existing development from...being put at unacceptable risk*

¹ Reference to the East Dorset Environment Partnership representation
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from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution.'

14. Air Quality is a matter that has not been included in the 'Development Considerations' of the Purple Haze proposed policy allocation wording. Verwood is located within an Air Quality Management Zone. No regard has been had to the intense impact of HGV movements on air quality on the designated nature conservation sites or the people of Verwood, contrary to paragraph 192 of the NPPF (2023).

15. We are very aware of how heavily used the 150 acres of Ringwood Forest that makes up the Purple Haze site is, by both the residents of Verwood, Ringwood and visitors from the wider area. Running clubs, cycling clubs, walkers, ramblers etc all use this area. The recreational displacement of those users will be significant. Given the dust, noise, disturbance to the landscape and loss of tranquility, the effect of recreational displacement will be greater than just the limited area of the site itself. Verwood has 6 internationally designated and protected Heathlands within its settlement boundary. The recreational displacement will not only affect the nearest SPA that is Ebblake Bog, but it will extend to these other sites. Considerable public money is spent by Dorset Council and Natural England on conservation, restoration and enhancement of these priority habitats. The significant level of recreational displacement will undermine this work contrary to paragraph 185 (b) of the NPPF (2023).

16. The whole Plan fails the tests of soundness as per the National Planning Policy Framework (December 2023). The plan is not positively prepared as it is understood that Dorset Council are maintaining an objection to the continued allocation of

Purple Haze. Purple Haze is not justified. Verwood Town Council has not seen any evidence that the LPA has considered other alternative sites in much less environmentally sensitive areas. This policy for Purple Haze is not effective as it is not deliverable as evidenced through the continuing and long-standing objections of statutory consultees to the planning application. It is also considered that the Purple Haze designation itself is contrary to Policy 3 of the Proposed Submission Plan. This conflict means that Purple Haze is not effective as a site allocation.

17. Significantly, the proposed allocation of Purple Haze is no longer consistent with National Policy. As well as those policies stated in this representation, the proposal flies in the face of paragraph 216 of the NPPF (2023) which states that proposals should *'not have unacceptable adverse impacts on the natural and historic environment'*. Any perceived public benefit of the extraction of minerals from Purple Haze does not outweigh the clear deterioration of our irreplaceable habitats and valued recreational spaces.

18. The planning application has demonstrated that the policy of allocating the land at Purple Haze is ineffective. The development considerations, as per the existing proposed policy, cannot be satisfied to make development of this land for mineral extraction acceptable.

19. For the reasons set out, Verwood Town Council considers that the inclusion of the land at Purple Haze for mineral extraction in the Hampshire Minerals and Waste Local Plan, results in the entire plan being **unsound**. It is therefore requested that Purple Haze as an allocated site for mineral extraction be **REMOVED** from the Hampshire County Council Minerals and Waste Plan as part of this review.

Verwood Town Council
C/o The Clark, Carrie Lloyd
28 Vicarage Road
Verwood
Dorset
BH31 6DR
carrie@verwood.gov.uk