

Chapter 3

Conservation of the Natural Environment

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Chapter 3

Conservation of the Natural Environment

Introduction

- 3.1 The natural environment of the Borough is varied, consisting of the coast, harbour and cliffs, inland extensive areas of wet and dry heath and river valleys. Many of these are recognised as being of national and international importance. As well as examining the local environment, this chapter will attempt to address issues that will ultimately affect the global environment.
- 3.2 Due to increased awareness in recent years, the importance of the natural environment is now expressed in a broad range of national and international guidance. Policies and proposals in this chapter will reflect this guidance, attempting to conserve and enhance the natural qualities of the Borough, encouraging biodiversity. However, the pressure on land use due to human needs will be balanced against the need to protect our environmental resources, this is the essence of Sustainable Development.

National Planning Guidance

- 3.3 As mentioned above, due to environmental issues being high on the political agenda, numerous pieces of legislation and guidance have emerged from the European and National Governments. Planning Policy Guidance Notes (PPG's) reiterate, across a broad range of subjects, the importance of the natural environment and sustainable development. The following PPG's give the bulk of advice with regard to nature conservation. PPG7 : The Countryside – Environmental Quality and Economic and Social Development (1997) gives advice on how the objective of pursuing sustainable development should be integrated into establishing a diverse rural economy while protecting landscape, wildlife and historic features.
- 3.4 PPG9: Nature Conservation (1994), gives advice on how local plans should consider nature conservation issues. It recognises the importance of conserving the natural environment, and stresses the importance of providing policies to assess development proposals affecting natural habitats.
- 3.5 For the first time local plans are to take account of issues such as energy conservation and global warming. PPG 12 (1992) emphasises “The department (DOE) are not yet in a position to give advice on how different patterns of development might influence the need to travel and the choice of mode, and hence CO² emissions”. PPG13: Transport (1994), recognises that traffic growth may have consequential effects on the environment, stressing the need to plan in an attempt to limit travel.
- 3.6 PPG23: Planning and Pollution Control (1994) explains the role of the Planning Authority in relation to pollution control bodies, emphasising the need of local plans to reduce conflict with potentially polluting development. PPG24: Planning and Noise (1994), encourages local plans through their policies to ensure that noise sensitive developments

are located away from existing sources of significant noise, and that noisy developments are located away from sensitive areas.

Regional Planning Guidance

- 3.7 Other changes are also taking place in the way plans are prepared. Regional Guidance, for the first time has been prepared. In July 1994 Regional Planning Guidance for the South West was published as RPG10. This guidance takes as a central theme the concept of sustainable development and reiterates Government advice that plans should continue to contain policies for traditional environmental issues as well as attempting to address global issues such as reducing CO² emissions.

Structure Plan Policies

- 3.8 The Structure Plan contains policies aimed at conserving the natural environment. The Plan recognises the diverse County natural characteristics, including a group of hierarchical policies for candidate or designated Special Areas of Conservation, Ramsar Sites, Special Protection Areas, Sites of Special Scientific Interest, Sites of Nature Conservation Interests and Regionally Important Geological and Geomorphologic Sites. Policies are included for protected species of flora and fauna, to maintain and enhance the biodiversity of the County and to maintain and enhance the County's landscape. The coast, water courses, agricultural land and forestry are also subject to policies. Settlement Policies D, E and F are policies directing growth towards the conurbation by establishing the South East Dorset Green Belt.

Renewable Energy

- 3.9 There are no known proposals for a renewable energy scheme in Christchurch. However, the Council are aware that such energy generation is important to the principle of sustainable development. PPG 22: Renewable Energy (1993), encourages local authorities to consider the implications of renewable energy projects on the local environment and their wider contribution to reducing emissions of greenhouse gases, as well as increasing diversity and security of energy supply. It recognises that particular care should be taken in assessing proposals for developing renewable energy projects in sensitive areas. For example very special circumstances are needed to justify development in the green belt. A large proportion of the Borough is designated as green belt and any scheme for renewable energy projects within it will have to satisfy policies ENV 16, ENV 17, ENV 18, ENV 19 and ENV 20.

Waste Recycling

- 3.10 The majority of household waste produced goes to landfill sites for disposal. Such sites are identified by the County Council who are responsible for waste disposal. Problems have occurred with landfill, for example leachate and methane gas emissions, a more damaging 'greenhouse' gas than CO². Generally there will also be an increase in landfill costs over the next few years which will reduce reliance on landfill as a primary method of waste disposal. To minimise the problems associated with domestic waste the Government set a target of recycling 25% of domestic waste by the year 2000. The

Council has a policy of waste minimisation in its own activities and has recently produced its recycling plan under the Environmental Protection Act. There are a number of successful recycling sites throughout the Borough together with a bulky household waste site at Wilverley Road. Waste management is a land use issue in that space is needed for collection and disposal. The recycling plan allows for the expansion of recycling centres; the more waste is recycled the less land is needed for disposal and ultimately there will be fewer pollution problems. The Council will investigate the potential for and where possible provide sites for recycling facilities.

- 3.11 When considering applications for new development, especially of a commercial nature, the Local Planning Authority will require adequate on-site facilities for the collection of waste, for example bin storage areas suitably designed so as to minimise the visual impact and to allow for ease of access by waste disposal contractors.

ENV 1 ALL NEW DEVELOPMENT PROPOSALS, PARTICULARLY OF A COMMERCIAL NATURE, WILL NEED TO PROVIDE FACILITIES FOR THE COLLECTION AND FOR THE TRANSFER OF WASTE FOR THE PURPOSE OF TREATMENT AND DISPOSAL.

Potentially Polluting Development

- 3.12 PPG23 recognises that the planning system has an important role to play in determining the location of development which may give rise to pollution. It can also control developments in proximity to potential sources of pollution. The planning system should not duplicate controls which are the statutory responsibilities of other bodies.
- 3.13 The control of pollution, other than through the planning process by Local Authorities, is generally set out in the Environmental Protection Act 1990 and the Pollution Prevention and Control Act 1999. Both Acts are concerned with the regulation of pollution from industrial processes. A system of permits, issued by the Council, controls the activities by setting operating conditions which require best available pollution control techniques to control emissions to air, water and land. The Council has carried out an air quality review and assessment as required by the Environmental Act 1995, this was in accordance with the UK national air quality strategy. It is not anticipated that the Council will need to declare any air quality management areas.
- 3.14 Part IIA of the Environmental Protection Act 1990 was introduced in 2000. The powers contained in the Act will allow control of land that is contaminated by giving powers to local authorities to ensure that remediation works are carried out to make land 'suitable for use' based on the level of risk being caused by any contamination. Part 2 and Part 3 of the Environmental Protection Act 1990 provides powers to deal with those premises or land which are not controlled by the above legislation.
- 3.15 The following policies are included to protect those using, working or living on land nearby, and the other to protect the interests of existing potentially polluting premises. Possible types of pollution could include those transferred by ground, water and air

contamination, or by activities associated with the storage or handling of hazardous substances, noise, dust, smell, light or heat.

ENV 2 A PROPOSAL FOR DEVELOPMENT NEAR OR ADJACENT TO AN ACTIVITY WHICH CREATES NOISE, DISCHARGES OR EMISSIONS TO THE ENVIRONMENT BY LAND, AIR OR WATER WILL NOT BE PERMITTED IF THE HEALTH, SAFETY OR AMENITY OF FUTURE OCCUPANTS OR USERS WILL BE MATERIALLY HARMED OR PUT AT RISK.

ENV 3 A PROPOSAL FOR DEVELOPMENT FOR OR ASSOCIATED WITH AN ACTIVITY WHICH CREATES NOISE, DISCHARGES OR EMISSIONS TO THE ENVIRONMENT BY LAND, AIR OR WATER WILL NOT BE PERMITTED IF THE HEALTH, SAFETY OR AMENITIES OF THE USERS OR OCCUPANTS OF NEARBY LAND WILL BE MATERIALLY HARMED OR PUT AT RISK, OR THE OPERATION OF EXISTING BUSINESS OR ACTIVITY IS PREJUDICED, UNLESS ANY POTENTIAL POLLUTION PROBLEMS CAN BE OVERCOME BY MITIGATING MEASURES.

The Water Environment

Water Quality

3.16 Throughout the Borough there is a diverse water environment including rivers, the harbour and beaches. The Council is concerned that the quality of the water environment should be maintained for environmental and public health reasons, as well as to preserve and enhance the area's attractiveness to tourists. The Environment Agency is responsible for the monitoring of water quality, ensuring new development does not have a detrimental impact on existing users, nature conservation or recreation. New development should avoid contaminating water resources by providing sufficient sewerage facilities, industrial waste control and clean surface water drainage arrangements. The Environment Agency will be consulted on issues relating to contaminated land and will advise on pollution prevention matters involving the demolition and construction industry. The Rivers Stour and Avon are subject to Environment Agency management plans which attempt to plan for sustainability and improvement in the rivers.

ENV 4 THE COUNCIL IN CONJUNCTION WITH THE ENVIRONMENT AGENCY WILL SEEK TO SECURE THE PROTECTION AND IMPROVEMENT OF WATER SUPPLY AND QUALITY THROUGHOUT THE PLAN AREA. DEVELOPMENT WILL NOT BE PERMITTED WHICH POSES AN UNACCEPTABLE RISK TO THE SUPPLY AND QUALITY OF WATER RESOURCES.

ENV 5 POSITIVE SURFACE WATER DRAINAGE SYSTEMS, SEPARATE FROM ALL FOUL DRAINAGE SYSTEMS, WILL BE REQUIRED FOR NEW DEVELOPMENT UNLESS

IT IS DEMONSTRATED THAT SOAKAWAY DISPOSAL WILL BE SATISFACTORY UNDER ALL SEASONAL CONDITIONS.

- ENV 6 NEW DEVELOPMENTS WITHIN OR CLOSE TO EXISTING SEWERED AREAS SHOULD BE CONNECTED TO THE MAINS SYSTEM. PRIVATE TREATMENT WILL ONLY BE PERMITTED WHERE IT CAN BE DEMONSTRATED THAT THE QUALITY OF WATER RESOURCES AND GROUNDWATER IS UNLIKELY TO BE ADVERSELY AFFECTED.**

Groundwater Source Protection

- 3.17 The National Rivers Authority, now part of the Environment Agency, has produced plans showing groundwater source protection areas but none of these fall within Christchurch. However, it is recognised groundwater resources are the essential source of water for public supply, industry and agriculture as well as sustaining the base flow of rivers. No policy is to be suggested in this plan for groundwater source protection, but it is worthy of note that other Local Authorities' policies on the river catchments could have an impact on the Borough's water quality. Through the Environment Agency other local authorities will therefore be encouraged to implement policies to protect groundwater source protection zones.

Flood Plain Development, Flood Protection and Sea Defences

- 3.18 In times of flood rivers breach the riverbanks and flow over their flood plain. Historically flood plains are comprised of rich agricultural land due to the rejuvenating silt left by the floods, although, in Christchurch, the Stour and Avon Valleys have differing characteristics due to the geology of their catchments. The Local Plan proposals map identifies the fluvial floodplain as restrained by existing flood defence works. These defences are designed to a 1 in 100 year return period. However the floodplain can be defined as the land adjacent to a watercourse over which water flows in the time of flood or would flow but for the presence of flood defences where they exist. The limits of a flood plain are defined by the peak water level of an appropriate return period event on the watercourse or at the coast. The following policy will apply to the floodplain as identified on the proposals map. The Council will, however, consult the Environment Agency on planning applications beyond the flood defences in the natural fluvial and tidal flood plains to seek advice on the risk of flooding and mitigation measures appropriate. Development taking place in flood plains can cause loss of life and risk to property and the reduction in the capacity of the flood plain, impeding the flow of water and increasing the risk of flooding elsewhere. The following policy will therefore apply:

- ENV 7 WITHIN THE FLOOD PLAINS IDENTIFIED ON THE PROPOSALS MAP PLANNING PERMISSION WILL NOT BE GRANTED FOR NEW DEVELOPMENT INCLUDING THE RAISING OF LAND LEVELS WHERE SUCH PROPOSALS ARE LIKELY TO IMPEDE THE FLOW OF WATER OR INCREASE THE RISK OF FLOODING ELSEWHERE.**



River Avon Valley

- 3.19 Beyond the floodplains, development can exacerbate flooding and drainage problems because of increased surface water run off. However, amelioration measures may be possible to mitigate flooding risks either by attenuation, for example water catchment pools, design details or off site improvements to receiving water courses. The Environment Agency promotes the use of sustainable drainage systems on all development sites. These techniques will address flooding and water quality issues and, in many instances, create a wildlife habitat. If it is not possible to overcome flooding risks as an integral part of a development's design the Council may consider attaching conditions or planning obligations to a planning permission.

ENV 8 DEVELOPMENT WILL NOT BE PERMITTED IF IT WOULD RESULT IN ANY INCREASE IN FLOOD RISKS IN AREAS DOWNSTREAM AND UPSTREAM, DUE TO ADDITIONAL SURFACE WATER RUN OFF, UNLESS MEASURES ARE UNDERTAKEN TO OVERCOME SUCH RISKS.

- 3.20 The Environment Agency in consultation with the Council's Leisure and Technical Services Department has developed a series of flood defences along the River Stour and the Lower Avon. Analysis of threats to the harbour-side properties is being undertaken with a view to carrying out further flood alleviation and tidal defence works. Harbour-side properties are also vulnerable to both tidal flooding events and to wave attack. In the interest of the long-term safety of some of this waterfront the Council will encourage the assessment of flood risks to harbour-side properties, the monitoring of increased mean sea level rise due to global warming and the preparation of schemes to reduce such risks.

Coastal Planning and Management

- 3.21 Planning Policy Guidance Note 20 (Coastal Planning) emphasises the importance of the Coast as a national resource and the need to plan sensitively in this area having regard to conservation issues. The coastal area of Christchurch includes a diverse built and natural landscape with two contrasting landscapes apparent. Firstly there is the flat Stanpit Marsh and harbour area stretching from the confluence of the Stour and Avon near the Priory to Mudeford Quay, enveloped by open space to the north and the low lying residential areas of Stanpit and Mudeford. Both of these historic villages have developed in recent years. The Harbour Run and Mudeford Sandbank mark the entrance to the open sea. The second coastal area is to the east with the urban area of Friars Cliff and Highcliffe encroaching onto the cliff top, with in some cases thick tree belts breaking up the built form.
- 3.22 The Council recognises the importance of its coastline in terms of landscape, nature conservation, leisure and recreational value and the wider economic impact. The coastal zone of Christchurch is an attractive and pleasant area in which to live or visit and this has resulted in development pressure. The Council is concerned to conserve the natural environment of the coast and in particular the three Sites of Special Scientific Interest (SSSI) which exist. The built environment is also of high quality as evidenced by several conservation areas.
- 3.23 In addition to its statutory responsibilities over the coast the Council is preparing a Coastal Management Plan which will discuss and set out policies on a broad range of issues having an effect on the coast, for example landscape, conservation, coastal protection works and urban growth. Planning policies throughout this Local Plan are drafted taking the management plan into consideration. They attempt to balance the need to protect the natural qualities, especially the SSSI against pressure for recreation, tourism and development. The policies appear in various chapters of the Local Plan and the proposals map gives an indication of policy coverage across the whole coastal area. In addition to policies in other sections the following policy is proposed to protect the coastal zone and ensure development remains subservient to the more dominant physical features and existing built environment.
- 3.24 Strategic Coastal Plans cover the coastal zone namely the Poole and Christchurch Bays Shoreline Management Plan (SMP) and the Dorset Coast Management Plan. The SMP is prepared by operating authorities and consultees from across coastal cells and is primarily aimed at co-ordinating coastal defence. The Dorset Coast Management Plan has been prepared by the Dorset Coast Forum and comprises of a number of priorities and proposals for the coastal area of Dorset.

ENV 9 WITHIN THE COASTAL AREA IDENTIFIED ON THE PROPOSALS MAP DEVELOPMENT WILL ONLY BE PERMITTED PROVIDED THAT THE FOLLOWING CRITERIA ARE SATISFIED:

- 1) PROPOSALS DO NOT PREJUDICE EXISTING OR PROPOSED PUBLIC ACCESS TO THE WATER OR BEACH.**

- 2) PROPOSALS ARE DESIGNED TO RESPECT THE SCALE AND CHARACTER OF NEIGHBOURING BUILDINGS AND LANDSCAPE FEATURES AND TO ENSURE THAT THE EXISTING SKYLINE IS NOT BROKEN.
- 3) PROPOSALS DO NOT DETRACT FROM THE VISUAL DOMINANCE OF THE CLIFFS, BEING SUBSERVIENT TO THEM.
- 4) EXISTING TREES ARE LOST ONLY IN THE INTERESTS OF GOOD ARBORICULTURAL PRACTICE. WHERE A TREE BELT IS AFFECTED TO SUCH A DEGREE AS TO PREJUDICE ITS OVERALL EFFECT WHEN VIEWED FROM THE SEA, AND OTHER PARTS OF THE COAST, THEN NEW TREES WILL NEED TO BE PLANTED TO COMPENSATE FOR THE LOSSES.
- 5) GEOLOGICAL FEATURES ARE RESPECTED.
- 6) PROPOSALS DO NOT PREJUDICE COAST PROTECTION WORKS.

3.25 Under the Coast Protection Act 1949 the Borough Council is a Coast Protection Authority. The Council is under a statutory duty to take all steps that may appear to them to be necessary as expedient for the protection of any land in their area that is required for the execution of coast protection work. In consequence the Council attaches great importance to this duty given the long-term effects of global warming. These measures may include engineering works to reinforce and stabilise cliffs, the provision of groynes, fencing and netting and the planting of appropriate vegetation to stabilise cliff faces or sand dunes.

River Corridors

3.26 Much of the landscape and nature conservation interest in the Borough is due to the River Valleys of the Avon, Stour and Moors Rivers. Smaller rivers such as the Mude and Bure Brook also add to the landscape and amenity and natural interest of the Borough particularly in the urban area. The natural importance of the Avon and Moors River corridors is recognised by SSSI designation (Policy ENV 11), although other waterways without statutory designation also make a significant contribution towards the quality of the Borough's environment. These offer havens for wildlife as well as a valuable resource for recreation such as walking and angling. Policy L 17 seeks the provision of further public access to riverbanks but not as an excuse for inappropriate development which would adversely affect their visual qualities and wildlife interest.

Commercial Fish Farms

3.27 Even though no commercial fish farms operate in the Borough at present the Council is aware of a number of operations upstream of its boundary. Problems can arise with water abstraction and a deteriorating watercourse. In particular the strength of water between abstraction point to discharge may be depleted in flow terms in dry conditions. In the event of a planning application for such a development the Council will seek the advice of the Environment Agency.

ENV 10 THE DEVELOPMENT OF FISH FARMS ON RIVERS WITHIN THE BOROUGH WILL BE PERMITTED PROVIDED THAT:

- 1. THERE IS NO HARM TO THE QUALITY OR QUANTITY OF THE RIVER; OR**
- 2. MEASURES ARE PROVIDED TO SAFEGUARD THE QUALITY AND QUANTITY OF THE RIVER.**

Sites of Special Scientific Interest

3.28 The natural environment of the Borough is diverse and of a high quality. Some areas have been identified by English Nature as Sites of Special Scientific Interest (SSSI) due to the special interest of the flora, fauna, geological or physiographical features on the site. Sites of Special Scientific Interest in the Borough are as follows:

(i) Avon Valley

Shows a great range of habitat diversity and a more diverse flora and fauna than any other chalk river valley in Britain. Also excellent ornithological interest.

(ii) Hurn Common

Consists of expanses of dry and wet heathland, even though fragmented it forms one of the largest areas of heathland in Dorset.

(iii) St Leonards and St Ives Heath

Similar in characteristics to Hurn Common.

(iv) Moors River

A chalk stream in its higher reaches, flowing through clay lower down. The varied physical and chemical nature of the river results in rich flora and fauna.

(v) Parley Common

Contains the characteristics and rare species associated with Dorset heathlands.

(vi) Town Common

Internationally rare habitat with rare species associated with Dorset Heathlands. Includes St Catherine's Hill with its dry heaths, the lower area holds wet heath and pools. The land is managed privately as a nature reserve.

(vii) Purewell Meadows

A series of wet meadows with a system of fields and ditches containing a range of plant habitats.

(viii) Christchurch Harbour

Formed by the Rivers Stour and Avon, the varied habitat of the estuary includes salt marsh and wet meadows and is of great ornithological interest.

(ix) Highcliffe to Milford

Consists of cliffs along Christchurch Bay, designated because of the rock formations and fossils found along its length.

(x) River Avon System

The River Avon is richer and more varied than most chalk streams with over 180 species of aquatic plant recorded, one of the most diverse fish faunas in Britain and a wide range of aquatic invertebrates.

- 3.29 Many of the above sites hold rare species such as sand lizards, smooth snakes and birds such as the Dartford Warbler and Nightjar. Surveys have shown some 90% of Britain's sand lizards and 80% of smooth snakes are to be found on the Dorset Heathlands. In recognition of the nature conservation value of the Dorset Heathland, the Dorset Heathland Strategy identifies problems and opportunities and suggests how management of the Heath can protect it. The strategy has been jointly prepared by interested parties across the County and is a non-statutory document.



Leaden Stour within Moors River SSSI

- 3.30 To protect SSSI from operations outside the scope of planning controls, English Nature specify to their owners and occupiers the operations which they consider to be harmful to the SSSI conservation interest. The ecological importance of the sites needs to be

protected and wherever possible management of SSSI will be explored and implemented to retain the habitat characteristics. It is also recognised that development on or adjacent to a Site of Special Scientific Interest may affect its ecological importance. The following policy will apply:

ENV 11 PROPOSALS FOR DEVELOPMENT LIKELY TO ADVERSELY AFFECT AN SSSI WILL NOT BE PERMITTED UNLESS THE REASONS FOR DEVELOPMENT CLEARLY OUTWEIGH THE NATURE CONSERVATION OR SCIENTIFIC INTEREST OF THE SITE.

WHERE DEVELOPMENT IS PERMITTED, CONDITIONS WILL BE ATTACHED AND/OR PLANNING OBLIGATIONS SOUGHT TO PROTECT AND ENHANCE THE INTERESTS OF THE SITE.

Special Protection Areas, Ramsar Sites and Special Areas of Conservation

- 3.31 Due to the nature conservation value of some of the above SSSI, Ramsar Sites, Special Protection Areas (SPA's) and Special Areas of Conservation (SAC) have been proposed or designated in the Borough. The Dorset Heathlands SPA and Avon Valley SPA have qualified under Article 4.1 of the EC Directive 79/409 on the Conservation of Wild Birds. SPA's attempt to safeguard a diversity of internationally valuable sites where species of birds are listed and their habitats are found.
- 3.32 The Avon Valley, Town Common and Parley Common are also subject to the designation of Ramsar Sites under the 1971 'Convention on the Conservation of Wetlands of International Importance'. These sites are of importance as wetlands or waterfowl habitats being designated under the convention signed at Ramsar in Iran. The objective of designating Ramsar Sites is to stem encroachment onto wetlands now and in the future.
- 3.33 To compliment the 1979 Wild Birds Directive, the European Habitats Directive was adopted in May 1992. Its aim is to maintain the diversity of European Wildlife, protect rare and threatened habitats and associated wild animals and plants. Amongst the measures to implement the directive will be the designation of a series of key areas across Europe as Special Areas of Conservation (SAC). Together with SPA's, SAC will form a network of internationally important wildlife sites in Europe, being known as Natura 2000. The Dorset Heathlands, including those in Christchurch and the River Avon System, have been proposed as candidate SAC. The Secretary of State will normally call in planning applications significantly affecting SPA's, Ramsar Sites and Special Areas of Conservation. Where the following policy refers to 'imperative reasons of overriding public interest', this phrase shall accord with that currently found in Regulation 49 of the Conservation (Natural Habitats & C.) Regulations 1994.

ENV 12 PROPOSALS FOR DEVELOPMENT THAT, EITHER INDIVIDUALLY OR IN COMBINATION WITH OTHER PROJECTS, ARE LIKELY TO HAVE AN ADVERSE

EFFECT ON A DESIGNATED OR POTENTIAL SPECIAL PROTECTION AREA, A SPECIAL AREA OF CONSERVATION, A CANDIDATE SPECIAL AREA OF CONSERVATION OR A RAMSAR SITE WILL NOT BE PERMITTED UNLESS EITHER:

- 1. IT IS DIRECTLY CONNECTED WITH OR NECESSARY TO SITE MANAGEMENT; OR**
- 2. ON ASSESSMENT IT IS FOUND THAT THE DEVELOPMENT WILL NOT ADVERSELY AFFECT THE INTEGRITY OF THE SITE; OR**
- 3. THERE IS NO ALTERNATIVE SOLUTION AND THE DEVELOPMENT MUST BE CARRIED OUT FOR IMPERATIVE REASONS OF OVERRIDING PUBLIC INTEREST.**

3.34 Even though many sites are designated due to their nature conservation importance across the Borough, in some cases, specially protected species of flora and fauna may also be found outside these sites. In an attempt to protect the biodiversity of the specially protected species of the Borough the following Policy will apply:

ENV 13 DEVELOPMENT PROPOSALS ON LAND SUPPORTING A SPECIALLY PROTECTED SPECIES OR ITS HABITAT WILL NOT BE PERMITTED UNLESS THE REASONS FOR DEVELOPMENT CLEARLY OUTWEIGH THE NEED TO SAFEGUARD THE SITE. WHERE DEVELOPMENT IS PERMITTED, PROVISION SHALL BE MADE FOR THE RETENTION OF THE SPECIES IN ITS EXISTING HABITAT, OR IF THIS IS NOT POSSIBLE, ITS SAFE REMOVAL TO A NEW LOCATION. WHERE DEVELOPMENT IS PERMITTED, THE COUNCIL WILL ATTACH PLANNING CONDITIONS OR PLANNING OBLIGATIONS TO SECURE THE PROTECTION OF THE SPECIES.

Local Nature Reserves

3.35 Local Nature Reserves (LNR's) are established by local authorities as habitats of local significance and one is designated in Christchurch, namely Stanpit Marsh. It is covered by an SSSI, although the area is seen as one in which people can access more easily and learn about wildlife. Stanpit Marsh is subject to a management Plan. The harbour itself has a boundary with Bournemouth Borough Council and a co-ordinated approach with this authority would be desirable to manage effectively activities in the harbour. The possibility of designating further Local Nature Reserves will be explored.

Sites of Nature Conservation Interest

3.36 As well as including policies on statutory designated sites government guidance suggests that local plans should include policies for areas identified as of local nature conservation importance. The Dorset Wildlife Trust is surveying the county for Sites of Nature Conservation Interest (SNCI). This is an ongoing process that may identify new SNCI or

amend those existing. They will be designated by the County SNCI panel, a body which collectively represents Dorset's nature conservation interests. These sites may continually change through agricultural practices or other activities outside the control of the Local Planning Authority and sites could diminish or expand as conditions change. Minimising damaging impacts of development in wildlife habitats will be an important consideration in the design of development schemes. Where this is not achievable by design the use of planning conditions or obligations will be considered. A list of SNCI is maintained by the Council for public inspection. The following policy is intended to apply to all SNCI.

ENV 14 DEVELOPMENT LIKELY TO HAVE AN ADVERSE EFFECT ON A SITE OF NATURE CONSERVATION INTEREST (SNCI) WILL ONLY BE PERMITTED IF:

- 1. THE REASONS FOR DEVELOPMENT OUTWEIGH THE NEED TO SAFEGUARD THE NATURE CONSERVATION VALUE OF THE SITE OR ANY FEATURES OF INTEREST, OR**
- 2. THE NATURE CONSERVATION VALUE OF THE SITE OR ANY FEATURES OF INTEREST CAN BE PROTECTED FROM DAMAGING IMPACT BY MITIGATING MEASURES.**

Non-designated Sites of Nature Conservation Interest

- 3.37 Other sites of nature conservation interest not identified as such may also be important, adding to the biodiversity of the Borough. The Borough contains numerous habitats supporting wildlife, for example, hedgerows and small copses are essential for particular species of fauna and flora. The loss of hedgerows will be controlled by the Hedgerows Regulations 1997, which aim to conserve important countryside hedgerows in relation to landscape, wildlife or historical or archaeological interests.

Green Corridors

- 3.38 Careful planning in much of the urban area of Christchurch has resulted in the retention of many natural features. Many of the retained green areas act as havens or corridors in the urban area for wildlife as well as places for people to enjoy a more natural environment whilst contributing to the overall environmental quality of the area. These green corridors are to be retained and where possible links between or expansion of them should be formed to provide a network for wildlife movement and people's enjoyment. It is important that development proposals which come forward should not prejudice the integrity of the corridors and indeed opportunities should be taken to enhance them. Development proposals should be carefully and sympathetically designed so as to minimise impacts on green corridors. However should this not be possible then the Council may attach conditions or planning obligations to a planning permission in order to enhance or expand a green corridor.

ENV 15 THE AREAS IDENTIFIED ON THE PROPOSALS MAP AS GREEN CORRIDORS ARE TO BE RETAINED FOR WILDLIFE MOVEMENT AND WHERE APPROPRIATE PUBLIC ENJOYMENT. DEVELOPMENT PROPOSALS ADJACENT TO OR WITHIN A GREEN CORRIDOR WILL BE EXPECTED TO RESPECT ITS FUNCTION AND INTEGRITY. WHERE A PROPOSAL IS LIKELY TO PREJUDICE A GREEN CORRIDOR, ITS ENHANCEMENT OR EXPANSION WILL BE SOUGHT AS PART OF THE PROPOSAL.



Mude Valley Green Corridor

Site Management

3.39 The Council has adopted a number of management plans for sites across the Borough. These are namely Stanpit Marsh, St Catherine's Hill, Steamer Point and Purewell. The management objectives relate to the protection of habitats and the management of potential conflict by different users of the sites. They attempt to achieve a satisfactory balance between user groups, ensuring no one group's activities are counter-productive with regard to other groups. Activities which affect these sites are to be referred to the Borough Council. Areas covered by a management plan will continue to be managed in accordance with the plan. Other areas where management plans could be implemented will be investigated.

Green Belt

3.40 Green Belts have been an essential part of planning policy for over thirty years. The objectives of green belt policy are defined in Planning Policy Guidance Note 2 and are set out below:

- i) To check the unrestricted sprawl of large built-up areas.
 - ii) To prevent neighbouring towns from merging into one another.
 - iii) To safeguard the surrounding countryside from further encroachment.
 - iv) To preserve the setting and special character of historic towns.
 - v) To assist in urban regeneration by encouraging the recycling of derelict and other urban land.
- 3.41 Green Belts are established through development plans. Structure Plan Settlement Policy E states "Development in South East Dorset will be contained within the built-up areas by the South East Dorset Green Belt. The purpose of the green belt is to protect the separate physical identity of individual settlements in the area by maintaining wedges and corridors of open land around the conurbation. Within the green belt there is a presumption against inappropriate development." Structure Plan Settlement Policy F establishes the general extent of the green belt. Settlement Policy D indicates that housing growth will be concentrated in South East Dorset within the built up areas as contained by the South East Dorset green belt and in other towns across Dorset.
- 3.42 The South East Dorset Structure Plan (1980) established a Green Belt throughout South East Dorset, but did not fix its precise boundaries, a task which was to be fulfilled by local plans. In order to span the gap between the publication of the Structure Plan and the publication of local plans an Interim Green Belt Policy was produced in 1984, for the Borough. This boundary has now been examined and changes made, where considered appropriate. The Local Plan confirms a statutory Green Belt status to areas of land within the plan area which comprise of important parts of the strategic open space within the Christchurch area. The Green Belt will be a major tool in implementing a sustainable development pattern in the Borough, effectively concentrating growth in the existing urban area, utilising facilities and minimising long journeys.
- 3.43 Part of Bournemouth International Airport is excluded from the Green Belt, this is worthy of special justification. A major development of employment uses has been envisaged at the airport for many years, being recognised in the South-East Dorset Structure Plan, Bournemouth, Dorset and Poole Structure Plan and this Local Plan in Policy EI 5 and EI 6. The airport offers a unique opportunity to provide for the employment needs of the South- East Dorset conurbation. Therefore, the Green Belt has been drawn to exclude land to the north of the east-west runway, the subject of Policy EI 5 and Policy EI 6. Structure Plan Settlement Policy F recognises that development proposed in the Structure Plan will be excluded from the Green Belt.
- 3.44 Now this final boundary has been defined it will not be altered except in exceptional circumstances. Within a Green Belt there is a general presumption against inappropriate development. In accordance with Structure Plan Settlement Policy E and PPG2 (1995) the following Policy establishes a fixed boundary for a statutory green belt within the area of the Local Plan, and defines uses appropriate within it. This policy should be read in conjunction with other relevant policies in the plan.

ENV 16 A GREEN BELT IS DESIGNATED IN THE AREAS INDICATED ON THE PROPOSALS MAP. IN THE GREEN BELT PERMISSION FOR THE CONSTRUCTION OF A NEW BUILDING WILL BE GRANTED ONLY IN VERY SPECIAL CIRCUMSTANCES, UNLESS IT IS FOR THE FOLLOWING PURPOSES:

- **AGRICULTURE AND FORESTRY.**
- **ESSENTIAL FACILITIES FOR OUTDOOR SPORT AND OUTDOOR RECREATION.**
- **CEMETERIES, AND FOR OTHER USES OF LAND WHICH PRESERVE THE OPENNESS OF THE GREEN BELT, AND DO NOT CONFLICT WITH THE PURPOSES OF INCLUDING LAND IN IT.**
- **PERMISSION WILL BE GIVEN FOR LIMITED EXTENSION, ALTERATION OR REPLACEMENT OF EXISTING DWELLINGS, AS SPECIFIED IN POLICIES H13 AND H14.**

3.45 PPG2 specifies that the material change of use of land is inappropriate development in the green belt unless it satisfies particular Green Belt objectives. The following policy will apply:

ENV 17 PROPOSALS FOR THE CHANGE OF USE OF LAND IN THE GREEN BELT WILL ONLY BE PERMITTED PROVIDED THAT THE FOLLOWING CRITERIA ARE SATISFIED:

- 1) **POLICY ENV 22 ON THE USE OF AGRICULTURAL LAND IS SATISFIED.**
- 2) **IT DOES NOT HAVE A MATERIALLY GREATER IMPACT THAN THE PRESENT USE ON THE OPENNESS OF THE GREEN BELT AND THE PURPOSE OF INCLUDING LAND IN IT.**
- 3) **THE USE WOULD NOT RESULT IN A LOSS OF AMENITY OR SPOIL THE ENJOYMENT OF OTHER USERS OF THE COUNTRYSIDE BY NOISE, TRAFFIC GENERATION OR OTHER DISTURBANCE.**
- 4) **THE USE DOES NOT DETRACT FROM THE LOCAL CHARACTER AND LANDSCAPE QUALITY OF THE AREA.**
- 5) **ANY ASSOCIATED PROPOSALS FOR BUILDINGS CONFORM TO POLICIES ENV 16, ENV 18 AND ENV 19.**

3.46 In some cases it is desirable to allow flexibility in the Green Belt in order to help diversification of the rural economy and safeguard particular buildings from neglect. The following two policies guide development proposals for the re-use of buildings in the Green Belt. To progress sustainability objectives it is considered appropriate to

encourage employment, tourism or recreational uses in vacant buildings before considering residential use. Before planning permission is granted for a residential use an applicant should demonstrate that every reasonable attempt has been made to secure an employment, tourism or recreational use. An application for residential use will be required to be supported by a statement of the efforts which have been made to secure an employment, tourism or recreational use (in terms of marketing).

ENV 18 PROPOSALS FOR THE RE-USE OF BUILDINGS AND THEIR CURTILAGE IN THE GREEN BELT FOR EMPLOYMENT, TOURISM AND RECREATION WILL ONLY BE PERMITTED PROVIDED THAT THE FOLLOWING CRITERIA ARE SATISFIED:

- 1) IT DOES NOT HAVE A MATERIALLY GREATER IMPACT THAN THE PRESENT USE ON THE OPENNESS OF THE GREEN BELT AND THE PURPOSE OF INCLUDING LAND IN IT.**
- 2) THE BUILDING IS SUITABLE FOR THE PROPOSED USE WITHOUT MAJOR REBUILDING AND WOULD NOT REQUIRE SIGNIFICANT ALTERATION WHICH WOULD DAMAGE ITS FABRIC AND CHARACTER, OR DETRACT FROM THE LOCAL CHARACTERISTICS AND LANDSCAPE QUALITY OF THE AREA.**
- 3) ANY EXTENSIONS TO BUILDINGS AND ASSOCIATED USES OF LAND SURROUNDING THE BUILDING SHOULD NOT CONFLICT WITH THE PURPOSES OF INCLUDING LAND IN THE GREEN BELT.**
- 4) THE FORM, BULK AND GENERAL DESIGN ARE IN KEEPING WITH THEIR SURROUNDINGS.**
- 5) THE USE WOULD NOT RESULT IN A LOSS OF AMENITY OR SPOIL THE ENJOYMENT OF OTHER USERS OF THE COUNTRYSIDE BY NOISE, TRAFFIC GENERATION OR OTHER DISTURBANCE.**

ENV 19 PROPOSALS FOR THE RE-USE OF A BUILDING IN THE GREEN BELT FOR RESIDENTIAL PURPOSES WILL NOT BE PERMITTED UNLESS IT CAN BE DEMONSTRATED THAT:

- 1) AN EMPLOYMENT, TOURISM OR RECREATIONAL USE CANNOT BE SECURED, OR**
- 2) RESIDENTIAL CONVERSION WILL BE A SUBORDINATE PART OF A BUSINESS, TOURIST OR RECREATIONAL USE, OR**
- 3) THE DWELLING WILL PROVIDE ACCOMMODATION FOR AN AGRICULTURAL WORKER SATISFYING POLICY H15.**

- 3.47 The visual amenities of the Green Belt should not be adversely affected by proposals for development within or conspicuous from the Green Belt which, although they would not prejudice the purposes of including land in Green Belt, might be visually detrimental by reason of their siting, materials or design, this being specified in PPG2 Paragraph 3.15. The following policy will apply:

ENV 20 ANY DEVELOPMENT IN PROXIMITY TO OR CONSPICUOUS FROM THE GREEN BELT WILL NOT BE PERMITTED WHERE THE VISUAL AMENITIES OF THE GREEN BELT WOULD BE INJURED BY REASON OF SITING, SIZE, MATERIALS OR DESIGN.

Landscaping

- 3.48 Although the use of land is in a continuing process of change it is important that opportunities are taken to both retain existing landscape features and introduce new landscaping. The following policy is essential to maintain and enhance the quality of the environment in the Plan Area:

ENV 21 IN ASSESSING SCHEMES FOR EITHER NEW DEVELOPMENT OR REDEVELOPMENT THE COUNCIL WILL GIVE A HIGH PRIORITY TO BOTH THE AMOUNT AND QUALITY OF LANDSCAPING IN THE INTEREST OF AMENITY, LANDSCAPE AND WILDLIFE. WHEREVER POSSIBLE EXISTING LANDSCAPE FEATURES SHOULD BE RETAINED. NATIVE SPECIES SHOULD BE USED WHERE APPROPRIATE IN LANDSCAPING SCHEMES.

- 3.49 The attractive environment of the Plan area is to a large extent attributable to the considerable numbers of mature trees and woodlands that have been preserved during the area's development. Local Planning Authorities have specific powers to protect trees by making Tree Preservation Orders. Most trees and woodlands in the area which have amenity value are now covered by Tree Preservation Orders which prohibit their cutting down, topping and lopping without the express consent of the Local Planning Authority. These apply mainly to privately owned trees. Special provisions also apply to trees within designated Conservation Areas. Further information on Tree Preservation Orders and Conservation Areas can be obtained from the Planning and Environmental Services Department. Hedgerows contribute to the landscape amenity and wildlife character of the area, the loss of hedgerows will be controlled by the Hedgerows Regulations 1997. The continued protection of trees and woodlands is considered paramount in order to preserve the amenities of the area. However, it is recognised that in some circumstances, for example on heathlands or meadows, it may not be in the interest of nature conservation to plant or protect trees.

Agricultural Land and Buildings

- 3.50 The countryside area of Christchurch falls within the Green Belt but unlike more rural areas the proportion of the population dependent on agriculture for their livelihood is very

small. Much of the area is un-farmed, for example being in the form of forestry land, or heathland. Where there is farming it has been rationalised and agricultural land and buildings have been the subject of pressure for different uses. The Ministry of Agriculture, Food and Fisheries (MAFF) have introduced 'Set Aside' whereby farmers are required to set aside areas of land as a measure to reduce production. MAFF with support from English Nature have set up an Environmentally Sensitive Area (ESA) in the Avon Valley. This scheme introduced by EC Council Regulation is intended to help conserve and enhance areas of high wildlife and landscape value which are under threat from changes in farming practices and farmers are offered payments to manage their land sensitively. However, these areas are not recognised in planning legislation and therefore no policy is included. Even so the features contributing to the designation of the ESA such as the meadowlands and river regime are recognised as important features and are subject to nature conservation and other policies in the local plan.

- 3.51 The Green Belt policy constrains the type of land use in the Green Belt. Even so particular rural areas have been the subject of substantial diversification resulting in increased traffic and other environmental problems. The Council wishes to retain a vibrant economy and varied activities in the rural area but not at the expense of landscape, wildlife conservation, public amenity and good quality agricultural land. Therefore planning applications for a change of use of agricultural land and buildings will have to satisfy the following policy, as well as others which are relevant throughout the Local Plan.

ENV 22 THE USE OF THE BEST AND MOST VERSATILE AGRICULTURAL LAND (GRADES 1, 2 AND 3A) FOR ANY FORM OF DEVELOPMENT NOT ASSOCIATED WITH AGRICULTURE OR FORESTRY WILL NOT BE PERMITTED UNLESS THERE IS A STRONG CASE FOR DEVELOPMENT ON THAT SITE WHICH OVERRIDES THE NEED TO PROTECT SUCH LAND. WHERE DEVELOPMENT IS PERMITTED ON THE BEST AND MOST VERSATILE AGRICULTURAL LAND IT SHOULD, AS FAR AS POSSIBLE, USE THE LOWEST GRADE OF LAND SUITABLE FOR THE DEVELOPMENT.

Environmental Assessment

- 3.52 Environmental Impact Assessment (EIA) is a process by which information about the likely environmental effects of certain major projects is collected, assessed and taken into account by the Local Planning Authority in deciding whether planning permission should be granted. The Town and Country Planning (Environmental Impact Assessment) Regulations 1999 which implement a European Community Directive, set out two lists of projects in Schedules 1 and 2 which would require an EIA.
- 3.53 Where an EIA is desirable or required, the applicant must prepare and submit an environmental statement with the planning application in accordance with the 1999 Regulations and Circular 02/99. Where an applicant does not agree an EIA is necessary they may apply to the Secretary of State for a determination as to whether an Environmental Assessment is required.

Chapter 3: Conservation of the Natural Environment

POLICY ENV 1

Seeks to ensure new development has facilities for collection and transfer of waste.

POLICY ENV 2

Seeks to protect the interests of existing potentially polluting operations.

POLICY ENV 3

Seeks to protect sensitive receptors from potentially polluting development.

POLICY ENV 4

Seeks to secure the protection and improvement of water supply and quality throughout the plan area.

POLICY ENV 5

Sets out drainage requirements for new development.

POLICY ENV 6

Ensures new development is connected to the mains system and only private treatment be allowed where the quality of water resources and groundwater is unaffected.

POLICY ENV 7

Sets out criteria for development within the identified flood plains.

POLICY ENV 8

Resists development resulting in flood risks due to increased surface water run-off.

POLICY ENV 9

Sets out criteria for development within the identified Coastal Zone.

POLICY ENV 10

Resists development of fish farms on rivers where they would unacceptably harm river quality or quantity.

POLICY ENV 11

Seeks to protect Sites of Special Scientific Interest from inappropriate development.

POLICY ENV 12

Seeks to protect Special Protection Areas (SPA's), Special Areas of Conservation (SAC) and Ramsar Sites from inappropriate development.

POLICY ENV 13

Seeks to protect land supporting a specially protected species or its habitat from inappropriate development.

POLICY ENV 14

Seeks to safeguard Sites of Nature Conservation Interest (SNCI) from inappropriate development.

POLICY ENV 15

Seeks to retain and expand identified 'green corridors' to benefit wildlife movement and where appropriate public enjoyment.

POLICY ENV 16

Designates the Green Belt, and specifies those types of development permissible therein.

POLICY ENV 17

Sets out criteria with which to assess proposals for change of land use in the Green Belt.

POLICY ENV 18

Sets out criteria for re-use of buildings and their curtilages in the Green Belt.

POLICY ENV 19

Sets out criteria for re-use of buildings for residential purposes in the Green Belt.

POLICY ENV 20

Seeks to protect the Green Belt from development which would have an adverse effect due to siting, size, materials or design.

POLICY ENV 21

Emphasises the high priority to be given to the quality of landscaping provision when assessing schemes for new development or redevelopment.

POLICY ENV 22

Seeks to ensure the protection of the best and most versatile agricultural land and sets out the circumstances within which development on agricultural land would be permitted.