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Habitats Regulations Assessment
of the Purbeck Local Plan Review,
Addendum relating to the
Supplementary Main
Modifications, November 2023

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Summary

The Conservation of Habitats and Species Regulations 2017 (as amended) require local authorities to assess the impact of their Local Plan on the internationally important sites for biodiversity in and around their administrative areas. Together, these Special Protection Areas (SPAs), Special Areas of Conservation (SACs) and Ramsar sites are known as European sites. The task is achieved by means of a Habitats Regulations Assessment (HRA).

This is an addendum to the HRA of the Purbeck Local Plan and relates to the proposed Supplementary Main Modifications (SMM) that have been prepared as part of the examination of the Purbeck Local Plan (2018 – 2034). These SMM follow previous Main Modifications and Further Main Modifications. This addendum should be read alongside the previous HRA versions¹ and the addendum relates solely to the SMM. It considers the conclusions made in the previous HRA versions and updates the findings to incorporate the SMM.

The Purbeck Local Plan (including the Main Modifications and Further Main Modifications) was subjected to an appropriate assessment and integrity test according to the statutory provisions laid out in the Habitats Regulations 2017 as amended. That HRA concluded that the Plan was in conformity with the Habitats Regulations, and at a plan level a conclusion of no adverse effects, alone or in-combination, on European site integrity could be drawn.

The SMM include a range of changes to the Plan, including updated housing numbers and further detail regarding mitigation for sites in the national sites network (including European sites). These have been comprehensively checked and relevant details considered at appropriate assessment. Taking into account new guidance, context and the details of the SMM, there is nothing to undermine the findings of the previous HRA. A conclusion of no adverse effects, alone or in-combination, on the integrity of any European sites can be drawn.

It may well be that the need to consider water quality issues in relation to new housing growth as part of HRA is removed through forthcoming legislation. In the meantime, existing legislation applies and the SMM ensure housing proposals to demonstrate nutrient neutrality.

¹ in particular the HRA accompanying the Main Modifications and Further Main Modifications dated October 2021 [FMMCD3]

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1. Introduction

- 1.1 This is an addendum to the 2021 Habitats Regulations Assessment (HRA) of the Purbeck Local Plan (produced to accompany the Supplementary Main Modifications (SMM) prepared as part of the examination of the Purbeck Local Plan (2018 – 2034). These SMM have been drafted following correspondence between Dorset Council and the Planning Inspectors and in response to the Inspector’s most recent interim findings (published May 2023) together with consequential changes and other matters.

Background to the SMM

- 1.2 The Purbeck Local Plan was submitted for examination by the Secretary of State in January 2019. A Planning Inspector was appointed to examine the local plan and a series of public hearing sessions were held in 2019. Following these hearings the Inspector set out a series of changes, and a schedule of suggested Main Modifications considered necessary to make the plan sound and legally compliant. The council opened a consultation on proposed Main Modifications [MMCD1] to the Purbeck Local Plan in 2020/21
- 1.3 Following the consultation, and taking into account representations received, the Council invited the Planning Inspector to consider further proposed Main Modifications which related to the release of Green Belt at Morden for a holiday park and the proposed Suitable Alternative Natural Greenspace (SANG) at Morden. The council undertook fresh assessments of the Further Proposed Main Modifications and updated supporting documents for publication as part of the consultation, these included an updated HRA [FMMCD3]. The consultation on the proposed further Main Modifications was held in 2021/22.
- 1.4 Following the consultation a further hearing session was held in 2022 specifically to consider issues raised in the representations received by the Council. Following the hearing in 2022, the council has been in regular correspondence with the Planning Inspectors on several issues relating to the plan’s examination. The correspondence has focused on:
- Nutrient pollution in Poole Harbour;
 - The implications of the new nutrient pollution guidance;
 - The updated Local Development Scheme (SD142),
 - housing land supply;
 - The Interim Mitigation Strategy for Heathland Habitat Sites (2018/19 to 2023/24);
 - Issues and errors in the local plan policies map; and

- Policy I6 (relating Wareham integrated health and social care hub).

1.5 A consolidated schedule of Main Modifications (including supplementary main modifications) and updated polices maps were then prepared after the council received notification from the Inspectors with their interim findings and next steps [COR28].

Our approach in this addendum

1.6 The HRA has been updated at each stage of the Plan and a complete update to the HRA was undertaken to accompany the Main Modifications and Further Main Modifications (in 2021). That complete update [FMMCD3] provides background and information on the HRA process, the Purbeck Local Plan, relevant European sites, a complete screening and appropriate assessment. These are not repeated here. The addendum considers only the SMM and these are screened to check for any changes to the previous screening in 2021. The appropriate assessment sections then simply provide further updates (as required) to the previous appropriate assessment sections, providing any new analysis or reference to updated/new information. This addendum, in conjunction with FMMCD3, therefore provides a complete HRA.

2. Screening for likely significant effects

- 2.1 This section documents the screening stage (stage 1 of the 4 stage HRA process), where the SMM are screened for likely significant effects.

What constitutes a likely significant effect?

- 2.2 When undertaking screening of a Plan, a likely significant effect is identified on the basis of clear evidence of risk to European site interest, or where there could be a scientific and plausible justification for concluding that a risk is present, even in the absence of direct evidence.
- 2.3 The screening looks at policies prior to any avoidance/reduction/mitigation measures in line with People Over Wind²; measures intended to avoid or reduce effects on a European site can only be considered at Appropriate Assessment stage. People Over Wind clarified the need to carefully explain actions taken at each HRA stage, particularly at the screening for likely significant effects stage. The Judgment highlights the need for clear distinction between the stages of HRA, and good practice in recognising the function of each. The screening for likely significant effects stage should function as a screening or checking stage (regardless of avoidance, reduction/mitigation measures), to determine whether further assessment is required. Assessing the nature and extent of potential impacts on European site interest features, and the robustness of mitigation options, should be done at the appropriate assessment stage.

Screening

- 2.4 The SMM were screened to check whether there were any resulting changes to the previous screening or the Plan (with further modifications) in 2021. All SMM were checked and Table 1 summarises the findings.

² People Over Wind: European Court Case C-323/17 People Over Wind & Peter Sweetman v Coillte Teoranta 12 April 2018

Table 1: Screening of the SMM to check for changes to previous screening conclusions (i.e. changes to the screening at Further Modifications in 2021). Blue shading represents SMM where the relevant policy was previously screened in (i.e. to be considered at appropriate assessment). Bold text indicates SMM that relate specifically to policy wording (rather than supporting text or information/general background).

SMM	Description of the SMM	Screening conclusion in last iteration of HRA (2021)	Changes to previous screening conclusion	Implications for appropriate assessment section	Comments
SMM 88: Foreword	Small changes to reflect local government reorganisation and also with updated housing target	Foreword not screened as a general statement/informative	No change		Housing target is changed from 168 to 186 new homes per year. This reflects wording in SMM 25 and 26 (relating to Policy H1); Policy H1 screened in (see below).
SMM 1: Chapter 1, Introduction, Paragraph 3	Modification reflects local government re-organisation of Dorset councils and ensures Plan is consistent with National planning Policy with respect to clearly identifying policies that are strategic	No LSE. Introduction previously screened as No LSE as section informative only.	No change		
SMM 3: Chapter 2, Vision and Objectives, paragraphs 43 and 44	Modification elaborates on the justification for the spatial strategy and reflects local government reorganisation	Modification relates to supporting text to Policy V1. Policy screened in as sets quantum of growth and specific sites for new housing with a range of potential risks	No change		

Purbeck Local Plan HRA Addendum at Supplementary Main Modifications

SMM	Description of the SMM	Screening conclusion in last iteration of HRA (2021)	Changes to previous screening conclusion	Implications for appropriate assessment section	Comments
SMM 4: Chapter 2, Vision and Objectives, insert text after paragraph 44	Modification elaborates on the justification for the spatial strategy and reflects local government reorganisation	Modification relates to supporting text to Policy V1. Policy screened in as sets quantum of growth and specific sites for new housing with a range of potential risks	No change		
SMM 5: Chapter 2, Vision and Objectives, Policy V1: Spatial strategy for sustainable communities and key diagram	Modification ensures clarity and reflects updated sources of housing land supply and deliverability.	Policy V1 screened in as sets quantum of growth and specific sites for new housing with a range of potential risks	No change	Appropriate assessment needs to consider success of mitigation approaches to date and check that strategic mitigation continues to be fit for purpose in relation to overall quantum of housing.	
SMM 6: Chapter 2, Vision and Objectives, paragraphs 45 to 48	Modification ensures supporting text consistent with spatial strategy and updated reference to council area	Policy relates to supporting text to Policy V2. Policy screened out as relates to green belt status, which itself does not protect or place risk on European sites.	No change		
SMM 8: Chapter 3 Environment, paragraphs 52, 53 and 54	Deletes reference to World Heritage site and updates reference to council area.	Modification relates to supporting text to Policy E1. This policy was screened out as a protective policy for the natural environment	No change		

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SMM	Description of the SMM	Screening conclusion in last iteration of HRA (2021)	Changes to previous screening conclusion	Implications for appropriate assessment section	Comments
SMM 14: Chapter 3, Environment, paragraph 81	Modification provides full details of protected sites within the plan area and updates reference to both UK and European law	Modification relates to supporting text to Policy E7, E8 and E9. These policies previously identified as ones that avoid/reduce harm to European sites and screened in for further consideration at appropriate assessment following People vs Wind.	No change		
SMM 15: Chapter 3, Environment, paragraph 83 (insertions and deletions)	Modification provides clarification on the relevant European sites within the local plan area and updates text relating to HRA findings	Modification relates to supporting text to Policy E7 and E8. These policies identified as ones that avoid/reduce harm to European sites and screened in for further consideration at appropriate assessment following People vs Wind.	No change	Supplementary text includes reference to need for watching brief on coastal sites	
SMM 16: Chapter 3, Environment, paragraph 85 (insertions)	Modification adds further detail relating to Heathland mitigation and air quality mitigation.	Modification relates to supporting text to Policy E7 and E8. These policies previously identified as ones that avoid/reduce harm to European sites and screened in for further consideration at	No change	Further detail relating to recreation and air quality mitigation which needs to be considered at appropriate assessment	

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SMM	Description of the SMM	Screening conclusion in last iteration of HRA (2021)	Changes to previous screening conclusion	Implications for appropriate assessment section	Comments
		appropriate assessment following People vs Wind.			
SMM 18: Chapter 3, Environment, paragraph 95	Modification clarifies the difference in approach between Corfe Common and other protected heathlands designated as Special Protection Areas (SPA), Special Areas of Conservation (SAC) and Sites of Special Scientific Interest (SSSI).	Modification relates to supporting text to Policy E7 and E8. These policies previously identified as ones that avoid/reduce harm to European sites and screened in for further consideration at appropriate assessment following People vs Wind.	No change	Appropriate assessment needs to check approach to Corfe Common	
SMM 19: Chapter 3, Environment, Policy E7	Modification deletes the reference to Supplementary Planning Documents or other standalone documents in the policy	Policy previously identified as one that avoids/reduces harm to European sites and screened in for further consideration at appropriate assessment following People vs Wind.	No change		
SMM 20: Chapter 3, Environment, Policy E8	Modification deletes the reference to Supplementary Planning Documents or other standalone documents in the policy, adds clarification around Corfe Common and	Policy previously identified as one that avoids/reduces harm to European sites and screened in for further consideration at appropriate assessment	No change	Policy clarifies position for Corfe Common and following SMM also now addresses air quality	

Purbeck Local Plan HRA Addendum at Supplementary Main Modifications

SMM	Description of the SMM	Screening conclusion in last iteration of HRA (2021)	Changes to previous screening conclusion	Implications for appropriate assessment section	Comments
	<p>updates reference to relevant legislation. Also highlights the development is dependent on mitigation for air quality.</p>	<p>following People vs Wind.</p>			
<p>SMM 86: Chapter 3, Environment, Paragraphs 86. to 91</p>	<p>Modification relates to supporting text to E9 and nutrient pollution issues affecting Poole Harbour, in light of Natural England guidance and legislative requirements.</p>	<p>Supporting text relating to Policy E9. Policy previously identified as one that avoids/reduces harm to European sites and screened in for further consideration at appropriate assessment following People vs Wind.</p>	<p>No change</p>	<p>New guidance from Natural England has been issued since last HRA and nutrient neutrality a rapidly changing topic. Text includes detail around mitigation requirements for nutrients that will have implications for the appropriate assessment</p>	
<p>SMM 21: Chapter 3, Environment, Policy E9</p>	<p>Modification removes reference to mitigation SPDs in policy, clarifies the area within which nutrient issues and recreation impacts may occur with respect to Poole Harbour and updates wording around nutrient neutrality and Poole Harbour, to</p>	<p>Policy previously identified as one that avoids/reduces harm to European sites and screened in for further consideration at appropriate assessment following People vs Wind.</p>	<p>No change</p>	<p>New guidance from Natural England has been issued since last HRA and nutrient neutrality a rapidly changing topic. Text includes detail around mitigation requirements for nutrients that will have implications for</p>	

SMM	Description of the SMM	Screening conclusion in last iteration of HRA (2021)	Changes to previous screening conclusion	Implications for appropriate assessment section	Comments
	ensure compliance with updated guidance from Natural England.			the appropriate assessment	
SMM 24: Chapter 3, Environment, Policy E12	Modification clarifies the relationship between the council's strategic design policy in the local plan and non-strategic design policies in neighbourhood plans and updates reference to the council area	Policy previously screened out as no LSE.	No change		
SMM 25: Chapter 4, Housing, Paragraph 110 and 111 (insertions and deletions)	Modification is needed to ensure consistency with the method for calculating the local housing need and reflects updated evidence relating to housing land supply	Modification relates to supporting text to Policy H1. That policy previously screened in as LSE – quantum and distribution of housing delivery presents a number of potential impact pathways	No change	Target changed from 2,688 to 2,976 homes 2018 to 2034	
SMM 26: Chapter 4, Housing, Policy H1	Modification ensures that the assessment of local housing need in the council's plan is consistent with the method for calculating local housing need in national policy and guidance. Reflects	Policy previously screened in LSE – quantum and distribution of housing delivery presents a number of potential impact pathways	No change	Target changed from 2,688 to 2,976 homes 2018 to 2034	

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SMM	Description of the SMM	Screening conclusion in last iteration of HRA (2021)	Changes to previous screening conclusion	Implications for appropriate assessment section	Comments
	updated evidence relating to housing land supply and ensures consistency with other modifications				
SMM 27: Chapter 4, Housing, paragraph 114	Modification ensures that the assessment of local housing need in the council's plan is consistent with the method for calculating local housing need in national policy and guidance. Reflects updated evidence relating to housing land supply and ensures consistency with other modifications	Modification relates to supporting text to Policy H2. Policy previously screened in LSE – quantum and distribution of housing delivery presents a number of potential impact pathways	No change	Target changed from 2,688 to 2,976 homes 2018 to 2034	
SMM 28: Chapter 4, Housing, paragraphs 116 and 117	Modification reflects standard method for calculating housing need and updated evidence on land supply	Modification relates to supporting text to Policy H2. Policy previously screened in LSE – quantum and distribution of housing delivery presents a number of potential impact pathways	No change		
SMM 29: Chapter 4, Housing, Trajectory	Modification reflects standard method for calculating housing need	Modification relates to supporting text to Policy H2 (updated graphic). H2 previously screened in LSE	No change		

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SMM	Description of the SMM	Screening conclusion in last iteration of HRA (2021)	Changes to previous screening conclusion	Implications for appropriate assessment section	Comments
	and updated evidence on land supply	– quantum and distribution of housing delivery presents a number of potential impact pathways			
SMM 30: Chapter 4, Housing, Policy H2	Modification reflects updated evidence relating to housing land supply and ensures consistency with other modifications	Policy previously screened in LSE – quantum and distribution of housing delivery presents a number of potential impact pathways	No change	Housing figures and proportion in different sites/types of sites updated	
SMM 31: Chapter 4, Housing, paragraph 118	Modification ensures clarity and includes an updated reference to the council area	Modification relates to supporting text to H3. That policy previously screened out as no LSE.	No change		
SMM 32: Chapter 4, Housing, Policy H3	Modification amends text to clarify that the requirements of the policy relate to housing sites referred to in Policies H4, H5, H6 and H7. New homes on the allocated sites in Lytchett Matravers and Upton are also likely to have adverse effects on Poole Harbour Special Protection Area through	Policy previously screened out as no LSE.	No change		Amended text includes reference to nutrient neutrality and mitigation for recreational activity, through cross reference to Policy E9. There is no need to screen this policy in for further consideration (in light of People vs Wind) as it simply signposts E9.

SMM	Description of the SMM	Screening conclusion in last iteration of HRA (2021)	Changes to previous screening conclusion	Implications for appropriate assessment section	Comments
	<p>recreational activity. The proposed Main Modification outlines that the adverse effects arising from the development on the integrity of Poole Harbour will also need to be avoided with mitigation. Text is deleted on SANGs (to avoid duplication) and requirement relating to electric vehicle charging is revised. Includes revisions relating to Biodiversity Net Gain and removed reference to SPD. Cross reference added to E9 (relating to Poole Harbour and nutrients).</p>				
<p>SMM 33: Chapter 4, Housing, paragraph 122</p>	<p>Modification updates reference to council area and changes target from “490 homes” to “around 490 homes”.</p>	<p>Supporting text to policy H4. That policy previously screened in with potential risks due to proximity to European sites.</p>	<p>No change</p>		
<p>SMM 35: Chapter 4, Housing, Policy H4</p>	<p>Modification updates reference to council</p>	<p>Policy previously screened in as LSE, with</p>	<p>No change</p>	<p>SANG requirements set out as including at least</p>	

SMM	Description of the SMM	Screening conclusion in last iteration of HRA (2021)	Changes to previous screening conclusion	Implications for appropriate assessment section	Comments
	area and changes target so less specific (use of 'around'). Includes updated requirements for care accommodation and removes off-road cycleway, plus clarity around SANG requirements.	potential risks due to proximity to European sites		18ha in the eastern part of the site and a heathland support area of at least 23.8ha. These need to be considered at appropriate assessment	
SMM 38: Chapter 4, Housing, Policy H5	Modification updates reference to council area and changes target so less specific (use of 'around'). Includes updated requirements for care accommodation, plus clarity around SANG requirements.	Policy previously screened in as LSE, with potential risks due to proximity to European sites	No change	SANG requirements specified and total 32.7ha; details need to be considered at appropriate assessment	
SMM 40: Chapter 4, Housing, Policy H6	Modification updates reference to council area and changes target so less specific (use of 'around'). Adds clarity around SANG requirements.	Policy previously screened in as LSE, with potential risks due to proximity to European sites	No change	SANG requirements specified and total 7.6ha; details need to be considered at appropriate assessment	
SMM 41: Chapter 4, Housing, Policy H7	Modification updates reference to council area and changes target	Policy previously screened in as LSE, with potential risks due to	No change	SANG requirements specified and total 4.66ha; details need to	

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SMM	Description of the SMM	Screening conclusion in last iteration of HRA (2021)	Changes to previous screening conclusion	Implications for appropriate assessment section	Comments
	so less specific (use of 'around'). Includes details on meeting needs of elderly/disabled people and adds clarity around SANG requirements.	proximity to European sites		be considered at appropriate assessment	
SMM 42: Chapter 4, Housing, paragraphs 148 and 149 (insertions and deletions)	Modification updates reference to council area, sets limits on numbers of dwellings at individual sites and sets out need for HRA.	Modification relates to supporting text for H8. Policy previously screened in as LSE, with potential risks due to proximity to European sites	No change		While amended text includes reference to need for HRA and mitigation, there are no specific details and no implications with respect to People vs Wind
SMM 43: Chapter 4, Housing, Policy H8.	Modification clarifies policy relating to areas outside the Green Belt, sets limits on numbers of dwellings, excludes sites that are within a Neighbourhood Plan area and sets out need for HRA.	Policy previously screened in as LSE, with potential risks due to proximity to European sites	No change		While amended text includes reference to need for HRA and mitigation, there are no specific details and no implications with respect to People vs Wind
SMM 45: Chapter 4, Housing, Policy H9	Modification reflects the accommodation needs of older and disabled people	Policy previously screened out as no LSE – promotes housing types not a quantum or location for development.	No change		

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SMM	Description of the SMM	Screening conclusion in last iteration of HRA (2021)	Changes to previous screening conclusion	Implications for appropriate assessment section	Comments
SMM 46: Chapter 4, Housing, Policy H10	Modification states that local policies in neighbourhood plans should support general principles around accessible homes and may set distinct local requirements.	Policy previously screened out as no LSE - does not set a quantum or location for development	No change		
SMM 47: Chapter 4, Housing, Policy H11.	Modification includes an updated reference to the Council area and clarifies the relationship between strategic and non-strategic policies in neighbourhood plans around the tenure mix of affordable homes	Policy previously screened out as no LSE - promotes the required affordable housing proportions, not a quantum or location for development.	No change		
SMM 48: Chapter 4, Housing, title before paragraph 170 (deletion)	Modification includes an updated reference to the Council area and provides consistency with the policies in the NPPF and the distinction between rural exception sites and entry level rural exception sites.	Modification relates to supporting text to Policy H12. That policy screened out as No LSE - criteria based, not promoting a quantum or location for development.	No change		
SMM 49: Chapter 4, Housing, alterations,	Modification highlights need for HRA for rural exception sites	Modification relates to supporting text to Policy H12. That policy screened	No change		While amended text includes reference to need for HRA and

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SMM	Description of the SMM	Screening conclusion in last iteration of HRA (2021)	Changes to previous screening conclusion	Implications for appropriate assessment section	Comments
insertions and deletions paragraphs 171 and 172		out as No LSE - criteria based, not promoting a quantum or location for development.			mitigation, there are no specific details and no implications with respect to People vs Wind
SMM 52: Chapter 4, Housing, Policy H12	Modification clarifies the council's expectations around the balance between the mix of market and affordable homes permitted on rural exception sites, encourages sustainable patterns of development and high quality design and highlights need for HRA for rural exception sites	Policy screened out as No LSE - criteria based, not promoting a quantum or location for development.	No change		While amended text includes reference to need for HRA and mitigation, there are no specific details and no implications with respect to People vs Wind
SMM 53: Chapter 4, Housing, insert paragraph after paragraph 181	Modification ensures screening for homes for rural workers in the countryside and updated reference to legislation.	Modification relates to supporting text to Policy H13, which was screened out as No LSE - criteria based, not promoting a quantum or location for development.	No change		While amended text includes reference to need for HRA and mitigation, there are no specific details and no implications with respect to People vs Wind
SMM 54: Chapter 4, Housing, Policy H13	Modification ensures screening for homes for rural workers in the countryside and	Policy screened out as No LSE - criteria based, not promoting a	No change		While amended text includes reference to need for HRA and mitigation, there are no

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SMM	Description of the SMM	Screening conclusion in last iteration of HRA (2021)	Changes to previous screening conclusion	Implications for appropriate assessment section	Comments
	updated reference to legislation.	quantum or location for development.			specific details and no implications with respect to People vs Wind
SMM 59: Chapter 4, Housing, paragraphs 191 and 192	Modification ensures screening for homes for rural workers in the countryside and updated reference to legislation.	Modification relates to supporting text to Policy H15, which was screened out as No LSE - criteria based, not promoting a quantum or location for development.	No change		While amended text includes reference to need for HRA and mitigation, there are no specific details and no implications with respect to People vs Wind
SMM 60: Chapter 4, Housing, Policy H15	Modification ensures screening for homes for rural workers in the countryside and updated reference to legislation.	Policy screened out as No LSE - criteria based, not promoting a quantum or location for development.	No change		While amended text includes reference to need for HRA and mitigation, there are no specific details and no implications with respect to People vs Wind
SMM 61: Chapter 5, Economy, Policy EE1	Modification updates extent of safeguarded employment land and includes reference to the council area	Policy screened in due to potential risks to European sites	No change		Area slightly reduced and no change in sites or additional areas at any sites, so no material change in terms of potential risks
SMM 63: Chapter 5, Economy, Policy EE2	Modification clarifies the scope of the policy in respect to 'safeguarded' and other	Policy previously screened out as a qualitative, criteria based policy that does	No change		While amended text includes reference to need for HRA and mitigation, there are no

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SMM	Description of the SMM	Screening conclusion in last iteration of HRA (2021)	Changes to previous screening conclusion	Implications for appropriate assessment section	Comments
	employment land, seeks to make it clear how proposals relating to existing (non-safeguarded) employment land will be assessed, highlights need for screening for likely significant effects and updates the reference to the council area.	not promote a quantum or location for development			specific details and no implications with respect to People vs Wind
SMM 64: Chapter 5, Economy, paragraph 215	Modification reflects updated information on making the Wareham Neighbourhood Plan and the council has also updated local plan policies maps to avoid conflict between the plans on this issue.	Modification relates to supporting text to Policy EE3. This policy was previously screened out as a qualitative, criteria based policy that is town centre focussed and impact pathways therefore unlikely	No change		
SMM 65: Chapter 5, Economy, Policy EE3	Modification seeks to define the policy requirements (around convenience retail floor space and changes of use at ground floor), ensures screening for likely significant effects	Policy was previously screened out as a qualitative, criteria based policy that is town centre focussed and impact pathways therefore unlikely	No change		While amended text includes reference to need for HRA and mitigation, there are no specific details and no implications with respect to People vs Wind. Policy now

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SMM	Description of the SMM	Screening conclusion in last iteration of HRA (2021)	Changes to previous screening conclusion	Implications for appropriate assessment section	Comments
	and reflects changes to legislation				includes specific reference to area of floor space at Moreton Station/Redbridge Pit and at Wool. These could not have any conceivable adverse effect on a site
SMM 66: Chapter 5, Economy, Policy EE4	Modification requires screening for likely significant effects, reflects the spatial strategy for the distribution of development and updates reference to legislation	Policy was previously screened out as a qualitative, criteria based policy that does not promote a quantum or location for development	No change		While amended text includes reference to need for HRA and mitigation, there are no specific details and no implications with respect to People vs Wind.
SMM 68: Chapter 6, Infrastructure, paragraph 230, insertion	Modification adds reference to SPDs and links to policies E8 Dorset Heathlands and E9 Poole Harbour.	Modification relates to supporting text to Policy I1. That policy previously screened out as it provides for the use of developer contributions, either S106 or CIL, to contribute to the strategic mitigation approaches for Dorset Heathlands and Poole Harbour. Impacts	No change		While amended text includes reference to need for HRA and mitigation, there are no implications with respect to People vs Wind.

SMM	Description of the SMM	Screening conclusion in last iteration of HRA (2021)	Changes to previous screening conclusion	Implications for appropriate assessment section	Comments
		and need for mitigation relate to other policies			
SMM 69: Chapter 6, Infrastructure, Policy I1	<p>Modification ensures, following the adoption of the Recreation in Poole Harbour SPD, that the policy requirements are clearly expressed and details how funding for habitat sites mitigation (to avoid adverse impacts on the integrity of these sites) will be secured. Modification also clarifies which mechanisms the council expects to be used to secure delivery or funding for heathland and nutrient mitigation taking account of SMM to supporting text (SMM87) and Policy E9 (SMM21). Also clarifies the policy and elaborates how education contribution will be spent</p>	<p>Policy previously screened out as it provides for the use of developer contributions, either S106 or CIL, to contribute to the strategic mitigation approaches for Dorset Heathlands and Poole Harbour. Impacts and need for mitigation relate to other policies</p>	<p>No change</p>		

Purbeck Local Plan HRA Addendum at Supplementary Main Modifications

SMM	Description of the SMM	Screening conclusion in last iteration of HRA (2021)	Changes to previous screening conclusion	Implications for appropriate assessment section	Comments
<p>SMM 71: Chapter 6, Infrastructure, Policy I2</p>	<p>Modification deletes the reference to SPDs or other standalone documents in the policy, reflects that further site specific consultation may be required with energy suppliers to ensure capacity in the existing electricity network, clarifies the relationship between strategic and local planning policy in relation to accessibility and transport and updates the reference to the Council area.</p>	<p>Policy previously screened out as a qualitative, criteria based policy that does not promote a quantum or location for development</p>	<p>No change</p>		
<p>SMM 72: Chapter 6, Infrastructure, Paragraph 249</p>	<p>Modification clarifies the relationship between Policy I3 and non-strategic policies in neighbourhood development plans relating to local green space and includes an updated reference to the Council area.</p>	<p>Modification relates to supporting text to Policy I3. That policy previously screened out as an environmentally positive policy that will support the natural environment of the area.</p>	<p>No change</p>		<p>As highlighted in last iteration of the screening the GI strategy will need to be checked to ensure Habitats Regulations Compliance and should be supported by a HRA (proportionate to requirements).</p>

Purbeck Local Plan HRA Addendum at Supplementary Main Modifications

SMM	Description of the SMM	Screening conclusion in last iteration of HRA (2021)	Changes to previous screening conclusion	Implications for appropriate assessment section	Comments
SMM 76: Chapter 6, Infrastructure, paragraphs 256 and 257	Modification clarifies the council's support for delivery of a strategic SANG at Morden independently of a holiday park or alongside enabling development (subject to an assessment against national planning policy)	Modification relates to supporting text to I5. This was previously identified as one that avoids/reduces harm to European sites and screened in for further consideration at appropriate assessment following People vs Wind.	No change	Mitigation delivery for heathland needs to be reviewed at appropriate assessment	Text highlights that the Morden SANG is not essential in the short term to deliver mitigation for the Dorset Heaths as there are heathland infrastructure projects which can mitigate impacts in short term and up to the date when it forecasts the adoption of the Dorset Council Local Plan. Nonetheless, screening decisions are made in the absence of mitigation.
SMM 77: Chapter 6, Infrastructure, Policy I5	Modification clarifies those circumstances under which a SANG and holiday park may come forward	Policy was previously identified as one that avoids/reduces harm to European sites and screened in for further consideration at appropriate assessment following People vs Wind.	No change	Mitigation delivery for heathland needs to be reviewed at appropriate assessment	Addition includes reference to key design elements necessary for the SANG.
SMM 87: Chapter 6, Infrastructure, paragraphs 263 to 265	Modification reflects local government re-organisation of Dorset councils, updated council	Modification relates to supporting text to Policy I6. Policy previously screened out as unlikely	No change		

Purbeck Local Plan HRA Addendum at Supplementary Main Modifications

SMM	Description of the SMM	Screening conclusion in last iteration of HRA (2021)	Changes to previous screening conclusion	Implications for appropriate assessment section	Comments
	area and changes in priorities of potential partners in the health and social care hub	to lead to any potential impact pathways			
SMM 78: Chapter 6, Infrastructure, Policy I6	Modification defines the need for robust screening of likely significant effects and that appropriate mitigation is secured to avoid adverse effects on habitat sites	Policy previously screened out as unlikely to lead to any potential impact pathways	No change		Policy title changed to include housing and policy specific to the Wareham Middle School site. Implications for new residential accommodation taken to appropriate assessment through housing policies. While amended text includes reference to need for HRA and mitigation, there are no specific details and no implications with respect to People vs Wind.
SMM 81: Chapter 6, Infrastructure, Policy I7	Modification includes a further amendment that is proposed to encompass a wider range of circumstances and clarifies the evidence that it expects	Policy previously screened out as settlement focussed and unlikely to lead to any potential impact pathways	No change		While amended text includes reference to need for HRA and mitigation, there are no specific details and no implications with

Purbeck Local Plan HRA Addendum at Supplementary Main Modifications

SMM	Description of the SMM	Screening conclusion in last iteration of HRA (2021)	Changes to previous screening conclusion	Implications for appropriate assessment section	Comments
	applicants to provide when assessing applications relating to public services and facilities provided or delivered by public bodies, private bodies and non-profit organisations. Also highlights need for project level HRA.				respect to People vs Wind
SMM 82: Chapter 7, Implementation delivery and monitoring, monitoring framework	Modification ensures consistency with other modifications	Policy previously screened out as supportive and informative for the strategic mitigation approaches for European sites and their review	No change		Monitoring important in ensuring mitigation effectiveness.
SMM 84: Insert Appendix 1	Appendix 1 lists other documents referred to in the Purbeck Local Plan	Previously screened out as informative only	No change		
SMM 85: Insert Appendix 2	Appendix 2 lists small and medium-sized sites	Previously screened in but as additional detail relating to H2 and H8 and therefore covered by those policies.	No change		

3. Screening conclusions

3.1 There were no changes to the previous screening findings, i.e. as a result of the SMM there are no additional policies that need to be taken to appropriate assessment nor any policies for which the appropriate assessment is no longer required.

3.2 The SMM include updated housing figures, and overall the housing target has changed from 2,688 to 2,976 homes (2018 to 2034). The numbers of new dwellings at different locations has changed slightly too, including qualifying figures for the number of houses at sites with 'around' to highlight there is some flexibility in the number of houses that may actually come forward. These changes have no implications for the screening conclusions and given the relatively small changes do not have any particular implications for the appropriate assessment.

3.3 As a result of the screening, it is however necessary to revisit some elements of the appropriate assessment in light of the following:

Recreation and urban effects on the Dorset Heaths

- SMM include clarification of 400m zone and mitigation requirements relating to Corfe Common (SMM18 and SMM20)
- SMM refer to the annual update on interim mitigation projects (November 2022) and set out priority mitigation projects and capacity (SMM16)
- SMM refer to different SANG levels for specific development with respect to Policies H4, H5, H6 and H7 (SMM35, SMM38, SMM 40 and SMM 41)

Recreation at non-heathland sites

- SMM add reference to watching brief on coastal SACs in supplementary text (SMM15)
- SMM include new details on mitigation for recreation at Poole Harbour and cross references to the adopted SPD (SMM86 and SMM21)

Water quality

- SMM include reference to nutrient neutrality, reference to updated guidance from Natural England and further details on mitigation (SMM86 and SMM21)

Air Quality

- SMM update include a reference to the interim air quality mitigation strategy (SMM16).

3.4 As with the previous HRA, impacts on water availability are eliminated as the Water Resources Management Plan (WRMP) produced by Wessex Water forecasts sufficient

headroom, with the most recent WRMP ('WRMP24' due for publication and implementation in 2024) indicating capacity until 2035³:

³ See <https://corporate.wessexwater.co.uk/our-future/our-plans/water-resources-management-plan> for background. The previous HRA relied on the 2019 WRMP, a draft of the 2024 WRMP was subject to consultation in 2023.

4. Appropriate Assessment: Recreation and urban effects on the Dorset Heaths

Relevant policies from LSE screening (including the SMM)

4.1 Screening identified likely significant effects for the following policies alone:

- V1 – Spatial strategy for sustainable communities (Dorset Heaths SACs/SPA/Ramsar);
- H1 – Local housing requirement (Dorset Heaths SACs/SPA/Ramsar);
- H2 – The housing land supply (Dorset Heaths SACs/SPA/Ramsar);
- H4 – Moreton Station/Redbridge Pit (Dorset Heaths SACs/SPA/Ramsar);
- H5 – Wool (Dorset Heaths SACs/SPA/Ramsar);
- H6 – Lytchett Matravers (Dorset Heaths SACs/SPA/Ramsar);
- H7 – Upton (Dorset Heaths SACs/SPA/Ramsar);

4.2 Screening identified likely significant effects for the following policies in-combination with other elements of plan and other plans/projects:

- H8 – Small sites next to existing settlements (Dorset Heaths SACs/SPA/Ramsar);
- EE1 – Employment land supply (Dorset Heaths SACs/SPA/Ramsar).

4.3 Policies were screened in the absence of mitigation and mitigation measures are set out in:

- E7 – Conservation of protected sites;
- E8 – Dorset Heathlands;
- I5 – Morden Park SANG (Dorset Heaths SACs/SPA/Ramsar).

Findings of the 2021 HRA

4.4 The 2021 HRA concluded (paragraphs 5.79 – 5.80):

“The mitigation approach for the Dorset Heaths is long-established, has provided the model for other similar strategic mitigation schemes across the country and has been refined and updated over time. The current strategy is set out in the Dorset Heathlands Planning Framework SPD. The strategy includes a 400m zone around the heaths that ensures particularly harmful development does not occur, and mitigation through SAMM and HIPs for development between 400m and 5km. Compliance with the mitigation strategy ensures a conclusion of no adverse effect on integrity for the Dorset Heaths SACs/SPA/Ramsar from urban effects and recreation, alone or in-combination. At present there is however some uncertainty regarding HIPs for some of the small sites and windfall development within the Plan. The allocation of a strategic SANG at

Morden will provide mitigation for scattered growth over a wide area. In addition, the Council has produced an interim mitigation strategy that identifies a range of potential projects, some of which are relatively advanced and the strategy ensures there is adequate mitigation. Ultimately Policy E8 ensures additional residential development will only be permitted subject to satisfactory mitigation measures.

The current Dorset Heathlands Planning Framework joint SPD runs until 2025 and the interim mitigation strategy for Purbeck will run through to 2024, and this timing provides an opportunity for review. Both Dorset Council and BCP Council are preparing new local plans for the two Council areas and these will replace the six current local plans. A comprehensive review of mitigation is underway and includes analysis of visitor data, housing data and mitigation delivery to identify opportunities for HIP provision, checking the relative visitor catchments of HIPs and opportunities for further mitigation. This will ensure any update to the SPD and future mitigation can deliver the right mitigation for the scale of growth proposed."

Implications of the SMM

Corfe Common

- 4.5 Corfe Common SSSI falls within the Dorset Heaths SAC and the Dorset Heathlands Ramsar but is not part of the Dorset Heathlands SPA. The site is different to other components of the Dorset Heaths as it sits on the Purbeck Wealden Beds and is predominantly grassland and wet flushes. It is of considerable botanical importance and supports a suite of rare plants. The Southern Damselfly also occurs on the site.
- 4.6 The SMM include clarification of the difference in approach for Corfe Common compared to other heathland sites. As set out in SMM18 and SMM20, development within 400m of the SSSI will be considered on a case-by-case basis by Natural England and may be acceptable if the likely significant effects on Corfe Common can be avoided/mitigated. This is different to the other parts of the Dorset Heaths where residential development involving a net increase in dwellings or other uses such as tourist accommodation and equestrian-related development will not typically be permitted within 400m (see Policy E8). Development within 400m-5km of Corfe Common are subject to the same mitigation requirement for impacts on heathlands in general.
- 4.7 Corfe Common is not part of the Dorset Heathlands SPA and does not hold notable populations of heathland bird species, it is also less vulnerable to fire compared to drier areas of the Dorset Heaths that support more typical heathland vegetation. The different approach is therefore justified. No actual allocations or level of growth within 400m of the site are proposed within the Plan. The SMM serves to clarify the issues

and risks. Adverse effects on integrity to the Dorset Heaths SAC and Dorset Heathlands Ramsar from recreation/urban effects can be eliminated due to the need to ensure project level HRA. With adverse effects on integrity alone eliminated, there is no need for in-combination assessment.

Site specific SANG mitigation as part of the proposals (SMM35, SMM38, SMM 40 and SMM 41)

- 4.8 SMM35, SMM38, SMM40 and SMM41 are modifications that specify the area of SANG provision associated with particular allocations. These are:
- SMM35, Policy H4: Moreton Station / Redbridge Pit k) on-site SANG of 18ha (in the eastern part of the site) and a Heathland Support Area of at least 23.8ha;
 - SMM38, Policy H5: Wool k) SANG totalling 32.7ha;
 - SMM40, Policy H6: Lytchett Matravers d) 7.6ha SANG at Flower's Drove;
 - SMM41, Policy H7 Upton f) 4.66ha SANG.
- 4.9 These SMM add clarity and define the HIP mitigation requirements associated with specific allocations. The area of SANG has been agreed with Natural England and the site promoters, and as such are achievable. The SMM therefore serve to consolidate the previous HRA findings, ensure compliance with the Dorset Heathlands Planning Framework Joint SPD and ensure sufficient SANG are secured at each allocation.
- ### *Interim Mitigation Strategy, SMM16 and SMM77*
- 4.10 SMM16 relates to supporting paragraphs for 'Policy E8: Dorset heathlands' and sets out the requirement for heathland mitigation measures to support delivery of homes up to the point when the council expects to adopt the Dorset Council Local Plan. SMM16 also specifies individual mitigation projects in the 'Interim Mitigation Strategy', provides estimates of their mitigation capacity and outlines the council's commitment to monitor delivery of homes and heathland infrastructure projects.
- 4.11 Also relevant is SMM77, which relates to Policy I5. This wording indicates that a strategic SANG will come forward at Morden Park, subject to agreement between the landowner, the Council and Natural England. If such an agreement cannot be reached, the Council will either take necessary steps to secure its delivery or secure alternative options for mitigation.
- 4.12 The overall mitigation approach is set out in the Dorset Heathlands SPD and involves both Strategic Access Management and Monitoring ('SAMM') relating to visitor management and monitoring on the heaths and heathland infrastructure projects (projects that are typically away from the heaths, including Suitable Alternative Natural

Greenspace 'SANG'). Further details are set out in the interim mitigation strategy⁴. This was updated in November 2022⁵. The interim mitigation strategy ensures there are sufficient infrastructure projects to address the level of housing growth proposed and where site specific mitigation is not part of the proposal.

- 4.13 The Council's approach identifies several 'priority' mitigation projects for delivery, which between them are estimated to have capacity to mitigate for over 680 new homes (as described in SMM16 and the annual update on interim mitigation projects). The mitigation capacity is a minimum of 680 as it is difficult or impossible to estimate capacity for some of the projects, such as those that involve new access infrastructure, signage and interpretation and there is no estimate for some projects at all. The capacity estimates have been agreed with Natural England.
- 4.14 The mitigation projects are listed in Table 2 (below) and also shown in Map 1. Note that the projects are shown simply as dots on the map indicating the approximate location rather than detailed boundaries or the locations of specific works.

Table 2: Heathland mitigation projects in the November update (with the exclusion of Pike's Farm, where the council have withdrawn from negotiations with the landowner). Bold text shows the 'priority projects'.

Map Ref	Site	capacity
1	Flowers Drove	100
2	Policeman's Lane	150
3	Wild Woodbury	430
4	Visitor Project: Bog Lane	
5	Visitor Project: paths at Corfe Castle	
6	Visitor Project: paths near Swanage	
7	Heathland support area to north of Winfrith Heath	
8	Purbeck Visitor Management Project	
9	Norden Heathland Infrastructure Project	
10	Land east of Gore Heath	
11	Sherford Bridge, Morden	
12	Wareham Common	

- 4.15 For plan-level HRA, case law demonstrates that the Local Planning Authority needs to be satisfied that the mitigation being relied upon is achievable in practice. For example, in the case of the New Adastral New Town Ltd (NANT)⁶, the important

⁴ Interim Mitigation Strategy for Heathland Habitat Sites (2018/1 to 2023/24) [FMMCD1]

⁵ See Annual update on interim mitigation projects, November 2022 [SD146]

<https://www.dorsetcouncil.gov.uk/documents/35024/3335965/Annual+Update+Interim+mitigation+projects+-+November+2022+-+v7.pdf/eed918b5-672a-c7aa-5936-8ebd3f26a679>

⁶ No Adastral New Town Ltd (NANT Ltd) v Suffolk Coastal District Council, Court of Appeal, 17 Feb 2015

question for the court of appeal was whether there was sufficient information at the Plan stage to enable the Council to be duly satisfied that the proposed mitigation could be achieved in practice.

- 4.16 As Map 1 shows, the various projects are well distributed and have the potential to provide mitigation for growth in a range of locations. Key areas of the Dorset Heaths within Purbeck are covered. While there is perhaps some uncertainty around delivery and timing for some of the projects, others are completed or well underway. For example, the improvements to Bog Lane SANG and the Purbeck Heaths Visitor Management Project (involving ditches, banking and other changes around Hartland Moor to restrict/contain parking) have been completed. The land for the SANG at Wild Woodbury is under the ownership of the Dorset Wildlife Trust and has been granted planning permission in 2023⁷. The masterplan for the site includes a car park with 14 spaces (meaning the site will be able to draw visitors from a wide radius and not just those that can access on foot).
- 4.17 The updated mitigation strategy [SD146] makes it clear that there is sufficient capacity to mitigate the effects from development delivered to March 2024. Looking ahead to 2025/26, the point at which the Dorset Local Plan is anticipated, it would seem there is not quite enough capacity (with 690 homes the estimated delivery up to 2025/26). The shortfall is slight. However, there are a range of projects for which no capacity has been estimated. Furthermore, it is possible that housing delivery may not be as predicted and may fall short of the 690 figure (particularly as this includes windfall) and there is also a SANG proposed in the Plan for Morden (Policy I5). Neither of these latter two points can be relied on to remove adverse effects on integrity (there is some uncertainty as to how the SANG might be delivered), but they do highlight that there could be variation in the mitigation requirements and different options to mitigate. The locations for the sites coming forward that need mitigation are not fixed in policy given around 160⁸ are windfall.
- 4.18 The Plan contains clear wording (SMM 16) that the Council will monitor both planning permissions for development within the 5km area around the Dorset Heaths and progress on the delivery of mitigation projects. The Council will develop further heathland infrastructure projects as required. This approach removes uncertainty as it ensures mitigation can be targeted in the right locations and the necessary projects pursued to reflect the level of growth and locations coming forward. The mitigation already secured provides an initial cushion to ensure mitigation is delivered ahead of

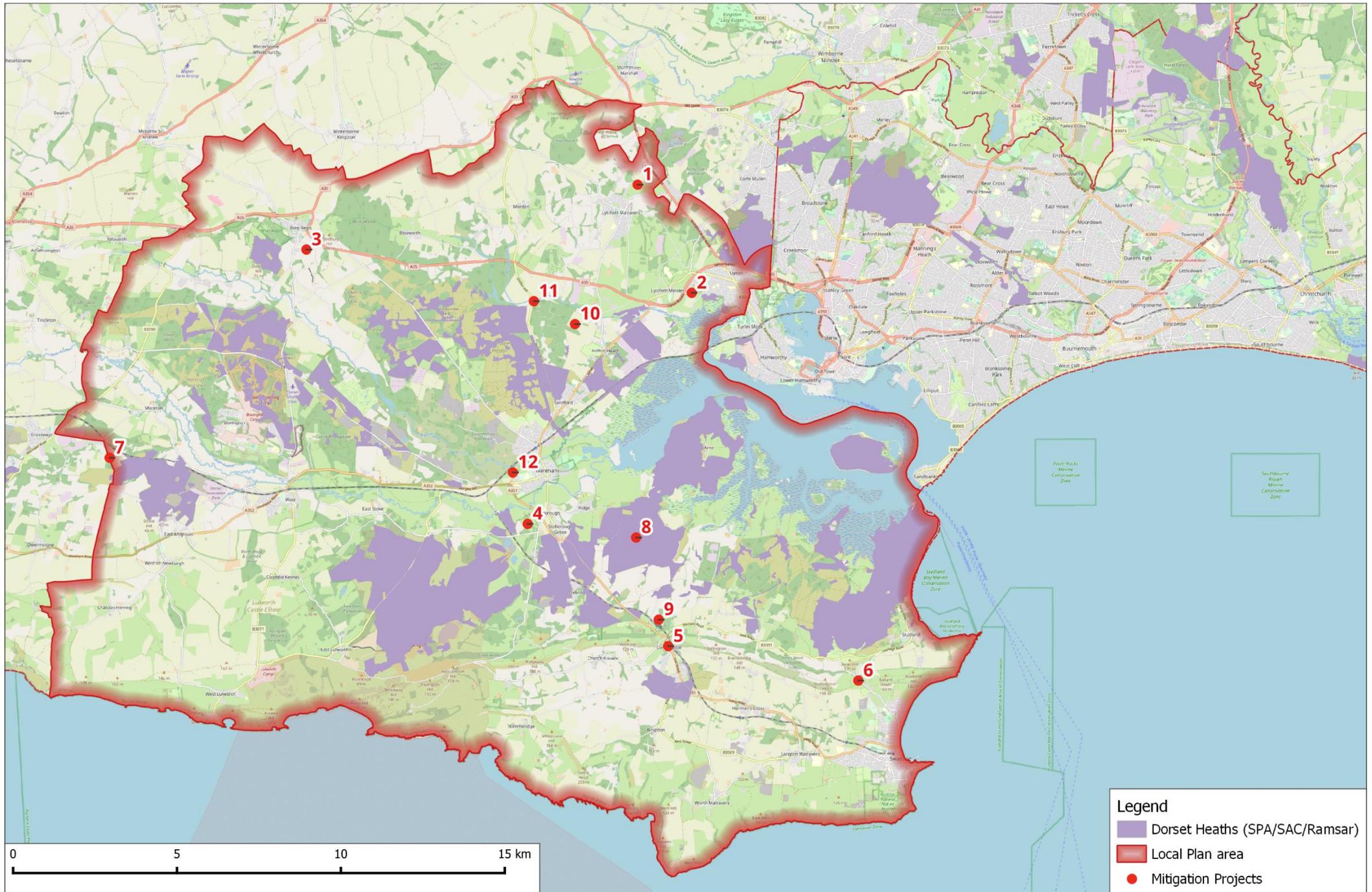
⁷ [P/FUL/2023/01142](#) – Court Farm Cottages, Southbrook, Bere Regis

⁸ 160 figure taken from Appendix 5 in [SD146], the Council's update on interim mitigation projects, <https://www.dorsetcouncil.gov.uk/documents/35024/3335965/Annual+Update+Interim+mitigation+projects+-+November+2022+-+v7.pdf/eed918b5-672a-c7aa-5936-8ebd3f26a679?t=1669035396572>

development. Monitoring projects will be able to determine how much capacity has been released and resolve any uncertainty. That monitoring is also referenced in SMM82 which now reflects that progress on delivery of mitigation projects will be reported in the Annual Infrastructure Statement and other monitoring data published as available.

- 4.19 SMM20 and Policy E8 Dorset Heathlands adds further reassurance in that development involving a net increase in dwellings or other uses such as tourist accommodation and equestrian-related development may be permitted between 400 metres and 5km of heathland only if the Council is satisfied that mitigation measures avoid adverse effects on protected heathland. Where there is insufficient mitigation development will therefore not proceed.
- 4.20 The interim mitigation strategy relates only to development where site specific mitigation is not part of the proposal. The interim mitigation strategy and monitoring approach, clearly referenced in the Plan (including the SMM) therefore ensures that mitigation can be achieved in practice and as a backstop, development cannot proceed without mitigation secured. The interim strategy alongside the Dorset Heathlands Planning Framework SPD together ensure a robust mitigation approach that means adverse effects on integrity can be ruled out alone. The mitigation applies consistently across the Dorset Heaths zone of influence ensuring in-combination effects are also ruled out.

Map 1: Heathland mitigation projects



5. Appropriate assessment: Recreation at non-heathland sites

Relevant policies from LSE screening (including the SMM)

5.1 Screening identified likely significant effects for the following policies alone:

- V1 – Spatial strategy for sustainable communities (Isle of Portland to Studland Cliffs SAC, St. Albans to Durlston Head SAC, Poole Harbour SPA/Ramsar)
- H1 – Local housing requirement (Isle of Portland to Studland Cliffs SAC, St. Albans to Durlston Head SAC, Poole Harbour SPA/Ramsar)
- H2 – The housing land supply (Isle of Portland to Studland Cliffs SAC, St. Albans to Durlston Head SAC, Poole Harbour SPA/Ramsar)
- H6 – Lytchett Matravers (Poole Harbour SPA/Ramsar)
- H7 – Upton (Poole Harbour SPA/Ramsar)

5.2 Screening identified likely significant effects for the following policies in-combination with other elements of plan and other plans/projects:

- H4 – Moreton Station/Redbridge Pit (Isle of Portland to Studland Cliffs SAC, St. Albans to Durlston Head SAC)
- H5 – Wool (Isle of Portland to Studland Cliffs SAC, St. Albans to Durlston Head SAC)
- H6 – Lytchett Matravers (Isle of Portland to Studland Cliffs SAC, St. Albans to Durlston Head SAC)
- H7 – Upton (Isle of Portland to Studland Cliffs SAC, St. Albans to Durlston Head SAC)
- H8 – Small sites next to existing settlements (Dorset Heaths SACs/SPA/Ramsar, Poole Harbour SPA/Ramsar, Isle of Portland to Studland Cliffs SAC, St. Albans to Durlston Head SAC)
- I5 – Morden Park SANG (Isle of Portland to Studland Cliffs SAC, St. Albans to Durlston Head SAC)

5.3 Policies were screened in the absence of mitigation and mitigation measures are set out in:

- E7 – Conservation of protected sites;
- E8 – Dorset Heathlands;
- E9 – Poole Harbour

Coastal SAC sites and recreation

5.4 The 2021 HRA concluded that:

“Adverse effects on integrity for coastal sites (Isle of Portland to Studland Cliffs SAC, St. Albans to Durlston Head SAC) from recreation are ruled out, alone or in-combination given the scale and distribution of growth, the relevant site interest, monitoring results and the existing infrastructure in-place at the coastal sites. In addition, the Dorset Council will keep a ‘watching brief’, as a back-up to further remove uncertainty. Any small sites that come forward close to the coast will need to address recreation issues as part of the project level HRA, for example through the provision of dog bins, contribution to wardening or path infrastructure. Issues relate to local housing growth (i.e. people walking from their homes and accessing areas away from the tourist ‘hotspots’) and as such there is no need for in-combination assessment as there is no potential for in-combination effects.”

- 5.5 As a result of the SMM there are no changes to these conclusions. SMM15 adds reference to the need for a watching brief on coastal SACs (in supplementary text) and therefore strengthens the previous HRA conclusions. Furthermore, new evidence collected by Dorset Council provides further background on the scale of impacts and links to local housing growth (Liley et al., 2022). This work, undertaken with respect to the Dorset Local Plan, includes risk assessment work and visitor surveys. The work flags risks from housing development in the coastal strip where there is easy access onto the SAC (for example direct footpath links or a very short drive to local parking). None of the allocations in the plan fall into this category. Impacts from windfall will need to be assessed on a case-by-case basis.

Poole Harbour SPA/Ramsar

- 5.6 The 2021 HRA concluded that the strategic mitigation approach established for Poole Harbour allowed adverse effects on integrity from recreation for Poole Harbour SPA/Ramsar to be ruled out alone or in-combination.
- 5.7 The SMM includes new details on mitigation for recreation at Poole Harbour and includes cross reference to the adopted SPD (SMM86 and SMM21). This new wording further strengthens the previous HRA conclusions.
- 5.8 Mitigation delivery is secured and in place, delivered through Poole Harbour’s Birds and Recreation Initiative (‘BARI’)⁹ which is hosted by the Urban Heaths Partnership (who deliver heathland mitigation) on behalf of BCP and Dorset Councils and is advised by Natural England. The project has a dedicated website, has produced a range of engagement material (including leaflets and web content) and has delivery staff in place.

⁹ <https://www.dorsetheaths.org.uk/bari/>

6. Appropriate assessment: Water quality

Relevant policies from LSE screening (including the SMM)

- 6.1 Screening identified likely significant effects for the following policies alone:
- V1 – Spatial strategy for sustainable communities (Poole Harbour SPA/Ramsar);
 - H1 – Local housing requirement (Poole Harbour SPA/Ramsar);
 - H2 – The housing land supply (Poole Harbour SPA/Ramsar).
- 6.2 Screening identified likely significant effects for the following policies in-combination with other elements of plan and other plans/projects:
- H4 – Moreton Station/Redbridge Pit (Poole Harbour SPA/Ramsar);
 - H5 – Wool (Poole Harbour SPA/Ramsar);
 - H6 – Lytchett Matravers (Poole Harbour SPA/Ramsar);
 - H7 – Upton (Poole Harbour SPA/Ramsar);
 - H8 – Small sites next to existing settlements (Poole Harbour SPA/Ramsar);
 - EE1 – Employment land supply (Poole Harbour SPA/Ramsar).
- 6.3 Policies were screened in the absence of mitigation and mitigation measures are set out in:
- E7 – Conservation of protected sites;
 - E9 – Poole Harbour.

Findings of previous HRA

- 6.4 There is a long running scheme for Poole Harbour relating to nitrogen inputs from new development (see Bryan and Kite, 2013 for original strategy and context) and the former Purbeck District Council and the former Borough of Poole worked closely with Natural England and the Environment Agency to produce an SPD setting out a nitrogen neutrality approach to new growth. The Nitrogen Reduction in Poole Harbour SPD was adopted in 2017. It is a mechanism to ensure that new growth does not result in any increased discharge of nutrients into the harbour and demands nitrogen neutrality for every new development in order to achieve this. The 2021 HRA concluded that adverse effects on integrity could be ruled out alone or in-combination on the basis of that established mitigation strategy.

New evidence and context since the 2021 HRA

- 6.5 While issues with nutrients in Poole Harbour are long-standing, nutrient neutrality and water quality have received much higher national profile in recent years, particularly in the period subsequent to the previous HRA.
- 6.6 In March 2022, a Written Ministerial Statement (WMS) on Nutrient Levels in River Basin Catchments was issued. This signalled changes in the approach to the assessment of development proposals in catchments where water bodies that are protected through the Habitats Regulations are in unfavourable condition due to nutrient pollution.
- 6.7 At the same time, the Chief Planner sent a letter to affected local planning authorities (LPAs) on nutrient pollution issues. Natural England also published advice and a nutrient neutral methodology on how to evidence that nutrient neutrality will be achieved in relevant new development in order to mitigate impacts on the protected habitats.
- 6.8 A total of 74 Local Planning Authorities have now received advice from Natural England relating to the need to carefully consider nutrient impacts and water quality associated with the new development. These authorities span 27 different catchments where European sites are already suffering from excess nutrient levels. This means that the problem of diffuse water pollution now affects a 14% of England's land area (Chapman and Broadbent, 2023). The issues are the result of years of underfunding of infrastructure and inadequate conservation management of SAC rivers and other wetlands.
- 6.9 The Council sought specific advice from Natural England at the time regarding phosphorous and Poole Harbour and the need to address nutrient enrichment from phosphorous as well as nitrogen as part of mitigation for housing growth. Natural England confirmed¹⁰ that while nitrogen is generally considered the main source of nutrient enrichment in the marine environment, there is also evidence that Phosphorous has a significant role in some estuaries. They advised that reductions in both nutrients were necessary for the restoration of the marine ecology within Poole Harbour, but a substantial reduction in nitrogen remained the 'primary driver'.
- 6.10 Natural England's national advice included the recommendation to rely on 'nutrient neutrality' methodology as a form of mitigation for the impacts associated with new development. Nutrient neutrality involves calculating the additional nutrient loading from new development and then ensuring mitigation is in place to remove the equivalent nutrient load from the catchment, for example through landowners reducing the nutrient loading on their land.

¹⁰ See letter from Natural England dated 26/8/2022 in Appendix 1 of council's technical paper [SD139]

- 6.11 The approach does not reverse the levels of pollution nor contribute to favourable conservation status of the relevant sites, it simply ensures new development does not further contribute to the problem. Nutrient neutrality has become a widely adopted part of decision-making yet it is not straight-forward to achieve. Current estimates are that there are around 120,000 new homes stalled in the planning system due to difficulties in delivering adequate mitigation (Connor-Streich, 2023).
- 6.12 The government has proposed a new legal duty on water companies via the Levelling Up and Regeneration Bill (LURB), to upgrade wastewater treatment works by 2030 in nutrient neutrality areas to the highest achievable technological levels. A further announcement in August 2023 proposed legislative changes to LURB to no longer require the consideration of nutrient flows from urban wastewater as part of HRAs relating to planning decisions in nutrient neutrality catchments¹¹. This was not successful when voted upon in the House of Lords and therefore, it now seems likely that the Government would be required to bring forward separate legislation announced in a subsequent Kings Speech should it intend to proceed with those changes to the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019. As such, there is currently significant uncertainty around the process and timescales of any such changes to the need for an appropriate assessment around nutrient pollution in wastewater and the scope of the application of the nutrient pollution standards to wastewater processing plant that discharge into Poole Harbour SPA/Ramsar. It follows that the SMMs to the Plan are intended to provide necessary flexibility to address the requirements of the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019, and any subsequent changes in legislation should they take place during the Plan period.
- 6.13 The government has also announced a commitment of £280 million funding to Natural England for nutrient mitigation, focusing on strategic measures such as creating new wetlands. It is anticipated that large developers will also be required to contribute, however the details of how this will work are yet to be set out. Further details about plans for government's support for mitigation schemes led by local authorities and private organisations, including next steps on the DLUHC's Local Nutrient Mitigation Fund are yet to be clarified¹².

¹¹ Details are set out in a letter from the chief planner to all local planning authorities dated 1st September 2023

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1182274/Chief_Planners_Letter_Nutrient_Neutrality.pdf

¹² See position statement from government dated 20th September 2023

<https://www.gov.uk/guidance/nutrient-neutrality-update>

6.14 These changes will lead to a shift in approach for mitigation schemes and associated credit markets. The additional funding that the Government is making available to Natural England and the changes in law, will mean that the current Nutrient Mitigation Scheme will evolve. Natural England (working in partnership with LPAs) has now been tasked with both establishing a strategic approach for river catchments which offsets the limited nutrients outflow from new housing and also investing in starting to restore Habitats Sites which are in a poor condition due to excess nutrients. Natural England is expected to partner with LPAs and further details on the new approach are anticipated. As such the issues of nutrient neutrality are likely to change markedly during the time covered by the Purbeck Local Plan and the relevant SMMs are therefore necessarily flexible to account for either the current legislative framework or subsequent legislation applying in the future.. The latest advice from government¹³ is that planning decisions will be made on the basis of the existing legal framework.

Background to changes in SMM

6.15 Dorset Council outlined how they intended to respond to the nutrient pollution issues in Poole Harbour in a Joint Position Statement¹⁴ in 2022. Following a meeting with government in 2023 the Council has reviewed its position¹⁵.

6.16 The proposed supplementary Main Modifications re-define the scope of the issue to reference nutrients and outline the approach to mitigation. The key SMM relate to Policy E9 (Poole Harbour) and are SMM86 (which is the supporting text) and SMM21 which relates to the Policy.

Implications of the SMM

6.17 The SMM reference phosphorous and are clear that where development proposals would result in an increase in nutrient loading within the Poole Harbour catchment any net increase in homes, tourist accommodation or a tourist attraction, will need to demonstrate appropriate avoidance/mitigation measures to ensure development is

¹³ Letter from the chief planner to all local planning authorities dated 1st September 2023
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1182274/Chief_Planners_Letter_Nutrient_Neutrality.pdf

¹⁴ [SD148] dated 7 December 2022

<https://www.dorsetcouncil.gov.uk/documents/35024/1724201/20230106+-+Poole+Harbour+-+Pre-commencement+conditions+-+revised+water+mark.pdf/18fb3820-cb8f-72b3-7b2f-de2481c453eb>

¹⁵ See letter from the Council to the Inspectors dated 4/5/2023 [SD152]

<https://www.dorsetcouncil.gov.uk/documents/35024/1724201/20230504+-+Purbeck+LP+-+Letter+to+the+Inspectors.pdf/a489783d-05a9-2e67-6d50-35c1c3c4246e> and response from the Inspectors [COR28] dated 24/5/23

<https://www.dorsetcouncil.gov.uk/documents/35024/1724201/240523+-+Inspectors+interim+findings+and+next+steps+letter.pdf/bab75a1a-6608-e98b-108c-1c521c1147bf?t=1685623763569>

'nutrient neutral' where required by relevant regulations and does not have an adverse effect on the integrity of the site due to increased nutrient loading. This ensures no further harm to the condition of Poole Harbour because of increased nutrient levels in accordance with the relevant legislation. The two SMM ensure that where a development would increase the nutrient loading within the catchment the onus will be on the applicant to demonstrate nutrient neutrality. The supporting text (SMM86) states that this can be achieved either through on-site measures, by working with third parties to secure nutrient mitigation or by working with the Council to secure nutrient mitigation. The nutrient mitigation proposals will need to be agreed with the Council prior to planning permission being given for the development, and the council will need to have some degree of certainty over the delivery and maintenance of the mitigation for the lifetime of the development proposed. The supporting text also provides reference to the up-to-date guidance on calculating the nutrient load for a given site.

- 6.18 With this new wording in place the Council can be confident that adverse effects on integrity from development within the catchment will not have an adverse effect on the integrity of Poole Harbour SPA/Ramsar, alone or in-combination.

7. Appropriate assessment: Air quality

Relevant policies from LSE screening (including the SMM)

7.1 Screening identified likely significant effects for the following policies alone:

- V1 – Spatial strategy for sustainable communities (Dorset Heaths SACs/SPA/Ramsar, Poole Harbour SPA/Ramsar);
- H1 – Local housing requirement (Dorset Heaths SACs/SPA/Ramsar; Poole Harbour SPA/Ramsar);
- H2 – The housing land supply (Dorset Heaths SACs/SPA/Ramsar; Poole Harbour SPA/Ramsar).

7.2 Screening identified likely significant effects for the following policies in-combination with other elements of plan and other plans/projects:

- H4 – Moreton Station/Redbridge Pit (Dorset Heaths SACs/SPA/Ramsar; Poole Harbour SPA/Ramsar);
- H5 – Wool (Dorset Heaths SACs/SPA/Ramsar, Poole Harbour SPA/Ramsar);
- H6 – Lytchett Matravers (Dorset Heaths SACs/SPA/Ramsar, Poole Harbour SPA/Ramsar);
- H7 – Upton (Poole Harbour SPA/Ramsar);
- H8 – Small sites next to existing settlements (Dorset Heaths SACs/SPA/Ramsar, Poole Harbour SPA/Ramsar);
- EE1 – Employment land supply (Dorset Heaths SACs/SPA/Ramsar, Poole Harbour SPA/Ramsar).

7.3 Policies were screened in the absence of mitigation, and mitigation measures are set out in:

- E7 – Conservation of protected sites;
- E8 – Dorset Heathlands.

Findings of the previous HRA

7.4 The previous HRA, in 2021, concluded with respect to air quality that:

“With annual growth of 180 dwellings and that growth focussed to the west of the Purbeck area, risks to European sites are low. Traffic modelling indicates that, for the quantum of growth in the Purbeck Local Plan at Main Modifications, adverse effects on integrity for the Dorset Heaths SACs/SPA/Ramsar and Poole Harbour SPA/Ramsar in relation to air quality can be ruled out alone.”

Given the scale of traffic increases and locations for growth, plus an interim strategy to address air quality impacts to the Dorset Heathlands (now adopted by Dorset Council), in-combination effects can also be eliminated for the short-term."

- 7.5 These conclusions relied on the interim air quality strategy, adopted by Dorset Council in 2021, to rule out adverse effects from air quality in-combination. This interim air quality mitigation strategy sets out an agreed approach by BCP Council, Dorset Council and Natural England. It contains a series of short-term projects for the period 2020-2025 to counteract air quality pollution. These projects have been carefully chosen to create a 'buffer', front-loading mitigation to ensure there is capacity to allow short-term growth. The strategy also sets out how measures will be achieved and funded, possibly including a dedicated project co-ordinator to ensure delivery. Monitoring of the impact of the measures taken will be carried out, to allow interventions to be targeted where impacts occur.
- 7.6 A total budget requirement of £750,000 was originally identified to implement the strategy, based upon 15,000 homes planned over the 2020-2025 period at £50 per home. Based on planned growth Dorset Council would find around 25% of that cost, with the funding coming from CIL or other planning obligations, as appropriate. Both councils have set aside money to fund the jointly appointed project officer and mitigation measures and the process of recruiting the project officer have commenced, though as of August 2023 no officer is in post.

Implications of the SMM

- 7.7 The SMM include a reference to the interim air quality mitigation strategy (SMM16). This SMM relates to supporting text to Policy E8 Dorset Heathlands and highlights that air quality monitoring shows that heathlands are exceeding the critical loads for pollutants such as nitrogen oxides and ammonia resulting from multiple sources including vehicle emissions. The text indicates that new housing and other developments can result in additional traffic and an interim air quality mitigation strategy will cover the period to 2025 and provide confidence that short term growth can be achieved without adverse effects on site integrity from air pollution. As necessary, a longer-term approach will be established to address the cumulative impacts of development on air quality as part of the new Dorset Council Local Plan supported by additional evidence such as traffic modelling and air quality monitoring. Policy E8 (SMM20) ensures that development is dependent on air quality impacts being mitigated.
- 7.8 The air quality strategy ensures that any risks with respect to air quality and the Dorset Heathlands are addressed. The strategy is interim in that it is intended to cover the short period until the Dorset Local Plan is in place. It has taken some time for sufficient

funds to accumulate to allow mitigation delivery; an officer is however in post and the implementation of the strategy is progressing. The strategy allows the Council to be confident that adverse effects on integrity on the Dorset Heaths SACs/Dorset Heathlands SPA/Ramsar can be ruled out alone. The strategy is a joint approach with BCP Council and therefore also ensures in-combination effects can also be ruled out.

8. Formal integrity test

- 8.1 This addendum should be read alongside the HRA accompanying the Main Modifications and Further Main Modifications dated October 2021 [FMMCD3]. The Purbeck Local Plan comprising proposed Main Modifications and further proposed Main Modifications was subjected to an appropriate assessment and integrity test according to the statutory provisions laid out in the Habitats Regulations 2017 as amended. That HRA concluded that, at a plan level, a conclusion of no adverse effects, alone or in-combination, on European site integrity could be drawn.
- 8.2 This addendum updates the previous findings in light of the proposed SMM and a conclusion of no adverse effects, alone or in-combination, on the integrity of any European sites can be drawn.

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