



Purbeck Local Plan Examination:

Memorandum of understanding between Dorset
Council and Moreton Estate

November 2021

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Introduction

1. This Memorandum of Understanding (MoU) has been jointly prepared by Dorset Council (DC) and Moreton Estate. Hereafter referred to as the parties.
2. This MoU relates to the examination of the Purbeck Local Plan (2018-2034). The local plan was submitted for examination in January 2019. Hearing sessions were held as part of the examination between July and October 2019. The Planning Inspector examining the local plan published a Post Hearing Note in March 2020. The Planning Inspector stated in her note that:

‘I am reasonably satisfied at this stage that with Main Modifications the Plan is likely to be capable of being found legally compliant and sound, my advice given and the comments made now are without prejudice to my final conclusions on the Plan.’
3. The Inspector’s note sets out a series of changes that she considered needed to be made to the local plan, and schedule of suggested Main Modifications (SD14), to make the local plan sound and legally compliant. After considering the Inspector’s note, representations made on the local plan and the matters raised during the hearing sessions the council prepared a schedule of proposed Main Modifications for consultation. The council also published updated assessments (including a Sustainability Appraisal and Habitats Regulations Assessment) and other supporting evidence (including an updated 5 year housing land supply and infrastructure delivery plan) with the proposed Main Modifications.
4. The consultation was held between November 2020 and January 2021. The council published copies of the responses made on the proposed Main Modifications and a consultation response document in May 2021. The council found merit in the representations relating to proposed Main Modifications to ‘Policy V2: Green Belt’ and its supporting text (proposed Main Modifications 6 and 7) and to ‘Policy I5: Morden Park strategic suitable alternative natural green space (SANG) and holiday park’ and its supporting text (proposed Main Modifications 76 and 77). In response to these matters the council has invited the Planning Inspector examining the local plan to consider further Main Modifications to these policies which would delete reference to release of Green Belt at Morden for a holiday park.
5. The council and Charborough Estate intended that the Morden holiday park would act as enabling development to support delivery of the strategic SANG. The council continues to support delivery of a strategic SANG at Morden independently of the proposed holiday park. It has started, but not concluded, discussions with the Charborough Estate on this matter. Given the uncertainty around the delivery of a strategic SANG at Morden the council has sought to investigate interim measures to mitigate the impacts of residential development on Dorset Heaths Special Area of Conservation (SAC), Dorset Heathland Special Protection Area and Ramsar and Dorset Heaths (Purbeck & Wareham) & Studland Dunes SAC (here after collectively referred to as Dorset heaths habitat sites).
6. This MoU relates to the interim measures (bringing forward delivery of the proposed nitrogen mitigation measures and heathland support area to the north of Winfrith

Heath) which the parties will seek to deliver to temporarily mitigate the impacts of residential development during an interim period between April 2018 and March 2024.

Proposed interim mitigation measure – heathland support area to the north of Winfrith Heath, Moreton Station/Redbridge Pit

Location and description of the proposed interim mitigation measures

7. The site is positioned to the north of Winfrith Heath (designated as: Special Protection Area, Special Area of Conservation and Dorset Heathlands Ramsar) and in proximity to the proposed housing allocation for Moreton Station/Redbridge Pit (Policy H4) in the emerging Purbeck Local Plan. The settlements of Moreton Station and Crossways are located to the north west of the site. Dorset Innovation Park and the settlement of Wool are positioned to the east of the site.
8. The plan in Appendix 1 identifies the proposed heathland support area. (Referred to as ‘the site’ elsewhere in this MoU). The site has been identified in an earlier Memorandum of Understanding between Dorset Council, Moreton Estate and Natural England (dated 7 June 2019), as habitat site mitigation for the proposed policy allocation Policy H4 in the emerging Purbeck Local Plan (2018-2034). The allocation comprises 490 homes, 65 extra care units and 350 square metres of retail convenience floor space. The site will secure mitigation for the impacts of nitrogen arising from the development on Poole Harbour habitat site and recreational activity on Dorset heaths habitats sites. In outline the site will function to divert existing heathland users and new residents but is not intended to draw in users from a wider catchment because of its proximity to the designated sites. It will be secured for the duration over which the identified harmful effects need to be mitigated in compliance with the Habitats Regulations 2017.
9. The site will make a positive, strategic contribution to mitigating the impacts of residential development on Dorset heaths habitats sites in the interim period before occupation of the Moreton Station/Redbridge Pit in accordance with Policy H4 of the emerging Purbeck Local Plan. The council expects homes to be delivered at Moreton Station/Redbridge Pit between 2022/23 to 2036/37.
10. The council will seek to identify permanent nutrient mitigation measures of an equivalent size, or with equal effectiveness within the catchment, prior to completion of the first new homes at Moreton Station/Redbridge Pit. As part of the early delivery of the proposed heathland support area the parties will work together to agree an appropriate design (including access and parking facilities).
11. The proposed heathland support area covers approximately 23 hectares. There are no existing rights of access to the site which has an agricultural use. In relation to the proposed use the site is un-constrained apart from:
 - positioned directly adjacent to Winfrith Heath – a Dorset heath habitat site; and
 - positioned to the north of Scheduled Monument (Tadnoll Barrow and Bell Barrow).

12. The parties consider that there is potential to change the use and character of the site so that it is more attractive to visitors who might otherwise visit Dorset heaths habitat sites in a manner which takes account of the constraints outlined above.
13. The parties have yet to agree the detailed design of the proposed heathland support area or the management plan, but as a matter of principle the council is satisfied that there is potential for the site to act strategically in mitigating the impacts from residential development within the Purbeck area for a temporary period pending completion of homes at the site identified as Policy H4:Moreton Station/Redbridge Pit in the emerging Purbeck Local Plan.
14. The parties are satisfied that there is potential:
 - a) for the site to be accessed on foot by the residents of Moreton, Moreton Station and Crossways;
 - b) to form a new visitor car parking area of at least an equivalent size (which would in turn allow the existing car parking area serving Winfrith Heath SSSI to be closed);
 - c) to create permissive walking routes around the site; and
 - d) to manage the site to give it a 'wild/natural character' which is likely to be attractive to visitors as well as potentially contributing towards biodiversity net gain measures associated with the proposed development at Moreton Pit.

Delivery

15. The Moreton Estate owns the site identified in Appendix 1. There are no restrictions or limitations relating to the land which would prevent delivery of the site as a heathland support area prior to 1 April 2023.

Conditions of joint working between the parties

16. The Moreton Estate only agrees to work with the council to deliver the proposed heathland support area if:
 - a) The council adopts the Purbeck Local Plan (2018-2034) and the local plan includes an allocation for around 490 homes, 65 extra care units and 350 square metres of retail convenience floor space for the site identified in Appendix 2 (as detailed in the latest draft of policy H4:Moreton Station/Redbridge Pit as presented in proposed Main Modifications published by the council in November 2020).
 - b) The parties precisely define and agree the nature and scope of the site as a heathland support area and the duration of its use.
 - c) The habitat site mitigation measures identified in the Memorandum of Understanding between the council, Moreton Estate and Natural England (dated 7 June 2019) will satisfactorily mitigate the impacts of the proposed allocation for around 490 homes, 65 extra care units and 350 square metres of retail convenience floor space for the site identified in Appendix 2 (as detailed in the latest draft of policy H4:Moreton

Station/Redbridge Pit as presented in proposed Main Modifications published by the council in November 2020).

- d) Any changes to the way the land is managed, from an agricultural use involving growing of a maize crop to use as a heathland support area, is recognised by Natural England and Dorset Council as being part (if not all) of the Estate's contribution towards the requirement to reduce nitrogen emissions into Poole Harbour and thereby mitigate the impacts of the proposed allocation for around 490 homes, 65 extra care units and 350 square metres of retail convenience floor space for the site identified in Appendix 2 (as detailed in the latest draft of policy H4:Moreton Station/Redbridge Pit as presented in proposed Main Modifications published by the council in November 2020).
- e) The Moreton Estate is able to retain the freehold of the site, use available grants and has discretion to manage the site to enhance its biodiversity as well as allowing use of the land as a heathland support area.

Matters agreed

17. The following matters have been agreed between the parties:

- a) The site, identified in Appendix 1, is a suitable location for use as a heathland support area.
- b) Moreton Estate owns the land identified in Appendix 1 and there are no legal restrictions that would prevent the heathland support area from being delivered before 1 April 2023.
- c) The parties have agreed to work together to deliver a heathland support area at the site identified in Appendix 1.
- d) That planning permission is required for use of the sites as a heathland support area.

Matters to be agreed

18. The following matters are to be agreed between the parties:

- a) The nature conservation value of the site¹.
- b) The design of the proposed heathland support area including:
 - i. The position and design of the proposed access.
 - ii. The position and size of the proposed car parking area.
 - iii. The design, route, and length of the permissive paths across the sites.
- c) The detailed measures required to manage and maintain the proposed heathland support area.
- d) The cost of delivering managing, and maintaining the proposed heathland support area including the land acquisition costs in the event that the heathland support area is delivered by Dorset Council and (i) planning permission for residential development

¹ An ecological survey will need to be conducted on the site of the proposed heathland support area to determine its nature conservation value.

at Moreton Pit is not granted, or (ii) planning permission for residential development is granted but the permission is not implemented

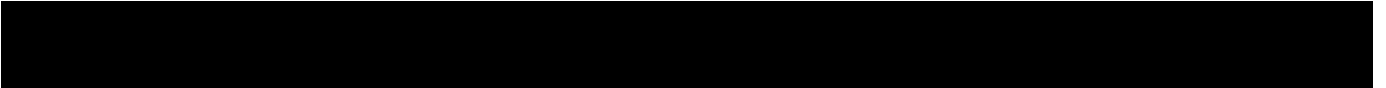
- e) The financial contribution provided by the council to fund delivery, management, and maintenance of the proposed heathland support area between its completion and occupation of the first new home at the proposed housing site identified as Policy H4: Moreton Station/Redbridge Pit in the emerging Purbeck Local Plan (2018-2034).
- f) The reimbursement by the Moreton Estate of the financial contribution made by the council (as identified in 17 e)) to support delivery of the proposed heathland support area between its completion and completion of the first new home at the proposed housing site identified as Policy H4: Moreton Station/Redbridge Pit in the emerging Purbeck Local Plan (2018-2034).

Declaration

Signed on behalf of Moreton Estate:



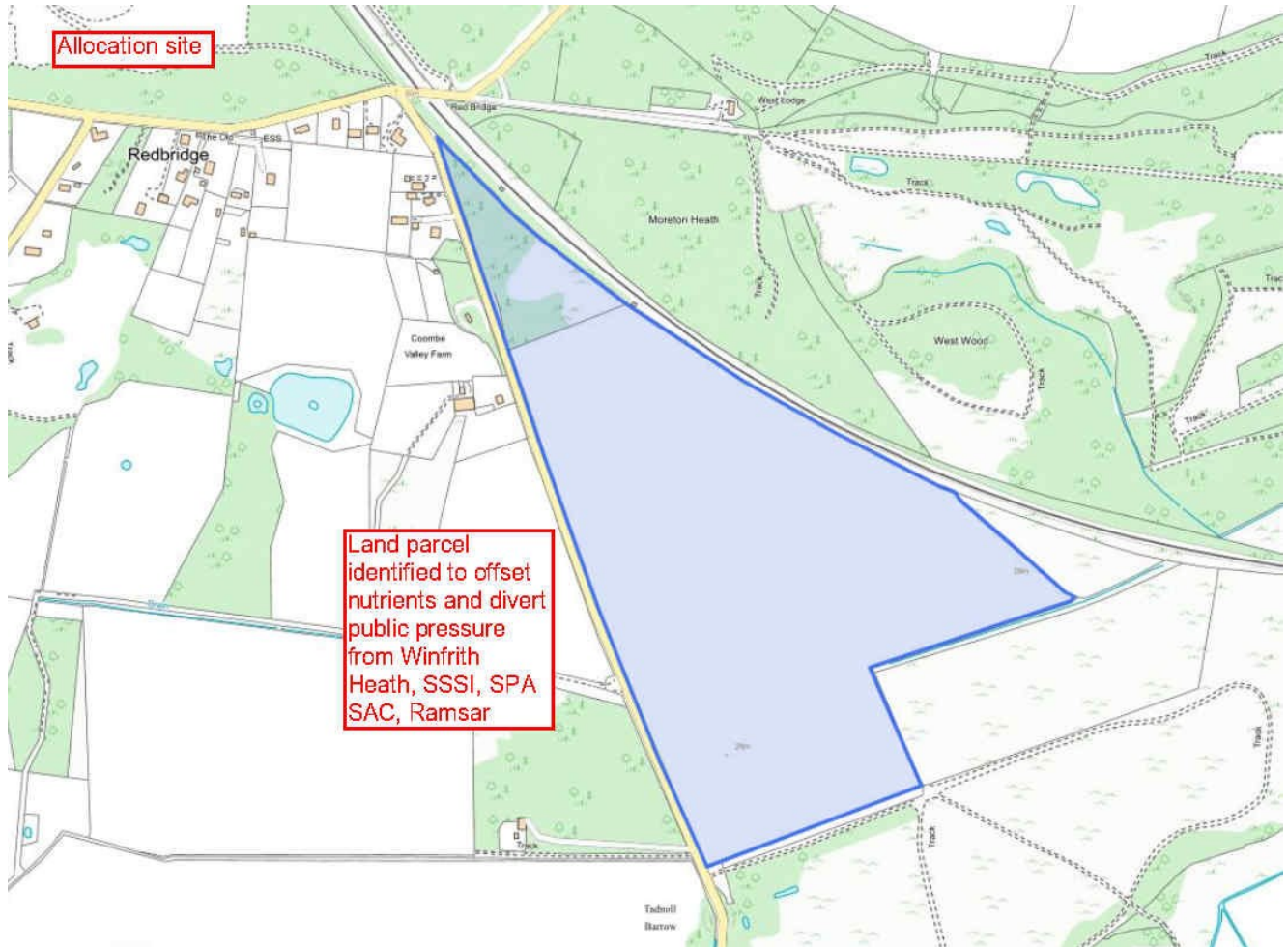
Signed on behalf of Dorset Council:



Name, Position, Signature, Date

Appendix 1 – Map to show proposed heathland support area, Moreton Station/Redbridge Pit

Memorandum of Understanding relating to the Purbeck Local Plan (2018-2034)
between: Dorset Council and Moreton Estate



**Appendix 2 – Map to show proposed allocation for homes and
convenience retail floor space, Policy H4: Moreton
Station/Redbridge Pit, emerging Purbeck Local Plan (2018-2034)**

Memorandum of Understanding relating to the Purbeck Local Plan (2018-2034) between: Dorset Council and Moreton Estate

