



Purbeck Local Plan Examination:
Interim heathland mitigation projects
Memorandum of Understanding between
Natural England and Dorset Council

Memorandum of understanding

Dorset heathlands Special Protection Area/Ramsar, Dorset heaths Special Area of Conservation and Dorset Heaths (Purbeck & Wareham) & Studland Dunes SAC

Mitigating the impacts of residential development – Interim Mitigation

1. This Memorandum of Understanding (MoU) is made between the following parties:
 - Natural England; and
 - Dorset Council.
2. It describes how Dorset Council will ensure that the impacts of homes which have been delivered, and those which the council expects to be delivered (as defined in this MoU – the council has referred to the impacts from these homes as a mitigation deficit) on Dorset heathlands Special Protection Area/Ramsar, Dorset heaths Special Area of Conservation and Dorset Heaths (Purbeck & Wareham) & Studland Dunes Special Area of Conservation (here after referred to as Dorset heaths habitat sites) are mitigated so that the development proposed will not have adverse effects on integrity of these habitat sites.
3. This MoU has been prepared following consultation on proposed Main Modifications to the Purbeck Local Plan (2018-2034) which took place between November 2020 and January 2021. In response to matters and issues raised in consultation responses the council invited the Planning Inspector to consider further Main Modifications to policies V2: Green belt and I5: Morden Park strategic suitable alternative natural green space and holiday park.
4. This MoU describes how the effects of residential development located between 400 metres and 5 kilometres (here after referred to as the consultation zone) of Dorset heaths habitat sites during the initial years of the new local plan (to 2023/24), may be mitigated in order to avoid adverse effects on the integrity of these habitat sites. Mitigated residential development located within the consultation zone is unlikely to have a significant effect, alone or in-combination, on Dorset heaths habitat sites.
5. This MoU describes how the council will develop and implement appropriate mitigation measures for Dorset heath habitat sites. The mitigation measures have been developed after considering the amount of residential development which has been, and which the council expects to be, delivered between 2018/19 and 2023/24. The homes which the council expects to be delivered following approval of minor and major planning permissions and windfall development are outlined in its 5-year housing land report (MMCD5).

Principles and definitions

Mitigation deficit: The mitigation deficit is formed from all new homes delivered within the defined settlement boundaries of those towns and villages identified in the council's settlement hierarchy and homes delivered through small sites (H8: small sites next to existing settlements), rural exceptions sites (H12: Rural exception sites) and as rural workers homes in the countryside (H13: Rural workers homes in the countryside). It includes those extant planning permissions (major and minor) and the development delivered between 2018/19 and 2019/20. It does not include homes delivered on those sites specifically identified in policy allocations H4: Moreton Station / Redbridge Pit , H5: Wool, H6: Lytchett Matravers and H7: Upton of the emerging Purbeck Local Plan (2018 – 2034) or those allocations made through made (Bere Regis Neighbourhood Plan,

2019-2034) and emerging (Wareham Neighbourhood Plan, 2019 - 2034) neighbourhood plans.

Interim Dorset heaths habitat site mitigation measures: A range of measures that the council will develop and implement on a temporary/permanent basis to mitigate the effects of Windfall residential development on Dorset heaths habitat sites. The measures are listed in Appendix 1 of this MoU.

Interim Dorset Heaths habitat site mitigation period: The date between adoption of the Purbeck Local Plan (2018-2034) and the Dorset Council Local Plan 2021 – 2038 (estimated to be autumn 2023). After this date the interim Dorset heaths habitat site mitigation measures should be replaced by mitigation measures secured through the Dorset Council Local Plan. The interim mitigation period relates to the years between 2018/19 and 2023/24.

Qualifying development

6. The interim approach for implementing appropriate controls relates to: completed residential development, extant planning permissions for minor and major development and for windfall residential development located in the consultation zone that the council expects to be delivered during the interim period 2018/19 to 2023/24. It can also include those homes delivered on small sites (Policy H8) and rural workers homes in the countryside located in the consultation zone. The council does not expect new homes to be delivered from these sources of supply during the interim period. The council does not expect the consultation zone for Dorset heaths habitat sites as defined on the policies map of the Purbeck Local Plan (2018-2034) and Dorset Heathlands Planning Framework 2020-2025 SPD (figure 2 – Extent of the Dorset Heathlands and the 400 metres to 5 km area to change in this period: [dorset-heathlands-2020-2025-spd-adopted.pdf](https://www.dorsetcouncil.gov.uk/media/1000000/dorset-heathlands-2020-2025-spd-adopted.pdf) ([dorsetcouncil.gov.uk](https://www.dorsetcouncil.gov.uk))).

Memorandum of Understanding

7. By entering into this MoU, Dorset Council is committing to a precautionary approach to mitigate the effects of residential development during an interim period between 2018/19 and about 2023/24 on Dorset heaths habitat sites. These interim measures specifically relate to the residential development that has been delivered, and which the council expects to be delivered, pending adoption of the Dorset Council Local Plan but does not include those allocations made in the emerging Purbeck Local Plan and made and emerging neighbourhood plans where there is 'site' specific habitat site mitigation agreed.
8. Dorset Council, as competent authority under the Habitats Regulations 2017, will screen individual projects for likely significant effects on Dorset heaths habitat sites and undertake appropriate assessments in consultation with Natural England.

Interim Dorset heaths habitat sites mitigation measures

9. The council plans to achieve habitat site mitigation measures through:
 - a) delivery of heathland infrastructure projects (potentially including but not limited to Suitable Alternative Natural Greenspaces (SANG); and
 - b) the legal framework of the planning process (i.e. through measures such as the emerging Purbeck Local Plan).
10. These alternatives allow the council to give the certainty needed to ensure that the effects of residential development on Dorset heath habitat sites are mitigated pending adoption of the Dorset Council Local Plan.
11. In consultation with Natural England the council commits to investigate the suitability and deliverability of heathland infrastructure projects at the following locations:
 - Bere Heath, Court Farm, Bere Regis;

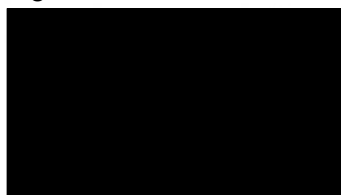
- French's Farm, Upton;
 - Pikes Farm, Organford Manor;
 - Purbeck Heath Visitor Project;
 - Purbeck Heaths Visitor Management Project;
 - Sherford Bridge car parking area; and
 - Wareham Common (Further descriptions of these projects is provided in Appendix 1)
12. The council has prepared separate Memorandum of Understanding with the third parties around the delivery of heathland infrastructure projects at: Court Farm, French's Farm and Pikes Farm. The council has published the further MoU and summarised the mitigation measures in Appendix 1 of this MoU.
13. The council has also prepared separate Memorandum of Understanding around securing excess mitigation capacity (for 100 homes) at an existing SANG at Flowers Drove to the north of Lytchett Matravers and to bring forward the delivery (during the interim period) of a planned heathland support area to the north of Winfrith Heath close to the western edge of the Purbeck area.
14. This list of heathland infrastructure projects is not closed. As opportunities arise the council may identify further heathland infrastructure projects – details of these projects will be presented when the MoU is reviewed and considered through project level appropriate assessments carried out when assessing planning applications for windfall residential development in the Dorset heaths consultation zone.

Review of this MoU

15. This MoU will be reviewed on 1st April 2022 to assess progress around delivery of interim heathland infrastructure projects listed above. The findings of the review will be published on the council's website thereafter (the review will include an assessment of the numbers of new homes completed during the monitoring period 2021/22). This MoU will be reviewed again on 1st April 2023 to assess progress around delivery of interim heathland infrastructure projects listed above, completion of new homes and progress around completion of the Dorset Council Local Plan.

Signed

Signed on behalf of Natural England



Position: Lead Advisor, Natural England
5 November 2021

Signed on behalf of Dorset Council



Position: Head of Planning
15 November 2021

Appendix 1 – Heathland infrastructure projects and mitigation measures

The council has commenced negotiations with landowners across Purbeck with the aim of bringing forward HIPs. These possible HIPs include:

- a) Bere Heath, Court Farm, Bere Regis: Owned by Dorset Wildlife Trust, the council is in negotiations around the delivery of a SANG. The site is well positioned near to the A35 corridor in north western Purbeck where the council's HRA has indicated that heathland infrastructure projects would be effective. The SANG will form part of a wider 170 ha habitat restoration project. In time the SANG is likely to become established as a significant new countryside destination within Purbeck. The proposals have the potential to intercept visitors before they reach Wareham Forest habitat sites to the east. The landowner has indicated as a matter of principle, that they are prepared to work with the council to deliver a heathland infrastructure project on this site. The council considers that there is a high probability that a heathland infrastructure project could be delivered at Bere Heath before 31 March 2023. (The council has entered a separate Memorandum of Understanding with Dorset Wildlife Trust in respect to the proposed SANG).
- b) French's Farm, Upton: Wyatt Homes own/have an interest in the land which could act as an extension to the existing SANG and enhance its capacity. The enlarged SANG is well placed to be accessed on foot and by car from nearby residents in Upton and Lytchett Minster. The council's HRA has indicated that heathland infrastructure projects are likely to be effective in this part of Purbeck. The council has yet to complete a formal assessment of the enlarged SANGs capacity, but initial advice from Natural England suggests this could mitigate the impacts from a further 150 homes and have a catchment of around 5km. Wyatt Homes have indicated to the council as a matter of principle that they would be prepared to co-operate in the delivery of an extension to the existing SANG. The council is satisfied that there is a high probability that heathland infrastructure project will be delivered at French's Farm before 31 March 2024. (The council has entered a separate Memorandum of Understanding with Wyatt Homes in respect to the extension to the existing SANG).
- c) Pikes Farm, Organford Manor: Owned by the Bournemouth Canine Association, the council has agreed in principle that a heathland land infrastructure project could be delivered here which will offer mitigation for Dorset heaths habitat sites in northern Purbeck (the council's HRA highlights that this part of Purbeck is a suitable location for heathland infrastructure projects, and strategic SANG) next to the A35 corridor. In conjunction with nearby existing heathland infrastructure projects (Upton Country Park, Upton Woods and Frenches Farm SANGs) the proposals at Organford Manor to the west of the conurbation offer a range of natural greenspaces to intercept visitors before they reach Wareham Forest habitat sites and provide a valuable opportunity for working closely with a key recreational group. Negotiations between the landowner and the council have not finalised around the design and size of the heathland infrastructure project – it is therefore not clear at present how much land would be made available or its mitigation capacity. Taking account of the need to obtain planning permission, the council is satisfied that there is a strong chance that a heathland infrastructure project could be delivered at Pikes Farm before the end of the March 2024. (The council has entered a separate Memorandum of Understanding with Bournemouth Canine Association in respect to the proposed heathland infrastructure project).

- d) Purbeck Heath Visitor Project: The project seeks to increase the effectiveness of SANG by enhancing and creating rights of way between them and other resilient areas. The council anticipates that the proposed network will enhance choice, provide longer walking routes and contribute toward drawing recreational pressure from habitat sites. For example the council will improve access along existing rights of way to the Washpond Natural Greenspace (Swanage SANG) and connections between 'Purbeck Park' (a former park and ride facility on council owned land at Norden close to Corfe Castle) and the chalk ridge way that runs across the Isle of Purbeck. The council intends to invest in waymarking, improvements to the surfacing of rights of way, culverting and interpretation to encourage use. The council has not specifically defined the contribution that this project would make to mitigating the impacts on Dorset heaths habitat sites. There are no significant barriers to delivery of the initial phase of this project by July 2022.
- e) Purbeck Heaths Visitor Management Project: The council proposes to implement changes to roadside parking areas to manage visitor access to habitat sites in a manner which will mitigate damaging recreational activities. The proposed mitigation will specifically relate to stretches of Soldiers Road, Arne Road and Norden Road which are positioned adjacent to Hartland Moor and Slepe Heath. The proposed engineering work will include formation of new ditches and banking to limit car parking and control access. Planning permission would be required to form the proposed ditches and banks next to the roads described above. The council also intends to erect signage to discourage harmful recreational activity. The council intends to complete work on implementing the project by July 2022.
- f) Sherford Bridge car parking area: The adjacent Gore Heath is leased by Forestry England, the heath covers approximately 176 hectares. The proposed site for HIP is located in northern Purbeck close to the proposed site of the Morden Strategic SANG. The western side of the heath is adjacent to Morden Road (B3075) and there are three publicly accessible car parking areas from this road. The first is positioned at the southern western end of the site, the second smaller parking area is positioned in the northern part of the site and the final car parking area is positioned next to the site's north eastern corner. Natural England have advised that in total these car parks have capacity for around 52 cars. These proposals relate to the car parking area positioned next to the sites north eastern corner. This car park is also closely related to a public right of way which runs to the east (adjacent to the northern boundary of Gore Heath) and west. To the west, this right of way initially runs parallel with the boundary of Morden Bog and Hyde Heath (Dorset Heathlands Special Protection Area, Dorset Heaths Special Area Conservation and Dorset Heathlands Ramsar) before splitting. One branch of the right of way (Hardy Way) runs south through the habitat sites. Natural England have previously noted that the main function of the proposed Morden SANG would be '... in intercepting existing residents using the c.52 car park spaces along the Morden Bog/Wareham Forest B3075 access points.' The council is exploring the potential to develop and implement measures to control access to the car parking area positioned next to the north western corner of Gore Heath to manage access to the closest the public right of way affording access around and into Morden Bog and Hyde Heath. As part of this work it will be working with both Forestry England and colleagues in the local highways authority. The council has not been able to identify the land owner of the car parking area to the north east of Gore Heath – for this reason there is some uncertainty around whether it might be able to deliver the proposed measures outlined above before the monitoring year March 2024.

- g) Wareham Common: Wareham Common is positioned to the north and north east of Wareham's historic town centre which the council's HRA has identified as a broad location that might be suitable site for heathland infrastructure projects, including a strategic SANG. It is split into three separate parcels by the railway line and the A351 which run around the north western edge of Wareham's historic centre. In total these parcels cover approximately 32.45 hectares. There are several existing public rights of way running across this land which is also affected by flooding (making some parts inaccessible). The position of the railway line/A351, flood risk and designation in part as SSSI are all likely to limit the amount of land which will be suitable for heathland infrastructure project and determine its design. The council will investigate the suitability (in conjunction with Natural England) and deliverability (with the landowner) of HIP on Wareham Common. The council has made contact with the landowners but there is not certainty that a heathland infrastructure project could be delivered at Wareham Common before the monitoring year March 2024.

In addition to the heathland infrastructure projects outlined above the council is in negotiations to enhance the effectiveness of existing SANG, to secure surplus excess mitigation from SANG which have already been delivered and to bring forward delivery of a heathland support area. Negotiations are likely to lead to delivery of additional mitigation over the interim period. Further details are presented below:

- h) The council has opened discussions with interested parties (including landowner and tenants) of the Bog Lane SANG to the south west of Wareham around enhancing the points of access into the site. The enhancements would include improving pedestrian access from a point next to the A351, across existing farmland, into the SANG. The council has not defined the level of enhanced mitigation that these proposals might add to the existing SANGs 'mitigation capacity'. It is satisfied that there is a high probability that discussions with landowners will conclude in time for the enhancements to be delivered before the end of March 2024 and that the proposals will enhance the SANGs functionality.
- i) Discussions are also ongoing with Wyatt Homes in respect to increasing the capacity of the Flowers Drove SANG. The council granted planning permission for the SANG in May 2021 (6/2019/0530). The council has previously assessed that the 7.6 hectare SANG might have capacity to mitigate the impact from a further 260 homes. Wyatt Homes have made an offer to allow the council to secure some of this excess capacity (up to approximately 100 homes) and explore any opportunities to increase the SANGs mitigation capacity. The council has yet to complete any preliminary work to determine whether the SANG's capacity to mitigate could be increased, but it is satisfied that there is a high probability that discussions with Wyatt Homes could positively conclude around investment in existing excess mitigation capacity that could be delivered before 31 March 2024. The council has published a separate Memorandum of Understanding with Wyatt Homes on this and other matters.
- j) The council has also opened discussions with the Moreton Estate to bring forward delivery of the heathland support area/land identified for nitrates mitigation (to the north of Winfrith Heath habitat site near Tadnoll) in advance of homes being delivered through the local plan housing allocation (Policy H4: Moreton Station/Redbridge Pit). The heathland support area comprises a mix of arable farmland (it previously grew maize) and small area of woodland. At present there is no public access onto this land. The council recognises that bringing forward delivery of the heathland support area/land identified for nitrates mitigation for planned development in Policy H4 will not create additional mitigation capacity. However, early delivery of the HIP in advance of the housing allocation in Policy H4 will bring forward delivery of proposals to manage public access onto Winfrith Heath. The opportunity to implement these

measures at an earlier stage is likely to contribute toward bringing Winfrith Heath into a more favourable condition at an earlier stage. The council is satisfied that there is a high probability that discussions with Moreton Estate will positively conclude around investment that would bring forward delivery of the heathland support area/nitrates mitigation before 1 April 2023. The council has published a separate Memorandum of Understanding with Moreton Estate on this matter.