

Supplementary Papers for Overview and Scrutiny Board

Date: 2.00pm Monday, 16 March 2020



7. Forward Plan

3 - 20

To consider and amend the Board's Forward Plan as appropriate and to consider the published Cabinet Forward Plan.

Exclusion of Press and Public

In relation to the items of business appearing below, the Committee is asked to consider the following resolution: -

'That under Section 100(A)(4) of the Local Government Act 1972, the public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in Paragraph 5 in Part I of Schedule 12A of the Act and that the public interest in withholding the information outweighs such interest in disclosing the information.'

8. Scrutiny of Environment Related Cabinet Reports

21 - 28

To consider the following environment related report scheduled for Cabinet consideration on 18 March:

- Kerbside Recycling Collection Service (Bournemouth)

The O&S Board is asked to scrutinise the reports and make recommendations to Cabinet as appropriate.

Cabinet member invited to attend for this item: Councillor Felicity Rice, Portfolio Holder for Environment and Climate Change.

The Cabinet report will be published on Tuesday 10 March and available to view at the following link:

<https://democracy.bpcouncil.gov.uk/ieListDocuments.aspx?CId=285&MId=3727&Ver=4>

9. Scrutiny of Transport and Infrastructure related Cabinet Reports

29 - 92

To consider the following transport and infrastructure related reports scheduled for Cabinet consideration on 18 March 2020:

- BCP Council Parking Charges Harmonisation – NOTE: This item will now be dealt with by way of an officer decision, however the Chairman has agreed that there should still be an opportunity for the O&S Board to ask questions on this item. A verbal update will be provided at the meeting.

- Street Works Permitting Scheme

The O&S Board is asked to scrutinise the reports and make recommendations to Cabinet as appropriate.

Cabinet member invited to attend for this item: Councillor Andy Hadley, Portfolio Holder for Transport and Infrastructure.

The Cabinet report will be published on Tuesday 10 March and available to view at the following link:

<https://democracy.bcpCouncil.gov.uk/ieListDocuments.aspx?CId=285&MId=3727&Ver=4>

10. Scrutiny of Planning Related Cabinet Reports

93 - 198

To consider the following planning related reports scheduled for Cabinet consideration on 18 March 2020:

- Heathlands SPD

The O&S Board is asked to scrutinise the reports and make recommendations to Cabinet as appropriate.

Cabinet member invited to attend for this item: Councillor Margaret Phipps, Portfolio Holder for Strategic Planning.

The Cabinet report will be published on Tuesday 10 March 2020 and available to view at the following link:

<https://democracy.bcpCouncil.gov.uk/ieListDocuments.aspx?CId=285&MId=3727&Ver=4>

CABINET FORWARD PLAN – 1 MARCH 2020 TO 31 DECEMBER 2020

(PUBLICATION DATE – 18 February 2020)



What is the subject?	What is the purpose of the issue?	Is this a Key Decision?	Decision Maker and Due Date	Wards	Who are the key stakeholders to be consulted before the decision is made?	What is the consultation process and period	Officer writing the report	Is the report likely to be considered in private (i.e., it contains confidential or exempt information)?
Arts and Cultural Development in BCP Council		Yes	Cabinet 18 Mar 2020				Michael Spender	Open
Community Governance Review - Throop and Holdenhurst	To consider the report of the Task and Finish Group following the public consultation on the draft recommendations and make final recommendations to Council.	No	Cabinet 18 Mar 2020 Council 31 Mar 2020	Muscliff & Strouden Park	Local residents, community and residents groups, neighbouring parish councils, housing associations, CAB, etc	Consultation will be undertaken for a 12 week period to inform the final recommendations	Richard Jones	Open

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What is the subject?	What is the purpose of the issue?	Is this a Key Decision?	Decision Maker and Due Date	Wards	Who are the key stakeholders to be consulted before the decision is made?	What is the consultation process and period	Officer writing the report	Is the report likely to be considered in private (i.e., it contains confidential or exempt information)?
Street Works - Permitting Scheme	BCP Council is required by Government to implement a Street works Permitting Scheme by April 2020. Approval is sought for the terms of the scheme to be implemented, following consideration of the responses to the statutory consultation.	Yes	Cabinet 18 Mar 2020	All Wards	Statutory Undertakers and other key stakeholders with regards to road works.	Consultation on approved terms will have taken place over the statutory 8 week period.	Gary Powell	Open
Wessex Fields Site Development Strategy	To make recommendations regarding nature of site de	No	Cabinet 18 Mar 2020	Littledown & Iford	Public, businesses, developers, officers and any other interested parties	Event on 07/01/20 followed by period of open submissions online until end of January	Rachel Doe	Open

What is the subject?	What is the purpose of the issue?	Is this a Key Decision?	Decision Maker and Due Date	Wards	Who are the key stakeholders to be consulted before the decision is made?	What is the consultation process and period	Officer writing the report	Is the report likely to be considered in private (i.e., it contains confidential or exempt information)?
Heathlands SPD	Adoption	Yes	Cabinet 18 Mar 2020 Council 31 Mar 2020		Natural England/ Dorset Council	4 week consultation on SPD from 3 Jan – 3 Feb 2020. This report is post consultation. Cabinet approved consultation on 20 December 2019.	Steve Dring	Open
Unauthorised encampments policy and practice	To seek cabinet approval for the recommendations made by the cross party working group tasked with reviewing and unifying policy and practice with regards to unauthorised encampments across BCP Council	Yes	Cabinet 18 Mar 2020	All Wards	Opinion has been sought from a cross party working group, the police and representatives of the Council involved in the management of unauthorised encampments	Cross party working group recommendation to cabinet November 2019 - February 2020	Andy McDonald	Open

What is the subject?	What is the purpose of the issue?	Is this a Key Decision?	Decision Maker and Due Date	Wards	Who are the key stakeholders to be consulted before the decision is made?	What is the consultation process and period	Officer writing the report	Is the report likely to be considered in private (i.e., it contains confidential or exempt information)?
Capital Investment Strategy (Non-Treasury) 2020-2025	To seek approval for an updated investment strategy previously approved by the Shadow Executive.	Yes	Cabinet 18 Mar 2020	All Wards	Leader, Deputy Leader and Portfolio Holder for Regeneration and Culture and Portfolio Holder Finance, Section 151 Officer, Corporate Property Officer, Asset Investment panel.	Consultation and feedback on draft report.	Sarah Longthorpe	Open
Grass Cutting, Wildflower & Habitat Management Policy	To approve recommendations for a revised and integrated approach to the management of grassland areas, in order to promote the development of wildflower meadows and wildlife habitats.	Yes	Cabinet 18 Mar 2020	All Wards	Cabinet Corporate Management Board Director of Environment and BCP Officers	Officer lead policy in response to climate change agenda.	Andy McDonald	Open

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Bournemouth Development Company Business Plan	To approve the five year BDC Business Plan (March 2020 – March 2025)	Yes	Cabinet 18 Mar 2020	Bournemouth Central	BDC		Martin Tiffin	Open
Developing a harmonised approach to tackling street-based anti-social behaviour	To implement a harmonised approach to tackling street-based anti-social behaviour across BCP Council with a balance of enforcement and support.	No	Cabinet 18 Mar 2020				Andrew Williams	Open
BCP Council Parking Charges Harmonisation	To consider the harmonisation of parking charges across BCP Council	Yes	Cabinet 18 Mar 2020	All Wards		There is statutory consultation process, which will need to be undertaken following the decision as to which options to take further	Helen Taverner	Open

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Kerbside Recycling Collection Service (Bournemouth)	To consider the internalisation of recycling services in the Bournemouth locality	Yes	Cabinet 18 Mar 2020	All Wards			Larry Austin	Part exempt
∞ Events Management Policy	To agree the new policy for BCP	No	Cabinet 22 Apr 2020	All Wards			Jon Weaver	Open
Organisational Design - Implementation & Budget	To review and approve the implementation plan, procurement strategy and budget required to implement the transformation strategy for BCP Council. This strategy is based on the Organisational Design adopted by Cabinet in November 2019.	Yes	Cabinet 22 Apr 2020	All Wards	Cabinet; Overview & Scrutiny		Julian Osgathorpe	Open

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Sub-Regional Partnerships	To set out the sub-regional partnerships the Council is involved with and has an interest in; To provide a summary of the details of each, enabling a strategic view of how they interact; To recommend that the Council continues to support the partnerships it is currently involved with, and that it will consider new sub-regional partnership opportunities on their merits when they arise.	Yes	Cabinet 22 Apr 2020	All Wards			Chris Shephard	Open
Seascope Group Limited 5 Year Strategic Plan (2020-25)	The purpose of this report is to seek approval for Seascope Group Limited 5-year Strategic plan.	Yes	Cabinet 22 Apr 2020	All Wards	Seascope Group Limited and subsidiary boards.	To approve the Strategic Plan content.	Lorraine Mealings	Open

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Western Gateway Rail Strategy	Adoption of the long-term rail strategy for the Western Gateway	Yes	Cabinet 22 Apr 2020	All Wards	Train Operating Companies, Freight Operating Companies, Network Rail, DfT, Local Authorities, Sub-National Transport Bodies, and other interested parties	Three stakeholder workshops and a 4-week eConsultation	Edward Alexander	Open
Corporate Performance Management Framework	To agree a new performance management framework for BCP Council	No	Cabinet 22 Apr 2020	All Wards			Bridget West	Open

What is the subject?	What is the purpose of the issue?	Is this a Key Decision?	Decision Maker and Due Date	Wards	Who are the key stakeholders to be consulted before the decision is made?	What is the consultation process and period	Officer writing the report	Is the report likely to be considered in private (i.e., it contains confidential or exempt information)?
Housing scheme at Moorside Road, Bournemouth	To enable the proposed housing scheme to progress with the agreed funding arrangements to construction and subsequent completion in order to deliver the wide range of benefits to the Council and local communities.	Yes	Cabinet 22 Apr 2020	Kinson	Corporate Management Board	Corporate Management Board 18th February	Jonathan Thornton	Open
Bournemouth Town Centre Vision (TCV) Winter Gardens Site	To update on the funding position of the scheme and to consider the acquisition of investment opportunities within the scheme	No	Cabinet 22 Apr 2020	Bournemouth Central; Westbourne & West Cliff	Bournemouth Development Company, CMT, Leader, Portfolio Holders for Regeneration and Culture, Finance, and Resources; Ward Members, Head of Property, Corporate Property Group,		Chris Shephard	Open

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Holes Bay, Poole (former power station site) - Acquisition Strategy	To seek approval for the proposed acquisition of this site	Yes	Cabinet 22 Apr 2020	Poole Town	Dorset LEP and Homes England are engaged		Kate Ryan	Part exempt
Tourism and Destination Strategy	To agree the strategy for BCP	Yes	Cabinet 27 May 2020	All Wards	Portfolio Holder for Tourism, Leisure and Communities		Amanda Barrie, Chris Saunders	Open
Severe Weather including Winter Service		No	Cabinet 27 May 2020	All Wards			Simon Legg	Open

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Bistro on the Beach	To regenerate the existing restaurant and beach office facilities into a new destination leisure offer	Yes	Cabinet 24 Jun 2020 Council 14 Jul 2020	West Southbourne			Amanda Barrie, Andrew Emery	Open
Beach Hut Policy	Harmonisation of policy, pricing, team location and booking system	No	Cabinet 24 Jun 2020				Trudy Hicken	Open
BCP Council Economic Development Strategy	To approve BCP Council's Economic Development Strategy	No	Cabinet 24 Jun 2020	All Wards	N/A	N/A	Chris Shephard	Open

What is the subject?	What is the purpose of the issue?	Is this a Key Decision?	Decision Maker and Due Date	Wards	Who are the key stakeholders to be consulted before the decision is made?	What is the consultation process and period	Officer writing the report	Is the report likely to be considered in private (i.e., it contains confidential or exempt information)?
Recommendations following the public selective and additional licensing consultation	To review and consider the results of the 12 week public consultation and present recommendations to cabinet for the proposals whether to implement additional and/or selective licensing	Yes	Cabinet 30 Sep 2020	All Wards	Public	Public consultation underway 13/1/206/4/20	Richard Jones	Open
BCP Homelessness Strategy	To co-produce a comprehensive and proactive homelessness strategy and related action plan for BCP.	Yes	Cabinet 28 Oct 2020	All Wards	BCP residents, Housing Portfolio Holder, All BCP Members, Adult Social Care, Children's Social Care, CCG, Police Homelessness Reduction Board and associated Partnership (included lived experience).	Launch event (Jan 2020), Public consultation and series of stakeholder workshop/ events Jan to June 2020.	Lorraine Mealings	Open

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Community Regeneration Strategy	Approval of the strategy.	Yes	Cabinet 16 Dec 2020	All Wards	The Community, internal departments, partner organisations and the Health & Wellbeing Board.	Public Consultation summer 2020.	Cat McMilan	Open

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By virtue of paragraph(s) 3 of Part 1 of Schedule 12A of the Local Government Act 1972.

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CABINET



Report subject	BCP Council Street Works Permit Scheme
Meeting date	18 March 2020
Status	Public Report
Executive summary	<p>BCP Council must bring into operation a Street Works Permit system in lieu of its existing noticing system.</p> <p>This report follows the Cabinet report in October and reports on the results of the consultation carried out with all statutory consultees, with recommendations of the permit conditions to be applied for the new BCP Council Street Works Permit Scheme, taking into consideration the responses received.</p>
Recommendations	<p>It is RECOMMENDED that:</p> <p>(a) Cabinet approve the conditions to be applied to the BCP Council Street Works Permit Scheme, as described in the attached document, Appendix 2</p> <p>(b) Cabinet delegate authority to the Director of Legal and Democratic Services to make the necessary Legal Order to bring the permit scheme into operation.</p>
Reason for recommendations	DfT require all Local Authorities to introduce a Street Works Permit scheme by April 2020, or as soon as practicably possible thereafter; the approved permit conditions for such a scheme and necessary legal order are required to bring this into operation.
Portfolio Holder(s)	Councillor Andy Hadley, Cabinet Member for Transport and Infrastructure
Corporate Director	Bill Cotton, Regeneration & Economy
Service Director	Julian McLaughlin, Growth & Infrastructure
Contributors	<p>Richard Pearson, Transport Network Manager (Traffic Manager)</p> <p>Paul James, Street Works manager</p> <p>Richard Pincroft, Head of Transportation</p>

Wards	All BCP Wards
Classification	For Decision

Background

1. Department for Transport (DfT) estimate that the English local road network is subject to around 2.5 million road works each year. These can cause significant disruption to people's journeys and congestion which they estimate costs the economy around £4 billion.
2. The Secretary of State wrote to all highway authorities in July 2018 and demanded that all 'street works' by the end of March 2019 be managed by local authorities utilising 'permit schemes'. This deadline was subsequently extended to the end of March 2020. The Department for Transport recognise that this deadline cannot be practically reached by all authorities and, considering the overall restructure of BCP Council, have accepted that this will be brought into operation as soon as possible in the new financial year.
3. As defined in section 48(3) of the New Roads and Street Works Act, 'street works' means works of any of the following kinds (other than works for road purposes) executed in a street in pursuance of a statutory right or a street works licence: (a) placing apparatus; or (b) inspecting, maintaining, adjusting, repairing, altering or renewing apparatus, changing the position of apparatus or removing it, or works required for or incidental to any such works (including, in particular, breaking up or opening the street, or any sewer, drain or tunnel under it, or tunnelling or boring under the street"
4. The objective of introducing local permit schemes is to positively control street works related activities on all streets that could otherwise cause increased disruption. They achieve this by allowing better co-ordination and planning of activities, which reduces the disruption and inconvenience that these activities cause, leading to reduced congestion and the realisation of associated social, economic and environmental benefits. There are increased network management opportunities, linked to the greater resources employed by BCP Council under the proposed scheme who will be coordinating road and street works in the authority's area, offering greater benefit to those needing road space through better communication and management of their needs. The staff will also be empowered by the permit scheme powers to more proactively manage the road network.
5. BCP Council is currently a 'noticing' highway authority in terms of Street Works activity on the highway.
6. The key differences between a permit scheme and the preceding method for managing activities on the street (noticing) under the New Roads and Street Works Act (NRSWA) are:

- better position to be more proactive in the management and control of activities taking place on the highway; permit schemes may be envisaged as schemes to book occupation of the street for specified periods for a specified purpose rather than the noticing system whereby the promoters are entitled to occupation of the street and must simply notify the highway authority of their intentions;
 - highway authorities' own works are included within the scope of a permit scheme (e.g. Street Scene);
 - conditions can be attached to permits which impose constraints on the way that work is carried out and information is provided, and can allow the authority to direct the timing of activities;
 - the control that permit authorities have over variations to the permit conditions, particularly in the circumstances of extensions of time, give greater opportunity to deliver completion dates; and,
 - a permit fee is payable by the statutory undertakers. This fee relates to the proportion of total costs incurred by a Permit authority.
7. Permit Schemes can only be formed using the process set out in the following statutory guidance; 'Department for Transport Statutory Guidance for Highway Authority Permit Schemes, October 2015'.
 8. Each approved permit must have a set of conditions applied to it; these conditions need to be approved and consulted on before introduction. Following approval in October by Cabinet, a consultation was carried out between 10th December 2019 and 11th February 2020. The results of this consultation can be seen in Appendix 1.
 9. Taking into consideration the consultation results, the following changes are recommended to the conditions consulted on:-
 - a. Paragraph 3.1.3. Alteration of the word pavement to footway in the sentence – scheduling and management of activities to minimise disruption to any road or pavement user.
 - b. Paragraph 10.1.2. Addition of the words 'or permit' to the sentence – when applying for a PAA
 - c. Paragraphs 10.1.6, 10.7.1, 10.7.2. Removal of the word 'Application' from sentences stating – or request a Permit Application Modification Request.
 - d. Paragraph 14.10.2. Addition of the words 'or by 10am the next working day' to the sentence – the Promoter will submit the first Permit application within two hours of starting work
 - e. Appendix A: Definition of Terms. Removal of a reference to the Code of Practice for Permits which has been superseded in legislation.

f. These changes are reflected in the update version of the BCP Council Street Works Permit Scheme document shown in Appendix 2.

10. In order to bring a permit scheme into operation, the Council must advertise a legal order, 28 days prior to the go-live date.

Summary of Financial Implications

11. Permit Authorities may charge fees in relation to the issuing of permits and must justify those fee levels. The fee levels should be available to those consulted under regulation 3 of the statutory guidance and may not exceed those set out in regulation 29 of the statutory guidance.

12. Any income generated by permit schemes should be used to cover the costs of operating the scheme. The income from fees must not exceed the total allowable costs prescribed in the permit regulations. This balance can be achieved over several years.

13. Allowable costs are limited to: the proportion of direct costs and overheads attributable to operating the scheme for undertakers, which are over and above the cost of the authority's co-ordination duty under NRSWA. This may include the costs related to permits which may not always lead to a permit being granted. Overheads can include: non-salary staff-related costs such as pensions and benefits, proportionate allocation of accommodation, central services and IT costs, as well as general administration and management for monitoring the permit system, key performance indicators (KPIs) and invoicing.

14. The costs associated with establishing the permit scheme are not chargeable/recoverable from promoters/statutory undertakers. The officer time and consultation costs for a BCP Council permit scheme were estimated, identified and budgeted for as part of stage 2 of the local government reorganisation process and have therefore already been accounted for as part of 2019/20 the Growth and Infrastructure revenue budget.

15. The costs of implementing and running the permit scheme and anticipated fee income are as follows:-

Expenditure	£
Staff	400,000
Other costs	150,000
Management overhead	73,825
Total expenditure	623,825
Income	£
Permit fees	573,825
Additional fees	50,000
Total income	623,825

The intention is to employ, in the first instance, up to 6 new permit officers and up to 2 new inspectors. More may be recruited later once an initial period of assessment has been carried out.

Other costs include IT, reporting and other administrative costs plus there will be a contribution to management overheads associated with the scheme.

All costs, particularly overheads, will be periodically reviewed to ensure they are appropriate and reflect the current level of activity. Thereby ensuring the correct fees are set each year and ensuring the scheme remains cost neutral.

Up to 10,000 permits are presently issued per year, and fees will range between £60 to £240 per permit depending on the classification of the road affected. Assuming a prudent 8,000 permits are issued with an average fee of £78, sufficient income will be generated to fund the expenditure incurred. Additional fee income is also anticipated from abandoned and cancelled works and fines.

16. A further summary of the anticipated income and expenditure is included in Appendix 3. The income and expenditure would be regularly reviewed to ensure that the scheme would remain cost neutral to the Council.

Summary of Legal Implications

17. There is a statutory requirement for Highway Authorities when establishing a permit scheme to carry out a full consultation of stakeholders (this does not include the public, although the public were given the opportunity to respond). Authorities must consult those specified within the guidance and any other persons the authority consider appropriate.
18. Furthermore, the regulations stipulate that consultation should be sufficiently detailed to enable an adequate response to be considered and provided. This means that if a variation is proposed the consultation should be proportionate to the nature of that variation, and that consultees should have the detail they need to make a fully-informed response. The Secretary of State is listed as a consultee and would consider on a case by case basis whether to make representations.
19. It is recommended that a legal order is made to bring the permit scheme into operation, based on the updated conditions which have taken into account the consultation responses, as shown in Appendix 2.

Summary of Human Resources Implications

20. The operation of a Street Works permit scheme would likely require the council to employ additional officers. Any additional posts would be paid for from the income generated by the permit fee charges. This does not include the cost of Inspectors who would continue to be funded via Sample Inspection fees and other income not relating to permit conditions (e.g. Section 72 (defect) charges).
21. The DfT permit scheme matrix infers that an additional 9 posts at varying grades could be required to facilitate the operation of the permit scheme effectively within the BCP Council footprint.

22. Initially, it is proposed to employ an additional 6 posts while the scheme is embedded. Recommendations were made to the Service Director and these posts have been through job evaluation and a grading process to effectively create the posts. These will be appointed to as soon as possible, so that training etc can be provided prior to go-live. The level of staffing will be subject to regular review.

Summary of Environmental Impact

23. A Street Works permit scheme would reduce congestion due to the occupation times of the highway reducing.

Summary of Public Health Implications

24. Reduction in emissions from idling vehicles.

Summary of Equality Implications

25. There are no adverse equality implications arising from the recommendations. All works carried out on the highway must conform to the Code of Practice for Safety at Street Works and Road Works 2013 as amended which ensures compliance with the Equalities Act; stating in the foreword that "You must pay particular attention to the needs of disabled people and should also consider other vulnerable groups such as elderly people, children and those with push chairs." Even with careful planning, roadworks are generally negative in terms of traffic movements; traffic including pedestrians, cyclists and those with disabilities. Minimising the time roadworks are in place will therefore have a beneficial outcome for all types of road user.

26. The added costs of permitting are extremely small/negligible compared to the overall costs of utilities for infrastructure. Many utilities welcome the permitting initiative as it forces them to be more organised and so may improve their efficiency. DfT assessed there to be no risk of reducing investment by utilities so no reduced service or equality impact as there would be no reduction in infrastructure investment.

Summary of Risk Assessment

27. There are no significant risks.

Background Papers

28. None

Appendices

Appendix 1 – Results of the consultation.

Appendix 2 – BCP Council Street Works Permit Scheme document.

Appendix 3 - Street Works Permit Scheme Income and Costs Summary



Appendix 1

PERMIT SCHEME FORMAL CONSULTATION REPORT

Title: Proposed Bournemouth Christchurch and Poole Permit Scheme (BCPPS) formal consultation responses and report
Date: 12th February 2020
Authors: Paul James Streetworks Manager, Jeff Elliott Consultant, Brighton Traffic Management Ltd

³₁ Introduction

The formal consultation regarding the proposed Bournemouth Christchurch and Poole Permit Scheme (BCPPS) ran for a period of nine (9) weeks beginning on the 10th December 2019. The deadline for receipt of responses was on 11th February 2020.

It was stated in the consultation covering email that 'all responses received by the 11th February 2020 will be taken into consideration and, if Bournemouth Christchurch and Poole Council consider it to be appropriate, amendments will be made to the draft Permit Scheme.

The draft Scheme Document and accompanying covering letter was issued to 144 key stakeholder organisations and individuals, including local neighbouring Highway Authorities, Utilities, road user representative groups, current suppliers and non-government organisations. The consultation was also open to everyone via the Council's website.

A total of 3 individual comments on the proposed Permit Scheme were received by the deadline.

A list of comments received, and potential response or amendments are provided in this document.

1.1 List of Consultees who responded by the deadline

1. Virgin Media (VM)
2. Openreach (OR)
3. Morebus (MB)

4. Scottish & Southern Electricity Networks (SSEN)
5. Member of the public. (MoP)

1.2 Consultees who responded after the deadline

No responses were received after the deadline.

2 Consultation Distribution List

The full distribution list includes sensitive personal data. It included all utility companies, bus operators, taxi representatives, Highway England, NHS, Network Rail, Dorset Council, Dorset Police, Tourism representatives, relevant charity transport providers, all Cllrs, relevant Council Officers. It was open to the public and any other interested party via the Council website.

3 General Comments

Org	Suggested amendment / clarification / comment / question	Response / action / recommendation
OR	<p>Key Observation - all new permit schemes now follow January 2013 DfT Additional Advice Note. Permit Schemes focusing only on the busy part of your road network defined as strategically significant streets. Permit authorities must also encourage works promoters to work wholly outside of traffic-sensitive times by offering discounted fees.</p> <p>Your scheme covers all streets, so goes against this ethos.</p>	<p>BCP Council acknowledge and follow all advice and guidance offered but must note that the highway network of Bournemouth Christchurch and Poole is of a heavily urban nature and therefore nearly all the street network can be strategically significant at times. Typical examples of this are that local traffic will always tend to avoid main distributors not just at traffic sensitive times and use streets of a lower classification. Therefore, BCP officers coordinating road space activities must take account road users' actions when fulfilling the authorities network management duty expending similar resource considering all road space booking requests hence why BCP are charging maximum fees across the network.</p>

VM

Key Points regarding the Permit Scheme Consultation

As you are aware all new permit schemes now have to follow the Statutory Guidance for Highway Authority Permit Schemes issued October 2015. Within this document it outlines a more rigorous approach to the assessment of category 0, 1 and 2, and traffic-sensitive locations than those categorised as 3 and 4. This approach enables lower fees to be applied (or waived). Permit authorities must encourage works promoters to work wholly outside of traffic-sensitive times by offering discounted fees. By following DfT advice both the Council and works promoters will be able to focus on working together to plan those works likely to cause the most disruption, rather than a blanket approach including streets that are not traffic-sensitive.

BCP Council acknowledge and follow all advice and guidance offered but must note that the highway network of Bournemouth Christchurch and Poole is of a heavily urban nature and therefore nearly all the street network can be strategically significant at times. Typical examples of this are that local traffic will always tend to avoid main distributors not just at traffic sensitive times and use streets of a lower classification. Therefore, BCP officers coordinating road space activities must take account road users' actions when fulfilling the authorities network management duty expending similar resource considering all road space booking requests hence why BCP are charging maximum fees across the network.

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- The scheme is written in plain English and of appropriate length referencing to the appropriate guidance – thank you.
- The objectives are clear and have utilities and own promoters in mind.
- Suggest table 1 (10.6) is moved to an appendix
- We note your proposed start date of 1st June 2020 and thank you for a FPN amnesty for this initial month.
- We are disappointed you have chosen to charge on all roads and charging the maximum fees for all streets. SSEN believe that there is less co-ordination required on non- traffic sensitive streets and do not agree charging maximum fees is required.
- The CBA is complicated in nature and do not agree with the expected number of reduction in works days due to the permit scheme. We actually believe works will increase with the need for great utilities and the increase in new homes being built. Car charging point applications with increase exponentially in the coming years. There is no evidence to show a reduction in the costs of congestion by £1m per year.
- The fee table would be useful if included in the main scheme document as an appendix.
- The BCP DfT cost matrix state your permit scheme costs to be £720K, I hope if this figure is not accurate then your annual report will show this and fees will be reduced.

Thank you for your comments.

BCP Council note that the highway network of Bournemouth Christchurch and Poole is of a heavily urban nature and therefore nearly all the street network can be strategically significant at times. Typical examples of this are that local traffic will always tend to avoid main distributors not just at traffic sensitive times and use streets of a lower classification. Therefore, BCP officers coordinating road space activities must take account road users' actions when fulfilling the authorities network management duty expending similar resource considering all road space booking requests hence why BCP are charging maximum fees across the network.

Please refer any queries on the CBA model out comes to DfT who designed them for use in evaluating the effectiveness of permit schemes.

BCP Council used the DfT cost matrix inputting operational timings and staff costings in order to ascertain the scheme costs. But you will notice that the final allowable cost/cost per permit used to calculate the total permit scheme costs are higher than the maximum allowable fees. Therefore, the actual out turn of the BCP Council permit fees will be lower than the costs shown in the DfT fees matrix. BCP Council will need to closely monitor this variance and may need to lobby DfT to increase maximum allowable fees if they do not cover the costs of running a permit scheme in Bournemouth Christchurch and Poole.

VM	2.3.4 Virgin Media acknowledges that BCP Council recognises the local economic benefits of infrastructure projects including the roll out of Superfast Broadband within their area.	Noted
VM	2.3.5 Virgin Media acknowledge that the purpose start date of the new Permit Scheme will start on 1 st June 2020.	Noted
SSEN	2.4.1 Duplication see 2.3.2 suggest removal	Thank you for your comment
SSEN	2.5.2 Duplication see 2.5.1 – suggest rephrasing	Thank you for your comment
OR, VM	2.6.3, 9.2.5 Openreach - would like to make reference to the DfT advice (letter date 17th March 2014) indicating that only the sector agreed condition matrix (HAUC Advice Note) will be acceptable. Virgin Media would like to make reference to the DfT advice (letter date 17th March 2014) indicating that only the sector agreed condition matrix (HAUC Advice Note) will be acceptable.	Noted
SSEN	2.6.4 There are cases where works will need to be extended for genuine safety reasons eg immediate works where subsequent faults ensue and / or where other incidents do not allow the works to be completed. Incentives to complete activities and not applicable in these cases.	Noted

SSEN	2.6.5 Suggest removal as 2.6.6 confirms	Thank you for your comment
BT, VM	2.6.6 Openreach are disappointed that the BCP Permit Scheme and associated fees will apply to all classification of roads. If the council chooses to apply permits to 100% of streets, contrary to advice from ministers that have resulted in reduced occupation of the highway – advanced planning, use of minimum-dig technology and shared or sequential occupation of the carriageway etc. Virgin Media are disappointed that BCP Council are considering that all streets that are publicly maintainable by the Authority will be included on their Permit Scheme and all chargeable.	Thank you for your comments
VM 141	2.6.7 Virgin Media acknowledge Section 58 restrictions, and will endeavour to discuss if works need to go ahead after 21 days of completion of Section 58 works for customer connections with Highway Authority prior to work taking place.	Noted thank you
SSEN	2.6.8 Suggest rephrasing to confirm HA activities will follow the permit scheme and raise compliant permits	BCP Council will operate the permit scheme in accordance with the set legislation showing parity to all who need to book road space
VM	3.1.3 Virgin Media would like the word pavement user changed to footway user.	Agreed, amended

<p>VM, SSEN</p> <p style="writing-mode: vertical-rl; transform: rotate(180deg);">42</p>	<p>3.1.5, 3.1.6 Virgin Media agrees with the key factors highlighted regarding better planning, scheduling and management of activities to minimise disruption to any road user or pavement user. Virgin Media agrees that an overall drive to further improve the timing and duration of works to minimise disruption, where safe and practical to do so is a good thing however believe the current co-ordination process allows for this without the need for a permit scheme. Virgin Media already promote improvements to timing and duration of works and there are many examples of innovation in working practices that have resulted in reduced occupation of the highway – advanced planning, use of minimum-dig technology and shared or sequential occupation of the carriageway etc.</p> <p>We applaud this statement, We are happy to work together with you on this objective</p> <p>There is no evidence that can prove this statement with the introduction of a permit scheme. Works will not reduce in number and there is evidence that new homes will require even greater numbers of activities to provide essential services.</p> <p>How will this be achieved?</p>	<p>Thank you for your comments</p> <p>BCP Council would refer SSEN to discuss their concerns further with DfT who have carried out investigation in to the benefits of permit schemes and published their results on the .gov web site.</p> <p>The extra resources afforded BCP Council through operating a permit scheme will improve many functions of the coordination process including dialogue</p>
<p>SSEN</p>	<p>5.2.1 Suggest adding permit fees</p>	<p>Thank you for your comment</p>

SSEN	5.2.2 We welcome this	Thank you for your comment
VM, SSEN	6.2.2 Virgin Media acknowledge that when lifting or replacing manhole or chamber covers Virgin Media do not need to apply for a Permit. This will speed up fault finding and survey work on the Highway Network. Unless in a TS street at a TS time!	Thank you for your comment Noted, thank you
SSEN 43	7.2.4 Please confirm discount available	See 16.2.3 in the Bournemouth Christchurch and Poole Permit Scheme document
VM	7.3.1 Virgin Media believe that an application for works may have more than one street in the scheme, especially in the case of major works.	Noted
VM, SSEN	7.3.3 Virgin Media believe that this may not always be possible with regard to immediate works. Not necessarily, a TTRO will require a PAA but may not involve excavation eg over headwork works	Noted

OR, SSEN	<p>7.5.1</p> <p>Where works have been delayed due to 3rd party damage or another incident it should not be wholly down to the promotor to notify the authority when then authority may be the cause of the delay. In the case of a major incident the authority should contact the utility to agree a way forward especially where a permit may need to be revoked due to health and safety.</p> <p>Please confirm how you wish this to be actioned? Phone or electronically</p>	<p>Noted</p> <p>The works promoter will be best placed to make the decision on the communication method to meet the requirements of their activities and ensure compliance with regulations</p>
VM	<p>7.5.3</p> <p>Virgin Media would not be expected to pay for another Permit if Permit Authority directs Virgin Media to close down works and reinstate if no fault of the Utility.</p>	<p>Noted</p>
VM, SSEN	<p>7.6.2</p> <p>Virgin Media believe that his is not a legislative requirement under Permit Schemes</p> <p>Not sure how operating a notice system would be relevant in this case? Under street manager all works will essentially be raised as a permit but no fee will apply until the relevant permit scheme is validated. We would just submit a separate permit to the neighbouring authority.</p>	<p>Noted</p>
SSEN	<p>7.6.3</p> <p>The project reference is only entered on the initial applications</p>	<p>Noted</p>

SSEN	<p>7.7.2</p> <p>We believe a toolkit or process be implemented to ensure all collaborators know their responsibilities and who is responsible for what costs.</p>	Thank you for your comment
SSEN	<p>7.7.3</p> <p>This may not be available if the HA suggest collaborating with a 3rd party who has already booked the road space. The HA may need to provide such details after the initial application has been received.</p>	Noted
VM 45	<p>7.7.5</p> <p>Virgin Media acknowledges reduce fees when collaborative working</p>	Thank you for your comment
SSEN	<p>7.10.1</p> <p>We welcome this thank you. How would you like the early start (before application) to be requested?</p>	BCP Council would refer you to our earlier answer discussing the extra resources afforded through operating a permit scheme which will improve many functions of the coordination process namely in early dialogue

OR, VM, SSEN	<p>7.10.2 You can apply for an early start on a PA. There is no requirement to submit a variation if agreed in advance.</p> <p>Virgin Media would like clarification regarding this paragraph as you can apply for an early start on a PA, but there is no requirement to submit a variation if agreed in advance.</p> <p>If the permit has not yet been applied for this will not be required as the permit will be applied for with the early start dates as agreed. This negates the need for a variation and an additional charge to the permit.</p>	<p>Agreed</p> <p>A variation is only necessary when a previously submitted PAA or permit has been granted.</p>
OR 46	<p>7.11.3 This is not a requirement of a permit application and is not mandatory. An early start can be requested prior to the PAA or PA being submitted with the agreed dates.</p>	<p>There is no paragraph 7.11.3 in the BCP permit scheme document</p>
VM	<p>7.12.2 Virgin Media believe that this should be raised as unattributable works and site photographs to be issued before to sending an FPN. A FPN cannot be issued if no Permit has been raised</p>	<p>Thank you for your comments</p>
SSEN	<p>8.2.9 Please clarify this request. A PAA will only be copied on application to any parties who have contact details on the USRN.</p>	<p>BCP Council agree with your interpretation of the paragraph</p>
SSEN	<p>8.3.4 Please clarify this request</p>	<p>BCP Council agree with your interpretation of the requirement as described in 8.2.9 above</p>

SSEN	9.2.1 Has this not been changed in recent legislation?	This definition for major activities is relevant and BCP Council will follow and adhere to any approved changes in legislation
SSEN	9.2.5 Except for mandatory conditions, others should only be applied if relevant to the site and works	Agreed
SSEN	9.3.1 Should this not be Temporary TTRO not (TRO)	A <u>temporary</u> traffic regulation order (TTRO) required for road works is still classed as a traffic regulation order in legislation.
SSEN	9.3.3 Except for mandatory conditions, others should only be applied if relevant to the site and works	Agreed
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SSEN	9.4.3 Except for mandatory conditions, others should only be applied if relevant to the site and works	Agreed
OR, SSEN	9.5.2 If listed as a street of early notification on the NSG we will endeavour to comply with the request providing the relevant details are shown. Usually this is defined as Early notification of works which does not specify excavation. This usually relates to any traffic management or high risk of disruption but may not involve excavation. Assume contact numbers will be on the gazetteer.	Noted Noted, agreed

SSEN	<p>9.5.3 Suggest using retrospective application. These applications are made the following morning not within 2 hrs over night.</p>	<p>9.5.3 is discussing works within the normal day for overnight works see 9.5.4</p>
OR, SSEN	<p>9.5.5 How do you propose we comply with this request and where is this shown in legislation?</p> <p>Please advise how you expect this to be demonstrated</p>	<p>This will be considered dependent on the activity being undertaken with full consideration of all facts at hand and communications with the works promoter.</p>
OR, VM, SSEN 48	<p>9.5.6 Virgin Media would like clarification on what conditions would BCP Council place on an immediate Permit as works could of started out of hours and have been already completed when Virgin Media notify BCP Council.</p> <p>What conditions do you propose will be relevant to immediate activities bearing in mind works overnight and/or at a weekend may have started and been reinstated before the permit is raised?</p> <p>Works may have been completed before the retrospective application is submitted so this may not be applicable.</p>	<p>Works promoters should consider and apply appropriate conditions to all permit applications. BCP council will consider all applications received offering comments and requesting any changes to conditions applied that will benefit highway users and the network management duty.</p> <p>Noted</p>
SSEN	<p>10.1.2 Should this be PAA or permit</p>	<p>Agreed, amended</p>

SSEN	10.1.6 Permit modification request PMR	Agreed, amended
SSEN	10.2.1 A practical alternative would be an Emailed form as obtaining a paper copy may not be feasible.	Noted, thank you
SSEN	10.4.1 This is purely dependant on the NSG ASD and we have not control over to whom the details are electronically sent to.	Noted
SSEN 49	10.4.2 Please clarify how we would be advised or know of this?	Promoters need to carry out all reasonable checks prior to undertaking their works and it is for undertaker to ensure they are meeting their requirements
SSEN	10.5.1 Suggest this is detailed to ensure compliance or added as an appendix if relevant	Promoters need to carry out all reasonable checks prior to undertaking their works and it is for undertaker to ensure they are meeting their requirements
SSEN	10.7.1 Permit modification request (PMR)	Agreed, amended

SSEN	10.7.2 Permit modification request (PMR)	Agreed, amended
SSEN	10.8.1 Please clarify how this consent will be requested? We have authority to install a new supply after 20 days but it's the reinstatement that should be discussed and agreed where a S 58 or 58A is in place.	Noted, agreed
SSEN	10.9.3 If the permit has not been granted then a modification can be applied electronically without the need for any agreement including a name. Any modification does not require an agreement and name under the permit scheme however it is good practise to discuss any changes which are fundamental from the initial application eg traffic management after the permit has been submitted and granted.	Agreed
SSEN 50	12.1.4 This is not mandatory or practical	BCP Council do not agree as those undertaking the works should have details with them on site of the activities being undertaken to ensure they are supporting BCP Council in meeting their network management duty
OR, VM	12.2, 12.2.1 Virgin Media acknowledge that BCP Council will be using Nationally agreed Conditions amended in 2015 Statutory Guidance. Openreach Ltd acknowledges that BCP will be adopting solely the nationally agreed conditions text developed and approved by HAUC (England) as your standard conditions.	Thank you for your comments

SSEN	12.3.1 As a street of early notification of works	Correct
SSEN	12.3.2 Within 2 hrs of the start of the next working day if out of hours. Applications are not always made over night	Agreed 12.3.2 notes this
VM, SSEN 51	12.3.3 Virgin Media would like clarification on how this would reflect the Permit as works may already be complete before applying for a Permit. Under the guidance all immediate works should be granted and then an AIV sent if relevant bearing in mind the works may have been completed prior to the permit application being submitted.	On the rare occasion that the works are completed before applying for a permit BCP Council acknowledge that it will be unlikely that the application of additional conditions will be of value to those undertaking the immediate works but any subsequent works to the same location would be expected to consider and follow reasonably requested conditions. Noted, agreed
VM, SSEN	12.4.1 Virgin Media believe that a permit should only be revoked for significant safety breaches or in the event of an incident beyond Virgin Media control. Only in the case of safety or an incident beyond your control.	Noted. BCP council appreciate and acknowledge the severity of revoking a permit and would only do so for clearly offered reasons specific to the Utility and activity being undertaken.

SSEN	13.2.2 Permits will still be applied for in working days and any non TS permits will only refer to working days.	Noted
SSEN	14.1.1 A granted permit should only be revoked in the case of an emergency or due to a serious safety breach.	BCP council appreciate and acknowledge the severity of revoking a permit and would only do so for clearly offered reasons specific to the Utility and activity being undertaken
SSEN	14.1.3 Please clarify the process, telephone would be preferred.	BCP Council would refer you to our earlier answers discussing the extra resources afforded through operating a permit scheme which will improve many functions of the coordination process namely in dialogue
SSEN	14.2.2 Unless due to circumstances beyond the control of the statutory undertaker	Thank you for your comment
SSEN	14.8.2 The authority should submit an AIV to the promotor	Thank you for your comment
SSEN	14.9.1 Only a works data variation or duration variation may be submitted once works have commenced.	Thank you for your comment

SSEN	14.9.2 We can apply for a duration variation if within 2 days or 20% of the duration available on the permit without need for discussion.	BCP Council would refer you to our earlier answers discussing the extra resources afforded through operating a permit scheme which will improve many functions of the coordination process namely in dialogue
SSEN	14.10.2 Or by 10am the next working day.	Agreed, amended
SSEN	14.12.1 Only for severe safety breaches of an incident beyond their control	BCP council appreciate and acknowledge the severity of revoking a permit and would only do so for clearly offered reasons specific to the Utility and activity being undertaken
SSEN	14.13.1 The site will need to be reinstated and made safe. This will have to continue passed the time the permit has been revoked. An agreed course of action to make the site safe and return to full use will need to be agreed.	Noted
SSEN	16.1.1.i Not where a subsequent permit is refused and not used.	Agreed
VM	16.2.3, 16.3 Virgin Media acknowledge the lower fees and discount of 30%.	Thank you for your comment

SSEN	16.3.1 Please clarify how this will be applied	BCP Council will consider all applications received on their individual merits applying discounts in accordance with the Bournemouth Christchurch and Poole Permit Scheme
VM	16.5 Virgin Media acknowledge the BCP Council review of fees.	Thank you for your comment
OR, VM, SSEN 54	16.7.1 The proven process is to issue a draft invoice electronically a month in arrears. This is checked and agreed and sent back to you within 10 working days. An invoice can then be raised. An invoice should not be levied without prior consent of the agreed charges by the utility Common practice is that draft invoices get raised usually a month in arrears, sent to Promotor for clarification, and then final invoice raised on agreed charges. The agreed practice is to submit a draft copy of proposed fees monthly in arrears. An e-mail agreeing to charges should be sent within 10 working days then an invoice can be raised.	Thank you for your comments. BCP Council will put in place mutually agreed invoicing process and timelines with all Utility's
VM	17.2.4 Virgin Media would like clarification of what other offences this would be.	Please refer to the NRSWA legislation for a full list of relevant offences.

VM, SSEN	<p>18.1, 18.2</p> <p>Virgin Media acknowledges that any dispute of a Permit should be resolved locally as works cannot be delayed, due to waiting for dispute review from SWHAUC or HAUC England as most work is customer led and time scales to be met.</p> <p>We welcome this</p>	<p>Thank you for your comments and as referenced in the BCP permit scheme document we will endeavor to resolve disputes locally.</p> <p>If disputes are not resolved informally within 14 days, they will be referred to SWHAUC or HAUC England as appropriate.</p> <p>Thank you</p>
VM 55	<p>20.1.7</p> <p>Virgin Media acknowledges the issue of Fixed Penalty Notices will be suspended for the first month of operation of the new scheme.</p> <p>We welcome this</p>	<p>Thank you for your comment.</p>
OR	<p>Reference to the 'Code of Practice for Permits' need removing from this scheme. This document has been withdrawn by the DFT and has been partially replaced by both Statutory Guidance and the HAUC England Guidance on the Operation of a Permit Scheme.</p>	<p>Agreed, amended</p>
OR, VM	<p>Openreach Ltd welcome the staggered introduction of the scheme with the initial month's amnesty of FPN's and would welcome the same on permit fees</p>	<p>Agreed</p>

OR	We would welcome any re-think on charging for all roads on your network as one of the permit scheme ethos is to improve the vehicle movement on the SSS highways.	Please see response to your earlier key observation
VM	Virgin Media are disappointed that BCP Council are charging maximum fees on all roads within their Proposed Permit Scheme, but would prefer an option of no charges on category 3 and 4 roads within the scheme.	Please see response to your earlier key points
VM 56	Will BCP Council be running shadow Permits and FPN's on their own works?	BCP Council will apply parity in application of the permit scheme regulations to all those who apply for road space through the BCP permit scheme.

<p>MB</p>	<p>We understand that income generated through the scheme has to be put back into the affected areas. We understand there will be administration costs associated with the scheme but would additionally request consideration of the following areas:</p> <ul style="list-style-type: none"> • Income to be invested in additional control room staff to monitor CCTV cameras and make positive changes to traffic flow through traffic light phasing amendments and messages on VMS signs - particularly out of hours and when special events take place at weekends. • A holistic approach taken to backfilling. If an organisation renting a lane for permitted works is to refill a trench, consider the surface of the adjacent roadway and when appropriate, look to widen the surface area to prevent multiple sunken repairs causing uneven road surfaces in years to come <p>Overall, we welcome the scheme which we feel will encourage responsible road disruption and assist in combating traffic congestion.</p>	<p>Thank you for your comments. BCP Council will invest all in fulfilling our Network Management Duty</p>
<p>57 MoP</p>	<p>Often when road works or developments are going on areas of pavement get shut and the alternatives for pedestrians can be very inconvenient, resulting in people walking in the road unsafely rather than crossing for example. The consultation looks quite technical but is this an opportunity to address the issue and require better temporary provision while works are going on – eg use jersey barriers to create a protected pedestrian route, narrowing the carriageway on the same side? And also limiting / minimising the length of the disruption to pedestrians. This would be in line with the Councils aims to prioritise walking and reduce emissions.</p>	<p>Thank you for your comments. The Permit Scheme will address all your concerns.</p>
<p>MoP</p>	<p>Hello Perhaps you could let us the residents know when they are going to disrupt our roads, at the moment it is causing a great deal of frustration as so many of our roads are being dug up and then left for weeks at a time with those stupid barriers around the holes which usually get knocked over into the road and trying to drive around them is a nightmare. Whatever is going on at the moment surely does not need every road being dug up? For that is what is happening now so perhaps you had better think again on how to control things for nothing is working at the moment. So which utility company needs to dig up all the roads at the same time?? And then leave them for a couple of weeks or so? A very annoyed resident</p>	<p>Thank you for your comments. The Permit Scheme will address all your concerns and will also help with future co-ordination.</p>



Bournemouth Christchurch and Poole Council Permit Scheme - Final

Document Information	
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1 FORWARD

- 1.1.1 The Bournemouth Christchurch and Poole Council Permit Scheme is a Single Permit Scheme for the purposes of Part 3 of the Traffic Management Act 2004 (TMA) and the Traffic Management Permit Scheme (England) Regulations 2015.

2 INTRODUCTION TO THE PERMIT SCHEME

- 2.1.1 A Permit Scheme is an important development for Bournemouth Christchurch and Poole Council and the surrounding area. The development of the scheme shows how the Council, working together with communities and stakeholders, expects to support and deliver the wider aims and priorities that the area has, by investing in the management of its transport network.
- 2.1.2 This includes coordinating essential works, supporting businesses, economic growth, getting people into work, getting children safely to school, improving air quality and protecting and enhancing our unique natural and built local environments.
- 2.1.3 We must maintain, manage, protect and improve the transport network because it is such a valuable asset. By making sure the network works safely and efficiently for everybody, we can also enable people to make the right transport and route choices and we want those choices to be, first and foremost, efficient, sustainable, healthy and convenient.

2.2 BACKGROUND

- 2.2.1 The scheme will operate in accordance with the HAUC (England) Guidance. Operation of Permit Schemes (February 2017) and the Statutory Guidance for Highways Permit Schemes (October 2015)

2.3 THE PERMIT SCHEME

- 2.3.1 This Permit Scheme, to be known as the **Bournemouth Christchurch and Poole Council Permit Scheme (BCPCPS)**, and hereinafter referred to as the 'Permit Scheme', is made under Part 3 of the TMA and the Traffic Management Permit Scheme (England) Regulations 2007, (the Regulations), and has been prepared with regard to the Statutory Guidance issued by the Secretary of State to assist Highway Authorities wishing to become Permit Authorities and in accordance with the requirements set out in the Regulations.
- 2.3.2 The Permit Scheme will be operated solely by Bournemouth Christchurch and Poole Council as a Single Permit Scheme.
- 2.3.3 All current New Roads and Street Works Act (NRSWA) and Traffic Management Act (TMA) legislation, codes of practice, etc. and any future amendments to that legislation, apply to this Permit Scheme.
- 2.3.4 Bournemouth Christchurch and Poole Council recognises the local economic benefits of nationally significant infrastructure projects, including the improved timing, coordination and delivery of works for the roll out of the Superfast Broadband project and any other future significant projects in the area. We are committed to ensuring that the commencement of the Bournemouth Christchurch and Poole Council Permit Scheme will not have a detrimental impact on the implementation of any such projects within, or adjacent to, the Permit Scheme area.
- 2.3.5 In accordance with Regulation 4 (g) it is intended that the Permit Scheme is going to start operation on 1st June 2020

2.4 THE PERMIT AUTHORITY

- 2.4.1 The Permit Scheme will be operated as a Single Permit Scheme by Bournemouth Christchurch and Poole Council, as the Highway Authority for Bournemouth Christchurch and Poole Council, hereinafter referred to as the 'Permit Authority'.

2.5 ACTIVITIES

- 2.5.1 For consistency, the generic term 'activities' has been used rather than "works" to reflect the fact that the Scheme may eventually cover more than street and road works in subsequent Regulations. These are the specified works as set out in the Regulations.
- 2.5.2 The term 'Promoters' will be used for both Statutory Undertakers (including Utility companies) and Bournemouth Christchurch and Poole Council Highway Authority. The present 2007 Permit Regulations provide for permit schemes to include both street works by statutory undertakers, as defined in NRSWA (this excludes street works licensed under s50 of NRSWA), and highway works, defined in s83 of NRSWA as works for road purposes. Although the term "works" is used generically in the Regulations, "activities" is used in this guidance to encompass both types of works and anticipates subsequent sets of regulations which may extend the scope of permit schemes to other activities on the street.
- 2.5.3 Authorities preparing permit schemes must include both highway and statutory undertakers' works. All works comprising "registerable works" in terms of the 2007 Notices Regulations under NRSWA should be included.
- 2.5.4 A glossary of the main terms contained within this document is provided in Appendix A.

2.6 RELATIONSHIP TO NRSWA

- 2.6.1 Permit Schemes provide an alternative to Sections of the existing notification system of the New Roads and Street Works Act 1991 (NRSWA), whereby, instead of informing a Highway Authority about its intention to carry out works in its area, a Statutory Undertaker has to book time on the highway by obtaining a Permit from the Permit Authority.
- 2.6.2 Under a Permit Scheme, the activities undertaken by the Highway Authority, its partners or agents are also treated in exactly the same way as a Statutory Undertaker.
- 2.6.3 The Permit Authority may apply conditions, attached to Permits, which impose constraints on the dates and times of activities and the way that work is carried out.
- 2.6.4 The Permit Authority's control over variations to Permit conditions, particularly time extensions, gives a greater incentive to complete activities on time.
- 2.6.5 A Highway Authority may choose to implement a Permit Scheme on all or some of the roads under its control.
- 2.6.6 Bournemouth Christchurch and Poole Council has decided to implement a Permit Scheme on all of the streets under its control.
- 2.6.7 Changes to Section 58 and 58a (restrictions on works following substantial road works) and Section 74 (charges of occupation of the highway where works are unreasonably prolonged) apply only to Statutory Undertakers activities.
- 2.6.8 The Permit Scheme makes arrangements so that similar procedures are followed for Highway Authority Promoter activities in relation to timing and duration, in order to facilitate the operation of the Permit Scheme.

3 OBJECTIVES OF BOURNEMOUTH CHRISTCHURCH AND POOLE COUNCIL PERMIT SCHEME

Working together to deliver a safe, efficient and sustainable highway network for everybody.

- 3.1.1 All activities on highways have the potential to reduce the width of the street available to traffic, pedestrians, cyclists and other users and have the potential to also inconvenience businesses and local residents.
- 3.1.2 The scale of disruption caused is relative to the type of activities being undertaken and the capacity of the street. Activities where the traffic flow is close to, or exceeds, the physical capacity of the street will have the potential to cause congestion, disruption and delays.
- 3.1.3 The objective of Bournemouth Christchurch and Poole Council Permit Scheme is to improve the strategic and operational management of the highway network through better planning, scheduling and management of activities to minimise disruption to any road or footway user.
- 3.1.4 Bournemouth Christchurch and Poole Council Permit Scheme will enable better coordination of activities throughout the highway network.
- 3.1.5 The objectives and benefits of Bournemouth Christchurch and Poole Council Permit Scheme are:
- Reduced disruption on the road network
 - Improvements to overall network management
 - A reduction in delays to the travelling public
 - A reduction in costs to businesses caused by delays
 - Promotion of a safer environment
 - Reduced carbon emissions
- 3.1.6 The Permit Scheme objectives will be facilitated by improving performance in line with the Authorities' Network Management Duty in relation to the following key factors:
- Enhanced coordination and cooperation
 - Encouragement of partnership working between the Permit Authority, all Promoters and key stakeholders
 - Provision of more accurate and timely information to be communicated between all stakeholders including members of the public
 - Promotion and encouragement of collaborative working
 - Improvement in timing and duration of activities particularly in relation to the busiest streets within the network
 - Promotion of dialogue with regard to the way activities are to be carried out
 - Enhanced programming of activities and better forward planning by all Promoters

3.2 ALIGNED OBJECTIVES

3.2.1 The Permit Scheme objectives align with the strategic objectives contained within the BCP local transport plan

- The Permit Scheme objectives align with the strategic objectives contained within the local transport plan:
- Managing and maintaining the existing networks more efficiently
- Keeping the transport infrastructure well maintained, safe and resilient for all users
- Making better use of the transport network to maximise its efficiency for all forms of travel

4 SCOPE OF THE PERMIT SCHEME

4.1 AREA COVERED BY THE PERMIT SCHEME

4.1.1 The Permit Scheme applies within the boundaries of Bournemouth Christchurch and Poole Council.

4.2 DEFINITION OF THE TERM “STREET”

4.2.1 For the purposes of the Permit Scheme, the term “street” refers to that length of asset associated with a single Unique Street Reference Number (USRN). Where a single street on the ground has more than one USRN, separate Permits will be required for each USRN to which an activity relates.

4.3 STREETS COVERED BY THE PERMIT SCHEME

4.3.1 The Permit Scheme will apply to adopted and publicly maintainable streets identified on the National Street Gazetteer (NSG).

4.3.2 The Permit Authority will create, maintain and publish the Street Gazetteer to Level 3.

4.3.3 The Local Street Gazetteer will be maintained and updated with relevant information. The Local Street Gazetteer will be available to all Promoters via the National Street Gazetteer Concessionaire’s website.

4.4 STREETS NOT COVERED BY THE PERMIT SCHEME

4.4.1 Streets that are not highways maintainable at public expense or private streets are not included in the Permit Scheme.

4.5 MOTORWAYS AND TRUNK ROADS

4.5.1 Motorways and trunk roads for which Highways England is the Highway Authority are excluded from the Permit Scheme.

4.6 STREETS TO BE ADOPTED AS A MAINTAINABLE HIGHWAY

4.6.1 Where a street is expected to become a maintainable highway, controls on specified activities under the Permit Scheme will only apply after the street has become a maintainable highway.

5 ACTIVITIES COVERED BY THE PERMIT SCHEME

5.1 ACTIVITIES REQUIRING A PERMIT

5.1.1 The Permit Scheme controls the following activities undertaken on the public highway:

- i. Street works as in Part 3 of NRSWA, as defined by s48, except for works by licensees under Section 50 of NRSWA
 - ii. Works for road purposes as defined by Section 86 of NRSWA – maintenance and improvement works to the road itself, carried out by, or on behalf of, the Highways Authority
 - iii. Major Highway Works (including Developer activities under Section 278 of the Highways Act 1980)
 - iv. Other activities that may be introduced under future regulations
- 5.1.2 The following activities defined in the Regulations as specified works are Registerable for all Promoters and information related to them has to be recorded on the register:
- (a) Involve the breaking up or resurfacing any street
 - (b) Involve opening the carriageway or cycleway of traffic-sensitive streets at traffic-sensitive times.
 - (c) Reduce the lanes available on a carriageway of three or more lanes.
 - (d) Require a temporary traffic regulation order or notice, or the suspension of pedestrian crossing facilities.
 - (e) Require a reduction in the width of the existing carriageway of a traffic-sensitive street at a traffic-sensitive time

5.2 WORKS FOR ROAD PURPOSES

- 5.2.1 The requirements of the Permit Scheme apply equally to both works undertaken by the Highway Authority and Statutory Undertakers with the one exception, that fees will not be charged for Permits issued for the Highway Authority's own works for road purposes.
- 5.2.2 To demonstrate parity of treatment for all Promoters, particularly between the Highway Authority and Statutory Undertakers, Key Performance Indicators will be used.
- 5.2.3 Highway Authorities and Promoters of works for road purposes must ensure that they have followed the equivalent Provisional Advance Authorisation (PAA) and Permit application processes for activities.

5.3 STREET LIGHTING

- 5.3.1 The definition of works for road purposes may include some works carried out by Undertakers, such as street lighting. It is for Promoters to ensure that Permit applications for such activities are made and that the activity is registered, as appropriate.

6 EXEMPT ACTIVITIES

- 6.1.1 Certain types of activities are exempt from requiring a Permit.

6.2 NON REGISTERABLE ACTIVITIES

- 6.2.1 The following activities are non-Registerable and do not require a Permit:
- 1. Traffic Census Surveys
Traffic census surveys have deliberately not been included as disclosure of this information prior to a census taking place can encourage a change to the normal pattern of traffic flows.
 - 2. Pole testing
 - 3. Fire service vehicles

Fire service vehicles occasionally need to be parked adjacent to fire hydrants when these are being tested. These operations are exempt from the requirement to obtain a Permit, provided the work is done outside traffic-sensitive periods.

6.2.2 Other activities that do not require a Permit:

- Lifting or replacing manhole or chamber covers - that do not involve breaking up the street.
- Replacing poles, lamps, columns or signs in the same location where that does not involve breaking up the street
- Bar holes

6.3 ACTIVITIES NOT REQUIRING A PERMIT BEFORE THEY START

6.3.1 Immediate activities do require a Permit but as such works are concerned with emergency or urgent situations, a Promoter can start work before applying for a Permit provided they apply for a Permit within 2 hours of the works commencing.

6.3.2 If the work commences out of working hours, then a Permit must be applied for by 10am the next working day.

6.4 ACTIVITIES FOR WHICH NO PERMIT IS REQUIRED

6.4.1 Activities executed in a street pursuant to a street works licence issued under Section 50 of the NRSWA are not included in the Permit Scheme but will have to follow the normal NRSWA procedures.

7 PERMITS - GENERAL

7.1 REQUIREMENT TO OBTAIN A PERMIT

7.1.1 Any Promoter of specified activities who wishes to carry out such an activity on a specified street should obtain a Permit from the Permit Authority. The Permit will allow the Promoter to:

- Carry out the specified activity
- At the specified location
- Between the dates shown and for the duration shown
- Subject to any conditions that may be attached or required

7.2 ACTIVITIES COVERING SEVERAL STREETS

7.2.1 An application can only be for one street.

7.2.2 Where the specified activity involves a number of specified streets, a separate PAA or Permit will be required for each street.

7.2.3 Permit applications for specified activities covering more than one specified street shall be cross-referenced to all related applications.

7.2.4 Fees for specified activities which involve several Permits will be discounted where the applications are submitted together.

7.3 PHASING OF ACTIVITIES

7.3.1 One Permit can only relate to one phase of an activity. A phase of an activity is a period of continuous occupation of the street (whether or not work is taking place for the whole time) between the start and completion of the works, for example a

separate Permit would be required for interim, permanent and remedial reinstatements.

- 7.3.2 The dates given in a Permit application and in the issued Permit will denote the dates for that phase. A phase can end only when all the plant, equipment and materials, including any signing, lighting and guarding have been removed from the site and the highway is returned to full use.
- 7.3.3 A Promoter must clarify when an activity is to be carried out in phases on the application. Each phase will require a separate Permit and, if a major activity involving asset activity also a PAA, which will be cross referenced to the other Permits.
- 7.3.4 Phased activities must relate to the same works, with applications submitted using the same works reference.

7.4 LINKED ACTIVITIES

- 7.4.1 Customer connections associated with the installation of a new main or cable run or the replacement or renewal of existing assets will be considered to be linked activities when the work is completed as a single occupancy of a single street. If an activity relating to the installation of customer connections is undertaken at a later date then the Promoter shall apply for a separate Permit.

7.5 INTERRUPTED ACTIVITIES

- 7.5.1 In the event of an activity being interrupted and delayed, for instance due to damage to a third party's plant or while missing apparatus is acquired. It is the responsibility of the Promoter to contact the Permit Authority to agree what action should be taken.
- 7.5.2 Where the Permit Authority is satisfied that the excavation can remain open while the repairs are implemented or the equipment obtained, then a variation will be required and an extension to the Permit will be granted.
- 7.5.3 However, where the Permit Authority considers that the opening should be reinstated and the road returned to full traffic use then the Promoter will need to apply for a further Permit to complete the work at a later date. A Permit fee may be charged for the new Permit.

7.6 CROSS BOUNDARY ACTIVITIES

- 7.6.1 Where a project with activities in more than one street straddles the boundary between the Permit Authority and an adjacent Permit Authority, separate Permit applications, including any PAA, should be submitted to both Authorities.
- 7.6.2 If a cross boundary project involves activities on a street of a Street Authority operating a notice system under NRSWA, then the Permit application to the Permit Authority should identify the activity in the other Authority area so that the Permit Authority can liaise with them.
- 7.6.3 A single project reference should be included on applications and all notices so that both Authorities can consider the impact and coordinate the activities together.

7.7 COLLABORATIVE WORKING

- 7.7.1 The Permit Authority encourages collaborative working between Promoters for both street works and works for road purposes. It is accepted that there are often issues in such arrangements, particularly contractual complications. Nevertheless, every opportunity should be sought to minimise the disruption to users of the highway.
- 7.7.2 Where two or more Promoters decide to enter into such arrangements, one should take on the role of the Primary Promoter with the overall responsibility for the activities

and will be the point of contact with the Permit Authority. While the Secondary Promoter(s) will be required to make a Permit application for the activity for which they are responsible, only the Permit application made by the Primary Promoter will need to show the number of estimated inspection units.

- 7.7.3 The Primary Promoter's Permit application should give details of the other Promoter(s) involved and the extent of the collaborative working.
- 7.7.4 The Primary Promoter should also ensure that the estimates of works duration are agreed and confirmed with the Secondary Promoter(s) when submitting the PAA and/or Permit applications. This is necessary in order to comply with the overrun charging requirements in the Permit and NRSWA Regulations.
- 7.7.5 While the Permit Authority will issue Permits to all the Promoters involved, not just the Primary Promoter, the fees will be discounted to reflect the collaborative approach.

7.8 REMEDIAL WORKS

- 7.8.1 In the event of remedial works being required after the expiry of a Permit, an application should be made for a new Permit. This Permit should be cross referenced to the Permit using the Works Reference Number for the original activity.

7.9 START AND END DATES

- 7.9.1 In relation to category 0, 1, 2, and traffic-sensitive streets the planned commencement date and finishing date for the activity are the start date and end dates respectively on the permit. The permit will not be valid before the start date on the permit and will cease to be valid once the end date has passed unless a variation is granted.
- 7.9.2 In category 3 and 4 streets that are not traffic-sensitive, the Permit will be issued with a start and end date and duration for the activity which is set as a condition. The start date of the Permit will be the proposed start date of the activity. However, because both competition for space and the expected level of disruption is likely to be lower on less busy streets, there will be flexibility on the start of the activity - a "starting window" - equivalent to the validity period on a NRSWA notice. The starting windows are:

- **5 DAYS FOR MAJOR AND STANDARD ACTIVITIES**
- **2 DAYS FOR MINOR ACTIVITIES.**

The Permit end date will therefore allow for the set duration to be completed if the activity starts on the last day of the starting window.

7.10 EARLY START

- 7.10.1 The Permit Authority will consider a Promoter's request for an early start before or after applying for a Provisional Advance Authorisation or a Permit application.
- 7.10.2 Where this is agreed, the Promoter shall submit a variation to a Permit, or in the case of a Provisional Advance Authorisation, include the revised dates on the application for the Permit. If the Permit has already been granted or deemed, a variation charge will apply.
- 7.10.3 A reference number will be issued by the Permit Authority, and should be quoted on the Permit application or Permit variation application.
- 7.10.4 Requests for early starts may or may not be agreed by the Permit Authority at their discretion but will not be unreasonably refused, and it is the responsibility of the Promoter to satisfy the Permit Authority as to the necessity for any proposed early start.

7.11 CHARGES FOR OVER RUNNING STREET WORKS

7.11.1 Charges for over running street works, under Section 74 of the NRSWA, will be made alongside the Permit Scheme although these regulations are modified to incorporate the process of setting and modifying the duration of the activity through the Permit application, approval and variation processes.

7.12 WORKING WITHOUT A PERMIT

7.12.1 It is an offence for a Statutory Undertaker or a person contracted to act on its behalf to undertake activities without a Permit, except to the extent that the Permit Scheme provides that this requirement does not apply.

7.12.2 Where it is believed that such an offence is being committed, the Permit Authority may issue a fixed penalty notice and require the party concerned to remove the works and return the street to full use.

8 PERMITS - TYPES

8.1 TYPES COVERED BY THE PERMIT SCHEME

8.1.1 There are two types of Permit covered by the Permit Scheme:

- Provisional Advance Authorisation (PAA)
- Permit

8.2 PROVISIONAL ADVANCE AUTHORISATION (PAA)

8.2.1 A PAA replaces the Advance Notice under Section 54 of NRSWA.

8.2.2 PAAs are a means of enabling Major activities to be identified, coordinated and programmed in advance by allowing activities to be provisionally reserved by the Permit Authority pending the Authority's subsequent decision on whether, and with what conditions, to grant a Permit for the activities.

8.2.3 A Promoter who wishes to undertake Major activities, on a specified street **must** apply for a PAA at least 3 months in advance of those activities starting on the highway, or as agreed with the Permit Authority.

8.2.4 Subsequent applications for Permits for Major activities that have not been preceded by a PAA, will not, except in exceptional circumstances, be accepted by the Permit Authority.

8.2.5 Each application for a PAA will be limited to one street.

8.2.6 An application for a PAA should include a full description of the activity and specify start and end dates, although the start date may be considered as provisional and can be amended in the application for a final Permit.

8.2.7 A fee will be charged for the granting of a PAA in addition to the fee which is charged for the granting of the Permit.

8.2.8 The granting of a PAA does not prevent the Permit Authority from subsequently refusing to grant a Permit to which the PAA relates. If circumstances change drastically an explanation will be provided.

8.2.9 A copy of each application for a PAA is to be provided by the applicant upon request by a relevant Authority and by any person having apparatus in the street to which the application relates.

8.3 PERMITS

8.3.1 These are full Permits with complete details of the Registerable activities on a specified street.

- 8.3.2 The information required to support an application for a PAA should be equivalent to, but should not exceed, that required in support of an application for a Permit.
- 8.3.3 The timing of Permit applications to the Permit Authority will depend on the proposed activity.
- 8.3.4 A copy of each application for a Permit is to be provided by the applicant upon request by a relevant Authority.

9 PERMITS - CLASSES

9.1 CLASSES COVERED BY THE PERMIT SCHEME

9.1.1 There are four classes of Permit covered by the Permit Scheme:

- Major
- Standard
- Minor
- Immediate

9.2 PERMITS FOR MAJOR ACTIVITIES

9.2.1 Major activities are those which:

- Have been identified in an organisation's annual operating programme, or if not identified in that programme, are part of a scheme which is planned or known about at least 6 months in advance of the proposed start date, but only includes activities on the affected streets and locations within that scheme that have been identified at least 6 months advance stage as likely to require Permits; or
- Other than immediate activities, require a temporary traffic regulation order, (i.e. not a temporary traffic notice), under the Road Traffic Regulation Act 1984 for any other activities

9.2.2 Major activities are split into 3 sub-categories:

- Over 10 days and all major works requiring a traffic regulation order
- Works 4 to 10 days and meeting the requirement detailed in 9.2.1 above
- Up to 3 days and meeting the requirement detailed in 9.2.1 above

9.2.3 Major Activity Permits are required for the most significant activities on the Highway and require the Promoter to obtain a Provisional Advance Authorisation as part of the application process for a Major Activity Permit.

9.2.4 An application for a Major Activity Permit shall be submitted to the Permit Authority in accordance with the timescales given in Table 1 below and should include a description of the proposed activity together with the proposed start and end dates of the activity. Where these differ from those given in the PAA application, the applicant should explain the reasons for any variation.

9.2.5 Major activities will be subject to conditions.

9.3 PERMITS FOR STANDARD ACTIVITIES

9.3.1 Standard Activities are those activities that have a planned duration of between 4 and 10 days inclusive. Activities lasting less than 10 days but which require a traffic regulation order, such as a temporary road closure, will be classified as a Major Activity and will be subject to the requirements in 9.2 above.

9.3.2 An application for a Standard Activity Permit shall be submitted to the Permit Authority in accordance with the timescales given in Table 1 below and should include a description of the proposed activity together with the proposed start and end dates of the activity.

9.3.3 Standard activities will be subject to conditions.

9.4 PERMITS FOR MINOR ACTIVITIES

9.4.1 Minor Activities are those activities, where the planned working is 3 days or less. Activities lasting less than 3 days but which require a traffic regulation order, such as a temporary road closure, will be classified as a Major Activity and will be subject to the requirements in 9.2 above.

9.4.2 An application for a Minor Activity Permit shall be submitted to the Permit Authority in accordance with the timescales given in Table 1 below and should include a description of the proposed activity together with the proposed start and end dates of the activity.

9.4.3 Minor activities will be subject to conditions.

9.5 PERMITS FOR IMMEDIATE ACTIVITIES

9.5.1 Immediate Activities are either:

- Emergency works as defined in Section 52 of NRSWA; or
- Urgent Activities,
 - a) (not being emergency works), whose execution at the time they are executed is required, (or which the person responsible for the works believes on reasonable grounds to be required):
 - i. To prevent or put an end to an unplanned interruption of any supply or service provided by the Promoter
 - ii. To avoid substantial loss to the Promoter in relation to an existing service
 - iii. To reconnect supplies or services where the Promoter would be under a civil or criminal liability if the reconnection is delayed until after the expiration of the appropriate notice period
 - b) Including works that cannot reasonably be separated or severed from such works.

9.5.2 Given the nature of immediate activities, work may commence without a Permit. However, where it is necessary to carry out excavation in the Highway, Promoters of such activities should contact the Permit Authority by telephone immediately if identified on the NSG.

9.5.3 Where the activity is identified within the normal working day (i.e. after 08.00 hours and before 16.30 hours), a Permit application must be made as soon as reasonably practicable and in any event, within two hours of the activity starting.

9.5.4 If work starts outside of working hours, an application for a Permit must be submitted by 10am the next working day.

9.5.5 If the Permit Authority disputes whether an activity, or part of an activity, is immediate, the Promoter must demonstrate conclusively that it is.

9.5.6 Immediate activities will be subject to conditions.

10 PERMIT APPLICATIONS

10.1 APPLICATION TIMING AND RESPONSE TIMES

- 10.1.1 The timing of applications for Permits and PAAs and the Permit Authority's response will vary according to the proposed activity. The **minimum** times are given in Table 1 Section 10.6 and Promoters should give as much notice as possible to ensure that the coordination process can be facilitated effectively.
- 10.1.2 Where the activity is dependent on a Temporary Traffic Regulation Order (TTRO), temporary traffic signal approval, or the suspension of parking regulations, the relevant timescales should be taken into account by the Promoter, and applicants are advised to submit their requests for TTROs and/or temporary traffic signal approval when applying for a PAA or permit
- 10.1.3 The application process will begin at the time of receipt of the application by the Permit Authority. The electronic permit application system will provide an auditable record of when an application was received.
- 10.1.4 The Permit Scheme sets down the application and response times for dealing with Permit applications and variation applications in Table 1 below.
- 10.1.5 In all cases given in Table 1, the time period is measured from the time of receipt of the application by the Permit Authority.
- 10.1.6 A "response" means a decision to grant, refuse or request a Permit Modification Request.

10.2 SUBMITTING AN APPLICATION

- 10.2.1 Permit and PAA applications must be made electronically on the current permit system in use at the time of the application, unless there is a failure in the electronic system in which case a paper application will be acceptable and is available from the Council.

10.3 SYSTEM FAILURE

- 10.3.1 In the event of an electronic system failure, Promoters shall adopt the following procedure:
- Where an electronic application cannot be submitted, notification should be given by telephone, email or fax for immediate activities with formal electronic application following as soon as reasonably practicable.
 - Other applications may be submitted by other electronic means, (e.g. e-mail or fax), or may be sent by post or delivered by any other method agreed with the Permit Authority
 - Following recovery of the electronic system a copy of the application should be sent through electronically.
 - Where applications or notices are sent by post or delivered by any other method agreed with the Permit Authority, Promoters should take into account that there is no guarantee that they will be delivered to the Permit Authority the next day
 - A delivery mechanism that includes a delivery receipt is recommended
- 10.3.2 In regards to variations during a system failure, Promoters should also make contact with the Permit Authority by telephone.

10.4 NOTIFICATION TO INTERESTED PARTIES

10.4.1 Where the NSG indicates other interested parties, Permit applications will be copied to those parties by the Works Promoter.

10.4.2 Promoters are required to check whether any parties have registered such an interest prior to submitting an application for a Permit or PAA.

10.5 CONSULTATION REQUIREMENTS

10.5.1 Promoters must carry out the necessary consultations as set down in Sections 88, 89 and 93 (as amended) and Sections 90 and 91 of the NRSWA.

10.6 TABLE 1 – APPLICATION TIMINGS

Activity Type	Minimum application periods ahead of proposed start date		Minimum period before Permit expires for application for variation (including extension)	Response times for issuing a Permit or seeking further information or discussion		Response times for responding to applications for Permit variations
	Provisional Advance Authorisation	Application		Provisional Advance Authorisation	Application	
Major	3 months	10 days	2 days or 20% of the original duration whichever is the longer	1 calendar month	5 days	2 days
Standard	N/A	10 days		N/A	5 days	
Minor	N/A	3 days		N/A	2 days	
Immediate	N/A	2 hours after		N/A	2 days	

10.7 REFUSAL OF APPLICATION

10.7.1 The Permit Authority reserves the right to refuse or request a Permit Modification Request for a Permit where it considers that elements of the application (e.g. timing, location or conditions) are not acceptable.

10.7.2 If the Permit Authority decides to refuse the application or request a Permit Modification Request, it will contact the Promoter within the response time given in Table 1 to explain why the application is not satisfactory and what amendments are needed in order to achieve a successful application.

10.8 RESTRICTIONS ON FURTHER ACTIVITIES

10.8.1 Where a Promoter wishes to apply for a Permit to carry out specified activities on a specified street where a Section 58 or 58A Notice under NRSWA is in force, and the activities are not covered by the specific exemptions of that notice, the Promoter must make an application for the Permit Authority's consent specifying the grounds on which the consent is sought.

10.9 ERROR CORRECTION

10.9.1 Where the Permit Authority identifies an error in data recorded in, or submitted for recording in, the Permit register, it will contact the Promoter to discuss and agree the corrections to be made.

- 10.9.2 Where the Promoter identifies an error, they will contact the Permit Authority to discuss and agree the corrections to be made. If an error has been identified on an application, the Promoter shall submit a Modified Application by the end of the next working day following the agreement of the correction.
- 10.9.3 This Modified Application should include the corrected data and the name of the person in the Permit Authority who agreed that the correction should be made.
- 10.9.4 The error correction process must follow the process as set out in the electronic system in use at the time of the application.

11 INFORMATION REQUIRED IN A PERMIT APPLICATION

11.1 PERMIT AUTHORITY REQUIREMENTS

- 11.1.1 The information required to make a permit application is described in the HAUC (England) Guidance, Operation of permit schemes (February 2017).

12 PERMIT CONDITIONS

12.1 APPLYING CONDITIONS

- 12.1.1 The Permit Scheme allows for the attaching of conditions to Permits. These will be specified in detail on the Permit and will reflect any constraints on the original application.
- 12.1.2 Not all types of conditions will necessarily be applied to all Permits or PAA's.
- 12.1.3 In general, conditions will be varied for each Permit, as each set of circumstances will be different.
- 12.1.4 The Promoter should endeavour to have a copy, either electronic or hard copy, of the current Permit on site for inspection.

12.2 CONDITIONS APPLIED TO ALL PERMITS

- 12.2.1 Bournemouth Christchurch and Poole Council will adopt solely the nationally agreed conditions text as set out in the amended 2015 statutory guidance. Bournemouth Christchurch and Poole Council will adopt any government approved changes to the condition text.

12.3 REQUIREMENTS FOR IMMEDIATE ACTIVITIES

- 12.3.1 Promoters of such activities should contact the Permit Authority by telephone immediately if identified in the NSG.
- 12.3.2 The Promoter shall submit an application for a Permit within two hours of beginning work. If work starts outside of working hours, an application for a Permit must be submitted by 10am the next working day.
- 12.3.3 The Permit Authority may impose further conditions prior to the granting of a Permit where this is required. Imposing such conditions will be in discussion with the Promoter of the activity and will be included in the subsequent Permit.
- 12.3.4 Once granted, the Permit reference number must be prominently displayed on the site information board for each set of works.

12.4 BREACH OF CONDITIONS

- 12.4.1 If the Permit Authority considers that a Promoter is failing to comply with the conditions of a Permit then it may revoke the Permit. Before revoking a Permit, the

Permit Authority will contact the Promoter to warn them of its intention and allow the situation to be discussed.

- 12.4.2 Where it appears to the Permit Authority that a condition has been breached and that the Promoter or a person contracted to act on its behalf has therefore committed an offence it will take action as described in Section 17.

12.5 AVOIDANCE OF CONFLICT WITH OTHER LEGISLATION

- 12.5.1 The Promoter should bring such conflicts to the attention of the Permit Authority who will then be responsible for resolving the issue with the other legislative bodies or groups that may be involved and amending the Permit conditions accordingly.
- 12.5.2 If the Promoter has safety concerns about conditions set by the Permit Authority it should raise these concerns with the Permit Authority and if necessary challenge the condition.
- 12.5.3 It is a criminal offence for a Statutory Undertaker or a person contracted to act on its behalf to breach a Permit Condition.
- 12.5.4 Any person guilty of an offence under this Regulation is liable on summary conviction to a fine not exceeding level 4 on the standard scale.

13 GRANTING OF PERMITS

13.1 TIMING OF PERMIT ISSUE

- 13.1.1 Where the Permit Authority is content with the proposal, it will Grant a Permit within the response times detailed in Table 1 Section 10.6, via the electronic permit application system.

13.2 ISSUING OF PERMITS

- 13.2.1 A Granted Permit will be issued electronically in accordance with the Prescribed Electronic Format Technical Specification.
- 13.2.2 The Permit will specify in detail the activity it allows and its duration. The start and end dates will be in calendar days to prevent any ambiguity over the duration of the Permit.

13.3 PERMIT REFUSAL

- 13.3.1 If, after careful consideration, the Permit Authority decides to refuse the PAA or Permit application, the refusal will be issued electronically and where possible using sector agreed refusal codes as approved by HAUC England. An explanation of refusal will be given and discussions with the Promoter may be held regarding amendment to the application.

13.4 RIGHT OF APPEAL

- 13.4.1 The Promoter has a right of appeal, in accordance with the Dispute Resolution process set down in Section 18 if it is unable to reach agreement with the Permit Authority over the terms it requested or the conditions attached.
- 13.4.2 In the case of immediate activities it may be that the Permit Authority may direct the work to stop, subject to safety and legal considerations, such as Health and Safety legislation, legal requirements to supply services, until the issues are resolved.

13.5 PERMIT APPLICATION DEEMED TO BE APPROVED

- 13.5.1 If the Permit Authority fails to reply to an application for a Permit or PAA within the designated response times, the Permit or PAA is deemed to be granted under the terms of the application.
- 13.5.2 The proposed start and end dates, description, location, duration, traffic management, etc, will be included in the Permit and associated conditions for the activity. This detail will then be binding on the Promoter as it would have had the Permit been issued within the timescale. Breaching the conditions will constitute an offence.
- 13.5.3 No fee will be applied to deemed Permits.

14 REVIEW, VARIATION AND REVOCATION OF PERMITS AND CONDITIONS

- 14.1.1 Once a Permit has been granted, the Promoter should have reasonable confidence that the road space will be available for them. However, circumstances beyond the Permit Authority's control may occur which may cause the Authority to review the Permit and as a result, may lead to the conclusion that the Permit or its conditions need to be changed or revoked.
- 14.1.2 The Permit Authority's policy is to avoid making such changes other than in exceptional circumstances which could not reasonably have been predicted or where the impact is significant. Such events may include floods and other adverse weather conditions, burst mains, dangerous buildings, etc. which may result in traffic being diverted onto the road where the activity was underway or about to start.
- 14.1.3 As soon as the Permit Authority is aware that it may be necessary to vary or revoke a Permit, it will contact the Promoter to discuss the best way of dealing with the situation.

14.2 PERMIT AUTHORITY POWERS

- 14.2.1 Within the Permit Scheme, the Permit Authority has the power, under Regulation 15 of the Traffic Management Permit Scheme (England) Regulations 2015, to review, vary or revoke Permits and Permit conditions on its own or a Promoter's initiative. However, the Permit Authority is under no obligation to let activities run beyond the Permitted period.
- 14.2.2 Any activities that exceed the agreed Permitted duration will be committing an offence and could be subject to New Roads and Street Works Act 1991 Section 74 overrun charges.

14.3 PROMOTER REVOCATION

- 14.3.1 If a Promoter wishes to cancel a Permit or withdraw a Permit application for which they have no further use, they should use the cancellation process in the electronic permit application system.

14.4 CHANGES TO A PROVISIONAL ADVANCE AUTHORISATION

- 14.4.1 A PAA cannot be varied once granted.
- 14.4.2 Where a PAA has been given but a Permit has not been granted and the proposals change, the Promoter should inform the Permit Authority immediately of the proposed changes and a revised application for a PAA or Permit should be made.

14.5 CHANGES TO PERMITS

- 14.5.1 If the Permit Authority considers a variation necessary then it should contact the Promoter to discuss the best way of dealing with the situation whilst meeting the

coordination duties and other Statutory Requirements of those involved. Good coordination and cooperation between Promoter and the Permit Authority will minimise the time that the Authority needs to vary Permits or their conditions. This will be in the interests of all parties.

- 14.5.2 This discussion may lead to an agreement on the variation required. In that case, the Permit Authority will then grant a revised Permit on those terms when, the Promoter applies for a Variation.

14.6 AVOIDANCE OF CRIMINAL OFFENCE

- 14.6.1 Variations should be sought as soon as changes are identified to avoid a criminal offence being committed by work being undertaken in breach of the conditions associated with that Permit.

14.7 SUSPENDING OR POSTPONING AN ACTIVITY

- 14.7.1 If a Promoter would like to start an activity at a later date after a Permit has been issued, a Permit Variation will need to be applied for. There is no option to suspend or postpone an activity.

14.8 REVIEW OF PERMIT BY PERMIT AUTHORITY DUE TO CIRCUMSTANCES OUTSIDE ITS CONTROL

- 14.8.1 The Permit Authority may review the Permit and associated conditions in the event of circumstances beyond its control having a significant disruptive effect at the location of the activity.
- 14.8.2 No fee will apply for Permit Variations initiated by the Permit Authority unless, at the same time, the Promoter applies for variations which are not the result of the circumstances causing the Permit Authority's action.

14.9 TIMING OF VARIATIONS

- 14.9.1 Permit Variations may be made at any time after a Permit has been issued up until the end date of the Permit. Once this date has passed, applications for variations cannot be made.
- 14.9.2 If a variation is required, the Promoter is encouraged to telephone the Permit Authority to discuss, prior to submitting a Duration Variation Application electronically, to improve coordination.

14.10 VARIATIONS FOR IMMEDIATE ACTIVITIES

- 14.10.1 In the event of immediate activities requiring a series of fault finding excavations or openings, for example locating a gas leak, the following procedure shall apply where it is necessary to undertake works beyond the initial excavation or opening covered by the first application.
- 14.10.2 As they are immediate works, the Promoter will submit the first Permit application within two hours of starting work or by 10am the next working day. That first application will contain the location of the initial excavation or opening:
- i. For any further excavations or openings on the same street within 50 metres of the original hole, the Promoter is encouraged to telephone the Permit Authority with the new location. No Permit variation will be needed and no variation charge will apply
 - ii. The Promoter should apply for a Permit variation for the first excavation in each new 50 metre band away from the original hole in the same street, i.e. 50-100 metres, 100-150 metres, etc. Standard variation charges will apply, however the Permit Authority may use their discretion to waive these charges.

- iii. For additional excavations within each band, the Promoter is encouraged to telephone the Permit Authority with the new location. No Permit variation will be needed and no variation charge will apply
- iv. If the search carries into a different street or a new USRN, (including if the street changes to a different Permit Authority), then a separate Permit application will be needed

14.10.3 Conditions for these activities may be varied to take into account the fact that a new location, even within the permissive bands, can be more disruptive

14.11 IF AN AGREEMENT CANNOT BE MADE

14.11.1 If agreement cannot be reached regarding a variation, the Permit Authority may issue an Authority imposed variation on the terms it considers reasonable. If the Promoter disagrees with the decision, it will have the option to invoke the dispute resolution procedure (See Section 18)

14.12 REVIEW OF PERMIT DUE TO NON-COMPLIANCE BY THE PROMOTER

14.12.1 If the Permit Authority considers that a Promoter is failing to comply with the conditions of a Permit then it may revoke the Permit or issue a Fixed Penalty Notice (FPN).

14.12.2 Before revoking a Permit, the Permit Authority will contact the Promoter to warn them of its intention and allow the situation to be discussed.

14.13 WORKING AFTER A PERMIT HAS BEEN REVOKED

14.13.1 A Promoter will be committing an offence if it continues to work after a Permit has been revoked.

15 CANCELLATION OF A PERMIT

15.1 CANCELLATION NOTICE

15.1.1 If a Promoter wishes to cancel a Permit it should use the cancellation process as set out in the electronic permit application system. There is no fee payable for this process; however Permits already granted will still be charged.

16 FEES

16.1 PERMIT AUTHORITY POWER TO CHARGE FEES

16.1.1 To meet the additional costs of introducing and operating the Scheme, Regulation 30 gives the Permit Authority the power to charge a fee in respect of the following:

- i. The application for a PAA in respect of Major activities
- ii. The granting of a Permit
- iii. Each occasion where there is a variation of a Permit or the conditions attached
- iv. Where a Permit variation would move an activity into a higher category, the Promoter will be required to pay the difference between the Permit fee for the two categories as well as the Permit variation fee

16.2 FEE POLICY

16.2.1 The Permit Authority will charge Statutory Undertakers for the actions detailed in Section 16.1.

16.2.2 Fees will not be payable in the following circumstances:

- i. By the Highway Authority in respect of its own works for road purposes, however a record of the Permit and fee will be used for reporting purposes and fee reviews.
- ii. Any work undertaken on a fire hydrant.
- iii. Where a Permit is deemed to be granted because the Permit Authority failed to respond to an application within the time set down in Section 10.6 above
- iv. If a Permit variation is initiated by the Permit Authority or the Authority has to revoke a Permit through no fault of the Promoter
- v. Where a Promoter wishes to cancel a Permit for which it has no further use, or to cancel or withdraw an application that has been submitted but for which a Permit has not yet been granted

16.2.3 Lower fees or discounted fees will be given in the following circumstances:

- i. Where several Permit applications for works that are of part of the same project but which are carried out on more than one street, but on a scale comparative to one street, are submitted at the same time.
- ii. Where several Promoters are working within the same site submit applications at the same time. Where the Highway Authority Promoter is collaborating with Statutory Undertakers, those Undertakers will be eligible for the discount.
- iii. Where works are undertaken wholly outside of traffic sensitive times on Traffic Sensitive Streets.
- iv. A discount may be applied where it is demonstrated that an activity provides significant economic benefit to the local authority or Council. For instance, supplies for a new development, or where it is demonstrated that a network investment program is being undertaken to meet customer demand.

16.3 RATE OF DISCOUNT

16.3.1 A discount of **30%** will be applied in the above circumstances.

16.4 OPTION TO WAIVE OR REDUCE FEES

16.4.1 The Permit Authority retains the option to waive or reduce fees at its discretion.

16.5 REVIEW OF FEES

16.5.1 The Permit Authority will review its scale of fees annually to ensure that the overall fee income does not exceed the allowable costs.

16.5.2 The outcome of the annual fee reviews will be published and open to public scrutiny.

16.5.3 As far as possible the fees and costs should be matched over a financial year. However, it is recognised that estimating the fee levels will involve incorporating the effect of various factors that will inevitably have a degree of uncertainty around them. In the event that fees and costs do not match the actual outturn for the year in question, adjustments may be made to fee levels for the subsequent years so that across a number of years fees do not exceed the allowable costs.

16.6 APPROVED SCALE OF FEES

16.6.1 The current approved scale of fees is included in the local order for the Permit Authority to operate the Permit Scheme.

16.7 PROCESSING OF FEES

16.7.1 Monthly invoices will be issued to each Promoter with all Permits referenced.

17 SANCTIONS

17.1 UNDERTAKING ACTIVITIES WITHOUT A PERMIT

- 17.1.1 It is a criminal offence for a Statutory Undertaker, or a person contracted to act on its behalf, to undertake specified activities in a specified street in the absence of a Permit, except as set down in Section 6.
- 17.1.2 Any person guilty of an offence under this Regulation is liable on summary conviction to a fine not exceeding level 5 on the standard scale.

17.2 ACTION BY PERMIT AUTHORITY

- 17.2.1 Where a Statutory Undertaker or a person contracted to act on its behalf undertakes without a Permit, works for which a Permit is required, or breaches a Permit condition, the Permit Authority may take one or more of the following courses of action depending on the seriousness and persistence of the offences:
- i. Serve a notice requiring that Statutory Undertaker to take such reasonable steps as detailed in the notice to remedy the situation within a specified timescale
 - ii. Where a Statutory Undertaker fails to comply with the requirements of such a notice within the timescale the Permit Authority may undertake the specified steps and recover the costs that are reasonably incurred from the Statutory Undertaker
 - iii. Issue a Fixed Penalty Notice (FPN), against the Statutory Undertaker
 - iv. Prosecute the Statutory Undertaker
- 17.2.2 Remedial action could include the removal of the activity; rectify the breach of conditions or discontinuing any obstruction.
- 17.2.3 In the event that the Permit Authority subsequently considers that an FPN which has been given ought not to have been given, it shall give to the person to whom that notice was given a notice withdrawing the FPN.
- 17.2.4 Any offences which run alongside to the Permit Scheme under NRSWA will still apply and action will be taken.

18 DISPUTE RESOLUTION

18.1 INTRODUCTION

- 18.1.1 Bournemouth Christchurch and Poole Council welcomes the opportunity to informally resolve disputes before resorting to formal resolution processes
- 18.1.2 If disputes are not resolved informally within 14 days, they will be referred to SWHAUC or HAUC England as appropriate.

18.2 DISPUTE RESOLUTION PROCEDURE

- 18.2.1 If agreement cannot be reached informally on any matter arising in relation to the Bournemouth Christchurch and Poole Council Permit Scheme, the dispute will be referred for review on the following basis:

Straightforward issues

- 18.2.2 Where Bournemouth Christchurch and Poole Council and the Promoter(s) consider that the issues involved in the dispute are relatively straightforward, the matter will be referred to impartial members of the regional SWHAUC (that is those not representing parties directly involved in the dispute) for review. That review should take place within

ten days from the date of referral by either party. Both parties will accept the result as binding.

Complex issues

- 18.2.3 If Bournemouth Christchurch and Poole Council or the Promoter(s) involved in the dispute think the issues are particularly complex, HAUC England will be asked to set up a review panel of four members - two Utilities and two Street Authorities. One of the four persons will be appointed as Chair of the panel by the HAUC England joint chairs.
- 18.2.4 Each party must make all relevant financial, technical and other information available to the review panel.
- 18.2.5 The review would normally take place within ten working days from the date on which the issue is referred to HAUC England by either party. Both parties will accept the conclusions of the review panel as binding.

18.3 INDEPENDENT ADJUDICATION

- 18.3.1 If agreement cannot be reached by the procedure above, the dispute can be referred to independent adjudication.
- 18.3.2 Adjudication within Bournemouth Christchurch and Poole Council Permit Scheme will only be used by Bournemouth Christchurch and Poole Council and the Promoter(s) if they agree in relation to the matter under dispute, that:-
- The decision of the adjudicator will be deemed to be final; and
 - The costs of adjudication will be borne equally unless the adjudicator considers that one party has presented a frivolous case, in which case costs may be awarded against them.
- 18.3.3 Where the adjudication route is followed, Bournemouth Christchurch and Poole Council and the Promoter(s) will apply to the joint chairs of HAUC England, who will select and appoint the independent adjudicator from a suitable recognised professional body.

19 REGISTERS

19.1 REGISTER OF ALL WORKS

- 19.1.1 The Permit Authority will maintain a register of Permits in connection with the Permit Scheme and in accordance with regulation 33 and 34, Part 7 of the Regulations.
- 19.1.2 The register will contain information about current and planned activities and will be available electronically to Promoters to assist them in planning and coordinating their own works at the earliest possible stage

19.2 REFERENCING OF INFORMATION

- 19.2.1 All information held in the register of all works will be referenced to the USRN and the Permit register will be Geographic Information System (GIS) based.

20 TRANSITIONAL PHASE

- 20.1.1 Once an Order has been made, the Authority will provide at least four weeks' notice of its intention to operate a Permit Scheme from a given date.
- 20.1.2 The Permit Authority will liaise closely with all Promoters during the transition period so that any issues are identified early and appropriate action taken to resolve them.

- 20.1.3 The Permit Scheme will apply to all activities where the administrative processes, such as an application for a Permit or Provisional Advance Authorisation, start after the commencement date of the Permit Scheme stated in the order.
- 20.1.4 Activities which are planned to start on site more than one month after the changeover date, (for standard, minor and immediate activities), or three months after the changeover date, (for major activities), shall operate under the Permit Scheme. This means that even if the relevant Section 54, 55 or 57 NRSWA notice has been sent before the changeover, the Promoter will have to apply for a Permit.
- 20.1.5 If the Promoter has not substantially begun the activity (or phase of activity) one month after the changeover date (for standard, minor and immediate activities) or three months after the changeover date (for major activities), then the Promoter must cancel the NRSWA notice for that activity (or phase of activity) and apply for a Permit.
- 20.1.6 Any Phase which started under the notices regime will continue under that regime until completed.
- 20.1.7 The issue of Fixed Penalty Notices (FPNs) will be suspended for the first month of operation of the Scheme to allow a settling in period.
- 20.1.8 This period is sufficient as much of the Permit Scheme operation is run alongside NRSWA and extensive testing of systems between the Permit Authority and Promoters will have taken place and will continue on the run up to the implementation of the Scheme

21 PERMIT SCHEME MONITORING

21.1 USE OF KEY PERFORMANCE INDICATORS

- 21.1.1 Parity will be measured through Key Performance Indicators (KPIs). The following KPIs are mandatory and in addition, the Permit Authority will produce an annual set of KPIs identifying the treatment of individual Promoters.

21.2 MANDATORY KPIS

KPI 1

The number of Permit and Permit variation applications received, the number granted and the number refused

This will be measured by Promoter and shown as:

- the total number of Permit and Permit variation applications received, excluding any applications that are subsequently withdrawn
- the number granted as a percentage of the total applications made
- the number refused as a percentage of the total applications made.

KPI 2

The number of conditions applied by condition type

This will be measured by Promoter and shown as:

- the number of Permits issued
- the number of conditions applied, broken down into condition types. The number of each type being shown as a percentage of the total Permits issued.

21.3 ADDITIONAL KPIS

KPI 3

The Number of approved extensions

This will be measured by promoter and shown as:

- the total number of permits issued
- the number of requests for extensions shown as a percentage of permits issued
- the number of agreed extensions as a percentage of extensions applied for.

KPI 7

Number of inspections carried out to monitor conditions

This will be broken down by promoter and shown as:

- the number of sample permit condition checks carried out as a percentage of the number of permits issued
- the percentage of sample inspections by promoter should also be shown.

21.4 PRESENTATION OF KPIS TO COORDINATION MEETINGS

21.4.1 The KPIS will be discussed at the local coordination meetings and at other meetings with Promoters. In addition, the KPIS will be made available to any other person on request or via the Authority's website.

22 APPENDIX A: DEFINITION OF TERMS

Activity	Any works undertaken by Statutory Undertakers and the Highway Authority (or their agents/contractors) and any other works that maybe covered in future regulations.
Additional Street Data	Additional Street Data (ASD) refers to other information about streets held on the NSG concessionaire's website alongside the NSG
Apparatus	As defined in Section 105(1) of NRSWA "apparatus includes any structure for the lodging therein of apparatus or for gaining access to apparatus"
Appeal	If there is an unresolved disagreement between the Promoter and the Permit Authority about the terms and conditions of the Permit or PAA, the Promoter may appeal against the Permit Authority's decision to either SWHAUC or HAUC England.
Bank Holiday	As defined in Section 98(3) of NRSWA, "Bank Holiday means a day which is a Bank Holiday under the Banking and Financial Dealings Act 1971 in the locality in which the street in question is situated"
Bar holes	Bar holes are used to detect and monitor gas leaks.
Breaking up (the street)	Any disturbance to the surface of the street (other than opening the street)
Bridge	As provided in Section 88(1)(a) of NRSWA, "references to a bridge include so much of any street as gives access to the bridge and any embankment, retaining wall or other work or substance supporting or protecting that part of the street"
Bridge Authority	As defined in Section 88(1)(b) of NRSWA, "Bridge Authority means the Authority, body or person in whom a bridge is vested"
Carriageway	As defined in Section 329 of HA 1980, "carriageway means a way constituting or comprised in a Highway, being a way (other than a cycle track) over which the public have a right of way for the passage of vehicles"
Collaborative working	Includes trench sharing, multi-utility working, utility/works for road purposes situations and compliance testing.
Cycle track	As defined in Section 329 of the HA 1980, "cycle track means a way constituting or comprised in a Highway, being a way over which the public have the following, but not other, rights of way, that is to say, a right of way on pedal cycles with or without a right of way on foot"
Day	A calendar day, unless explicitly stated otherwise
DfT	Department for Transport
Emergency works	As defined in Section 52 of NRSWA, "emergency works means works whose execution at the time when they are executed is required in order to put an end to, or to prevent the occurrence of, circumstances then existing or imminent (or

	which the person responsible for the works believes on reasonable grounds to be existing or imminent) which are likely to cause danger to persons or property"
Excavation	"Breaking up" (as defined above)
Fixed Penalty Notice	As defined in schedule 4B to NRSWA, "fixed penalty notice means a notice offering a person the opportunity of discharging any liability to conviction for a fixed penalty offence by payment of a penalty"
Footway	As defined in Section 329 of the HA 1980, "footway means a way comprised in a highway which also comprises a carriageway, being a way over which the public have a right of way on foot only"
Geographical Information system (GIS)	A computer system for capturing, storing, checking, integrating, manipulating, analysing and displaying data related to positions on the Earth's surface
HA 1980	The Highways Act 1980
Highway	As defined in Section 328 of the HA 1980, "Highway means the whole or part of a highway other than a ferry or waterway"
Highway Authority	As defined in Sections 1 and 329 of the HA 1980
Highway works	"Works for road purposes" or "major highway works"
Immediate activities	As stated in Section 8.5, immediate activities are either emergency works as defined in Section 52 of NRSWA or urgent works as defined in <i>The Street Works (Registers, Notices, Directions and Designations) (England) Regulations 2007</i>
In	As defined in Section 105(1) of NRSWA, "in, in a context referring to works, apparatus or other property in a street or other place includes a reference to works, apparatus or other property under, over, along or upon it"
Local Authority	As defined in Section 270(1) of the Local Government Act 1972(a) and includes the Common Council of the City of London.
Local Highway Authority	As defined in Section 329 of HA 1980, "Local Highway Authority means a Highway Authority other than the Minister"
Main roads	All streets in reinstatement categories 0, 1 and 2 and those streets in categories 3 and 4 which are traffic sensitive for all or part of the time
Maintainable Highway	As defined in Section 329 of HA 1980, a "Highway maintainable at the public expense means a highway which by virtue of Section 36 above or of any other enactment (whether contained in this Act or not) is a highway which for the purposes of this Act is a highway maintainable at the public expense"

Maintenance	As defined in Section 329 of HA 1980, "maintenance includes repair, and "maintain" and "maintainable" are to be construed accordingly"
Major activities	<p>As stated in Section 9.2, Major activities are those which:</p> <ul style="list-style-type: none"> • Have been identified in an organisation's annual operating programme, or if not identified in that programme, are normally planned or known about at least six months in advance of the proposed date of the activity <p>Other than immediate activities, require a temporary traffic regulation order, (i.e. not a temporary traffic notice), under the Road Traffic Regulation Act 1984 for any other activities</p>
Major Highway works	<p>As defined in Section 86(3) of NRSWA, "major highway works means works of any of the following descriptions executed by the Highway Authority in relation to a highway which consists of or includes a carriageway –</p> <ol style="list-style-type: none"> a) a reconstruction or widening of the highway; b) works carried out in exercise of the powers conferred by Section 64 of the Highways Act 1980 (dual carriageways and roundabouts); c) substantial alteration of the level of the highway; d) provision, alteration of the position or width, or substantial alteration in the level of a carriageway, footway or cycle track in the Highway; e) the construction or removal of a road hump within the meaning of Section 90F of the Highways Act 1980; f) works carried out in exercise of the powers conferred by Section 184 of the Highways Act 1980 (vehicle crossings over footways and verges); g) provision of a cattle-grid in the highway or works ancillary thereto; or <p>tunnelling or boring under the highway"</p>
Minor activities	<ul style="list-style-type: none"> • As stated in Section 9.4, minor activities are those activities other than immediate activities where the planned duration is 3 days or less.
Minor roads	h) Streets in reinstatement categories 3 and 4 which are not traffic sensitive at any time.
National grid reference	Location reference using nationally defined eastings and northings.
Nationally consistent Street gazetteer (NSG)	A database defined as an "index of streets and their geographical locations created and maintained by the local Highway Authorities" based on BS 7666 standard.
NRSWA	New Roads and Street Works Act 1991.
NSG Concessionaire	The body appointed to manage the NSG on behalf of the local Highway Authorities.

Opening (the street)	Removing a lid or cover to a manhole, inspection chamber, meter box or other structure embedded in the street without any "breaking up" of the street.
Permit	The approval of a Permit Authority for a Promoter to carry out activity in the highway subject to conditions.
Permit application	See Section 10. The application that is made by a Promoter to the Authority to carry out an activity in the highway. It is equivalent to the notice of proposed start of works (Section 55 of NRSWA) given under the Coordination regime.
Permit Authority	See Section 1.4. A local Authority or other "Highway Authority" which has been given approval by the Secretary of State to operate a Permit Scheme on all or some of its road network.
Permit Scheme	See Section 1. A Scheme approved by the Secretary of State under which Permits for activities are sought and given.
Promoter	A person or organisation responsible for commissioning activities in the streets covered by the Permit Scheme. The Promoter will usually be a Statutory Undertaker or the Highway or Traffic Authority.
Protected Street	See Section 1.6. A street that has been designated as a protected street. It serves a specific strategic major traffic need and therefore needs to be protected from unnecessary excavation and works and providing there is a reasonable alternative route in which Statutory Undertakers can place the equipment that would otherwise lawfully have been placed in the protected street.
Provisional Advance Authorisation	See Section 8.2. The early approval of activities in the highway, equivalent to the advance notice given under s 54 of NRSWA.
Reinstatement	As defined in Section 105(1) of NRSWA, "reinstatement includes making good".
Relevant Authority	As defined in Section 49(6) of NRSWA, "references in this Part to the relevant Authorities in relation to any works in a street are to the Highway Authority and also: a) where the works include the breaking up or opening of a public sewer in the street, the Sewer Authority; b) where the street is carried or crossed by a bridge vested in a Transport Authority, or crosses or is crossed by any other property held or used for the purposes of a Transport Authority, that Authority; and where in any other case the street is carried or crossed by a bridge, the Bridge Authority"
Remedial work	Remedial works are those required to put right defects identified and in accordance with the provisions of the Code of Practice for Inspections and regulations.
Road	c) See "Street".

<p>Road Categories:</p> <ul style="list-style-type: none"> • Type 0 • Type 1 • Type 2 • Type 3 <p>Type 4</p>	<p>Roads carrying over:</p> <ul style="list-style-type: none"> • 30 to 125 msa* • 10 to 30 msa • 2.5 to 10 msa • 0.5 to 2.5 msa • Up to 0.5 msa <p>*millions of standard axles</p>
<ul style="list-style-type: none"> • Road works 	See "Works for road purposes" definition below.
Special Engineering Difficulties (SED)	See Section 1.6. By virtue of Section 63 of NRSWA, the term special engineering difficulties relates to streets or, more commonly, parts of streets associated with structures, or streets of extraordinary construction where street works must be carefully planned and executed in order to avoid damage to, or failure of, the street itself or the associated structure with attendant danger to person or property.
Specified Area	That geographical area to which the Permit Scheme applies.
Specified Street	Those streets to which the Permit Scheme applies.
SROH	New Roads and Street Works Act 1991 Specification for the Reinstatement of Openings in Highways.
Standard activities	Standard activities are those activities, other than immediate activities, that have a planned duration of between 4 and 10 days inclusive.
Statutory Undertaker	As defined in Section 48(4) of NRSWA, "undertaker in relation to street works means the person by whom the relevant statutory right is exercisable (in the capacity in which it is exercisable by him) or the licensee under the relevant street works licence, as the case may be".
Street	As defined in Section 48(1) of NRSWA, "street means the whole or any part of any of the following, irrespective of whether it is a thoroughfare: a) any highway, road, lane, footway, alley or passage; b) any square or court; any land laid out as a way whether it is for the time being formed as a way or not".
Street Authority	As defined in Section 49(1) of NRSWA, "the Street Authority in relation to a street means, subject to the following provisions: a) if the street is a maintainable highway, the Highway Authority, and if the street is not a maintainable highway, the street managers".
Street works	As defined in Section 48(3) of NRSWA, "street works means works of any of the following kinds (other than works for road purposes) executed in a street in pursuance of a statutory right or a street works licence:

	<ul style="list-style-type: none"> a) placing apparatus; or c) inspecting, maintaining, adjusting, repairing, altering or renewing apparatus, changing the position of apparatus or removing it, or works required for or incidental to any such works (including, in particular, breaking up or opening the street, or any sewer, drain or tunnel under it, or tunnelling or boring under the street".
Street works licence	<p>As stated in Section 50(1) of NRSWA, "the Highway Authority may grant a licence (a "street works licence") Permitting a person:</p> <ul style="list-style-type: none"> a) to place, or to retain, apparatus in the street, and b) thereafter to inspect, maintain, adjust, repair, alter or renew the apparatus, change its position or remove it, and to execute for those purposes any works required for or incidental to such works (including, in particular, breaking up or opening the street, or any sewer, drain or tunnel under it, or tunnelling or boring under the street).
TMA	b) The Traffic Management Act 2004.
Traffic	b) As defined in Section 105(1) of NRSWA, "traffic includes pedestrians and animals"
Traffic control	Any of the five methods of controlling traffic detailed in the Code of Practice "Safety at Street Works and Road Works"
Traffic regulation order	This means an order made under Section 1, 6 or 9 of the Road Traffic Regulation Act 1984.
Traffic sensitive street	See Section 1.6. This means a street designated by a Highway Authority as traffic sensitive pursuant to Section 64 of NRSWA and in a case where a limited designation is made pursuant to Section 64(3) any reference to works in a traffic sensitive street shall be construed as a reference to works to be executed at the times and dates specified in such designation.
Transport Authority	As defined in Section 91(1)(a) of NRSWA, "Transport Authority means the Authority, body or person having the control or management of a transport undertaking".
Temporary Traffic Regulation Order (TTRO)	This means an order made under Section 14 of the Road Traffic Regulation Act 1984 and amendments.
Trunk road	As defined in Section 329 of the HA 1980, "trunk road means a highway, or a proposed highway, which is a trunk road by virtue of Section 10(1) or Section 19 of the above or by virtue of an order or direction under Section 10 of the above or under any other enactment".
Unique Street Reference Number (USRN)	As defined in the British Standard BS7666.
Urgent activities	<p>Urgent activities are:</p> <ul style="list-style-type: none"> a) activities (not being emergency activities) whose execution at the time they are executed is required (or

	<p>which the person responsible for the activity believes on reasonable grounds to be required)</p> <ul style="list-style-type: none"> (i) to prevent or put an end to an unplanned interruption of any supply or service provided by the undertaker; (ii) to avoid substantial loss to the undertaker in relation to an existing service; or (iii) to reconnect supplies or services where the undertaker would be under a civil or criminal liability if the reconnection is delayed until after the expiration of the appropriate notice period; and <p>Includes activity that cannot reasonably be separated or severed from such activities.</p>
Working day	As defined in Section 98(2) of NRSWA, "for the purposes of this Part a working day means a day other than a Saturday, Sunday, Christmas Day, Good Friday or a Bank Holiday; and a notice given after 4.30 p.m. on a working day shall be treated as given on the next working day".
Works	b) Street works or Works for road purposes.
Works for road purposes	<p>As defined in Section 86(2) of NRSWA, "works for road purposes" means works of any of the following descriptions executed in relation to a highway:</p> <ul style="list-style-type: none"> a) works for the maintenance of the highway; b) any works under powers conferred by Part V of the Highways Act 1980 (improvement); c) the erection, maintenance, alteration or removal of traffic signs on or near the highway; or <p>the construction of a crossing for vehicles across a footway or grass verge or the strengthening or adaptation of a footway for use as a crossing for vehicles.</p>
	d)

END OF DOCUMENT

Appendix 3 - BCP Street Works Permit Scheme Income and Costs Summary

INTRODUCTION

The Bournemouth Christchurch and Poole Council Permit Scheme (BCPCPS) has been designed and developed to be a best of breed scheme being replicated by other Highway Authorities in the South of England.

Roadworks are a necessity to enable Utilities and highways works to be carried out in order to renew, improve, maintain and install infrastructure. As these works take up valuable road space it is important that the impact is minimized as they can create disruption and delay.

The Permit Scheme is not intended to prevent activities necessary for the maintenance or improvement of the road network or the services running underneath it. It is designed to make available the necessary resources to achieve an appropriate balance between the interests of the various parties and where possible, bring about effective co-ordination between all the different competing interests.

Permit Schemes can charge a fee to cover the direct costs of operating the scheme and the Department for Transport (DfT) have published guidance and calculation tools to assist councils in their consideration and implementation of a permit scheme.

Permit Schemes cannot generate surplus revenue and must produce yearly reports to show the cost of operation of the scheme and the fee income received. A council must ensure that any variance between fees received and costs incurred is managed by raising or lowering their permit fees charged accordingly although DfT have set a maximum charge for permits that councils cannot go above.

ESTIMATED FEE INCOME

BCP Council have utilised the DfT Cost Benefit Analysis (CBA) calculator to assess the costs and benefits of using a permit fee scheme. Outputs from the calculator can be used as a guide to assess the feasibility of using a scheme in the local area and to support the business case for an authority moving to permits.

The calculator estimates that income to the value of £573,825 will be generated in permit fees during the first year of operation based on the current numbers of street works undertaken by Statutory undertakers.

BCP Council's street works IT system supplied the data on numbers of permits the council can expect to receive but some caution should be applied to the data used as BCP Council is a new authority and has had to amalgamate data from Dorset, Bournemouth and Poole Councils street works IT systems in doing so.

Also, to note the Statutory Undertakers works carried out can vary upwards or downwards year to year dependant on the Utility sectors workload and this is driven by new connections and repairs to existing plant.

Additional fees will be generated from cancelled/abandoned works and variations to permits already granted. The value of these 'extra' monies will rely heavily on the methodology a Permit Authority uses to manage their scheme. Namely a more proactive approach to granting permits early in their application period will result in more fees being recovered. Therefore, maximising a permit schemes potential relies heavily on the staffing resource engaged in delivering the service. BCP could expect an additional £100,000 per year income from these fees when the scheme is well established and functioning at optimum

Appendix 3 - BCP Street Works Permit Scheme Income and Costs Summary

levels a prudent estimate of first year income could be £50,000. Potentially, therefore the income received in the first full year would be £623,825.

COSTS BUDGETS AND ACTUALS

Due to the risk associated with the anticipated amount of fee income being directly affected by operational decisions by Utility companies, a budget should be established that is less than the amount identified in the DfT CBA.

This risk managed approach also makes allowances for errors in the reporting of volumes by the IT system.

When the actual volume of permits is known budgets can be more clearly defined and regulations afford new permit authorities 3 years to balance income versus expenditure.

Estimated Costs Against Estimated Income		
Start-up Cost Centre	Year 1 Budget	Year 1 Actual
Invoicing, IT, training, reporting and other overheads	£150,000	£
Management Overhead	£73,825	£
Staff	£400,000	£
Totals / Income	£623,825	£

AVERAGE PERMIT COST

By dividing the number of Utility Permits granted by the Permit Scheme cost an average cost per Permit can be calculated.

This is a useful indicator of the general scheme costs to Utilities and can be compared to other schemes to show a general financial efficiency level.

Estimated Average Permit Cost to Utilities			
Promoters	Total Permit Applications	Total Scheme Cost	Average Permit Cost
Utility	8,000	£623,825	£77.98

Unauthorised / Abandoned / Cancelled work fees and fines is likely to generate additional income of around £50,000.

CABINET



Report subject	Dorset Heathlands Planning Framework 2020-2025 Supplementary Planning Document
Meeting date	18 March 2020
Status	Public Report
Executive summary	To adopt the Dorset Heathlands Planning Framework 2020-2025 Supplementary Planning Document.
Recommendations	<p>It is RECOMMENDED that:</p> <p>(a) Cabinet recommends that Council adopts the Dorset Heathlands Planning Framework 2020-2025 Supplementary Planning Document; and</p> <p>(b) any minor changes to the consultation document are delegated to the Director of Growth and Infrastructure in liaison with the Portfolio Holder for Strategic Planning.</p>
Reason for recommendations	<p>To ensure the Council maintains a planning framework for mitigating impact on Dorset Heathlands. Once adopted the SPD will have weight in decision making, when determining planning applications for new housing development. It will enable the decision maker, as Competent Authority under the 'Habitats Regulations', the certainty that the impact of development will be mitigated avoiding an adverse effect upon the 'Dorset Heathlands'.</p> <p>The document is prepared jointly with Dorset Council and minor modifications may be requested by either Council which will need authorisation.</p>

Portfolio Holder(s):	Margaret Phipps, Portfolio Holder for Strategic Planning
Corporate Director	Bill Cotton, Corporate Director for Regeneration and Economy
Contributors	Julian McLaughlin, Director for Growth and Infrastructure Nicholas Perrins, Head of Planning including Building Control Mark Axford, Planning Policy Manager Steve Dring, Senior Planning Officer
Wards	ALL
Classification	For decision

Background

1. The purpose of the Dorset Heathlands Planning Framework ('the framework') is to operate as a mechanism for mitigating the adverse effects of additional residential development upon the 'Dorset Heathlands', a collective name for the various European protected sites in South East Dorset. The specific designations are Dorset Heathlands Special Protection Area, Dorset Heathlands Ramsar Site, Dorset Heaths Special Area of Conservation and Dorset Heaths Special Area of Conservation (Purbeck and Wareham) and Studland Dunes. The SPD at **Appendix 1** is the latest version of the SPD which began life in 2007 as the Dorset Heathland Interim Planning Framework.
2. To conform to the requirements of the Conservation of Habitats and Species Regulations 2017 ('Habitats Regulations'), the Council, when planning development, has to be certain that development will not have a significant adverse effect upon the Dorset Heathlands. If unmitigated, evidence shows that a rising population places additional pressures upon heathland and the protected species that reside there such as Dartford Warbler and Nightjar. Such pressures include disturbance from visitors and dogs, cat predation and incidences of fire.
3. All extant Local Plans covering the BCP area include policies to require any net increase in housing to provide mitigation for Dorset Heathlands. The local plans state that the mitigation strategy will be set out in a supplementary planning document (SPD). There is an existing SPD in place that provides the mitigation strategy for the period 1st April 2015 to 31st March 2020. To ensure compliance with the Habitats Regulations and continue to grant planning permission for new residential development BCP Council needs to put in place an updated planning framework to take effect from 1st April 2020. The SPD at Appendix 1 will therefore replace the existing 2015 -2020 framework once adopted.
4. The mitigation strategy in the SPD applies to a 5km buffer zone around the Dorset Heathlands, the area in which the adverse effects of population increase are most pronounced.

5. This strategy was prepared jointly with Dorset Council following advice from Natural England. It covers a 5 year implementation period from 2020-2025.
6. The mitigation strategy is in two parts (i) Strategic Access, Management and Monitoring (SAMMs); and (ii) Heathland Infrastructure Projects (HIPs). Applicants seeking planning permission for housing development within the 5 km heathland buffer will be required to pay a contribution towards SAMMs. These costs have been calculated on the basis of planned housing growth over the 5 year period and the cost of providing wardening, education and monitoring during that period. The current and proposed costs for BCP Council are:

Local Plan Area	Current cost per house	Current cost per flat	Proposed cost per house	Proposed cost per flat
Bournemouth	£355	£242	£394	£269
Christchurch & East Dorset	£263	£179		
Poole	£387	£264		

7. SAMMs will be spent on day to day management, wardening and raising public awareness. The HIPs are physical infrastructure projects to deflect the potential for visitors to cause disturbance and are funded from community infrastructure levy (CIL) receipts. HIPs include Suitable Alternative Natural Greenspaces (SANGs) and other projects to provide attractive, accessible open spaces that provide local residents with an alternative choice to visiting heathland, e.g. Upton Farm SANG, Two Rivers Meet and the proposed Hicks Farm SANG.
8. Officers will prepare and publish a Monitoring, Projects and Implementation Plan that will be regularly updated to support this SPD. It will set out the amount of development coming forward and identify mitigation projects. This plan will be prepared in consultation with organisations with a shared ambition to mitigate the adverse effects upon the Dorset Heathlands.
9. Governance for Dorset Heathlands mitigation is currently overseen by the Dorset Heathlands Advisory Group jointly with Dorset Council. Officers from Growth & Infrastructure and Environment, and equivalents in Dorset Council, are currently reviewing the governance arrangements, to potentially also include for Poole Harbour mitigation. Governance arrangements will be confirmed through Cabinet in 2020.

Consultation on the draft SPD

10. Following approval to consult by Cabinet on 19 December 2019, the public consultation on the draft SPD took place from 3 January to 3 February 2020. This was undertaken jointly with Dorset Council. The consultation attracted 115 responses as set out in the consultation report at **Appendix 2**.

11. The comments included:

- Support for protection of the heathlands;
- Numerous suggestions for wording changes to the SPD;
- Requests for reference to the Council's declared Climate Change Emergency and Action Plans, Ecological networks and nature recovery networks;
- Concerns about the removal of a threshold in the number of homes triggering the requirement for the provision of SANGs;
- Queries about how the SAMMs were calculated;
- Concerns from the public about the impact of specific developments upon heathlands from nearby residents, e.g. North of Merley, Talbot Village;
- Concerns from the public that SANGs in the floodplain do not provide all year round use;
- Suggestions for possible mitigation projects; and
- Queries over the impact of student accommodation and nursing homes.

12. The feedback led to following amendments to improve the SPD. These amendments are all minor in nature and improve the clarity of the SPD rather than introduce new policy:

- Improvements to the SPD to ensure it is clearer, e.g. payment of SAMMs;
- Updating to reflect good practice suggestions, e.g. the design of SANGs;
- Explanation of the Appropriate Assessment process;
- Highlight the need for review of the mitigation strategy through the forthcoming BCP Local Plan and Dorset Local Plan process;
- Re-insertion of a threshold in the number of homes triggering the requirement to provide SANGs;
- Reference the supporting evidence; and
- Refer to Climate Change Emergency Action Plans and ecological networks.

Summary of financial implications

13. The Council will secure from developers approximately £1.42M of SAMMs payments, over the five-year period of the SPD. This income will be ring fenced for spending purely on Dorset Heathlands mitigation projects. An admin fee will be charged at a minimum charge of £75 and capped to a limit of £1,000 per contribution type. The strategy is self financing and there are no additional costs borne by the Council, although a future cost risk is highlighted below. The SPD

will enable the Council to continue to grant planning permission for new homes, which will pay Council Tax and Business Rates.

Summary of legal implications

14. Every planning permission for housing will need to be supported by a Section 106 Agreement, unilateral undertaking or payment under Section 111 of the Local Government Act (1972). Legal support will be required for Section 106 Agreements.

Summary of human resources implications

15. The mitigation strategy will fund BCP Council heathland rangers and wardens. The admin fee for the collection of SAMMs finances the administrative process.

Summary of environmental impact

16. The mitigation will avoid harm to the Dorset Heathlands. Therefore this strategy will have a positive effect upon the environment.

Summary of public health implications

17. HIPs provide new public open space and improved paths, improving accessibility and thereby providing a positive effect upon public health.

Summary of equality implications

18. All developers of housing will have to pay a set payment (SAMMs) towards mitigation, which is a fair and certain process. Some developments may be required to provide HIPs, where the development is not contributing CIL and developers of such schemes may argue that they have been unfairly treated. However these issues are not considered to have equalities implications.

19. Provision of mitigation projects will be overseen by a Steering Group and will be reported back in a monitoring and implementation plan. There are no known equalities issues at this stage.

Summary of risk assessment

20. SAMMs paid by each developer will fund mitigation for one year. Development in the following year will fund the following year's mitigation. As the heathlands are a finite area, the annual cost is not expected to increase, other than by inflation. The mitigation has to be provided for the lifetime of the development also known as 'in perpetuity', which in practice is 80 years.

21. There is a risk that if in future years SAMMs are no longer paid by developers, the annual funding of the SAMMs will have to be borne by the Council to continue to mitigate the homes it has previously granted permission for.

22. Without the mitigation provided by the SPD from 1 April 2020, the decision maker will not be able to grant planning permission for housing development, which poses a significant risk to the local economy, local population and the Council.

The risk of development not paying SAMMs in future is therefore outweighed by the risk of no development at all.

23. The importance of having an agreed mitigation strategy in place has recently been highlighted across the Solent where the consideration of thousands of homes has been put into abeyance as the relevant local authorities did not have a mitigation plan in place to consider, in that case, the impact of nitrogen loading on a SPA.

Background papers

None

Appendices

Appendix 1: Dorset Heathlands Planning Framework 2020-2025 SPD

Appendix 2: Consultation Report

The Dorset Heathlands Planning Framework 2020-2025

Supplementary Planning Document

Adoption - For Cabinet Approval

Author: Planning Policy
Version: Cabinet 18 March
Date: SD v9 13 Feb 2020

Executive Summary

The objective of this SPD is to set out a strategy for the avoidance and mitigation of impacts of new residential development upon the Dorset Heathlands (including tourism development).

The Dorset Heathlands are an extensive network of lowland heath within south east Dorset that are recognised for their national and international importance for nature conservation. Evidence shows that the Dorset Heathlands are under significant pressure from an increasing number of people living nearby. As population grows, urbanising impacts from human pressures and damage caused by domestic pets have the potential to cause ongoing adverse effects on the protected habitats and species.

The overall objective of the SPD is to establish a framework under which applications for development likely to have a significant effect on the Dorset Heathlands can be permitted (or should be refused) so that any adverse effects on the integrity of the Dorset Heathlands are avoided. The strategy deals both with larger developments, which may affect the integrity of these sites alone, and smaller developments where cumulative effects may be the critical factor. The latter provision is necessary to meet the ‘in combination’ part of Regulation 63 of the Habitat Regulations.

Bournemouth, Christchurch and Poole (BCP) Council and Dorset Council as decision makers are the competent authorities under the Habitats Regulations and are advised by Natural England in how to fulfil these duties. The Councils when granting planning permission have to be certain that the proposed development will not have an adverse effect on important areas of nature conservation. Any net increase in residential development within 5 kilometres will have an adverse impact on the Dorset Heathlands. Therefore measures must be put in place to avoid and mitigate all harm caused.

Both Councils have local plan policies to mitigate the harm from new housing and tourism development on the Dorset Heathlands with the strategy set out in a supplementary planning document. This is that strategy. The Councils have been operating the strategy since January 2007 and this document is an interim update that continues the strategy, by enabling development by implementing measures to avoid adverse effects on the integrity of the Dorset Heathlands. The strategy is a long term approach with the SPD setting out a five year rolling programme of measures. This SPD is a roll forward of the existing approach, but a full review of the strategic approach to mitigation and avoidance will be carried out as part of the process of preparing a BCP Local Plan and Dorset Council Local Plan over the next few years.

This SPD has been prepared jointly between BCP Council and Dorset Council with advice from Natural England. It covers a 5 year implementation period from 2020-2025. The strategy consists of two mutually dependent and supporting policy mechanisms:

- Restrictions on development within the 400 metres heathland area; and
- Mitigation associated with some types of development within the 400 metres to 5 kilometre heathland area

The strategy for avoidance and mitigation with the 400 metres to 5 kilometre heathland area, consists of two dependent approaches:

Part 1: Strategic Access Management and Monitoring (SAMM); and

Part 2: Heathland Infrastructure Projects (HIPs).

SAMMs contributions secure the day to day costs of helping local people to alter harmful behaviour through raising awareness of the issues and value of the protected sites, which includes (i) employing wardens to manage visitor pressures on the heathland; and (ii) delivering education programmes in local schools.

SAMMs also pay for the ongoing monitoring of a sample of heathlands and the effects of new development and crucially whether this strategy is effective.

To enable the Councils to grant planning permission for proposals for a net increase in dwellings within the 400 metres to 5km heathland area, the applicant is required to pay SAMMs as follows:

- BCP Council will charge a SAMMs rate of **£394 per house** and **£269 per flat** paid by planning obligation; and
- Dorset Council will collect these SAMMs costs through the Community Infrastructure Levy (CIL). The exception is for the area covered by the North Dorset Local Plan where sites are within 5km of the Dorset Heathlands, where a planning obligation of £406 per house and £277 per flat is necessary.

HIPS are physical infrastructure works, such as the provision of Suitable Alternative Natural Greenspace (SANGs) or enhancement of existing greenspaces to increase the attractiveness for visitors that would otherwise visit the Dorset Heathlands. There are good examples of SANGs across South East Dorset that includes Upton Country Park, Canford Park, Bytheway Field and Frenches Farm as well as a number of new sites coming forward. HIPS costs vary from project to project and the Councils use different mechanisms to fund mitigation dependent upon local circumstances. An advisory group will oversee the preparation of a Monitoring, Projects and Implementation Plan to set out the progress in delivery of mitigation.



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1. Introduction

- 1.1 Supplementary Planning Documents (SPD) provide guidance to applicants and interested parties on local planning matters by providing more detailed advice or guidance on the policies in the relevant adopted Local Plan.
- 1.2 This SPD was prepared jointly by Bournemouth, Christchurch and Poole Council (BCP Council) and Dorset Council with the advice of Natural England. The Councils consulted on this SPD from 3 January to the 3 February 2020. The feedback to the consultation is summarised in a consultation statement and was used to prepare the SPD for adoption by the Councils in March 2020.
- 1.3 The purpose of this SPD is to set out the approach to avoid or mitigate harm arising from increased urban related pressures on the Dorset Heathlands. The avoidance and mitigation measures set out in this SPD will thereby enable the two Councils to continue to grant permissions for development planned in the local plans. The SPD provides guidance and advice to developers, landowners and the wider community on matters to avoid or mitigate the adverse effects of urban development on the Dorset Heathlands (as defined below).
- 1.4 The constituent Councils have been operating the strategy since January 2007 and this document is an interim update that continues the strategy, by enabling development through the implementation of measures to avoid adverse effects on the integrity of the Dorset Heathlands. The Councils intend to review the strategy through the preparation of new local plans over the next 2-3 years to ensure that growth can be mitigated effectively.
- 1.5 The SPD supports each Council's local plans and covers a five year period from 1 April 2020 to 31 March 2025. During this period the Councils will enable delivery of the necessary mitigation to enable the planned housing growth set out in the local plans and other projects giving rise to relevant adverse effects.
- 1.6 This SPD accords with the principles of the National Planning Policy Framework (NPPF) (2019) and it is a result of the co-operative approach to partnership working between the Councils, statutory bodies and other organisations. It is the purpose of this document to set out the approach that, together, the two Councils will follow. This forms a basis for how harm to the heathlands can be avoided.

2. Legislative and Policy Background

Designations

- 2.1 The lowland heaths in South East Dorset are covered by a number of international, European and national designations, in particular the:
- Dorset Heathlands Special Protection Area (SPA);
 - Dorset Heathlands Ramsar Site;
 - Dorset Heaths Special Area of Conservation (SAC); and
 - Dorset Heaths Special Area of Conservation (Purbeck and Wareham) and Studland Dunes.
- 2.2 Collectively this SPD refers to these designations as the Dorset Heathlands. They host protected priority habitats and species including Dartford warblers, nightjars, woodlark, hen harrier, merlin, sand lizards and smooth snakes as well as other typical species of lowland heathland, wetlands and dunes. The Dorset Heathlands cover an extensive area of South East Dorset fragmented by urban development, forestry, agriculture and other land uses.

The Habitats Regulations

- 2.3 European wildlife sites are protected by the EC Birds and Habitats Directives, specific provisions of which are applied in the UK by the Conservation of Habitats and Species Regulations 2017 (the Habitats Regulations). They place particular responsibilities on a decision maker in relation to such sites. The two Councils, as decision makers are the competent authorities under the Habitats Regulations and are advised by Natural England on how to fulfil these duties.
- 2.4 Regulations 63 of The Conservation of Habitats and Species Regulations 2017 (the 'Habitats Regulations') require that any application for development or strategic plan or policy which is likely to significantly affect a European site is subject to an appropriate assessment of the implications of the proposal for the site's conservation objectives. The planning authority must ascertain that the plan or project will not have an adverse effect on the integrity of the site, alone or in combination with other plans or projects, either directly or indirectly, taking account of any conditions or restrictions that would help ensure no adverse effect, before granting permission or adopting a plan or policy.

National Planning Policy Framework

- 2.5 The National Planning Policy Framework (NPPF) and Planning Practice Guidance (PPG) outline the procedure set out by the government that should be followed in deciding whether to approve a proposal (a plan or project) that will potentially affect a protected habitats site.
- 2.6 The NPPF recognises the value of our natural environment stating that the '*planning system should contribute to and enhance the natural and local environment*¹', for example by protecting and enhancing valued landscapes such as heathland, establishing coherent and resilient ecological networks and providing net gains for biodiversity. Importantly the presumption in favour of sustainable development does not apply where development requiring appropriate assessment under the Birds or Habitats Directives or Ramsar convention is being considered, planned or determined.²

Development Plans

- 2.7 The local authorities in South East Dorset have adopted Local Plans which contain a similarly worded policy that addresses the Dorset Heathland issue. The SPD supports the following local plan policies:

¹ NPPF para 170

² NPPF para 176,177

- *Bournemouth Core Strategy (2012) - Policy CS33 Heathland* restricts residential uses within the 400 metre area and requires residential development within the 400 metre to 5km area to provide mitigation.
- *Christchurch and East Dorset Local Plan Part 1 (2014) - Policy ME2 Protection of the Dorset Heathlands* restricts residential uses within the 400 metre area and requires residential development within the 400 metre to 5km area to provide mitigation in accordance with this SPD.
- *The Poole Local Plan (2018) - Policy PP32 Part (1) Poole's nationally, European and internationally important protected sites* restricts residential uses within the 400 metre area and requires residential development and tourist accommodation within the 400 metre to 5km area to provide mitigation in accordance with this SPD.
- *The North Dorset Local Plan Part 1 (2016) – Policy 4 Natural Environment* requires contributions from developments within 5km of the Dorset Heathlands towards the sustainable management of the heathland sites or contributions towards the provision of alternative accessible recreation space to reduce recreational pressure on the Dorset heathlands.
- *The Purbeck Local Plan Part 1 (2012) and Swanage Local Plan (2017) - A new Purbeck Local Plan* is currently at examination and will replace the 2012 Plan. Policy DH Dorset Heaths International Designations (2012) and its replacement Policy E8 (2019) restrict residential uses within the 400 metre area and requires residential development, equestrian-related development and tourist accommodation within the 400 metre to 5km area to provide mitigation in accordance with this SPD.
- *The West Dorset, Weymouth & Portland Local Plan (2015) – Policy ENV2 Wildlife and Habitats* restricts residential and equestrian uses within the 400 metre area and development within the 400 metre to 5km area provided it can avoid or mitigate the adverse effects of the development.

- 2.8 A full review of heathland mitigation will be undertaken as part of the preparation of the BCP Council Local Plan and the Dorset Local Plan. These two new local plans will replace the plans listed above. This process will take a few years and the outcomes can feed into a review of this SPD.
- 2.9 The local plans are accompanied by habitats regulations assessments (HRA) which set out the measures that need to be provided to enable development to be delivered. Together the HRAs provide a consistent record of the approach to avoidance and mitigation and in varying levels of detail, the type and nature of projects required.
- 2.10 In addition to the local plans, there may be relevant policies in neighbourhood plans.

3. Evidence

- 3.1 Natural England has advised the authorities of concerns arising from the increase in residential development across South East Dorset and the resultant pressures placed upon protected heathland by new occupants of these developments living in close proximity to the heathlands. Various studies, have found that public access to lowland heathland, from nearby development, has led to an increase in wild fires, damaging recreational uses, the introduction of incompatible plants and animals, loss of vegetation and soil erosion and disturbance by humans and their pets amongst other factors have an adverse effect on the heathland ecology. A full list of evidence will be published alongside this SPD.
- 3.2 Some of these effects are direct impacts on the designated sites but many, such as recreational use, will be ongoing for the duration of the development. In the case of additional housing, the effects arising are considered to be permanent requiring ongoing mitigation measures.
- 3.3 The two Councils³ have found the evidence and advice to be sound and have been operating a strategy for the protection of heathland since 2007. During this time the Councils, Natural England and the Urban Heath Partnership have been gathering evidence into the adverse effects of urban related pressures on the protected heaths to inform the future strategy for avoiding and mitigating the adverse effects of development. This evidence informs the summary table in Figure 1.

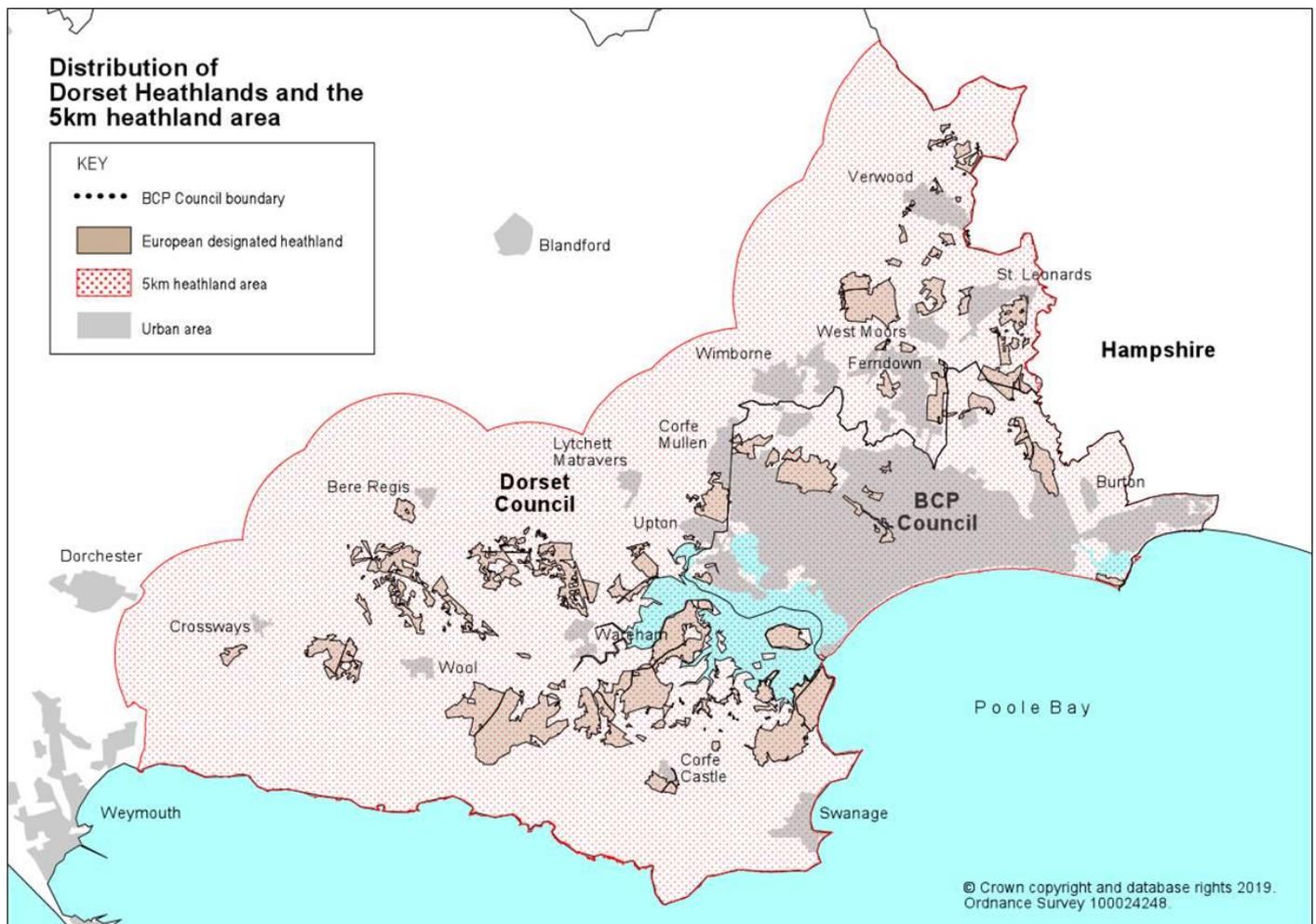
³ Formerly known as Borough of Poole, Christchurch Borough Council, East Dorset District Council, Bournemouth Borough Council and Purbeck District Council.

Figure 1: The Main Urban Effects on Lowland Heaths in Dorset

Reduction in area	<ul style="list-style-type: none"> • Mid 18C c36,000 ha to 2019 6,199 ha (DERC).
Fragmentation of heaths	<ul style="list-style-type: none"> • Fragmentation of heaths 768 fragments, 88% < 10ha (Webb & Haskins 1980). Many ecological impacts from smaller heath areas.
Supporting habitats	<ul style="list-style-type: none"> • Less semi-natural habitat adjoining heaths which provide functional support.
Predation	<ul style="list-style-type: none"> • Fox, cat/rat predation on ground nesting birds and reptiles, direct predation and reduced recruitment.
Disruption to hydrology	<ul style="list-style-type: none"> • Diversion of pre-existing natural water sources away from heathland catchments. • Rapid run-off onto heaths from urban areas.
Pollution	<ul style="list-style-type: none"> • Changes in pH, nutrient status, turbidity of water supplies to heathland. • Enrichment and pollutants from urban run-off. • Pollutants from mis-connections storm overflows, spills, accidents
Sand and gravel working with land-fill after use	<ul style="list-style-type: none"> • Mineral working destroying habitat and disrupting hydrology. • Polluted water can leak from landfill.
Enrichment	<ul style="list-style-type: none"> • Dog excrement causes vegetation change along sides of paths. • Rubbish and garden waste dumping by roads and from gardens.
Roads	<ul style="list-style-type: none"> • Increased fire risk from car thrown cigarettes. • Pollution/enrichment causing vegetation change from vehicles in transport corridor. • Roads forming barriers to species mobility. • Road kills increasing mortality rates. • Noise and light pollution from traffic.
Service infrastructures both over and under heathland	<ul style="list-style-type: none"> • Disturbance during construction and maintenance. • Leakage from underground pipes and sewers. • Changes to heathland hydrology. • Poles providing bird predator look-out posts.
Disturbance	<ul style="list-style-type: none"> • Changes in breeding bird and animal distributions within and across sites. • Reduction in breeding success of birds/animals. • Delayed breeding in SPA birds.
Trampling	<ul style="list-style-type: none"> • Changes to vegetation. • Creation of bare areas and subsequent soil erosion. • Damage to bare ground reptile and invertebrate habitats and populations. • Increases in path and track networks. • Damage to archaeological features.
Fire	<ul style="list-style-type: none"> • Increased frequency of fires with majority in spring and summer. • Long term vegetation changes. • Increased mortality of heathland animals/birds. • Fragmentation/reduction of habitat on heaths. • Increased erosion into wetland habitats.
Vandalism	<ul style="list-style-type: none"> • Vandalism Damage to signs and fences.
Public hostility to conservation management	<ul style="list-style-type: none"> • Opposition to management e.g. tree felling, fencing and grazing.
Management costs	<ul style="list-style-type: none"> • Greatly increased management costs on urban heaths.

- 3.4 On the basis of the evidence, the proposed increase in residential development within 5 km of the Dorset Heathlands will inevitably result in greater urban pressures upon the heathlands. Therefore Natural England advises that the cumulative effect of a single dwelling up to 5 km from the Dorset Heathlands would have a likely significant effect on those designated sites.
- 3.5 The Councils are in agreement that avoidance or mitigation measures are required to enable the Councils to continue to grant permission for residential development within 5 km of these designated sites. Figure 2 shows the Dorset Heathlands and this 5km area.
- 3.6 Furthermore the Councils will work with neighbouring authorities in Hampshire to ensure that development does not have an adverse effect upon the heaths in the New Forest National Park

Figure 2 – Extent of the Dorset Heathlands and the 400 metres to 5km area



4. Enabling Development: The Dorset Heathlands Avoidance and Mitigation Strategy

- 4.1 This section sets out the approach to enabling development through the implementation of measures to avoid likely urban effects upon the Dorset Heathlands. The strategy is a long term approach with the SPD setting out a five year rolling programme of measures for the period 2020-2025, unless an early review is necessary.
- 4.2 The strategy consists of two mutually dependent and supporting policy mechanisms:
- Restrictions on development within the 400 metres heathland area; and
 - Mitigation associated with some types of development within the 400 metres to 5km heathland area.

400 metres heathland area

- 4.3 The effects listed in Figure 1, are most marked for development within 400 metres of heathland, in particular disturbance and predation. However many of the effects listed will act together (synergistically) to create effects which can be worse than each individual effect. Natural England advises that additional residential development within 400 metres of the Dorset Heathlands is likely to have a significant effect upon the designated site, either alone or in combination with other developments and that this cannot be mitigated. Further, in order for an appropriate assessment in the 5km area to be able to conclude that there is no adverse effect on the integrity of the Dorset Heathlands it is necessary to control the type of development that is permitted within this 400 metre area as indicated below.
- 4.4 The two Councils, as the competent authorities responsible, agree that this conclusion is sound and supported by the relevant evidence. In these circumstances development proposals within 400 metres that fall within the 'not permitted' category below would not be compliant with the avoidance and mitigation strategy of this SPD and therefore the competent authority would not be able to conclude that there was no adverse effect on the integrity of the Dorset Heathlands.
- 4.5 Although this SPD focusses on residential development there are other uses and forms of residential development that have differing impacts upon the Dorset Heathlands. These uses are set out in Figure 3 and are intended to sign post applicants to the likely council position from the local plan policies. This figure is indicative rather than definitive and each proposal will need to be assessed on a case by case basis. Further detail on each use is set out in Appendix B.

Figure 3: Uses that are generally permitted and not permitted within the 400 metres heathland area or which require mitigation if between 400 metres and 5km:

Permitted within 400 metres:

- Extensions to residential dwellings in C3 Use Class where there is no net increase in dwellings, i.e. extension to a house
- Ancillary residential accommodation forming part of an existing building in C3 Use Class to provide independent living where there is no net increase in functional dwelling units, i.e. granny annexes
- Replacement dwellings in C3 Use Class where there is no net increase in dwellings
- Nursing homes within C2 Use Class where the residents are severely restricted with advanced dementia / physical nursing needs

Not permitted within 400 metres and requiring mitigation between 400 metres and 5km:

- A net gain in residential dwellings in C3 Use Class on the same site, including conversions
- Houses in Multiple Occupation (Sui generis)
- Residential Institutions within C2 Use Class where the residents are not severely restricted by illness or mobility
- Student accommodation
- Sites for gypsy, travellers and travelling showpeople
- Self-catering, caravan and touring holiday accommodation

Each of the above uses will be determined on a case by case basis and not all uses are covered.

4.6 The 400 metre heathland area is a straight line drawn from the edge of the protected sites. The edge of the area does not follow physical features on the ground. Natural England has therefore published statutory maps on its website setting out a 400 metre Consultation Area, where the line has been realigned to the nearest curtilage. Within this area the two Councils are required to seek the advice of Natural England concerning additional residential dwellings. Further details are set out in Appendix C.

400 metres to 5 km heathland area

4.7 The area between 400 metres and 5 km measured as a straight line from the boundary of a protected heath, is shown on the various local plan policies maps. Natural England advise that additional residential development within this area is likely to have a significant effect on the Dorset Heathlands either alone or in combination with other proposals. In addition they advise that in order for an appropriate assessment to be able to conclude that there is no adverse effect on the integrity of the Dorset Heathlands it is necessary certain types of development, as indicated above, require avoidance or mitigation measures to be implemented to allow development to be approved.

4.8 The two Councils, as the competent authorities responsible, agree that this conclusion is sound and supported by the relevant evidence. It follows that these types of development proposals in the 400 metre to 5km area, unless covered by appropriate avoidance or mitigation measures, would not be compliant with local plan policy and the avoidance and mitigation strategy of this SPD and therefore the competent authority, in assessing such proposals, through a project level appropriate assessment, would not be able to conclude that there was no adverse effect on the integrity of the Dorset Heathlands.

4.9 The mitigation element of the strategy is in two parts:

- Part 1: Strategic Access, Management and Monitoring (SAMM); and
- Part 2: Heathland Infrastructure Projects (HIPs).

Part 1: Strategic Access Management and Monitoring (SAMM)

4.10 This part of the strategy focuses on wardening, raising awareness and monitoring the effectiveness of the strategy. SAMMs contributions secure the day to day costs of helping local people to behave in ways less harmful to the local heathlands they access. This is through raising awareness of the issues and value of the protected sites and includes (i) employing wardens to manage visitor pressures on the heathland; and (ii) delivering awareness and education programmes in local schools, on the heaths and through local communities. SAMMs also pay for the ongoing monitoring of a sample of heathland birds, visitor access patterns and the effects of new development and crucially whether this strategy is effective.

4.11 The cost of SAMMs is apportioned to the planned number of homes as follows:

Amount of Planned Development

4.12 The housing trajectory published in each Councils Strategic Housing Land Availability Assessments provides the planned number of homes expected to come forward over the period 2020/21-2024/25.

4.13 For BCP Council the trajectory indicates a supply of 11,290 homes in the five year period. 6,850 of this total are commitments leaving a new supply of 4,440 homes. The entire BCP area falls within the 5km Heathland area and therefore any net additional housing has to provide mitigation.

4.14 For Dorset Council the trajectory indicates a supply of 3,716 homes in the five year period. 2,216 of this total are commitments leaving a new supply of 1,500 homes within the 5km heathland area.

4.15 If these levels of planned growth are exceeded, the Councils will have to ensure that suitable mitigation can be provided to avoid an adverse effect upon the Dorset Heathlands. The NPPF's presumption in favour of sustainable development does not apply unless the Councils can demonstrate through appropriate assessment that the proposal will not have an adverse effect on the integrity of the Dorset Heathlands. Mitigation will need to be provided where the adverse effect is likely to occur.

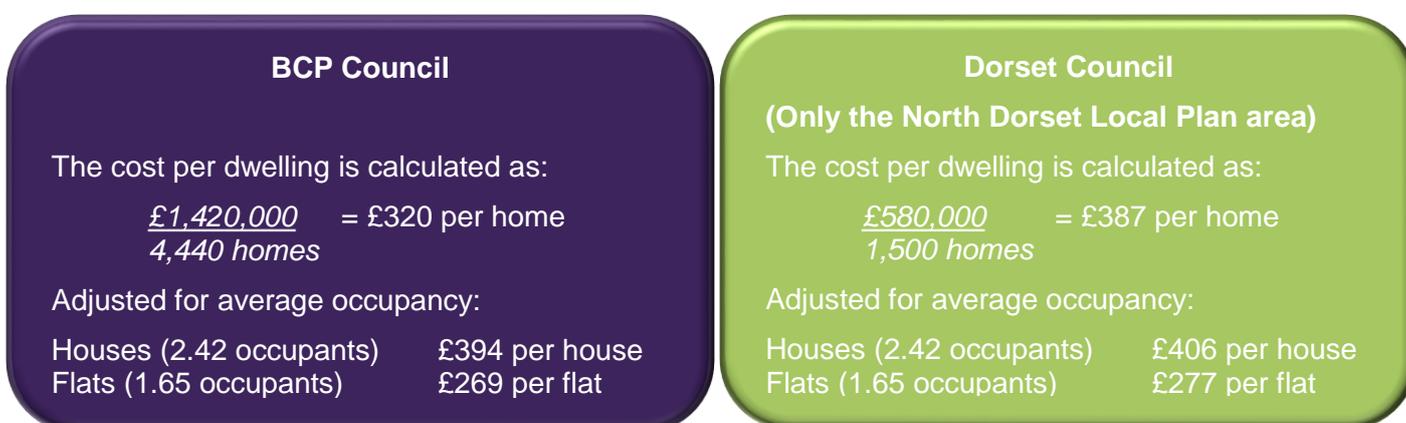
The cost of SAMM mitigation

- 4.16 The necessary SAMMs mitigation measures for the 5 year period are set out in Appendix A (Part 1). The cost of SAMMs over this 5 year period is £2M; split £1.42M for BCP Council and £0.58M for Dorset Council.

Calculating SAMMs contributions

- 4.17 The SAMMs charge is calculated by dividing the total cost of providing SAMMs by the number of planned homes within the 5km heathland area for each respective Council over the period 2020-2025, as shown in Figure 4. For Dorset Council, this contribution is only applicable in the 5km heathland area in the North Dorset Local Plan area. As set out in Section 5 Dorset Council will take the equivalent contribution per home from CIL for the remainder of Dorset. Both Councils will review these funding mechanisms through the preparation of new local plans. Section 5 details how this mitigation will be collected through planning applications.

Figure 4: The calculation of the SAMMs contribution for development the BCP Council area and for Dorset Council the 5km area covered by the North Dorset Local Plan

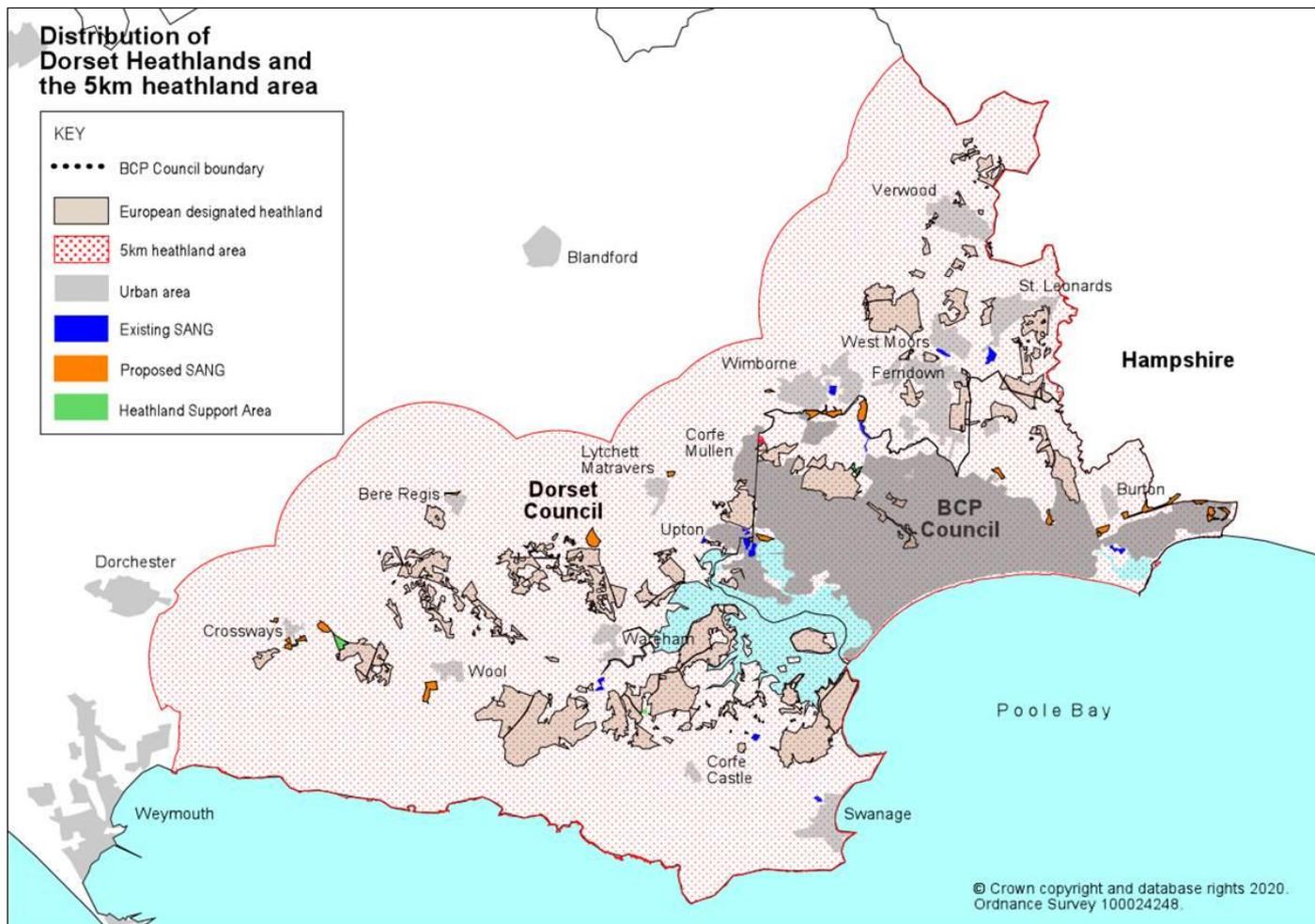


Part 2: Heathland Infrastructure Projects (HIPs)

- 4.18 HIPs are physical infrastructure projects that provide facilities to attract people away from the protected heathland sites. SANGs (Suitable Alternative Natural Greenspaces) are the most significant element of provision, having a key role in providing an alternative destination to the Dorset Heathlands. Examples of HIPs are set out in Appendix A. HIPs should be fully operational before the occupation of the first dwelling. Figure 5 illustrates the coverage of SANGs since the mitigation strategy commenced in 2007.
- 4.19 Strategic SANGS are those where the SANG is sufficiently attractive as to draw visitors from a wider area. These SANGs will attract visitors from a wider area (within the 5km area) than that required specifically for the project. These are likely to be set out in Local Plans. Smaller, non-strategic SANGs are linked to housing developments, and whereas they will attract local people who do not live in the new housing, they are not intended to draw visitors from a much wider area. Other HIPs projects are likely to be more bespoke to local areas and for example may consist of creating linkages between open green spaces, recreational facilities such as BMX tracks or fire access measures.
- 4.20 Heathland support areas are sites, usually adjacent to the Dorset Heathlands where the area provides important functional support to the protected site. This may be in spreading public access pressure, enabling better site management or making the designated site more resistant to external effects. Because of the close proximity these sites will not be intended to attract new visitors in the same way as SANGs.

4.21 The two Councils invite local landowners and organisations to suggest new HIPs. HIPs including SANGs can be delivered and managed by both the public and private sector. The Councils recommend that organisations have an informal discussion with the appropriate Council and Natural England prior to submission of a proposal. Proposals for HIPs can be submitted using the separately published template. Projects will be considered for funding on a case by case basis. In some cases promoters of larger developments may wish to deliver bespoke measures which will be considered by the Councils with advice from Natural England.

Figure 5: Proposed and implemented heathland mitigation



Tourism development and other types of housing

4.22 Tourism development and other types of housing can have a significant effect on the Dorset Heathlands, but outside 400 metres some may be mitigated. Further details are set in Appendix B.

Permitted Development

4.23 Some development does not require planning permission and is known as 'permitted development' and 'prior approval'. Such development, which enables residential dwellings/occupation can still have a likely significant effect on the Dorset Heathlands and will therefore need to provide mitigation measures outside of 400 metres area prior to commencement. Further details are outlined in Appendix F.

5. Paying for the Mitigation Strategy

- 5.1 This SPD has been prepared having regard to the tests set out in the Community Infrastructure Levy Regulations 2010 and subsequent amendments, in particular Regulation 122 which sets out the three tests that the planning obligation should be necessary, directly related and fairly and reasonable related in scale and kind to the development. Where the Regulations change the authorities will continue to provide suitable mechanisms to enable applicants to contribute efficiently.
- 5.2 The Councils use different mechanisms to fund mitigation dependent upon local circumstances.

Paying SAMMs

- 5.3 To provide certainty to those considering or making applications for residential development and to ensure transparency and accountability this SPD sets a standard contribution for new dwellings to fund SAMMs. The simplicity of this approach gives certainty thus avoiding unnecessary delay in the determination of planning applications. The standard contribution is calculated by spreading the cost of the necessary mitigation across the amount of planned development.
- 5.4 Dorset Council will collect SAMMs contributions through CIL (except in the North Dorset area where there is no CIL charging schedule in place), whereas BCP Council will collect the SAMMs through planning obligations.
- 5.5 To enable the Councils to grant planning permission for proposals for a net increase in dwellings within the 400 metres to 5km heathland area, the applicant is required to pay SAMMs as follows:
- Dorset Council will collect the majority of SAMMs costs through CIL. The contributions taken from CIL will be determined by the costs of funding SAMMs needed to mitigate the effects from the numbers of homes it expects to be delivered between 2020/21 and 2024/25. The exception is the area covered by the North Dorset Local Plan where sites are within 5km of the Dorset Heathlands where, as set out in Section 4, a planning obligation of £406 per house and £277 per flat will be necessary.
 - BCP Council will, as set out in Section 4, charge a SAMMs rate of £394 per house and £269 per flat paid by planning obligation through a payment:
 - prior to the grant of planning permission as an upfront payment (Section 111 of the 1972 Local Government Act); or
 - prior to commencement (Section 106 Agreement or unilateral undertaking).
- 5.6 BCP Council has an administration charge of 5% of the total contribution payable, subject to a minimum charge of £75 and capped to a limit of £1,000 per contribution. Model clauses for Section 106 Agreements, Section 111 payments and unilateral agreements are set out in Appendix G.
- 5.7 A credit will be applied for existing dwellings based on the average occupancy of flats or houses. For example, if a house is to be replaced by 10 flats then the calculation would be:
- (10 x SAMMs contribution for a flat) minus the SAMMs contribution of 1 house*
- 5.8 The charge will be adjusted annually on 1 April to reflect inflation and ensure that the appropriate level of SAMM can be delivered over the plan period.

Paying for HIPs

- 5.9 HIPs will be delivered from contributions collected through CIL payments or secured through Section 106 agreements, depending upon the circumstances. Where schemes are exempt from paying CIL, there is likely to be a requirement to provide HIPs through Section 111, Section 106 Agreement or unilateral undertaking.
- 5.10 Some HIPs projects will be expected to be delivered directly by developers through on site provision. The types of potential projects are set out in Appendix A. Specific projects will be set out

in a Monitoring, Projects and Implementation Plan, regularly updated to ensure that there is a rolling five year programme of projects.

- 5.11 Where a settlement extension is allocated through a local plan or neighbourhood plan, the provision of a SANG will form part of the overall infrastructure provision of that site, particularly where settlement extensions or development on green field sites are proposed. Where a planning application which needs a HIP comes forward on an unallocated site, the applicant will need to ensure mitigation is secured, and may not necessarily rely on the Councils to secure mitigation through a financial contribution. The threshold for the number of homes that trigger the requirement to provide a SANG is around 50 unless stated differently in an existing adopted local plan for an area. Guidance for the provision of SANGs is set out in Appendices D and E.
- 5.12 In built up areas, opportunities to provide HIPs alongside large developments are more constrained than in rural areas. Because of this, approaches vary according to local circumstances; i.e. in one area a financial contribution towards a specific strategic HIP may be adequate, but in another area a bespoke HIP may be necessary for the Council to be certain that the urban effects can be mitigated and thereby planning permission granted. These considerations need to be resolved during the plan making stage to ensure certainty and deliverability of allocations. Each planning application will be considered on a case by case basis as the nature of some sites will enable the provision of a HIP within the scheme and again will depend upon the specific requirements of that area. Early engagement with the Councils and Natural England at pre-application stage is recommended.
- 5.13 The Councils are preparing new local plans for the two Council areas and these will replace the six current local plans. The process will review the different approaches in order to provide consistent advice in future iterations of this SPD. However, in the meantime the approaches have to be led by the policies set out in the adopted local plans for different parts of the BCP Council and Dorset Council areas.

Appropriate assessment of planning applications

- 5.14 As stated in paras 4.7-4.8, any additional residential development within 400 metre to 5km heathland area is likely to have a significant effect on the Dorset Heathlands either alone or in combination with other proposals. Therefore in accordance with the Habitats Regulations, the Councils will undertake a project level appropriate assessment when considering all planning applications where there is a net gain in homes within the 400 metre to 5km heathland area.
- 5.15 This SPD provides a strategic mitigation framework to enable applicants to secure the appropriate avoidance or mitigation measures to comply with local plan policy and thereby enable the Council to conclude through appropriate assessment that there is no adverse effect on the integrity of the Dorset Heathlands. For the majority of development mitigation can be secured in accordance with this strategic mitigation framework.
- 5.16 However there will be instances when the applicant will be required to provide further information and agree to further avoidance and mitigation measures to enable the Council to conclude there is no adverse effect. For example, possible adverse effects can be avoided by alterations to the design or through the use of conditions on planning permission and these will be set out in the appropriate assessment.
- 5.17 The Council after completing the appropriate assessment template will publish it alongside the determination of the planning application. The Councils application of the Habitats Regulations is in accordance with recent case law, e.g. Sweetman 2 (People over wind), Holohan and Dutch nitrogen, which all reinforce the need for a rigorous approach.

Securing mitigation in perpetuity

- 5.18 The Councils will be responsible for ensuring that CIL and planning obligations will be spent in a timely manner to ensure that mitigation is delivered in advance of occupation of new residential development.

- 5.19 The mitigation measures required to allow development will need to be in place whilst the adverse effects are arising. For residential development this means “in-perpetuity”, which for this strategy is considered as 80 years, and hence resources are secured accordingly. However, the element of monitoring established allows for the adjustment of measures in the future based upon the evidence gathered.
- 5.20 SAMMs funding is made available for the lifetime of development. Where provision of HIPs is on Council controlled sites the Council will through CIL and other contributions use these receipts to put in place and maintain projects. Where HIPs are provided by landowners or other third parties, mechanisms will need to be secured that ensure that mitigation is available in-perpetuity and also that funding is secured to maintain it.
- 5.21 Some projects may be supported for a short duration, e.g. where the proposals are effective and innovative or as appropriate where short term concerns may arise, e.g. the provision of BMX tracks. Future revisions to this document and the overall avoidance and mitigation strategy will investigate other means by which mitigation can be secured.

6. Monitoring and Implementation

- 6.1 The two Councils will use the contributions to deliver mitigation in a timely manner and ensure that mitigation is provided before first occupation of the property. Local organisations will be encouraged to complete the published template to submit projects and bid for funding.
- 6.2 Progress with mitigation will be set out in a Monitoring, Projects and Implementation Plan. The preparation of this plan will be overseen by an advisory group and will form part of the Council's requirements to publish an Infrastructure Funding Statement. The formation of the two new Councils provides the opportunity to review the delivery of mitigation. Currently mitigation is provided by a combination of the Urban Heaths Partnership, hosted by Dorset Council, and by each Council. The review is expected to be complete within 2 years.
- 6.3 Both Councils have declared a Climate Change Emergency and are preparing Action Plans to tackle the climate emergency. Mitigation projects should aim to provide multi-functional spaces that help to deliver these Action Plans and help the Councils achieve carbon neutrality or offsetting measures, provided the HIPs function as heathland mitigation. Furthermore all projects will need to align with the Council's other corporate objectives, and the relevant objectives of partner organisations, for example:
- as part of the Dorset Integrated Care System to ensure health and wellbeing through greater accessibility to open space; and
 - as part of the Dorset Local Nature Partnership to enhance ecological networks / Nature Recovery Networks and by achieving a net gain in biodiversity.

Appendix A: Possible Mitigation

The mitigation strategy consists of two parts. The tables below illustrate the possible type of measures the two Councils could implement to mitigate the impact. An advisory group will oversee the provision of a Monitoring, Projects and Implementation Plan. Some projects may require public consultation and Council sign off. Local organisations are encouraged to submit possible projects for consideration using the published template. The specific projects will be set out in the Monitoring, Projects and Implementation Plan and updated on an annual basis.

Part 1 provides an illustration of the type of measures that SAMMs contributions can be used for. The table sets out the type of pressure, the suggested action from Natural England's Site Improvement Plan (2014), the type of mitigation measure and the estimated annual cost.

Part 1 Types of Strategic Access Management and Monitoring (SAMMs) Measures

Type of pressure	Action from Site Improvement Plan	Possible Type of SAMMs Measure
Strategic Access Management		
Disturbance by humans and/or dogs	Prevent increases in damaging recreational pressures from new development	Employing wardens/rangers to manage visitor pressures on the heathland generated from development
		Employing education officers to raise awareness in schools, with local communities and out on the heaths.
Fire	Take appropriate measures to reduce the number and size of arson incidents and facilitate effective fire control	Review fire access across all heathlands and supporting measures for the fire service
		Employing education officers to raise awareness in schools, with local communities and out on the heaths.
Monitoring		
Disturbance by humans and/or dogs	Prevent increases in damaging recreational pressures from new development	Undertake surveys to detect any change in the numbers and behaviour of heathland users to provide information on which activities and locations may need better management. Could include the use of automated counters and general counts of visitors, visitor interviews and surveys
		Monitoring of protected birds and species
Fire	Take appropriate measures to reduce the number and size of arson incidents	Surveys and monitoring to ensure the mitigation measures are working.

Part 2 provides an illustration of the type of infrastructure projects that could be used to mitigate harm. The projects focus on attracting people away from protected heathlands. HIPS are physical infrastructure works, such as the provision of Suitable Alternative Natural Greenspace (SANGs) or enhancement of existing greenspaces to increase the attractiveness for visitors that would otherwise visit the Dorset Heathlands. The table sets out the type of disturbance, the suggested action from Natural England's Site Improvement Plan (2014), and the possible type of mitigation project. Project costs will be determined on a site by site basis.

Part 2 Possible Types of Heathland Infrastructure Projects (HIPs)

Pressure	Action from Site Improvement Plan	Possible Type of Project
Disturbance by humans and/or dogs	Prevent increases in damaging recreational pressures from new development	Provision of strategic SANGs, e.g. Upton Country Park, Hicks Farm, Woolslope Farm, Two Rivers Meet
		Developer led SANGs alongside settlement extensions, e.g. Canford Park
		Provide accessible routeways, gateways, viewing points, seating and waymarking.
		Improve access to non-designated sites e.g. Arrowsmith coppice, Delph Woods
		Improve linkages between SANGs and other green infrastructure, e.g. along the Stour Valley
		On-site and access management projects e.g. managing diffuse car parking, improved interpretation, enhancing access in appropriate locations, e.g. Arne, Stoborough & Hartland heathland complex
		Provision of BMX facilities to reduce impacts of BMX usage on nearby heaths
		Provision of heathland support areas around protected sites to dissipate the impacts and make sites more robust e.g. Sunnyside farm, Wheelers Lane, Soldiers Road
		Increasing capacity and attractiveness of existing open spaces including creation of new routes, clearing, signage, small car park, seating and interpretation display
Disturbance by dogs	Prevent increases in damaging recreational pressures from new development	Creation of dog friendly areas to provide alternative secure location for dog owners to train and exercise their dogs
		Managing access to open space for dog walking
Fire	Take appropriate measures to reduce the number and size of arson incidents	On site management and alerting the public at high risk times as well as dealing with generic issues such as BBQs and fire access for emergency services.

Appendix B: Advice for Different Uses

There are forms of development which are not specifically mentioned in this SPD that may cause additional harm and these will be considered on a case by case basis. Therefore, before submitting a planning application, applicants are encouraged to seek early engagement with the respective Council or Natural England.

The table below sets out different uses and whether they are likely to cause a significant effect alone or in combination upon the Dorset Heathlands:

Use	Likely significant effect	Allowed in 400m area?	Allowed in 400m-5km area?	Mitigation	Contribution
<i>Use Class C1 – hotels, guest houses</i>	Yes possibly	Depends	Yes	Case by case basis	1 room = 1 flat
<i>Use Class C2 – specialist housing, i.e. assisted living</i>	Yes	No	Yes	Contribution as per C3 housing /no publicly available parking capacity	1 room = 1 flat
<i>Use Class C2 – Specialist housing, i.e. sheltered housing / nursing home</i>	No	Yes	Yes	No publicly available parking capacity	n/a
<i>Use Class C2 – residential institutions, i.e. boarding schools, residential colleges and training centres</i>	Yes	Depends	Yes	Contribution as per C3 housing / no publicly available parking capacity	1 room = 1 flat
<i>Use Class C2 – residential institutions, i.e. hospitals,</i>	No	Yes	Yes	No publicly available parking capacity	n/a
<i>Use Class C3 – net additional dwelling</i>	Yes	No	Yes	As set out in this SPD	Per house or flat
<i>Use Class C3 – replacement dwelling</i>	No	Yes	Yes	No	n/a
<i>Use Class C3 – extension or granny annex</i>	Yes	No, if a separate functional unit	Yes	No	As per a flat
<i>Use Class C3 – retirement dwellings</i>	Yes	No	Yes	Contribution as per C3 housing	Per house or flat
<i>Use Class C4 – HMO <6 residents</i>	Yes	No	Yes	Contribution as per C3 housing	HMO = 1 house
<i>Houses in Multiple Occupation (HMO) (Sui generis over 6 residents)</i>	Yes	No	Yes	Contribution as per C3 housing	Every extra room >6 residents is: 1 room = 1 flat
<i>Self-catering, caravan, chalet and touring holiday accommodation</i>	Yes	No	Yes	HIP for larger scheme / contribution as per C3 housing for smaller schemes	Provide a HIP or 1 unit =60% of 1 flat
<i>Gypsies and Travellers</i>	Yes	No	Yes	Contribution as per C3 housing	1 pitch = 1 flat
<i>University managed student accommodation</i>	Yes	No	Yes	Contribution as per C3 housing. Exemptions for large scale managed student accommodation.	Each self contained cluster flat or studio = 1 flat

Further information about some of the uses listed above:

Use Class C1 - Hotels

The nature of hotel users is highly variable and within the 400m area cases will be treated on a case by case basis with advice from Natural England.

Use Class C2 – specialist housing, i.e. assisted living, extra care

Assisted living or extra care housing, where the occupants are still active, is comparable to residential flats. Such schemes are not permissible within the 400 metre heathland area. Between 400m and 5km area the development will be expected to demonstrate how it will provide mitigation in accordance with this SPD. Mitigation will also be required for any net increase in on-site staff residential accommodation.

Use Class C2 – Specialist housing, i.e. sheltered housing / nursing homes

Certain types of specialist purpose built nursing homes where residents are no longer active will not have a significant effect and do not need to provide mitigation, e.g. where nursing care is necessary such as for advanced dementia or physical nursing needs:

- Purpose built schemes for the frail elderly where there is an element of close care provided on site 24 hours a day. This level of care is above that of provision of an on-site wardening service provided for sheltered accommodation. It would be expected that there would normally be an age restriction of 60+ years for the occupants of the units and that the planning permission would be conditioned in such a way that the units could not become open market housing. Experience from schemes of this nature indicates that in order to provide 24 hour care the minimum number of units is generally around 40 and the scheme will also have communal facilities. Authorities should consider requiring a covenant precluding pet ownership where it is in their view an effective measure in reducing the risk of adverse effects of predation and disturbance.
- Purpose built schemes for the accommodation of disabled people, for example a care home for people with dementia, where by the nature of the residents' disabilities, they are unlikely to have any impact on the adjacent protected heaths.

Any planning application would need to be supported by an impact assessment with details of how the potential impacts resulting from staff and visitors will be mitigated. It may be necessary to use pet covenants or other suitable legally binding agreements in these specific situations. Planning conditions would be necessary to ensure that pressure from residents to own pets is an acceptable risk and that enforcement is achievable, i.e. there is 24 hour supervision. Possible conditions:

- The applicant/management body will provide a biannual written confirmation to the Council detailing the compliance with the pet covenant, the number of residents and their age.
- The applicant/management body will prevent, through design and enforcement measures, the use of on-site car parking for public use for accessing nearby heathlands.

Such schemes are not required to provide mitigation as the nature of the residents is such that they will not be expected to leave the property to access heathland.

Retirement homes where the occupants/partners are still active and/or proposals that would lead to a net increase in on-site staff residential accommodation would not be allowed.

Use Class C2 – residential institutions, i.e. hospitals

Generally hospitals would not be considered to have a likely significant effect with regard to recreational impacts and could be allowable within 400 metre heathland area.

Houses in Multiple Occupation (HMO)

There is no evidence to demonstrate that residents of HMOs would be likely to have any level of recreational access need which is substantially different to residents in Use Class C3 dwellings. Therefore any net additional rooms in HMOs over 6 existing residents will not be allowed within 400 metre heathland area.

Between 400 metres and 5km mitigation will be needed in accordance with this SPD. Due to the permitted interchangeability of C3 dwellings and C4 HMOs, C4 HMOs are treated as a single dwelling if there is provision for up to 6 residents. However for proposals where there would be more than 6 residents (sui generis) mitigation will be necessary. Each additional occupied room will be required to provide mitigation in accordance with this SPD equating to one flat per additional room, i.e. a proposal for a 7 room HMO will be assumed to result in one additional room and will have to provide a financial contribution equating to a flat. This is because more than 6 unrelated people in a single dwelling significantly exceeds the average expected occupancy of any single dwelling.

Self-catering, caravan and touring holiday accommodation applications

Self-catering and touring proposals are likely to have broadly similar impacts upon the heathland to those arising from residential development. Whilst individual applicants may seek to reduce some of the impacts e.g. by restricting pets there is considerable uncertainty about whether, over time, such agreements would be effective and therefore such proposals cannot be supported. The restriction of pet ownership does not in any case restrict all impacts likely to arise. Therefore any net increase in self-catering and touring proposals will not be allowed within 400 metre heathland area.

Between 400 metres and 5km mitigation it will be necessary for:

- Larger proposals to provide bespoke mitigation in the form of HIPS; and
- Small numbers of additional units, to provide mitigation through the contribution policy offered by the SPD. For the Purbeck Local Plan area, in cases where CIL doesn't apply, the preference will be for mitigation measures to be provided as part of the development package.

In calculating financial contributions we will assume a 60% occupancy to take account of seasonal fluctuations and average occupancy (both SAMMs and HIPS). Therefore only 60% of the contribution will be necessary. Applicants can challenge this assumption, but will need to provide evidence to demonstrate that the occupancy level will be different.

Gypsies and Travellers

There is no evidence to demonstrate that the occupants of permanent or transit sites for gypsies and travellers would be likely to have any level of recreational access need which is substantially different to residents in Use Class C3 dwellings. Therefore any net increase in gypsy and travellers accommodation will not be allowed within 400 metre heathland area. Between 400 metres and 5km mitigation will be needed in accordance with this SPD with each pitch equating to one flat.

Purpose built student accommodation

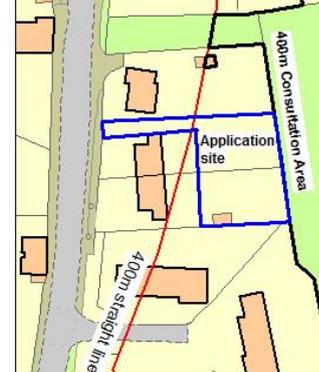
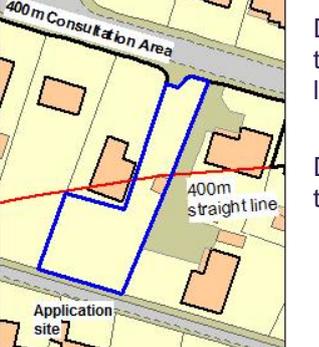
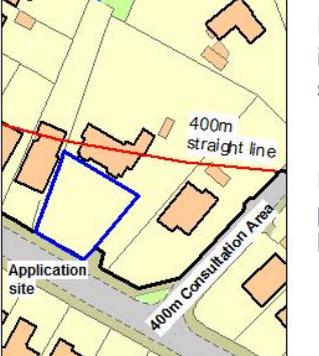
There is no evidence to demonstrate that the occupants of student accommodation would be likely to have any level of recreational access need which is substantially different to residents in Use Class C3 dwellings. Therefore student accommodation would not be allowed within 400 metre heathland buffer.

Between 400 metres and 5km mitigation the effects from large managed blocks of student accommodation on campus are likely to be different from those of C3 residential development. The self-contained facilities available on campus, restrictions on dog ownership and the day to day management of student halls may therefore provide a degree of certainty that there will not be significant effects on protected heathlands. These types of development may not be required to provide heathland mitigation if the Councils can be assured that units will remain as managed student accommodation. .

Other student housing, i.e. off campus student blocks or smaller developments may not be able to provide the Councils with the same level of assurance and the provision of heathland mitigation will be therefore be applicable. There is an expectation that occupancy (such as switching to non-students) and dog ownership will be less controlled.

Appendix C: 400m Consultation Area

The 400 metre heathland area is drawn as a straight line (red) around the edge of each protected heathland site. The principle objective is to ensure that there is no net increase in residential units including their curtilage within the straight line 400m area. Natural England has mapped a 400 metre consultation area (black) to align with curtilages. Some examples are presented below to assist in the consideration of proposals. The application sites, edged blue, all fall in the 400m consultation area whereby Natural England will need to be consulted.

No	Example	
1		<p>Description: The heathland lies to the left side of the plan and the two properties fall within the consultation area, the site is accessed into the 400m area.</p> <p>Decision: Not allowed. The access point, hence curtilage for the new dwellings brings residents into the 400m straight line heathland area, closer to the protected heathland.</p>
2		<p>Description: The heathland lies to the left side of the plan, the existing property lies in the 400m consultation area, the site is accessed away from the 400m area.</p> <p>Decision: Allowed. There is no net increase in dwellings in the 400m straight line area and access does not lead into this area. The existing and proposed dwellings are within the 400m consultation area but the proposed dwelling would fall outside the 400m straight line heathland area.</p>
3		<p>Description: The heathland lies to the bottom of the plan, the existing property lies in the 400m consultation area, the site is accessed from outside of the 400m straight line heathland area.</p> <p>Decision: Not allowed. The net effect of this proposal is an increase in dwellings in the 400m straight line heathland area.</p>
4		<p>Description: The heathland lies to the top of the plan, the existing large property lies in the 400m consultation area, and the site is accessed from outside the 400m straight line heathland area.</p> <p>Decision: Allowed. The existing large plot is in the 400m heathland area but a new plot is located and accessed wholly outside the 400m straight line area. This will not lead to an increase in dwellings in the 400m straight line heathland area.</p>

Appendix D: Guidelines for the establishment of Suitable Alternative Natural Greenspace (SANG) Quality Standards for the Dorset Heaths

Introduction

'Suitable Alternative Natural Greenspace' (SANG) is the name given to green space that is of a quality and type suitable to be used as mitigation for applications likely to affect the Dorset Heathlands European and internationally protected sites. The provision of SANGs is one of a range of mitigation measures, which the Councils and Natural England consider offer an effective means of avoiding or mitigating harm from a number of urban effects.

The role of SANGs is to provide alternative green space to divert visitors away from the Dorset Heathlands. SANGs are intended to provide mitigation for the likely impact of residential type developments on the Dorset Heathlands by preventing an increase in visitor pressure. The effectiveness of SANGs as mitigation will depend upon its location and design. These must be such that the SANGs is more attractive than the Dorset Heathlands to visitors of the kind that currently visit them.

These guidelines describe the features which have been found to draw visitors to the Dorset Heathlands, which should be replicated in SANGs:

- the type of site which should be identified as SANGs; and
- measures which can be taken to enhance sites so that they may be used as SANGs

These guidelines relate specifically to the means to provide mitigation for development of a residential nature within or close to 5km of the Dorset Heathlands. They do not address nor preclude the other functions of green space (e.g. provision of disabled access). Other functions may be provided within SANGs, as long as this does not conflict with the specific function of mitigating visitor impacts on the Dorset Heathlands.

SANGs may be created from:

- existing open space of SANGs quality with no existing public access or limited public access, which for the purposes of mitigation could be made fully accessible to the public;
- existing open space which is already accessible, but could be changed in character so that it is more attractive to the specific group of visitors who might otherwise visit the Dorset Heathlands; and
- land in other uses which could be converted into SANGs.

The identification of SANGs should seek to avoid sites of high nature conservation value which are likely to be damaged by increased visitor numbers. Such damage may arise, for example, from increased disturbance, erosion, input of nutrients from dog faeces, and increased incidence of fires. Where sites of high nature conservation value are considered as SANGs, the impact on their nature conservation value should be assessed and considered alongside the relevant planning policy.

The character of the Dorset Heathlands and its visitors

The Dorset Heathlands are made up of 42 Sites of Special Scientific Interest, and consists of a mixture of open heathland and mire with some woodland habitats. The topography is varied with some prominent viewpoints. Many sites contain streams, ponds and small lakes and though some have open landscapes with few trees others have scattered trees and areas of woodland. Most sites are freely accessible to the public though in some areas access is restricted by army, or other operations.

Surveys have shown that about half of visitors to the Dorset Heathlands arrive by car and about half on foot. Where sites are close to urban development around Poole and Bournemouth, foot access tends to be most common. On rural sites in Purbeck and East Dorset, more visitors come by car. Some 75% of those who visited by car had come from 5.3km of the access point onto the heathlands. A very large proportion of the Dorset Heathland visitors are dog walkers, many of whom visit the particular site on a regular (i.e. multiple visits per week) basis and spend less than an hour there, walking on average about 2.3km.

Guidelines for the quality of SANG

The quality guidelines have been sub-divided into different aspects of site fabric and structure. They have been compiled from a variety of sources but principally from visitor surveys carried out at heathland sites within the Dorset Heathlands and the Thames Basin Heaths.

The guidelines concentrate on the type of SANGs designed principally to cater for heathland dog walkers. Other important heathland mitigation measures, for example, facilities designed to attract motor cycle scramblers or BMX users away from heathlands or facilities for adventurous play for children are not covered specifically and will need to be considered on a case by case basis.

The principle criteria contained in the Guidelines have also been put into a checklist format which can be found in a table at the end of this appendix.

It is important to note that these Guidelines only cover the Quality of SANG provision. There are a number of other matters that will need to be agreed with Natural England and the Council including; Provision of in-perpetuity management of the SANG, SANG capacity, and other avoidance and mitigation measures as necessary.

Accessibility - reaching the SANG

Most visitors reach the Dorset Heathlands either by foot or by car and the same will apply for SANGs. Thus SANGs may be intended principally for the use of a local population living within a 400 metre catchment around the site; or they may be designed primarily to attract visitors who arrive by car (they may also have both functions).

SANG design needs to take into account the anticipated target group of visitors. For example, where large populations are close to the Dorset Heathlands the provision of SANGs may need to be attractive to visitors on foot.

SANGs co-located with developments are the preferred option so people can walk or cycle to them. The requirement for car parking with SANGs will be considered

If intended to attract visitors arriving by car, the availability of adequate car parking is essential. Car parks may be provided specifically for a SANG or a SANG may make use of existing car parks but some existing car parks may have features incompatible with SANG use, such as car park charging. The amount and nature of parking provision should reflect the anticipated numbers and mode of arrival by visitors to the site and the catchment size of the SANGs. It is important that there is easy access between the car park and the SANG i.e. this is not impeded by, for example, a road crossing. Thus such SANGs should have a car park with direct access straight on to the SANG with the ability to take dogs safely from the car park to the SANG off the lead. Similarly, the nature of foot access between urban development and a SANG is important and green corridors reaching into the urban area can be an important part of facilitating access to the SANG. Key points:

- 1. Sites must have adequate free parking for visitors, unless the site is intended for local pedestrian use only, i.e. within easy walking distance (400m as a straight line) of the developments linked to it. The amount of car parking space should be determined by the anticipated numbers using the site and arriving by car. One space per hectare of SANG is a useful guideline.*
- 2. Car parks must be easily and safely accessible by car, be of an open nature and should be clearly sign posted.*
- 3. There should be easy access between the car park or housing and the SANG with the facility to take dogs safely from the car park to the SANG off the lead.*
- 4. Access points should have signage outlining the layout of the SANGs and the routes available to visitors.*

Paths, Tracks and other SANG Infrastructure

SANGs should aim to supply a choice of circular walking routes that provide an attractive alternative to those routes on heathlands in the vicinity (i.e. those heaths that the SANG is designed to attract visitors away from). Given the average length of walks on heathland, a circular walk of 2.3-2.5km in length is

necessary unless there are particular reasons why a shorter walk is considered still appropriate. Where possible a range of different length walks should be provided; a proportion of visitors walk up to 5km and beyond so walking routes longer than 2.5 km are valuable, either on-site or through the connection of sites along green corridors.

Paths do not have to be of any particular width, and both vehicular-sized tracks and narrow paths are acceptable to visitors although narrow corridors where visitors/dogs may feel constrained should be avoided. The majority of visitors come alone and safety is one of their primary concerns. Paths should be routed so that they are perceived as safe by the visitors, with some routes being through relatively open (visible) terrain (with no trees or scrub, or well-spaced mature trees, or wide rides with vegetation back from the path), especially those routes which are 1-3 km long.

A substantial number of visitors like to have surfaced but not tarmac paths, particularly where these blend in well with the landscape. This is not necessary for all paths but there should be some visitor-friendly, all weather routes built into the structure of a SANGs, particularly those routes which are 1-3 km long. Boardwalks may help with access across wet areas but excessive use of boardwalks, as may be necessary on sites which are mostly wet or waterlogged such as flood plain and grazing marsh, is likely to detract from the site's natural feel.

Ideally SANGs should be available for year round use, to establish people's behaviours too utilise this mitigation rather than visit heathland. However flooding events generally do not coincide with the bird nesting season (March-July) when the adverse effect of people upon protected birds is most sensitive. The short periods of flooding must be weighed against the quality and natural attributes of riverside access. Land in the Stour floodplain, for example, provides for multiple green infrastructure benefits and is located within easy reach of nearby urban areas.

Other infrastructure specifically designed to make the SANG attractive to dog walkers may also be desirable but must not detract from a site's relatively wild and natural feel. Measures could include accessible water bodies for dogs to swim/drink; dog bins, fencing near roads/car-parks etc. to ensure dog safety, clear messages regarding the need to 'pick-up', large areas for dogs to be off lead safely, , dog training areas may be appropriate in larger SANGs:

5. *Paths must be easily used and well maintained but most should remain unsurfaced to avoid the site becoming too urban in feel.*
6. *A majority of paths should be suitable for use in all weathers and all year around. Boardwalks may be required in wet sections.*
7. *All SANGs with car parks must have a circular walk which starts and finishes at the car park.*
8. *It should be possible to complete a circular walk of 2.3-2.5km around the SANGs, and for larger SANGs a variety of circular walks*
9. *SANGs must be designed so that visitors are not deterred by safety concerns.*
10. *SANGs should have good green infrastructure links with nearby developments to encourage use of the SANG*

Advertising - making people aware of the SANG

The need for some advertising is self-evident. There should be clear reference to the SANG being provided as an alternative for local people who might otherwise assess the nearby heathlands.

11. *SANGs should be clearly sign-posted and advertised.*
12. *Leaflets and/or websites advertising their location to potential visitors should be produced and provided at the sales office of the new development, to the new homeowners and be made available at entrance points and car parks.*

Landscape and Vegetation

The open or semi wooded and undulating nature of most of the Dorset Heathland sites gives them an air of relative wildness, even when there are significant numbers of visitors on site. SANGs must aim to reproduce this quality using native species to contribute to a net gain in biodiversity, but do not have to

contain heathland or heathy vegetation. Surveys in the Thames Basin heath area show that woodland or a semi-wooded landscape is a key feature that people who use the SPA there appreciate. Deciduous woodland is preferred to coniferous woodland.

In these circumstances a natural looking landscape with plenty of variation including both open and wooded areas is ideal for a SANG. There is clearly a balance to be struck between what is regarded as an exciting landscape and a safe one and so some element of choice between the two is desirable.

Hills do not put people off visiting a site, particularly where these are associated with good views, but steep hills are not appreciated. An undulating landscape is preferred to a flat one. Water features, particularly ponds and lakes, act as a focus for visitors for their visit, but are not essential. The long term management of the SANG habitats should be considered at an early stage. Particularly for larger SANGs, and those with grasslands, grazing management is a complementary option.

A number of factors can detract from the essential natural looking landscape and SANGs that have an urban feel, for example where they are thin and narrow with long boundaries with adjoining urban development or roads, are unlikely to be effective:

13. *SANGs must be perceived as natural spaces without intrusive artificial structures, except in the immediate vicinity of car parks. Visually-sensitive way-markers and some benches are acceptable.*
14. *SANGs must aim to provide a variety of habitats for visitors to experience (e.g. some of: woodland, scrub, grassland, heathland, wetland, open water).*
15. *Access within the SANGs must be largely unrestricted with plenty of space provided where it is possible for dogs to exercise freely and safely off lead, but under control so as not to deter others.*
16. *SANGs must be free from unpleasant visual, auditory or olfactory intrusions (e.g. derelict buildings, intrusive adjoining buildings, dumped materials, loud intermittent or continuous noise from traffic, industry, sewage treatment works, waste disposal facilities).*

Site Quality Checklist

Features		Current	Future
Access			
1	Sites must have adequate parking for visitors, unless the site is intended for local pedestrian use only, i.e. within easy walking distance (400m as a straight line) of the developments linked to it.		
2	Car parks must be easily and safely accessible by car, be of an open nature and be clearly sign posted.		
3	There should be easy access between the car park or housing and the SANG with the facility to take dogs safely from the car park to the SANG off the lead.		
4	Access points should have signage showing the SANGs layout and the routes available.		
Paths, Tracks and Infrastructure			
5	Paths must be easily used and well maintained but most should remain unsurfaced to avoid the site becoming too urban in feel.		
6	Most paths should be suitable for use in all weathers and all year around. Boardwalks may be required in wet sections.		
7	SANGs with car parks must have a circular walk which starts and finishes at the car park.		
8	A circular walk of 2.3-2.5km around the SANGs is available - for larger SANGs a variety of circular walks created		
9	It must be designed so that visitors are not deterred by safety concerns		
10	Good green infrastructure links with nearby development to encourage use of SANG		
Advertising and marketing of the SANG			
11	It should be clearly sign-posted and advertised		
12	Leaflets and/or websites advertising their location to potential visitors should be produced and provided at the sales office of the new development and to the new homeowners		
Landscape and vegetation			
13	They must be perceived as natural spaces without intrusive artificial structures, except in the immediate vicinity of car parks. Visually-sensitive way-markers and some benches are acceptable		
14	They must aim to provide a variety of habitats for visitors to experience (e.g. some of: woodland, scrub, grassland, heathland, wetland, open water)		
15	Access within the SANGs must be largely unrestricted with plenty of space provided where it is possible for dogs to exercise freely and safely off lead but under control so as not to deter others.		
16	They must avoid where possible unpleasant visual and auditory intrusions (e.g. derelict buildings, intrusive adjoining buildings, dumped materials, loud intermittent or continuous noise from traffic, industry, sewage treatment works, waste disposal facilities).		

Appendix E: SANGs planning application principles

The following details will be required at the time at which a proposal is considered, this may be either at outline or a full application where outline has not been submitted:

1. SANG maintenance and function should be secured and demonstrated to be in place for perpetuity.
2. Applications for developments requiring a SANG are likely to require a Change of Use application for the SANG itself. This may be done through a separate planning application.
3. When the Council considers the application for the development that the SANG is designed to mitigate it will need to be certain that the SANG:
 - meets the SANG criteria;
 - is deliverable, i.e. ownership and appropriate management is secured;
 - can be managed in a suitable condition in perpetuity; and
 - will be monitored for the first 5 years.

This typically involves a draft Section 106 Agreement, an implementation plan, long-term management plan and monitoring arrangements being submitted for agreement with Natural England and the Council.

4. Where the application for development is at an outline stage the applicant will need to provide sufficient information on the SANG to allow the SANG proposal to be considered.
5. The SANG land will have been assessed for its biodiversity features and the applicant will have confirmed that the proposal will not in principle lead to net harm to biodiversity. Where harm to biodiversity features is predicted then the capacity of the SANG will need to be adjusted.
6. A full SANG management plan will be required as part of a reserved matters/planning condition application if not previously provided at outline stage. This will set out the implementation and maintenance of the SANG – it will record initial infrastructure (photographically) and management objectives by compartment. This will allow for future evolution of the SANG within the broad SANG criteria rather than a rigid approach.
7. If part or all of the SANG is already accessible to the public a visitor survey will need to be submitted as part of the application (outline or full where no-outline is submitted), and the SANG capacity discounted if necessary
8. Where a SANG is not co-located with a residential proposal, Natural England will provide advice to the applicant concerning the SANG capacity/catchment on a case by case basis.

Natural England will provide written confirmation to the Council that the proposed measures (SANG, SAMM) are appropriate to secure the necessary avoidance and mitigation measures and have been secured for a duration proportionate to the timescale of the development's effects.

SANG Visitor Monitoring

Large developments may come forward in phases, monitoring should commence prior to the occupation of the first dwelling where there is existing public use. It need not be when the land has no existing public access. Monitoring should be phased at two/three years after each substantive phase and also at five years after the development is completed. It may be the case that monitoring will need to include nearby heathland sites. The primary aims of visitor monitoring are to inform the SANG delivery and allow for adjustments as well as demonstrating the SANGs functionality and use by existing local residents. Effective monitoring will provide a robust baseline which can be observed in future strategic monitoring events.

After five years from the final phase of a development ongoing SANG monitoring will be incorporated into the ongoing SAMM programme on a strategic basis.

SANG monitoring methodology may include visitor questionnaires, remote sensors and observational studies. All SANG monitoring raw data should be made readily available to the authority as part of the wider Heathland Monitoring Strategy. All monitoring will need to be at least consistent with existing questionnaire methodology and automatic recording approaches.

Strategic Access Management and Monitoring (SAMM)

The provision of SANG within walking distance of a new development provides one important element of the required long term avoidance/mitigation strategic approach in SE Dorset. The SANGs however are not intended to avoid all new residents accessing the protected sites, rather to enable a neutral level of visitor pressure with an equal proportion of existing heathland users being diverted. It is therefore necessary for applicants to secure SAMM relative to the level of residential development. As for SANGs the mitigation needs to be secured in perpetuity.

Information required	Outline	Full	Provided
SANG maintenance and function should be secured and demonstrated to be in place for perpetuity.	✓	✓	
Change of Use application for the SANG		✓	
Natural England confirms it meets the SANG criteria	✓	✓	
SANG is deliverable (ownership/control and management secure)	✓	✓	
Can be maintained in perpetuity	✓	✓	
Will be monitored for 5 years from completion		✓	
Draft S106 provided	✓		
Full S106 provided		✓	
Assessment of Biodiversity features of SANG	✓	✓	
SANG layout/masterplan	✓	✓	
SANG management plan/costed		✓	
If site has existing public access, visitor survey provided	✓	✓	
SANG monitoring strategy, agreed with LPA/Natural England		✓	
SANG Monitoring post each development phase (large developments)		✓	
SAMM contribution can be met	✓	✓	
Natural England confirms measures required are secured pre-submission (desirable)	✓	✓	

This checklist is to assist applicants preparing the necessary information and there are likely to be exceptions depending on the size and complexity of the application. Early engagement, where possible, can reduce delays.

Appendix F: Permitted Development / Prior Approvals

The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (GPDO) enables certain types of development to take place without the need for specific planning permission, provided certain criteria are met. For example, the change of use of an office to a dwelling.

Article 3(1) of the GPDO, by incorporating regulations 75-78 of the Conservation of Habitats and Species Regulations 2017 (the Habitats Regulations), imposes a condition requiring prior approval under these Regulations, that the local planning authority is satisfied that there is no adverse effect on the integrity of any European site, before permitted development can go ahead. Regulation 75 states:

General development orders

75. It is a condition of any planning permission granted by a general development order made on or after 30th November 2017, that development which—

(a) is likely to have a significant effect on a European site or a European offshore marine site (either alone or in combination with other plans or projects), and

(b) is not directly connected with or necessary to the management of the site,

must not be begun until the developer has received written notification of the approval of the local planning authority under regulation 77 (approval of local planning authority).

As set out in this SPD, additional residential development is likely to have a significant effect on the Dorset Heathlands either alone or in combination with other proposals. Therefore in accordance with the regulations above the Council is obliged to undertake appropriate assessment and secure suitable mitigation in accordance with this SPD..

In practice the process generally involves the applicant seeking Prior Approval from the Council for the change of use. When determining the Prior Approval the Council will provide a form for the applicant to complete. This form has to be submitted and approved by the Council before work on developing the site can commence.

In cases outside of the 400m area the position can be overcome as follows:

BCP Council, and for Dorset Council the area covered by the North Dorset Local Plan – by the submission alongside the form of a unilateral agreement (S106 Agreement) or upfront contribution (S111) to provide mitigation in accordance with this SPD. Until suitable avoidance/mitigation is secured the authority will not be able to inform applicants that the proposal can be implemented.

Dorset Council (except for the area covered by the North Dorset Local Plan) – the applicant can rely on Dorset Council to fund the necessary mitigation from the wider CIL pot, at no extra cost to the applicant.

Appendix G: Model Clauses for Planning Obligations

There is a standard clause for either an agreement or unilateral undertaking as follows:

“the Dorset Heathland contribution” means the sum of () thousand () hundred and () Pounds increased by the percentage (if any) by the Retail Price Index shall have increased between the date of publication prior to the date of this Deed and the date of payment together with an administrative fee of £(pounds) towards measures which avoid or mitigate against any adverse effect of the Development on the Dorset Heathlands in accordance with the Dorset Heathlands Planning Framework Supplementary Planning Document 2020 - 2025. For the avoidance of doubt such sum or any part of thereof shall not be reimbursed to the party or to any other party”.

The obligation could then be worded:

“The Owner hereby Covenants with the Council that he will not cause or permit the commencement of the development on the land until the Dorset Heathlands Contribution has been paid to the Council.”

For strategically significant sites delivering large numbers of residential units the obligation may be worded differently to reflect payment of the contribution on a phased basis.

Dorset Heathlands Planning Framework 2020-2025 SPD Consultation Report January 2020

BCP Council and Dorset Council consulted jointly on the Draft Dorset Heathlands Planning Framework Supplementary Planning Document (SPD) for 4 weeks from 3 January to 3 February 2020. The Councils contacted everyone who registered an interest in being contacted about local planning consultations. The Communications teams raised awareness through social media and a press release. Hard copies of the SPD were displayed in every library in the BCP Council and Dorset Council areas and the SPD was available on both Council's websites.

The consultation attracted 115 responses as set out in the consultation report at Appendix 2, of which 62 responses were from organisations and 53 responses were from the public. The two tables below, one for organisations and one for members of the public provide a brief summary of the comment, an officer response and where relevant, actions for the SPD.

Responses from organisations:

Respondent	Comment	Officer response
Action 4 Alderholt	<ul style="list-style-type: none"> Carbon emissions and Climate Control should weigh very heavily on any future development plans with all future new housing situated on brownfield sites as close as possible to existing public transport routes, existing infrastructure, existing public services and existing employment opportunities, effectively ruling out remote greenfield sites. 	<ul style="list-style-type: none"> Noted, this is an issue for the local plan and not relevant to the SPD
Amphibian & Reptile Conservation	<ul style="list-style-type: none"> Remain supportive of the Dorset Heathlands Planning Framework which continues to provide an effective balance between development and mitigating the impact on the heathland environment. Fully support the policies to avoid and limit impact to identified habitats and ecological networks i.e. Dorset's Ecological Networks. However, remain concerned with the ongoing loss of these ecological networks e.g. the loss of the potential habitats between Parley-Merritown heaths. The more urban SSSIs are progressively becoming more isolated. Therefore need to safeguard additional zones of retained habitats around isolated SSSIs. To comply with NPPF 174 it is essential that actual and potential ecological networks are safeguarded within Local Plans to ensure that these SSSIs do not continue to lose their functionality and resilience within the landscape via successive development. Development continues to isolate some of the SSSI series e.g. Canford, Ferndown, Parley and Talbot Heath with a loss of function, structure and resilience of these protected habitats at a landscape level. For example large-scale development in: <ul style="list-style-type: none"> North Poole is encroaching on an area classified as a potential ecological 	<ul style="list-style-type: none"> Support noted. Acknowledge the concerns raised. The emerging local plans will have to look carefully at the role of ecological networks.

Respondent	Comment	Officer response
	<p>network, isolating Canford Heath and not clear Canford SANG will be effective.</p> <ul style="list-style-type: none"> ○ Talbot Village - TV3 should have been restored to heath to reconnect and improve resilience. There is a failure to achieve net gain in biodiversity and a proposed SANG adjacent to SSSI is inappropriate. Reduce the TV2 footprint and increase the SANG. ○ Ferndown SSSI is becoming isolated and not effective to manage, e.g. arson. ● Further emphasis should be given to define and safeguard areas that may currently be of poor ecological quality, e.g. as new Green Belt. ● Concerned that some use class continues to allow development adjacent/within 400m of protected heathland, and that some of these use classes remain inappropriate e.g. student accommodation. ● Agree that large scale development have binding agreements, e.g. SANGs should be completed before the development is occupied. Mitigation or compensation must be of sufficient extent and quality to offset loss and provide ecological gain, and enforced. ● Poor quality evidence from ecological consultants is a concern on which planning applications are proposed. Furthermore monitoring to assess the effectiveness of mitigation and compensation schemes remains insufficient. ● Harmful invasive non-native species continue to be planted within development schemes, to the direct detriment of SSSI and ecological networks. 	
Arne Parish Council	<ul style="list-style-type: none"> ● Arne Parish Council has considered the proposal and members would like to stress that they would not wish to see any form of relaxing of the 400m heathland mitigation zone. 	<ul style="list-style-type: none"> ● Comment noted
Blandford Forum Town Council	<ul style="list-style-type: none"> ● The Town Council feel that this is a strongly evidenced document that has considered the factors involved in mitigation of development near and in heathland areas. ● We therefore broadly welcome the findings of the document and note that it is a national strategy applied to the whole Dorset area. ● We particularly welcome the continuance and possible creation of SANGS and would wish to see such areas developed more fully into 'semi-wilded' recreational spaces, which will add to biodiversity and help mitigate climate change. They should never be merely a dog-walking area. ● As climate change becomes a more urgent agent in the life of both heathlands and SANGS, we feel that examination of fire precautions needs to be investigated and if necessary, sufficiently strengthened as a preventative measure.' ● Recognise the necessity for levying CIL contributions to SAMMS which will further mitigate impact on sensitive heathland environments. 	<ul style="list-style-type: none"> ● Support noted. ● Note that the strategy only covers the 5km area around heathlands so does not cover the full extent of Dorset. Furthermore the area formerly within North Dorset District does not have CIL so will require planning obligations (S106 Agreements) unlike the rest of Dorset where CIL is in place. ● Mitigation of the adverse impacts caused by fire is included as possible measure and the Councils will be looking to identify such projects.

Respondent	Comment	Officer response
	<ul style="list-style-type: none"> Note that CIL contributions will be levied on new developments within the southern part of the North Dorset area as a result of the mitigation criteria. Although clearly not the purpose of the document, clarity on identified sites for development would enable some assessment of impact on sensitive areas to occur. A spatial strategy that spreads the impact of developments across the whole region would lessen immediate impact on nearby social and retail centres such as Wimborne and Christchurch. 	
The Blandford Group Practice	<ul style="list-style-type: none"> Support the strategy to protect these valuable heathlands and to restrict building in these areas. As a GP Practice we feel we need to promote the protection of valuable outdoor space and our natural environment as this is key to people living healthier lives both from a physical and a mental perspective. There is extensive scientific evidence supporting links to having good access outdoor space / natural environment to the state of the health and wellbeing of the local population. In light of the recent events in Australia, it is prudent not to build too close to heathland as by their nature they are prone to be highly combustible (natural and deliberate)! 	<ul style="list-style-type: none"> Support noted
Bourne Leisure	<ul style="list-style-type: none"> Current planning policy presupposes the protected habitat is in good condition and being managed effectively in a way consistent with the European Site Conservation Objectives. This 'blanket policy approach' is insufficiently nuanced, and instead proposed new development and bespoke mitigation solutions should be considered on a case-by-case basis, in terms of two interrelated aspects: <ul style="list-style-type: none"> the nature of the use proposed and how it can be managed to avoid adverse impacts on heathland areas; and potential benefits arising from such development, including funding to maintain and enhance heathland areas. Planning policy restrictions threaten the future of the Holiday Park, and a funding source to contribute to regenerating Ham Common, which is in an unfavourable condition. A bespoke solution can be developed for Rockley Park that protects the integrity of Ham Common SPA, helps to regenerate the declining state of the heathland area, and enables the Holiday Park to evolve so that it can continue contributing to tourism and economic growth. This will most likely need to be led by the Council's Local Plan review which will then prompt a review of the SPD. An example of flexible policy within 400m of the SPA - Policy. NRM6 of the South East Plan (Thames Basin Heath SPA) that, "...within the 	<ul style="list-style-type: none"> The blanket approach provides certainty, although each application will be considered on a case by case basis. Rockley park proposals will be considered through the BCP Local Plan process.

Respondent	Comment	Officer response
	<p><i>zone of influence, there will be a 400m exclusion zone where mitigation measures are unlikely to be capable of protecting the integrity of the SPA. In exceptional circumstances, this may vary with the provision of evidence that demonstrates the extent of the area within which it is considered that mitigation measures will be capable of protecting the integrity of the SPA. These small locally determined zones will be set out in local development frameworks (LDFs) and SPA avoidance strategies and agreed with Natural England.”</i> The supporting text to the policy states that local authorities must, “...put forward a policy framework to protect the SPA whilst meeting development requirements...” (Para 9.32) and that, “Where developers propose a bespoke [mitigation] solution, this will be assessed on its own merits under the Habitats Regulations.” (Para 9.36) Bracknell Forest Council states in its SPD that, “Applications for non-residential development in Zone A will be assessed on a case by case basis, in agreement with NE.” (Para 3.2.3)</p>	
Bournemouth Development Company	<ul style="list-style-type: none"> • BCP Council owns a number of allocated sites in Bournemouth town centre. • Welcome the fact that the Councils have been able to identify a strategy which will allow development to proceed, to maintain the prosperity of the region. • BDC and BCP Council need to work together to identify a solution to overcome the objections to development arising from the potential impacts on the protected Dorset Heathlands. • BDC requires certainty that the sites in its portfolio are deliverable in relation to the requirements of the Habitats Regulations and that it will not experience unnecessary delays when engaging with the local planning authorities and Natural England on these matters for the preparation and submission of planning applications. • The draft SPD removes 50 or more units threshold for providing SANGs, thereby removing a degree of certainty which is important to provide clarity and consistency across proposed developments. • Appendix A of the draft SPD provides guidance on types of SAMM measures and HIPs but does not provide detail on proposed strategic locations of such measures or projects nor how this will be monitored. The SPD should detail the specific locations for such mitigation measures and the proposed Monitoring, Projects and Implementation Plan should be published to provide this guidance. • There is limited information provided to quantify the 5 years of SAMM projects and costs for respective Councils. To be successful it is essential that the SPD provides the requisite level of certainty and consistency to allow the costs associated with development to be transparent 	<ul style="list-style-type: none"> • Support noted. • The threshold for SANGs provision will be reinserted. • Specific locations and spend will be set out in the Monitoring, Projects and Implementation Plan. • The occupancy levels are based on census data. The SAMMs have been calculated on assumptions of house/flat split. The workings were considered too complex and unnecessary for inclusion in the SPD. • There is no right approach in respect of CIL or planning obligation. Each Council has chosen a different method and these methods will be reviewed through the local plan process. • Acknowledge Draft SPD was inconsistent regarding student accommodation. • Note the comments on SANG design and this section will be updated. <p>Action:</p> <ul style="list-style-type: none"> • Re-insert threshold for the provision of SANGs

Respondent	Comment	Officer response
	<p>and understood, particularly given the heightened importance of viability matters. It is not certain when provision of an on-site SANG or HIP would be required for residential development within 5km of the Dorset Heathlands or, if financial contributions were made, whether these would be found to provide the required specific mitigation. It is important that the SPD provides a clear basis and justification for contributions.</p> <ul style="list-style-type: none"> • There is no justification for occupancy rates of 2.42/house and 1.65/flat across the region. Similarly, the 'assumed % house/flat split' is not qualified. This should relate to the planned housing mix over the relevant (Plan) period, rather than previous trends. • The SPD is not clear which approach CIL/planning obligation approach is correct. • In accordance with Para 16 of NPPF, policies should be clearly written and unambiguous and should not be used to add unnecessarily to the financial burdens on development. • The potential to provide HIPs alongside major developments in the urban area is highly constrained. Suitable land for HIPs has become increasingly scarce as urban sites have developed/redeveloped over time. It is therefore important the SPD provides certainty regarding the circumstances in which a financial contribution towards a specific strategic HIP will be required, or where a bespoke HIP related to a specific development proposal is necessary. Accept that each site should be considered on a site-by-site basis but further clarification should be provided through the SPD so that developers can plan effectively. This certainty must be provided in advance of the adoption of the BCP Council Local Plan, which will not be adopted until 2023. • There is also a duty on the Local Planning Authority to ensure that contributions collected towards heathland mitigation are actually spent on projects that have been agreed with Natural England. • Appendix B – The table in this section indicates that 'University managed student accommodation' will not be allowed within 400m of the heathlands and that it will be permitted within 400m-5km of the heathlands provided a financial contribution is made by way of mitigation. The current version of the SPD indicates that managed student halls of residence on University campuses are likely to be different to C3 residential. There is no evidence to justify that a different approach should be followed. • Appendix D – certain aspects of Appendix D are too prescriptive and may prevent SANG / HIP being agreed and therefore affect the deliverability 	<ul style="list-style-type: none"> • Amend inconsistency with student accommodation. • Update Appendix D in line with best practice.

Respondent	Comment	Officer response
	<p>of new housing developments. The SPD should provide more flexibility:</p> <ul style="list-style-type: none"> ○ Where a SANG/HIP car park is separated by a road crossing – subject to the type of road, its location and use patterns, it may not be an impediment to the use of the SANG/HIP; ○ Sites required to be within easy walking distance (400m) of the development linked to it – agree that to maximise the prospects of someone using SANG it should be within easy walking distance of a proposed housing scheme. However, this should not necessarily be limited to within 400m. A pragmatic approach must be taken to on a site-by-site basis, to ensure that sites which are within easy walking distance, but that may be further away than 400m, are not necessarily rejected on that criteria alone; ○ Provision of circular walking routes – to provide greater flexibility for the delivery of SANG sites in the urban area there should be circumstances where the required minimum walk lengths of 2.3-2.5km can be achieved through means other than just a circular walk e.g. through a combination of a shorter circular route with paths that cross the SANG area and link up; ○ All SANGs with car parks must have circular walks which start and finish at the car park – this requirement should allow for situations where the site shape and size characteristics do not allow for the circular walk to start and finish at the car park. Some sites, which otherwise meet all of the other SANG requirements, may require a short section of path before a circular walk can ‘open up’. ○ SANG must provide a variety of habitats for visitors or experience – this could prove overly restrictive. 	
British Horse Society	<ul style="list-style-type: none"> ● Please increase horse access along all Castleman Trailway from Poole to the New Forest, especially across West Moors. ● North Dorset Trailway link up to Poole one ● From West Moors add old railway line could be a trailway to Salisbury. ● From Shillingstone the link Great Ridgeway Trail goes all the way to Lyme Regis. ● Combine funding with Chalk and Cheese Grant, Sport England and British Horse Society. 	<ul style="list-style-type: none"> ● Proposals can be considered in the Monitoring, Projects and Implementation Plan
Broadmayne Parish Council	<ul style="list-style-type: none"> ● The Parish Council supports the principle of the SPD avoid any adverse effects on the integrity of the Dorset Heathlands, and welcomes the possibility of additional mitigation of adverse effects on existing heathlands and the provision of SANGs in the context of the proposed large scale developments in nearby Crossways 	<ul style="list-style-type: none"> ● Support noted. ● There are no plans to apply restrictions to dog owners, the strategy aims to educate and encourage behavioural change.

Respondent	Comment	Officer response
	<ul style="list-style-type: none"> Appendix A - If the damage caused by domestic pets is one of the primary problems on protected heathlands then further controls on dogs (i.e. requiring them to be kept on leads) may be necessary. Bins for dog waste should also be provided at the entrances to sites. Education of users is vital - information boards, talks to parish councils and schools could be part of this. Appendix D - SANGs should be integrated into the public rights of way network so that they can be easily accessed by users on foot, horseback and bicycle, not just those with access to cars. Support the principles set out in Appendices E and F 	<ul style="list-style-type: none"> Agree that where possible SANGs should be linked into the public rights of way network. Dog bins are considered on a case by case basis.
Catesby Estates Plc	<ul style="list-style-type: none"> Welcomes the continuation of the Framework. The draft is timely and offers the new Councils scope to align practices. Commend the streamlining of the document to reflect the general acceptance and understanding of the pressures upon heathland sites and the current approach to mitigation. The SPD needs to better articulate alongside the HRA process the connection between new development, potential in combination effects and proposals. Paragraph 2.4 presents an opportunity to explain how the Councils undertake Appropriate Assessment when considering planning applications including use of relevant templates. Para 5.9 should consider sites that are zero rated for CIL purposes as their impact still needs to be mitigated to satisfy an Appropriate Assessment. Ideally, in the interest of simplicity, a consistent approach should be adopted across the area. It is unfortunate that an appendix identifying potential mitigation projects is omitted. Disappointingly the evidence is not cited, nor how it has influenced the summary table in Figure 1. Figure 3 - guidance on managed student accommodation would be welcomed. What is meant by '... run on their behalf ...' as it would seem anti-competitive if the judgement was to rest with the established universities? Appendix B is inconsistent and contradicts figure 3, so needs adjustment. Figure 4 - the average occupancy figures have been derived from research into the occupation of new homes. In considering SAMM provision, it is unclear whether baseline occupancy trends for the existing stock have been taken into account, which if falling might create headroom when considering the recreational pressures arising from new homes. Welcomes that Dorset Council (excluding the north Dorset area) will collect financial contributions towards both SAMMs and HIPs by 	<ul style="list-style-type: none"> Support noted. Para 5.15 refers to in perpetuity as 80 years, as this is the timeframe being used by the Councils to secure mitigation projects. Agree that explanation of the appropriate assessment process would be helpful to applicants. The evidence is cited in footnote 4 and through various habitats regulations assessments and monitoring work undertaken for local plans. For housing proposals that are zero rated for CIL, para 5.12 and Appendix F set out mechanisms for how mitigation can be secured. With time following local government reorganisation, different approaches to mitigation in each local plan will become more consistent, and this will certainly become necessary through the local plan process. The section on university accommodation is inconsistent and will be amended. The falling occupancy for existing housing stock is not taken into account as under the precautionary principle of the Habitats Regulations, average occupancy could also rise

Respondent	Comment	Officer response
	<p>means of CIL. Infrastructure lists (formerly Reg 123) will need to be amended accordingly, as this approach was previously only adopted in Purbeck.</p> <ul style="list-style-type: none"> • Figure 2 provides a helpful map showing the distribution of the Dorset Heathlands and the 5km heathland area and aids the understanding of the reader. • Pleased to see the reinstatement of the Advisory Group but would suggest this includes private sector representation. Would also welcome informal opportunities for participation in the preparation of the 'Monitoring, Projects and Implementation Plan' recognising that the private sector has an important role in provision and management. • Para 4.19 - support the distinction being drawn between 'Strategic' and 'Non-strategic local' SANGs and the basic premise that draw / catchment is a determining factor. • Whilst the Appendix D Quality Standards have been rolled over from the previous iteration, concern is expressed at the lack of parity with the quantitative approach adopted in other regions, such as the Thames Basin, where a threshold of 8ha per 1,000 of population is applied. • Concern at the lack of flexibility afforded to new developments of 50-100 homes with on-site SANG. SANGs delivered in Swanage and Upton do not allow for a circular walk of 2.3km, notwithstanding their wider connectivity. Were new developments of this scale to provide a SANG of 8-16ha it would present significant overprovision; with consequential impacts for viability. • Suggest modifying Appendix D to identify the requirements for (i) strategic SANG and (ii) non-strategic SANG; the latter allowing greater flexibility. 	<ul style="list-style-type: none"> • With the abolition of Regulation 123 the Councils will instead publish annually an Infrastructure Funding Statement to set out clearly where CIL and S106/S111 monies have been spent. • The Councils would welcome private sector representation in overseeing the heathland mitigation process. • The Councils continue to assess each SANG on a site by site basis with advice from Natural England. The 8/16ha standards are a guide but it is attractiveness of the SANG that is more important. The threshold for SANG provision will be reinserted. • SANGs may have features that compensate for a shorter walk such as viewpoints (Swanage) and proximity to the housing (Upton). The Councils are not aware of SANGs stopping sites coming forward on viability grounds. • Agree that Appendix D requires an update in line with best practice. <p>Actions:</p> <ul style="list-style-type: none"> • Re-insert threshold for the provision of SANGs • In section 5 and Appendix F set out clearly the appropriate assessment process. • Add new appendix with references to evidence • Ensure Figure 3 is consistent with Appendix B • Update Appendix D.
Churchill Retirement Living	<ul style="list-style-type: none"> • Agree in principle with the concept, but do not agree that an occupancy rate of 1.67 per flat is a fair contribution. A fair contribution for retirement living would be 1.25 per flat, calculating to be a SAMM rate of £201 per flat. Churchill's evidence of its own accommodation illustrates a reduced 	<ul style="list-style-type: none"> • The SAMMs rate uses average occupancy to simplify the process. Bespoke arrangements as suggested cause complication and delay and

Respondent	Comment	Officer response
	<p>occupation rate of 1.25. The average purchaser is a single female. Most purchasers of 2 beds tend to turn the second bedroom into a dining room or study, and only occupied by a maximum of two people. At present, 59% of customers are single women, 26% are couples and 15% are single men.</p>	<p>with an average occupancy there will inevitably be winners and losers.</p>
Colehill Parish Council	<ul style="list-style-type: none"> The Parish Council endorse the response given by East Dorset Environment Partnership on the Heathland SPD. 	<ul style="list-style-type: none"> Comment noted
Corfe Castle Parish Council	<ul style="list-style-type: none"> On the basis there is no change from the existing policy the parish council do not have any objection to the document. 	<ul style="list-style-type: none"> Comment noted
Cranborne Chase Area of Outstanding Natural Beauty	<ul style="list-style-type: none"> This AONB supports the principle of having the Heathland SPD and the 400m development control zone. The mitigation zone out to 5km seems less well founded, potentially confusing where it overlaps the AONB, and limiting areas for development not just by its existence but by requiring further land to be given over to Suitable Accessible Natural Greenspace [SANG]. I shall comment further on the 5km criterion later. Recommend that the 5km zone does not extend into the AONB so that mitigation for development within the AONB is for AONB purposes and outside the AONB mitigation is for heathland purposes. In effect the AONB boundary becomes the limit to the heathland mitigation zone. Whilst the provision of SANGs is a laudable objective it seems to be a piecemeal, rather than strategic, approach to the provision of green space of a parkland nature for public recreation. It also has a side effect of taking undesignated land that is not of particular environmental or heritage value out of the available 'pot' of developable land in an area where such developable land is very limited. The 'Legislative and Policy Background' does not set out other environmental designations, arguably oversimplifying a complicated situation. Section 3 refers to 'public access to lowland heathland, from nearby development' but it seems to be stretching the interpretation of the 5km distance to regard that as 'nearby'. Studies relating to the provision of urban parks and green spaces have demonstrated the distances people walk in urban situations to recreation and green areas. They are measured in a few hundreds of metres and not kilometres. The 400m limit on additional new developments that are likely to accommodate active and mobile people seems to echo these studies, and seems a reasonable measure based on the potential for negative impacts. The 400m to 5km zone seems less well founded, and seems based on an unsupported assumption 	<ul style="list-style-type: none"> The 5km zone is based upon evidence and there is no justification to adjust it to the AONB boundary. Management of the location of car parking is used as part of access management works. <p>Action:</p> <ul style="list-style-type: none"> Update Figure 1 to include quantum of remaining heathland

Respondent	Comment	Officer response
	<p>that occupants of developments spread across the zone will, to an equal extent throughout, wish to access the heathlands. If pedestrian access is perceived to be a significant issue then 1km is quite a walk to and from a heathland site, giving a round trip of 2km plus the distance covered on the heathland. A zone out to 2km seems more than adequate to cover this aspect.</p> <ul style="list-style-type: none"> • The extension out to 5km seems to be based on travel by car to heathland sites. However, taking money from developments to facilitate heathland access seems a bit quixotic when limiting parking at heathland sites could be a more effective means of encouraging car drivers to use other green space facilities. • In the light of the successes of recent publically funded projects to restore heathland the area given in Figure 1 of the heathland area in 1996 should be brought up to date. • Section 4 is potentially helpful in explaining how development can be enabled. If SANGs are to be effective in attracting inhabitants away from heathlands they need to be relatively near the new developments as well as being inherently attractive and well managed. An effective master planning approach could incorporate those spaces within the new developments, making those developments more attractive and obviating the need to use cars to access SANGs. • The information in Figure 3, page 12, is potentially helpful. However the indication that managed student accommodation would be permitted within the 400m zone conflicts with the statements in Appendix B that managed student accommodation would not be permitted. • Appendix D – it is less than clear how such SANGs are managed and maintained in the long term. If developments are to be expected to contribute, either annually or as a lump sum, that will make developments more costly. The acknowledged housing need in and around this AONB is for affordable housing, not more expensive housing. It seems, therefore, there could be some unintended consequences from the draft Heathland SPD of making newer developments less, rather than more, affordable. This AONB Partnership does, therefore, advise reflection on the wider impacts of the SPD. A number of the details should be adjusted to align with adopted AONB policies. 	
Dorset Area Ramblers	<ul style="list-style-type: none"> • Support the principles set out in the SPD. • Appendix A - Agree with funding a core team to coordinate mitigation measures and provide educational activities. • It is clear from the document that “damage caused by domestic pets” is a key component in the deterioration of heathland habitats and suggest 	<ul style="list-style-type: none"> • Support noted. • There are no plans to apply restrictions to dog owners, the strategy aims to educate and encourage behavioural change.

Respondent	Comment	Officer response
	<p>that introducing controls on dog walking would be a useful way forward, e.g. by use of public space protection orders. If dogs were required to be kept on leads it would help protect sensitive sites and encourage the alternative use of SANGs instead. Dog waste bins should be provided at the entrance to sites and also used for general litter. Inevitably there is an emptying cost but there would be improvements to visitor experience. .</p> <ul style="list-style-type: none"> • Page 26 - The section on “Accessibility - reaching the SANG” (p.26) does not mention the possibility of visitors using public transport to reach sites. Acknowledge that most visit by foot or by car but do not think that is a reason not to encourage visitors to use more sustainable modes of transport to visit new sites. It may involve asking bus companies to consider amending routes, as well as the provision of bus shelters. In some locations access by train might also be possible. This would be entirely appropriate in the light of Dorset Council’s declaration on the climate change emergency. • Pages 26/27 - Paths which are too narrow would present problems to wheelchair users and those pushing buggies. Dog waste bins/general litter bins should be provided at all sites. • Strongly agree that SANGS should have good links to the public rights of way network. Ideally, the paths across SANGS should be dedicated as public rights of way so that they are available in perpetuity and are shown on Ordnance Survey maps, enabling those planning routes to make the best use of them. 	<ul style="list-style-type: none"> • Acknowledge that consideration is needed on how to access strategic SANGs by public transport, cycling and walking. • Agree that where possible SANGs should be linked into the public rights of way network. • Dog bins are considered on a case by case basis. • SANGs are designed as an alternative to heathland, so wide paths are not a requirement, but it is good practice to do so.
Dorset CPRE	<ul style="list-style-type: none"> • Fully support the continuation of robust and effective protection of Dorset’s inter-nationally important, precious and vulnerable heathland. It is vital that this protection should not be weakened or undermined in any way. The case for continuing to give the heathland the fullest protection is reinforced by the declaration of a climate and ecological emergency by both Dorset Council and the BCP Council. Effective and coherent heathland protection policies, including the 400m exclusion zone, which is vital to the integrity of the heath should be maintained and respected. • The designation of a Dorset National Park would help to ensure the effective conservation and appropriate recreational use and enjoyment of Dorset’s heaths 	<ul style="list-style-type: none"> • Support noted.
Dorset Dogs	<ul style="list-style-type: none"> • Pages 3 & 20 - Canford Park SANG should be added as a good example of a SANG as it is a relatively new, extensive and extremely well-used SANG that incorporates many ‘best practice’ principles and features for an effective SANG. It has built on experience from earlier SANGs as well as up-to-date knowledge acquired through monitoring feedback and expert sources. 	<p>Agree with the suggestions.</p> <p>Actions:</p> <ul style="list-style-type: none"> • Refer to Canford Park SANG in SPD • Rename Upton Farm as Upton Country Park

Respondent	Comment	Officer response
	<ul style="list-style-type: none"> • Should 'Upton Farm' SANG be renamed so that people understand where it is referring to? • Suggest amending para 4.10 to read <i>"This is through raising awareness of the issues and value of the protected sites and includes employing wardens to manage visitor pressures on the heathland and delivering awareness and education programmes in local schools and on the heaths and through local communities"</i> to encompass work carried out by Dorset Dogs and others. • P.26 - some current SANGs reportedly do not have sufficient free parking, with consequent impacts on local roads or visitors reverting to heathland use. So the evaluation of what is sufficient for anticipated visitor numbers is important, especially if some parking in the area of a SANG is free at the time of establishment of the SANG but may become chargeable in the future. There should be safeguards or mitigation methods detailed against this occurring. • In appendix D there is some contradiction between the assertion that grazing management may be needed on some SANGs and the references to freely available off-lead space perceived to be safe by visitors with dogs. In practice grazing animals will and do put off visitors with dogs so will have an impact on the effectiveness of the SANG. Stringent methods should be in place so that visitors still feel able and safe to use most of the site – e.g. by dog-proof fencing and only grazing a small portion of the SANG for the shortest possible period, with clear information about where the livestock are and alternative routes provided. Some visitors will avoid SANGs if there is grazing in adjacent fields too, as livestock fencing is not sufficient, and some current SANGs have had problems with this. • It would be useful to update the information in appendix D or give further links to best practice design documents (e.g. provision of water bodies - access should be 'clean' and with a shallow slope into the water, accessible access points, provision dog training areas, adequate fencing extends to the access points too, provision of shade/shelter areas. 	<ul style="list-style-type: none"> • Amend para 4.10 as suggested • Review Appendix D
Dorset Local Nature Partnership	<ul style="list-style-type: none"> • Para 3 is confusing, cumbersome and slightly contradictory. For clarity amend to read <i>'The Councils when granting planning permission have to be certain that the proposed development will not have an adverse effect on important areas of nature conservation. Any net increase in residential development within 5 kilometres will have an adverse impact on the Dorset Heathlands. Therefore, measures must be put in place to avoid and mitigate all harm caused.'</i> 	<ul style="list-style-type: none"> • Agree with many of the suggested amendments to the SPD. • The ecological networks and nature recovery networks are best considered through the local plan process. • Nursing homes will be considered on a case by

Respondent	Comment	Officer response
	<ul style="list-style-type: none"> • Welcome chapter 2 setting out of the context of the legislative framework. • A full review of the SPD will be undertaken as part of the development of the new Local Plans – for clarity we recommend reiterating this point in para 2.9 (or 2.10) • Welcome Figure 1 which sets out the issues and effects more clearly than in the adopted SPD. • Figure 3 – agree developments within 400m should be agreed on a case by case basis. In terms of nursing homes it is not clear if there has been consideration of the impact of staff and visitors to these homes. Local authorities have a key role to play in the health and wellbeing of residents and worker within the area. Therefore development of this type could impact on the heathlands. • Figure 3 and Appendix B - Clarity is needed within the SPD as to whether student accommodation is allowed or not within 400m • Para 4.17 – recommend that the Dorset Council box on Figure 4 includes the note about this relating to the North Dorset Local Plan area only to help clarity. The title above is not very clear especially because the payment for SAMMs is not set out until para 5.5. It is not clear that payments within the Dorset Council area are currently different in the different local plan areas. We recommend this is made clearer in para 4.17 and include reference to how SAMMs are to be calculated in the areas of Dorset Council outside the North Dorset Local Plan area. • There seems to be no reference in this section (or elsewhere in the SPD) that the requirement for HIPs, and especially SANGs, need to be fully operational before the first house is occupied? Without this requirement new residents will potentially get used to visiting heathlands, making it harder to change behaviour once the SANG is operational and therefore negate its purpose. Include this in both this section and appendix E. If it is already included then this could be made clearer. • Figure 5 - The scale of the map does not add a great deal to the document other than to underline how threatened our heathlands are. The only strategic SANG in the East Dorset area is that at Woolslope, West Moors. BytheWay, and SANGs that are to be created to mitigate the East Dorset New Neighbourhoods are local SANGs. • Para 5.5 - Clarity is needed for Dorset Council contributions taken for SAMMs from CIL. How will this be calculated? Further explanation is needed. • Para 5.15 - why is 'in-perpetuity' considered as 80 years' while the current SPD notes 80 and 125 years.' If there is a reason for only included 80 	<p>case basis and assess staff and car parking impacts.</p> <ul style="list-style-type: none"> • Acknowledge Draft SPD was inconsistent regarding student accommodation. • Para 5.15 refers to in perpetuity as 80 years, as this is the timeframe being used by the Councils to secure mitigation projects <p>Actions:</p> <p style="text-align: center;">Amend the following sections:</p> <ul style="list-style-type: none"> • Executive Summary Para 3 • Paras 2.7, 4.17, 5.5, 6.1, 6.4 • Figures 3 and 5 • Appendix B

Respondent	Comment	Officer response
	<p>years within the revised SPD it should be noted in the SPD.</p> <ul style="list-style-type: none"> • Para 6.4 - the phrase 'where feasible' in para 6.4 offers up potential 'get out' clause for delivery. Both councils have a responsibility for health and wellbeing and are part of the Integrated Care Network; biodiversity and environmental net gain is expected to become mandatory in the Environment Bill; and both councils' have declared climate and ecological emergencies and therefore projects should deliver multiple benefits. Recommend para 6.2 is amended to 'The Councils will ensure that projects accord with corporate objectives especially relating to supporting healthy lives, adapting to climate change and achieving a net gain in biodiversity, delivering multiple benefits, working with partners organisation as appropriate.' • Recommend that the Urban Heaths Partnership is referenced within section 6 – at present it is only included in para 3.2 and Appendix A. This lack of inclusion gives no assurance to the UHP for future delivery. • Bottom of page 5 and page 25 - The term 'alternative' not 'accessible' seems to be the accepted term within Dorset • As part of the full review of the SPD, further consideration is needed on the scale and likely sustainability of future development, related pressures on heathlands and the potential detrimental impacts to other land of high biodiversity value, which may become SANGs to avoid degrading other habitats. 	
Dorset National Park Team	<ul style="list-style-type: none"> • Support the continuation of robust and effective protection of Dorset's internationally important, precious and vulnerable heathland. It is vital that this protection should not be weakened or undermined in any way. The case for continuing to give the heathland the fullest protection is reinforced by the declaration of a climate and ecological emergency by both Dorset Council and the BCP Council. • Effective and coherent heathland protection policies, including the 400m exclusion zone, which is vital to the integrity of the heath should be maintained and respected. • A National Park for Dorset would help to ensure the effective conservation and appropriate recreational use and enjoyment of Dorset's heaths. • The Dorset heaths are internationally recognised for their importance, as landscape, habitat, and for their cultural associations. Since the nineteenth century, 80% of England's lowland heath has been lost to development, afforestation and agricultural intensification. 	<ul style="list-style-type: none"> • Support noted.

Respondent	Comment	Officer response
	<ul style="list-style-type: none"> The Dorset heaths include areas which have the greatest biodiversity found anywhere in Britain. The heathlands represent an important part of Dorset's natural capital and therefore play an important role in an effective response to the climate and ecological emergency. The heathland area's attraction is reflected in the designation of walks and trails. 	
Dorset Wildlife Trust	<ul style="list-style-type: none"> Welcome the revisions to the draft document but overall have noted conflicting statements and lack of clarity in some instances. Support the DLNP and EDEP comments. Executive Summary – the first para suggests all impacts can be mitigated; however, the appropriate application of the mitigation hierarchy should be encouraged and suggests the SPD relates only to 'housing' rather than all residential development (including tourism development). Reword as "The objective of this SPD is to set out a strategy for the avoidance and mitigation of impacts of residential development upon the Dorset Heathlands". Para 3 does not clearly demonstrate the definitions of avoidance and mitigation, which may confuse readers of the document. Unavoidable adverse impacts can only be prevented by not undertaking the action; thus, the paragraph (and in particular the final sentence) should be reworded for clarity. The final paragraph on page 4 might be moved to earlier in the Executive Summary, perhaps following the fourth paragraph on page 3, to make it clear that a full review will be performed in parallel to the Local Plan reviews for both councils later in 2020. Para 1.5 - NPPF should be written out in full Para 2.5 - State that the NPPF and NPPG is the current February 2019 version (or perhaps include a web link). Para 2.6 omits reference to ecological networks in the NPPF. Nature Recovery Networks are also a key principle in the 25-year Environment Plan and forthcoming Environment Bill and are important in maintaining the integrity of designated sites and their associated features. Many species associated with the Dorset Heathlands are not solely reliant on this habitat, requiring a matrix of well-connected habitats to fulfil their needs. As both councils have declared a climate and ecological emergency, greater emphasis must be placed on strategic landscape-scale planning, taking account of the need for ecological and nature recovery networks to maintain species populations and allow the natural dispersal of species throughout the landscape. Consideration of how much development can be sustained whilst 	<ul style="list-style-type: none"> Agree with many of the suggested amendments to the SPD. The ecological networks and nature recovery networks are best considered through the local plan process. The applicants have to provide sufficient information at outline planning application to enable the Council to conclude no adverse effects and the agreed mitigation is secured through section 106, with a detailed management plan expected at Reserved Matters stage. The threshold for the provision of SANGs will be reinserted. <p>Actions:</p> <ul style="list-style-type: none"> Amend the following sections: Executive Summary – Para1, 3 and final para. Paras 1.5, 2.6, 2.7, 4.3, 4.5, 5.5, 5.11, 6.1, 6.4 Figures 1, 3, 4 Section 6 Appendix B, D, E

Respondent	Comment	Officer response
	<p>also maintaining the ecological functionality of the landscape in the long-term is needed.</p> <ul style="list-style-type: none"> • Para 2.7 - add a para to clarify the Local Plans for the two councils are undergoing review, i.e. as per Para 5.13. • Welcome the greater detail included within Figure 1 on the main urban impacts and effects on lowland heaths in Dorset. Support EDEP's comments in relation to re-ordering these based on magnitude, to assist in determining the potential effects of developments both alone and in-combination. Suggest the addition of <ul style="list-style-type: none"> ○ Artificial lighting associated with developments, roads (i.e. traffic) and occupied dwellings, affecting for example, the foraging behaviour and life cycles (i.e. pheromone production, pupation) of insects; ○ Noise associated with developments, roads (i.e. traffic) and occupied dwellings, affecting for example, the breeding success of birds; ○ Planting (and thus spread) of invasive non-native plant species associated with developments and occupied dwellings (i.e. in gardens) affecting the vegetative structure of heathland; and ○ Fireworks associated with occupied dwellings leading to fire, noise disturbance and pollution. • Para 4.3 refers to 'Table 1' rather than 'Figure 1'. • Para 4.5 - support the statement that developments permitted within 400 m should be agreed on a case by case basis. However, although DWT accept that residents of "<i>Nursing homes within C2 Use Class where the residents are severely restricted with advanced dementia / physical nursing needs</i>" may not have an adverse impact upon the Dorset Heathlands, there appears to be a lack of consideration of the impacts resulting from staff and visitors to these nursing homes. An impact assessment would need to be provided in any planning application for this development type, with details of how the potential impacts resulting from staff and visitors will be mitigated. Applications should then be considered on a case by case basis. • It is also unclear whether student accommodation would be permitted within 400 m of the Dorset Heathlands, with contradicting statements between Figure 3 and Appendix B. Supporting evidence would be needed if permitted within 400 m as there may be a similar footfall by students to nearby heathlands as other residential developments. • Figure 4 - It is unclear whether the supply of new homes specified in paragraph 4.14 relates to the entire Dorset Council area, or only the area covered by the North Dorset Local Plan. The 	

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	<p>SAMMs calculation outlined in the ‘Dorset Council’ box of Figure 4 states this relates only to the area covered by the North Dorset Local Plan in the figure title but uses the same figure of 1500 homes specified in paragraph 4.14. The SAMMs contributions for the entire Dorset Council area thus remain unclear.</p> <ul style="list-style-type: none"> • Para 4.15 also suggests all impacts can be mitigated; however, the appropriate application of the mitigation hierarchy should be encouraged. • Under ‘Part 2: Heathland Infrastructure Projects (HIPs)’, emphasise that HIPs (including SANGs) are fully operational and accessible prior to the first occupation of new residential development, as this has been omitted from the revised SPD. • Para 5.5, bullet 1, appears to suggest costs will be calculated on a case by case basis but this needs clarity. • Para 5.11 - Further detail is required on the threshold/s for the provision of SANGs. The current SPD set a threshold of 50 or more dwellings for the provision of SANGs. However, paragraph 5.11 states that the threshold varies by Local Plan area. • Para 6.1 should state that mitigation is provided before <i>first</i> occupation of new residential development. • Para 6.4 - Support monitoring of the delivery and success of mitigation measures to ensure compliance with corporate objectives. However, the term “<i>where feasible</i>” might be used in future to explain why projects have not met these objectives. • Appendix D: This section references the abbreviation SANGs as “<i>Accessible</i>”, rather than the accepted term of ‘Alternative’. Greater emphasis must be placed on sustainable and strategic landscape-scale planning of the location of SANGs taking account ecological network maps. Avoid sites of high nature conservation value, which may already form part of the ecological network essential to maintaining the integrity of the Dorset Heathlands and their associated features. A greater understanding of the impacts of continued implementation and delivery of SANGs at a landscape-scale must be given if we are to ensure the maintenance of species populations, both within our heathlands and across all habitats in the wider landscape. Consideration might also be given to the visitor carrying capacity of existing established SANGs and these might be able to support new developments. Support the EDEP comments about ‘lessons learnt’ in relation to the design and delivery of SANGs. • Appendix E - This section refers to information required at the outline or full application stages, 	

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	<p>but states in bullet 6 that a “full SANG management plan will be required as part of a reserved matters application if not previously provided at outline stage”. DWT would expect details of the security and maintenance of a SANG in perpetuity to be provided at outline stage, so that the proposed mitigation measures in relation to the potential for impacts can be adequately assessed.</p>	
<p>Dorset and Wiltshire Fire and Rescue Service</p>	<ul style="list-style-type: none"> • Firewise Communities is a multi-agency project encouraging communities to work together to reduce the risk to homes from wildfires and is supported by Dorset & Wiltshire Fire and Rescue Service, Dorset Police & Crime Commissioner and the Urban Heaths Partnership. • The current funding is programmed to cease in June, which will place further expansion of this positive programme in doubt. • Could funding be ringfenced for the Fire & Rescue Service to extend Firewise communities to new housing/heathland borders across the area? • Would BCP Council be willing to work with the Fire Service to assist in running a new scheme of Fire Bike patrols. This scheme would provide a trained group of people with skills and training to help reduce fires on the heath and also gain training on keeping themselves and others safe should a fire occur. • With reference to the current document on page 10, in the section titled ‘Fires caused by human actions’ we would like to suggest the following additions: <ul style="list-style-type: none"> ○ Careless disposal of smoking materials. ○ Intentional contractor work, controlled burning, vegetation management and resultant fires. ○ Arson / Juvenile Fire-setting 	<ul style="list-style-type: none"> • The Councils can consider this as a potential SAMMs project. • Arson is already included in Figure 1. The other two issues are not an issue caused by a growing population.
<p>East Dorset Environment Partnership</p>	<ul style="list-style-type: none"> • The revised document is more difficult to follow than the current SPD with conflicting statements and overlap/duplication throughout. • Para 3 - if adverse impacts are unavoidable then by definition measures to avoid harm can only be achieved by not taking the harmful action. Throughout the document the term avoidance and mitigation is being used when mitigation within the 400m – 5km zone is being discussed. Suggest the terminology should be explained clearly. • It would be helpful if the last sentence of the Summary (p4) were moved back and included within para 4 (p3) which mentions that this is an interim update. • The para on the overall objective of the SPD (p4) should also be moved back to the early part of the Summary and perhaps a link to Habitats Regulation 63 included. • HIPS final para (p3) should be spelled out in full. A glossary would be helpful. 	<ul style="list-style-type: none"> • Agree with many of the suggested amendments to the SPD. • Discussions with applicants can design out adverse effects, which is avoidance rather than mitigation and is recorded in the appropriate assessment process. • The ecological networks and nature recovery networks are best considered through the local plan process. • Para 5.15 refers to in perpetuity as 80 years, as this is the timeframe being used by the Councils to secure mitigation projects.

Respondent	Comment	Officer response
	<ul style="list-style-type: none"> • BCP Council is at a more advanced stage in its Local Plan process than Dorset Council. It is essential the review meets the needs of both. • Para 2.6 refers to NPPF but has not addressed the requirement of NPPF 170d to establish coherent ecological networks that are more resilient to current and future pressures. This is a critical aspect of ensuring that a plan or project has no adverse effect on the integrity of a site, either alone or in combination with other plans and projects. Nature Recovery Networks are an underlying principle of the Government's 25 Year Environment Plan. The draft SPD has not considered the impact of further isolation of the heathlands through increasing development on the mapped potential ecological network. • Current policy treats all sites within the 400m – 5km zone equally creating a risk of development right up to the 400m boundary. It may be necessary to set an upper limit for development within the 5km zone and establish criteria for when development may and may not be permitted within it. Cannot keep building and expecting mitigation to be effective in preventing risk of further isolation of heathlands. • The SPD should consider in combination impacts at a landscape scale and provide a mechanism to deliver the necessary safeguards. Heathland species are not restricted to the heaths for all their needs and life stages and need natural areas into which to move out and expand their range. Protection of adjacent habitats is vital to allow for example nightjars to fly over heathland and feed over woodland and hedgerows. Climate change pressures make the need even more pressing. • To comply with NPPF 174, mapped potential ecological network should be safeguarded in much the same way as mineral resources are. This may be premature for this SPD revision but should be addressed in the full review later this year. • Figure 1- Welcome the inclusion of the additional column summarising the results of pressure but suggest they should be rearranged in order of magnitude of the impact. For example, the table has moved Reduction in area of the heaths and Fragmentation from the top of the table in the current SPD to points 7 and 8. Evidence shows that these are the most important factors closely followed by loss of supporting habitat. • Figure 1 – it is not only the change in soil nutrient levels caused by fly tipping garden waste that is damaging: it also poses a risk of disease, introduction of invasive plants, smothering of heathland species and overheating which prevent germination of seed. Amend Figure 1 accordingly. 	<ul style="list-style-type: none"> • Flooding events generally do not coincide with the bird nesting season (March-July) when the adverse effect of people upon protected birds is most sensitive. If flood events occur in this period they are for a short timespan compared to the wetter winter months. • Nursing homes will be considered on a case by case basis and assess staff and car parking impacts. <p>Actions:</p> <p>Amend:</p> <ul style="list-style-type: none"> • Executive Summary – Paras 1, 3 and final para. • Paras 1.3, 1.5, 2.6, 2.7, 4.3, 4.20, 4.21 and 6.1 • Figures 1, 3 4 and 5 • Appendix B, D and E

Respondent	Comment	Officer response
	<ul style="list-style-type: none"> • There is a need to ensure all planting by developers is appropriate and is reviewed carefully – not just trees. The risk of harm from Invasive Non-native Species (INNS) should be included within this table. There should be a requirement for all large scale development proposals to omit species that are known to cause problems. For example, many developers include in planting schemes ground cover that, by definition, is invasive and also include species such as Cherry Laurel (and cultivars), Wilson’s Honeysuckle, Cotoneaster and Snowy Mespilus that have a hugely damaging impact on heathlands, Heathland Support Areas and SANGs and impact worsens as plants mature and seed or cuttings get spread more widely. • Figure 3 states that managed student accommodation would be permitted within 400m. However, Appendix B says student accommodation would not be permitted within the 400m zone. Similarly, Fig 3 states that private student accommodation would not be permitted in the 400m zone and requires mitigation in 400m-5km zone but then draws a distinction between the requirement for payment of SAMMs. This distinction is not drawn in the summary table in Appendix B. Object to any new student accommodation within 400m and question what evidence there is to support the proposal that SAMMS should not be payable in the 400m-5km area? Accept that pet ownership can be controlled in on-campus halls of residence. However, there is no evidence students will not cause the same recreational pressures as other Class C3 residences. Policing of use and enforcement would be impossible. Economic considerations for the University or other educational establishments should not over-ride the legislative requirement for heathland protection. The SPD should retain the requirement for review on a case by case basis, and full impact assessment should be required. • Figure 3 - Nursing Homes. Both the current and draft SPD set a limit of c 40 bed spaces for purpose built high dependency nursing homes (frail elderly and dementia patients) that could be built within 400m of designated heathland. It is not the patients themselves but staff and visitors to the home who might then extend their visit to exercising on the heath with families and dogs, particularly when within a few minutes’ walk. The SPD should take into consideration the risk of further proliferation of planning applications for small nursing homes that are likely to be unviable and unable to provide care that meets current standards of accommodation and then risk being used for some other purpose. The 40 bed-space guidance is out of date. Dorset Social Care Team advises that from a commercial perspective the 	

Respondent	Comment	Officer response
	<p>optimum number of units is 64 and the need for considerably enhanced design to create small “household units” requires much larger buildings than the SPD has considered. Recommend</p> <ul style="list-style-type: none"> • the SPD retains the requirement for review on a case by case basis, • full impact assessment should be required not blanket prior approval as implied in the draft SPD, and • on site car parking should be adequate to accommodate all staff and visitors and not overflow to roads leading to nearby heaths <ul style="list-style-type: none"> • Students, nursing home staff and visitors should all be educated on the fragility and importance of our heaths and directed to use SANGs or other accessible open greenspace for informal recreation. • Figure 4 and Section 5 are confusing as no SAMMs figure set for Dorset. The North Dorset sum is applicable across the whole Dorset Council area. • Para 4.20 supports the principle of Heathland Support Areas and the wording of this para. A cross reference to the table of possible HIPs (Appendix A) would be helpful. • Para 4.21 would benefit by clarifying that it refers to all three preceding paragraphs and refers to UHP partner organisations. • Para 5.15 - explain why “in perpetuity” has been reduced to 80 years rather than 80-125 years as in the current SPD. Funding must allow adequate mitigation to be put in place and maintained. • Supports the monitoring programme and recommend that more resources should be allocated to enable wider coverage of the whole of the Dorset Heaths area. This will be essential as more SANGs are created and development increases. • The delivery of the SPD and future review must be informed and guided by examples of excellent practice and recognition of poor practice. All SANG monitoring data should be made readily available to the UHP to enable public perception to continue to influence best practice design of future SANGs and for data comparison across the area. As advised below, this requirement should be included in Appendix E. • Appendix A Suggest removing the examples of on-site and access management projects as could be interpreted as encouraging people to go to heathlands. • The full review of the SPD as part of the Local Plan process should encompass a total review of the whole delivery of heathland mitigation including being more proactive in looking for SANGs. It should not depend totally on what is on 	

Respondent	Comment	Officer response
	<p>offer from a developer and should be linked to delivering Nature Recovery Networks and the Dorset Ecological Network mapping.</p> <ul style="list-style-type: none"> • Suggest that there should be some guidance in this document as to what would trigger the requirement for a SANG in each area • Para 6.1 should clarify that for major developments this requirement is prior to occupation of the first property. • Appendix D - Concerned about the extent of flooding on existing and proposed SANGs. This restricts the extent of useable footpaths. Can also damage soil structure. The construction and use of SANGs must not result in net harm to biodiversity. Concerned that in order to facilitate development there is a risk that land that is currently featureless is being selected for use as a SANG. While tree planting helps, it takes years to have the desired impact on a landscape and make the area attractive to dog walkers. People won't go to places they don't like. • All planting on SANGs should be native species of local provenance and enhance biodiversity not compromise it. SPD Guidance could usefully include a list of native species that are appropriate with associated soil pH. The Guidelines should make it clear that the prime purpose of the SANG is for dogs and that on such sites most of the SANG should be free of livestock grazing and appropriately fenced so that grazing does not deter users or affect safety of SANG users or their pets. • Appendix E : The following should be added 'All SANG monitoring data should be made readily available to the Urban Heaths Partnership to enable public perception to continue to influence best practice design of future SANGs and for data comparison across the area.' • Para 1.3 - penultimate line – remove 'of' to read 'to review the strategy. You may also wish to change the end of the sentence to 'can be mitigated effectively' • Figure 1 - Reduction in area - Reduction from Disruption to hydrology- natural water courses? • Para 4.3 last line - type of development • Appendix E -final sentence of first section - insert apostrophe in development's • Figure 5 - The only strategic SANG in the former East Dorset is that at Woolslope, West Moors. The other SANGs are local SANGs linked to the East Dorset – i.e. BytheWay. The maps also need to be updated to reflect the new urban developments. • The importance of Nature Recovery is now widely recognised and in the emerging Environment Bill. There should be some way of linking the SPD 	

Respondent	Comment	Officer response
	maps to the ecological network mapping and the DERC mapping.	
East Dorset Friends of the Earth	<ul style="list-style-type: none"> • It is essential that all new policies are consistent with the BCP and Dorset Action Plans for the Climate and Ecological Emergency (CEEAP). • Protection of existing heathlands must override other considerations (i.e. pressures for development). • There must be a strong presumption against development within 400m of heathland or a total ban. • Comprehensive planning policies need to exist to cover the zone up to 5km around heathlands • Prevention of damage to remaining sites, and restoration of already damaged areas must be the underlying principles of these policies. • In the absence of a robust research base, and of clear mechanisms for evaluating likely impact, “mitigation” cannot be regarded as sufficient to deal with the threats to remaining heaths. • If any net increase in development within 5km “will have an adverse effect” and “the Councils ... have to be certain” that development will not have an adverse effect, this suggests that all additional development should be avoided. Mitigation is not an option. • Para 2.7 - Adoption of the Heathland SPD now is likely to place it in conflict with the CEEAPs. The SPD should only be adopted as an Interim Policy, pending the adoption of the CEEAPs and of the new Local Plans. • Paras 3.3 – 3.4 - Clearly, if the “cumulative effect” of further development within 5km of heathland will be to have a “significant impact” on designated sites, the Councils are bound, under the terms of the NPPF para. 8c cited, to prevent such development. It clearly cannot “contribute to and enhance the natural and local environment” if it has significant negative effects on designated sites. The priority must be on “avoidance”, especially where there is a lack of evidence on which to compare the effects of development with the efficacy of mitigation in avoiding those effects. • Para 4.3 Since mitigation is not possible within the 400m zone, no development can be permitted. Between 400m and 5km mitigation is likely to be insufficient to offset the cumulative effects of development. As section NPPF 11 b) ii) states, there needs to be a mechanism which demonstrably measures the environmental, economic and social costs and benefits of development, and of any proposed mitigation, prior to any assumption that development is sustainable. • The very title of Section 4 of the SPD implies that its priority is “enabling development”, whether or 	<ul style="list-style-type: none"> • HIPs will generally align with CEEAPs but have a specific purpose that has to be effective. • Significance is a low threshold test, whereby one house has a locally significant effect in combination with others. The evidence demonstrates that mitigation can avoid adverse effects. • The SPD provides a mitigation for residential development (including tourism). Other uses are dealt with on a case by case basis at planning application stage.

Respondent	Comment	Officer response
	<p>not it is sustainable in terms of the NPPF. There is no evidence that any development can take place without a significant effect on designated heathland sites.</p> <ul style="list-style-type: none"> • We note that the SPD only refers to proposals to develop residential dwellings. It fails to consider the impact of other developments such as minerals, infrastructure, agriculture, tourism, business premises and transport facilities. • Para 4.15 - There are clear grounds for requiring the developer to provide, and pay for, an Environmental Impact Assessment before any development takes place within the 5km. zone. • Para 4.17- The SAMMs calculations are too cheap, and only appear to be charging for some of the mitigation measures and not for opportunity cost: i.e. the loss of the rental value of the environmental services due to heathland damage. Including this latter cost would better reflect the economic value of heathlands, greatly increasing the charge to the developer, and encouraging sustainable development, away from important biodiversity sites. • The Draft SPD is based upon mutually inconsistent reasoning. It assumes that “mitigation” is both possible and sufficient to offset the inevitable significant and cumulative effects of development on heathland, and proposes no mechanism for achieving certainty. • Revise the SPD to include: <ul style="list-style-type: none"> ○ a presumption against all development within 400m of heathland, ○ research evidence on the effects of development within 5km of heathland, ○ research evidence on the effectiveness of a range of mitigation policies, ○ proposals for a mechanism (some form of cost-benefit analysis) for assessing development proposals (in the light of a) and b) above). This should be used to inform Policy at the Local Plan stage, and hence to guide decision-making at the development proposal stage, ○ a requirement for an environmental impact assessment for developments within 5km of heathland, ○ and that the SPD should then assume the status of an interim policy, pending the adoption of approved CEEAPs 	
Forestry England	<ul style="list-style-type: none"> • Figure 1: <ul style="list-style-type: none"> ○ Fire- Failure to include release of carbon as a result from fire ○ Enrichment Need to include garden waste specifically as an example of fly-tipping of organic materials 	<ul style="list-style-type: none"> • Suggestions welcomed. <p>Actions:</p> <ul style="list-style-type: none"> • Amend Figure 1 where the suggestions relate to residential growth. • Amend Appendix A accordingly Refer to

Respondent	Comment	Officer response
	<ul style="list-style-type: none"> ○ Criminal Activities / Antisocial Behaviour - Additional activities that could be added to the list of human activities are raves/parties and lewd behaviour ○ Predation - Under the result of pressure: repetition of reptiles ○ Hostility to conservation management - An additional, and sometimes forgotten, result of pressure is the stress impacts on staff managing those sites, due to confrontational and, in extreme cases, abusive behaviour ○ Fragmentation of heaths - Additional details are required to explain the description of this pressure: Other pressures contribute to fragmentation ○ Pollution Littering is also relevant. Dogs accessing watercourses/ponds lead to increase in turbidity, erosion, loss of bankside habitats, topical vet treatments entering watercourses (e.g. spot-on treatments regularly used on dogs) ○ Excavation and extraction. Under the result of the pressure, it would be useful to explain that appropriate/effective reinstatement post-extraction and monitoring of the ongoing management to ensure it fulfils what was promised must be required ○ Roads Pollution run-off should be included in the description as an additional item ○ Management costs Also biosecurity risks – consideration of non-native invasive species reintroductions, such as from garden waste (e.g. from ponds) ● Appendix A: <ul style="list-style-type: none"> ○ Fire - There is no mention of education to reduce arson ○ Monitoring – There is no mention of monitoring the habitats or species. ● Vegetation surveys and bare ground assessments could be used to gather evidence of the effects of increased trampling. Surveys of protected species such as nightjar on the SPA heathlands could also provide evidence on the impact of additional recreational pressure on those sites ● This SPD falls short in addressing the need of a sustainable mosaic of habitats that can deliver multi-purpose benefits to society. Risks a piecemeal approach with areas of small additional recreation. More joined up approach would use funds from all the small developments to pay for one substantial area of recreation away from the heaths. This would, potentially, draw more people to it than a small addition to the existing area of heathland, e.g. the creation of new community woodlands, in the right location, could be part of the solution. 	<p>ecological networks and multifunctional land use</p>

Respondent	Comment	Officer response
	<ul style="list-style-type: none"> • With the current concerns about climate change and the carbon agenda, retaining/ increasing woodland cover and carbon management is now an important factor in deciding appropriate land use and management. • A healthy natural environment across a range of habitats maximises opportunities for nature to thrive. • Outdoor recreation benefits wellbeing and mental health of an increasing population. • Therefore the protection of the Dorset Heathlands should not be considered in isolation, and a holistic approach to land management is required to ensure the resilience of our habitats across the landscape, as well as providing the necessary opportunities for recreation. • Heathlands support a significant resource of peat-based habitats such as mires and wet heathland with capacity to store as much or more carbon as an equivalent area of woodland. For this reason, the Government has also made the restoration of peatlands a priority for the UK. • Removing trees and scrub from open heathland and grassland areas is a continuation of a long tradition of heathland management and critical to maintaining and restoring the protected habitats and species of our heathlands. Opportunities for the use of heathland arisings must be sought to ensure the sustainability of our heaths. • The potential impacts of new developments and associated infrastructure insufficient buffering and lack of holistic approach. It is inevitable that public recreational pressure will increase on the nation's forest (land managed by Forestry England) as a consequence of the development of the neighbouring land and we are keen to find a positive way forward to factor in the increase in recreational pressure at the same time than protecting special habitats and species. • Design the associated green infrastructure, including green space and woodlands, as well as public footpaths and cycle ways to build on the evolving network of green infrastructure linking the adjacent conurbations to the countryside. Opportunities for woodland habitats can be created in a far greater range of landscapes both locally and nationally. It is therefore important to target areas most suitable for woodland expansion and creation and to secure the remaining rare heathland habitat where we have the ability to do so. • The government's 25-year Environment Plan has an emphasis on Biodiversity Net Gain and the creation of a Nature Recovery Network across England. This is an opportunity to explore ways to embrace a constructive collaboration between BCP Council and Dorset Council, developers and 	

Respondent	Comment	Officer response
	Forestry England in respect of delivering a truly sustainable development in the Council that could be viewed as a model project by central Government.	
Fortitudo	<ul style="list-style-type: none"> • Welcomes the continuation of the Framework. The draft is timely and offers the new Councils scope to align practices. Commend the streamlining of the document to reflect the general acceptance and understanding of the pressures upon heathland sites and the current approach to mitigation. • The SPD needs to better articulate alongside the HRA process the connection between new development, potential in combination effects and proposals. • Para 2.4 presents an opportunity to explain how the Councils undertake Appropriate Assessment when considering planning applications including use of relevant templates. • Para 5.9 should consider sites that are zero rated for CIL purposes as their impact still needs to be mitigated to satisfy an Appropriate Assessment. Ideally, in the interest of simplicity, a consistent approach should be adopted across the area. • Disappointingly the Evidence section does not cite the evidence or how it has influenced the summary table in Figure 1. • Figure 3 - guidance on managed student accommodation would be welcomed. What is meant by '... run on their behalf ...' as it would seem anti-competitive if the judgement was to rest with the established universities? • Appendix B is inconsistent and contradicts figure 3, so needs adjustment. • Figure 4 - the average occupancy figures have been derived from research into the occupation of new homes. In considering SAMM provision, it is unclear whether baseline occupancy trends for the existing stock have been taken into account, which if falling might create headroom when considering the recreational pressures arising from new homes. • Welcomes that Dorset Council (excluding the north Dorset area) will collect financial contributions towards both SAMMs and HIPs by means of CIL. Infrastructure lists (formerly Reg 123) will need to be amended accordingly, as this approach was previously only adopted in Purbeck. • Welcome that BCP will accept upfront contributions towards SAMM secured through s111 of the Act, thereby restricting the need to enter into S106 agreements which are frequently cause for delay. 	<ul style="list-style-type: none"> • Support noted. • Agree that explanation of the appropriate assessment process would be helpful to applicants. • The evidence is cited in footnote 4 and through various habitats regulations assessments and monitoring work undertaken for local plans. • For housing proposals that are zero rated for CIL, para 5.12 and Appendix F set out mechanisms for how mitigation can be secured. With time following local government reorganisation, different approaches to mitigation in each local plan will become more consistent, and this will certainly become necessary through the local plan process. • The section on university accommodation is inconsistent and will be amended. • The baseline occupancy for existing housing stock is not taken into account as under the precautionary principle of the Habitats Regulations, average occupancy could also rise • With the abolition of Regulation 123 the Councils will instead publish annually an Infrastructure Funding Statement to set out clearly where CIL and S106/S111 monies have been spent. <p>Actions:</p> <ul style="list-style-type: none"> • In section 5 and Appendix F set out clearly the appropriate assessment process. • Add new appendix with references to evidence

Respondent	Comment	Officer response
		<ul style="list-style-type: none"> • Ensure Figure 3 is consistent with Appendix B
Godshill Parish Council	<ul style="list-style-type: none"> • Support the proposals to provide greater protection for Dorset heathlands. • Request that a paragraph addressing the impact of development in Dorset on the New Forest National Park in Hampshire be added, e.g. as per Policy 2, Main Modification 1 in the New Forest District Council Local Plan. 	<ul style="list-style-type: none"> • Support noted. <p>Action:</p> <ul style="list-style-type: none"> • After para 3.4 refer to the New Forest National Park
Highways England	<ul style="list-style-type: none"> • No comments to make 	<ul style="list-style-type: none"> • Noted.
Holt Parish Council	<ul style="list-style-type: none"> • No comments, but wish to continue to be part of the consultation process especially when a full review is undertaken. 	<ul style="list-style-type: none"> • Noted.
Hurn Parish Council	<ul style="list-style-type: none"> • The Parish of Hurn contains extensive areas of heathland. These are greatly valued by residents and visitors. Councillors are in general agreement with the planning policy and agree it is very important to protect this unique environment and the rare species 	<ul style="list-style-type: none"> • Support noted.
Kingfisher Resorts	<ul style="list-style-type: none"> • The proposal to redevelop the Knoll House Hotel, Studland has included a detailed assessment of the potential for significant effects on the designated areas within 400m of the site. The proposal will result in a reduction in the number of people accommodated on site compared with the existing hotel, but will provide premium facilities and more space per visitor (but fewer bedspaces). • Supportive of measures to protect and, where appropriate, mitigate any impacts on the Dorset Heathlands and, therefore, the broad principles of the SPD are supported. • There are certain circumstances such as with Hotels and guest houses where the approach will be considered on a case by case basis within 400m of the designated sites. Similarly, replacement dwellings will also be acceptable in such locations. In these circumstances, it is implicit that the key issue is one of impact rather than the development itself and this should be made explicit within the SPD. • Whilst there be a partial change of use within the redevelopment of Knoll House, which will include a net increase in C3 units, this will be offset in the reduction of number of guests when compared with the current hotel. There will also be a range of additional facilities which will provide a realistic alternative to the use of the Heathland for recreational purposes (providing a net benefit) and a range of enhancements in respect of education and signage focused on Heathland Conservation. 	<ul style="list-style-type: none"> • Each planning application will be considered on a case by case basis, but the approach to the 400 metre heathland area has been consistent since 2007, and there is no evidence to depart from this blanket approach.
Land Trust	<ul style="list-style-type: none"> • Para 5.16 - SANGS and HIPs can be owned by bodies other than the Local Planning Authority. 	<ul style="list-style-type: none"> • Agree about wider ownership of SANGs.

Respondent	Comment	Officer response
	<ul style="list-style-type: none"> • Para 4.19 – does this mean that all strategic SANGS will have a 5km catchment regardless of the size? • Request that privately owned SANGS can be funded via a bespoke funding mechanism • Service charges or estate rent charges are not suitable funding mechanisms for SANGS as they are a planning requirement and the cost of which should not be borne by residents of new developments, particularly as SANGS attract existing residents that do not live within the new developments. • There is no indication of how funding will be ring fenced and guaranteed in perpetuity - is it a commuted sum? • Support para 5.16 but add that 'service charge or estate rent charges are not suitable funding mechanisms for SANGS'. 	<ul style="list-style-type: none"> • Will indicate how far people travel to visit a SANG once it is in place. • The SPD doesn't preclude bespoke funding arrangements and there are a number of different methods used for existing SANGs, agreed on a case by case basis. Some developers prefer to use service charges and others a commuted sum for 80 years. <p>Actions:</p> <ul style="list-style-type: none"> • Amend Paras 5.16 to refer to wider ownership.
Langton Matravers Parish Council	<ul style="list-style-type: none"> • The parish council is generally supportive of the document, and of the principle of protecting local heathland as a priority. 	<ul style="list-style-type: none"> • Support noted.
Lulworth Estate, Redwood Property & Mr Andrew Jackson	<ul style="list-style-type: none"> • Promoting the 'Wool Urban Extension', a draft Purbeck Local Plan allocation. • Generally support the overall direction and content of the SPD and welcome the Council's joint approach to updating the existing SPD which is essential to facilitating the delivery of much needed homes. • To be successful it is essential that the SPD provides the requisite level of certainty and consistency to allow the costs associated with development to be transparent and understood, particularly given the heightened importance of viability matters. • Paras 5.11 and 5.16 - support the statements as intend to provide a SANG at Coombe Wood as part of the development. • Appendix D and E continues the existing guidance, although it would benefit from the inclusion of some more quantitative criteria. • Para 5.13 - there appear to be inconsistencies with the SAMM contributions that need resolving. 	<ul style="list-style-type: none"> • Support noted. • Appendix D and E need updating to reflect best practice. • The Councils are looking to rectify any inconsistencies in the application of mitigation, but this will be led by the policies of extant local plans. <p>Action:</p> <ul style="list-style-type: none"> • Update Appendices D and E
Marine Management Organisation	<ul style="list-style-type: none"> • Planning documents for areas with a coastal influence may wish to make reference to the MMO's licensing requirements and The South Marine Plan to ensure that necessary regulations are adhered to. 	<ul style="list-style-type: none"> • Noted
Mark Hinsley Arboricultural Consultants Ltd.	<ul style="list-style-type: none"> • Some of the mitigation money should fund the planting of 50m wide native deciduous woodland shelter belts around the edges of the heathlands that interface with residential areas. These would have several benefits: <ul style="list-style-type: none"> ○ By discouraging people from passing through it onto the heath. 	<ul style="list-style-type: none"> • Acknowledge these suggestions for project proposals. <p>Action:</p> <ul style="list-style-type: none"> • Consider any specific projects through the

Respondent	Comment	Officer response
	<ul style="list-style-type: none"> ○ Deciduous woodland does not burn and would therefore act as a fire break between heathland and residential areas. ○ Native deciduous woodland would increase the biodiversity of the site – particularly along the woodland/heathland edge. ○ The woodlands would act as windbreaks – something that is likely to be needed as climate change causes more frequent and stronger high winds. ○ Domestic cats would be unlikely to range beyond the woodland out onto the heath. ○ As the woodland fringes develop their effectiveness could be monitored which, in time, may allow a change in policy regarding the acceptable uses in the 400m/5k bands, thus helping ease the development pressure on other areas. 	<p>Monitoring, Projects and Implementation Plan.</p>
Natural England	<ul style="list-style-type: none"> ● Support and welcome the SPD in principle. ● Para 2.1 The final two designated sites are Dorset Heaths not heathlands. ● Para 3.1 Insert a new sentence at the end: “Some of these effects are direct impacts on the designated sites but many such as recreational use will be ongoing for the duration of the development. In the case of additional housing the effects arising are considered to be permanent requiring ongoing mitigation measures. ● Fig 1. Additional points in Result of Pressure column: <ul style="list-style-type: none"> ○ Fire : Increased costs of site management ○ Criminal Activities/Antisocial behaviour : Increased costs of site management ○ Fragmentation : delete current bullet and add in “Loss of connectivity and functional ecological interactions ○ Supporting habitats : delete current bullet and add in “Reduced foraging opportunities for mobile species”, “Increased vulnerability of designated sites to external adverse effects”, “Increased adverse effects relating to fragmentation” ○ Management costs : reword to be consistent with above To “Increased costs of site management due to increased visitors and adverse effects arising from additional housing” ● Para 3.3 - Consider making the paragraph more explicit “the cumulative effect of a single dwelling up to 5km...” ● Para 4.1 - Should this refer to 5 years or rather 2024 or what ever is the two authorities deadline for Local Plan adoption? ● Para 4.3 - At the end of the first paragraph please insert “however many of the effects listed in Table 	<ul style="list-style-type: none"> ● Support noted and suggestions welcomed. ● The Monitoring, Projects and Implementation Plan will set out the project list. <p>Actions Amend as suggested:</p> <ul style="list-style-type: none"> ● Paras 2.1, 3.1, 3.3, 4.1, 4.3, 4.5, 4.7, 4.23, 5.10, 5.13, 6.4 ● Figure 1 ● Appendix B and D ● Add new appendix with references to evidence

Respondent	Comment	Officer response
	<p>1 will act together (synergistically) to create effects which can be worse than each individual effect.”</p> <ul style="list-style-type: none"> • Para 4.5 - Insert a sentence to read “The uses outlined in Figure 3 are indicative rather than definitive.” To allow for consideration of mitigation proposals. • Para 4.7 - Insert at the end “The authorities policy position within 400m and in the 400m to 5km area are mutually supportive in enabling appropriate development which does not adversely affect the integrity of the designated sites.” • Para 4.16 Natural England will work with the authorities to ensure that the SAMM element of the mitigation measures is appropriate and functionally effective. • Fig 5 - Natural England concur with the defined 5km area set out by the authorities. • Para 4.23 - Insert “prior to commencement” at the end of the third sentence. • Para 5.5 - This could be shortened by simply referring to Fig 4. • Para 5.6 - Are similar administrative costs required by DC? • Para 5.10 - At present the authorities have not set out an Implementation Plan which is a key part of the strategic approach. The work relating to this part needs to be done prior to the implementation of the SPD so that Natural England and the competent authorities are aware that the measures are of a suitable nature, located well in relation to development and the designated sites and deliverable in the appropriate time scales relative to forthcoming developments. • Para 5.13 - make reference to recent ECJ rulings, Sweetman 2 Wind over people and the Dutch Nitrogen case as well as the Holohan case which all reinforce the need for a rigorous approach. • Para 6.4 - make reference is made to the Climate Change Emergency adopted by both councils as well as the need to secure carbon neutrality/offsetting measures where appropriate. • Appendix A - Will Dorset Council assist in populating examples from the wider area outside BCP where a number of projects have been delivered? • Appendix B – it is worth reiterating here that early engagement with the planning authority/Natural England is always worth while. The final row of the table needs to be reconsidered re: Student accommodation within 400m. • Appendix D – this needs some minor adjustments where there are inconsistencies e.g. over walked distances. • It is advised that the SPD have a references appendix, this will be useful to include more recent 	

Respondent	Comment	Officer response
	evidence reports such as the review carried out by Purbeck.	
National Grid	<ul style="list-style-type: none"> One or more proposed sites are crossed or in close proximity to National Grid assets. National Grid is able to provide advice and guidance to the Council concerning their networks and encourages high quality and well-planned development in the vicinity of its assets. 	<ul style="list-style-type: none"> Noted that mitigation projects will need to take into consideration the National Grid Guidance.
National Trust	<ul style="list-style-type: none"> The Trust continues to support the aim of protecting areas of sensitive heathland, particularly given the pressures of new housing development. There are ongoing management, project and capital costs for the managers of designated heathland sites. At present, the funds raised through the Dorset Heathlands SPD go chiefly to site monitoring / awareness raising, and to heathland infrastructure projects rather than to supporting conservation work on the designated sites. As an example the interim mitigation strategy for Rodborough Common SAC (Stroud district) funds scrub removal on National Trust land. One potential project that could benefit from this is the grazing project at Arne/ Hartland. Whilst it is important to manage and control potential additional recreational impacts on the heathlands, there may be some benefit in specific diversification projects (small-scale, sustainable, appropriate to spirit of place) – as long as the funds were designed to benefit nature conservation. This is something that is currently being explored in the emerging Visitor Engagement Strategy for the soon-to-be-created Purbeck Heaths NNR (i.e. income from visitor accommodation providing funds for conservation work). By contrast, some large-scale commercial development proposals within the 400 metre zone (e.g. re-development of a hotel site to include residential apartments) may get viewed with more flexibility by the councils despite the ostensibly strict controls set out in the current SPD.. 	<ul style="list-style-type: none"> The mitigation strategy focusses on managing recreational impact rather than conservation work. Each planning application will be considered on a case by case basis, but the approach to the 400 metre heathland area has been consistent since 2007, and there is no evidence to depart from this blanket approach.
New Forest National Park Authority	<ul style="list-style-type: none"> The National Park Authority welcomes and fully supports the strategic approach to mitigate the impacts of new development on the internationally designated sites. Supports the proposed use of a combination of strategic access management measures and heathland infrastructure projects to provide mitigation. Whilst recognising in para 5.12 that each application will be considered on a case by case basis, it would be helpful to clarify the proportion of the overall mitigation strategy that will be dedicated to each of these two main components. 	<ul style="list-style-type: none"> Support noted. The spend will be set out in the Monitoring, Projects and Implementation Plan enabling it to be updated and scrutinised annually. The visitor accommodation referred to all falls under the term 'self catering' so is covered.

Respondent	Comment	Officer response
	<ul style="list-style-type: none"> The clarification of the types of development which will be permitted and those which will not be permitted within 400 metres and up to 5 kilometres from the protected sites in Figure 3 is useful. Whilst self-catering, caravan and touring holiday accommodation are mentioned, we wondered whether new camp sites, static caravans, holiday parks and newer forms of visitor accommodation such as lodges, glamping and pods should also be covered on the basis that all forms of new visitor accommodation add recreational pressure to the protected sites. Welcome the requirement to provide mitigation for the lifetime of the development but the amount of funding required for the 80 year in-perpetuity period has not been identified. The Authority has operated a Habitat Mitigation Scheme since 2012 to secure mitigation measures from new development. Consultation on a revised Scheme SPD closes on 19 February 2020. Research on the wider impacts of planned development on the New Forest SPA and SAC is due to be completed shortly and will provide a framework for the preparation of a more strategic, cross-boundary approach to habitat mitigation for the New Forest. 	
Open Spaces Society	<ul style="list-style-type: none"> All public rights of way should be well maintained, properly recorded and signposted and waymarked. For wardening, consider other models of community engagement through voluntary effort, so that local residents cooperate with those who are employed by the councils. There should be a detailed ongoing monitoring plan prepared, with staged results, before additional funds are spent. Oppose the creation of SANGS on existing open spaces and instead provide genuinely new public open spaces. Developers should be required to provide this before being given consent. There is also the opportunity for developers voluntarily to register land as town or village green within development, which gives local people rights of recreation and protects the land in perpetuity (Commons Act 2006, section 15(8)). Require this in exchange for approving development. 	<ul style="list-style-type: none"> Monitoring is a key part of the evidence that supports this strategy. Investment in some open spaces can provide effective mitigation. Agree that town or village greens are an option. HIPs are also protected by in perpetuity by legal agreement.
Pennyfarthing Homes Ltd	<ul style="list-style-type: none"> Generally support the overall direction and content of the SPD and welcome the fact that the Councils have been able to identify a strategy which will allow development to proceed, to maintain the prosperity of the region The draft SPD removes 50 or more units threshold for providing SANGs, thereby removing a degree of certainty which is important to provide clarity and consistency across proposed developments. 	<ul style="list-style-type: none"> Support noted. The threshold for HIP provision will be reinserted. Specific locations and spend will be set out in the Monitoring, Projects and Implementation Plan. The occupancy levels are based on census data. The

Respondent	Comment	Officer response
	<ul style="list-style-type: none"> • Appendix A of the draft SPD provides guidance on types of SAMM measures and HIPs but does not provide detail on proposed strategic locations of such measures or projects nor how this will be monitored. The SPD should detail the specific locations for such mitigation measures and the proposed Monitoring, Projects and Implementation Plan should be published to provide this guidance. • There is limited information provided to quantify the 5 years of SAMM projects and costs for respective Councils. To be successful it is essential that the SPD provides the requisite level of certainty and consistency to allow the costs associated with development to be transparent and understood, particularly given the heightened importance of viability matters. • There is no justification for occupancy rates of 2.42/house and 1.65/flat across the region. Similarly, the 'assumed % house/flat split' is not qualified. This should relate to the planned housing mix over the relevant (Plan) period, rather than previous trends. • The SPD is not clear which approach CIL/planning obligation approach is correct. • In accordance with Para 16 of NPPF, policies should be clearly written and unambiguous and should not be used to add unnecessarily to the financial burdens on development. 	<p>SAMMs have been calculated on assumptions of house/flat split. The workings were considered too complex and unnecessary for inclusion in the SPD.</p> <ul style="list-style-type: none"> • There is no right approach in respect of CIL or planning obligation. Each Council has chosen a different method and these methods will be reviewed through the local plan process. <p>Action</p> <ul style="list-style-type: none"> • Re-insert threshold for the provision of SANGs
Primetower Properties	<ul style="list-style-type: none"> • Welcomes the continuation of the Framework. The draft is timely and offers the new Councils scope to align practices. Commend the streamlining of the document to reflect the general acceptance and understanding of the pressures upon heathland sites and the current approach to mitigation. • The SPD needs to better articulate alongside the HRA process the connection between new development, potential in combination effects and proposals. • Paragraph 2.4 presents an opportunity to explain how the Councils undertake Appropriate Assessment when considering planning applications including use of relevant templates. • Para 5.9 should consider sites that are zero rated for CIL purposes as their impact still needs to be mitigated to satisfy an Appropriate Assessment. Ideally, in the interest of simplicity, a consistent approach should be adopted across the area. • Disappointingly the evidence is not cited, nor how it has influenced the summary table in Figure 1. • Figure 3 - guidance on managed student accommodation would be welcomed. What is meant by '... run on their behalf ...' as it would seem anti-competitive if the judgement was to rest with the established universities? Appendix B is 	<ul style="list-style-type: none"> • Support noted. • Agree that explanation of the appropriate assessment process would be helpful to applicants. • The evidence is cited in footnote 4 and through various habitats regulations assessments and monitoring work undertaken for local plans. • For housing proposals that are zero rated for CIL, para 5.12 and Appendix F set out mechanisms for how mitigation can be secured. With time following local government reorganisation, different approaches to mitigation in each local plan will become more consistent, and this will certainly become necessary through the local plan process. The section on university accommodation is inconsistent and will be amended.

Respondent	Comment	Officer response
	<p>inconsistent and contradicts figure 3, so needs adjustment.</p> <ul style="list-style-type: none"> Figure 4 - the average occupancy figures have been derived from research into the occupation of new homes. In considering SAMM provision, it is unclear whether baseline occupancy trends for the existing stock have been taken into account, which if falling might create headroom when considering the recreational pressures arising from new homes. Welcomes that Dorset Council (excluding the north Dorset area) will collect financial contributions towards both SAMMs and HIPs by means of CIL. Infrastructure lists (formerly Reg 123) will need to be amended accordingly, as this approach was previously only adopted in Purbeck. Welcome that BCP will accept upfront contributions towards SAMM secured through s111 of the Act, thereby restricting the need to enter into S106 agreements which are frequently cause for delay. 	<ul style="list-style-type: none"> The baseline occupancy for existing housing stock is not taken into account as under the precautionary principle of the Habitats Regulations, average occupancy could also rise With the abolition of Regulation 123 the Councils will instead publish annually an Infrastructure Funding Statement to set out clearly where CIL and S106/S111 monies have been spent. <p>Actions:</p> <ul style="list-style-type: none"> In section 5 and Appendix F set out clearly the appropriate assessment process. Add new appendix with references to evidence Ensure Figure 3 is consistent with Appendix B.
Public Health Dorset	<ul style="list-style-type: none"> Spending time in natural environments is associated with a range of positive physical and mental health outcomes. Ensuring that new development provides access to natural environments is an important consideration for the planning process as set out in the NPPF. Support the overarching approach and policies set out in the draft SPD, including the mechanism for delivering Heathland Infrastructure Projects to ensure that Dorset residents are provided with access to safe, high quality natural environments as an alternative to visiting Dorset Heathlands. 	<ul style="list-style-type: none"> Support noted.
RSPB	<ul style="list-style-type: none"> The RSPB has supported the Planning Framework since its inception in 2007, and are keen to be involved in the forthcoming strategic review as part of the local plan process. No substantive comments on the proposed SPD, which as stated above is effectively a roll forward. However reference to the EU directives and the current Habitats Regulations will need to be updated once the new legislative programme is in place, which is likely to be within the 5 year period of the SPD. Would like to receive further details of the remit and constitution of the Advisory Group Note possible area of minor confusion with SANGS being described as both Suitable Accessible Natural Greenspace and Suitable Alternative Natural Greenspace. The RSPB would advocate the use of the latter term throughout. 	<ul style="list-style-type: none"> Support noted. <p>Actions:</p> <ul style="list-style-type: none"> Add to para 4.1 that a review may be earlier than 5 years Amend references to 'Accessible'

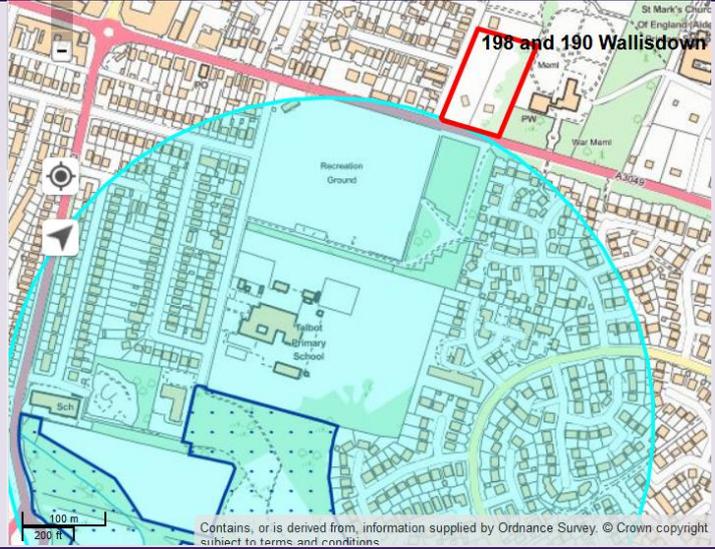
Respondent	Comment	Officer response
Save Land North of Merley	<p>Assesses the proposed SANG as part of Planning Application APP/19/00955 for land north of Merley. Concerned that the proposed SANG does not fulfil the criteria set out in the SPD. In particular in Appendices D and C regarding the design of new SANGs:</p> <ul style="list-style-type: none"> • The land is floodplain and not suitable for all year round use. • To offer year round walking an excessive amount of boardwalk would be needed which is likely to detract from the site's natural feel • The SANG is narrow in places, prone to flooding from the adjacent river • The urban feel from the close proximity to the A31 is not consistent with the SPD and the provision of an equivalent "air of relative wildness". • The possible circular walks conflict with usage by rowing coaches and are prone to flooding, including the Carriageway which floods from heavy rainfall. • The increased river-side footfall and the increased presence of dogs will pose a very real threat, with a consequence of permanent disturbance, loss of habitat and diminished biodiversity contrary to the SPD • The limitations of the proposed SANG, with its proneness to bogginess and flooding and with its lack of large open spaces (in particular the narrow eastern area) not be able to function as a SANG without principle leading to a net harm to biodiversity 	<ul style="list-style-type: none"> • Flooding events generally do not coincide with the bird nesting season (March-July) when the adverse effect of people upon protected birds is most sensitive. If flood events occur in this period they are for a short timespan compared to the wetter winter months. • In general SANGs are taken out of agricultural use and include an element of re-wilding to improve attractiveness for users, so have the potential for significant biodiversity benefits compared to the existing agricultural use. • In terms of this particular SANG at Merley, it has the support of Natural England as providing suitable mitigation for the adjacent housing proposal (Site UE1 North of Merley). <p>Action</p> <ul style="list-style-type: none"> • Clarify the issue of flooding in SANG design in Appendix D
SGN	<ul style="list-style-type: none"> • Have no comments to make 	<ul style="list-style-type: none"> • Noted
Sibbett Gregory	<ul style="list-style-type: none"> • Would it not have been a good idea to have widened the scope to include the issue of nitrates and coastal waters? • Has anybody given any thought to the fact that it is people who cause adverse impacts NOT houses? What is the rate of population growth compared with increase in houses/households? 	<ul style="list-style-type: none"> • The mitigation strategies for Dorset Heathlands and Poole Harbour are currently set out as three separate mitigation strategies in three SPDs, with 3 associated costs to developers. Combining these strategies into a single mitigation charge could be considered in the future. • The Councils work on the basis that if the homes are built they can be fully occupied at some point in the future, and use average occupancy as the basis of the mitigation. As population may change during the lifetime of the home (in perpetuity) this is seen as precautionary

Respondent	Comment	Officer response
Sport England	<ul style="list-style-type: none"> • Whilst Sport England supports the aims and objectives for the most of the SPD, concerned that balance needs to be addressed for protecting the heathlands and allowing sport to take place. • Support the remarks around BMXing (paragraphs 4.19, 5.17, Part 2 (appendix A) and in the guidelines for SANGs (appendix B). However this appears to be unorganised, almost recreational BMXing and motor sports. • If organised sport, which may have been happening for years is stopped it can have a detrimental impact on the sport locally. • There is a focus on housing, which I accept, but there are sports facilities which will need to develop their club houses and ancillary spaces. • The SPD could be interpreted as a presumption against development; and appendices E and F could put a local club's aspirations in financial jeopardy. • The SPD needs to provide sound guidance to D2 use with Sport England advice in its preparation. • The heathlands help deliver the government's health and well being agenda by being a destination for people to ramble, walk, cycle. Again there has to be a balance between these activities and protecting the heathlands. • Appendix D is a start, but other elements should be included such as use of technology, areas for rest, accessible paths and toilets. 	<p>approach as set out in the Habitats Regulations</p> <ul style="list-style-type: none"> • Heathlands are protected through legislation and this will effect some existing uses. • Access management on the heathland and the provision of HIPs elsewhere can provide attractive alternatives that mitigates the impact. • The SPD is aimed at the C Use Classes (residential). • Good practice will mean that a number of the suggestions are incorporated into SANG design.
Studland Parish Council	<ul style="list-style-type: none"> • The Parish Council welcomes the SPD and supports effective protection of the precious Heathlands including the retention of the 400 metre exclusion zone. • The Council recognises the internationally important Heathlands as an area deserving the highest level of protection. The significant loss of the Heathlands over the last 200 years needs to be fully recognised and measures taken to ensure no further losses in particular due to development of and associated with the areas of heathlands. • The designation of a National Park for Dorset would assist in the effective conservation of the areas of heathland. • The Council requests that a robust approach is taken to the quality assurance of mitigation measures, and that such an approach is subject to independent evaluation. 	<ul style="list-style-type: none"> • Support noted. • The advisory group and publication of an annual Monitoring, Projects and Implementation Plan will enable proper scrutiny.
Swanage Town Council	<ul style="list-style-type: none"> • The Council is in support of the update of the current SPD and the rolling forward of the existing strategy and has no further comments to make at this stage. • However, the Council wishes it to be noted that it is looking forward to engaging in the full review of the strategic approach to avoidance and mitigation 	<ul style="list-style-type: none"> • Support noted.

Respondent	Comment	Officer response
Talbot Village Residents Association	<p>through the emerging local plans later in 2020 and would like more information about this review.</p> <ul style="list-style-type: none"> • There are local residents who disagree with the Proposed Highmoor Farm Digital Village, and residents that want to protect this valuable piece of Heathland. • The Digital Village will be restricted to B1 Uses that are appropriate in a residential area, but what will happen if they can't fill the premises with B1 Users? • Wholeheartedly agree with Cllr Phipp's statement in the press release for this consultation. So why allow this Digital Village to be built on our Talbot Village Heathland? With electronic communication it could be built anywhere on a brownfield site or on the university campuses. • AUB/Talbot Village Trust plan to park 150 contractors' cars on the heathland behind Bishop Road for 15 months and install three 20ft Lighting Towers behind our residents' houses. This will also present a security risk for Travellers to enter the heath. • Talbot Village Trust want to erect a Digital Sub Station on Highmoor Farm ahead of the construction of the Digital Village. • All Planning for Talbot Heath should be put on hold until the results of the Heathland SPD have been agreed. 	<ul style="list-style-type: none"> • The proposed Innovation Quarter is an allocated employment site in the Poole Local Plan. The land identified for development is not on the heathland. For the Council to grant planning permission proposals will have to pass appropriate assessment to ensure that there is no harm the protected sites.
Talbot Village Trust	<ul style="list-style-type: none"> • The SPD needs to be supported by more recent and extensive evidence. Results from monitoring should be made publicly available as and when completed. The Councils have been collecting funds for monitoring for more than ten years but the SPD only references documents up to 2005 and there is no obvious public availability of the monitoring that has been done since. The monitoring results should be made available for all to understand how the heathland strategy is working. • The text makes inappropriate references to the '...avoidance and mitigation strategy of this SPD', when the strategy is already established in the local plans. SPD's do not set policies or strategies, so these references need to be amended. • The SPD should set out arrangements for transparent governance. This should include the terms of reference for the proposed Heathland Panel, confirming it will be a public meeting with public records. It is unclear how the implementation of projects and monitoring has been overseen. Decisions on the delivery of mitigation projects to be transparent and subject to public scrutiny. • Accounts should be made public showing the SAMM and CIL heathland income and how this 	<ul style="list-style-type: none"> • Agree that the evidence should be listed. • Discussions with applicants can design out adverse effects, which is avoidance rather than mitigation and is recorded in the appropriate assessment process. • The advisory group and publication of an annual Monitoring, Projects and Implementation Plan will enable proper scrutiny of the project list and spend. • Details of the advisory group is unnecessary for the SPD. • The threshold for HIP provision will be reinserted. • Acknowledge Draft SPD was inconsistent regarding student accommodation. Figure 3 wrongly included student accommodation within 400 metres as there is no evidence to show the effects are any different from C3 housing.

Respondent	Comment	Officer response
	<p>has been allocated. The Councils collect substantial financial contributions for SAMM and are supposed to commit a large first portion of their Community Infrastructure Levy (CIL) towards heathland mitigation. It is presently unclear what sums have and are being collected by the Councils, and how they are being allocated.</p> <ul style="list-style-type: none"> • The SPD should set out the terms of reference for the Advisory Group, including who are the participants, and the meetings should be open to public view and representation. Minutes of the meetings should also be made public. Additionally, regular reports should be made available on the delivery of mitigation schemes and monitoring, including financial expenditure and the criteria used to assess which projects are progressed. • The new SPD should retain the reference made in the existing document, to developments of more than approximately 50 dwellings being required to deliver a SANG. Smaller schemes should make financial contributions through CIL towards strategic SANG provision. There is no clear evidence supporting why the 50 dwelling trigger for provision of SANGs has been deleted and will create uncertainty, as it appears all sites are now potentially required to provide SANG mitigation, whatever their size. This is wholly unrealistic and could either slow or prevent the delivery of suitable small residential sites. The SPD should therefore be amended to reinsert the threshold reference to provide clearer guidance to landowners, developers and other interested parties. • The new SPD should be amended to consistently confirm that university managed student accommodation can be acceptable within 400m of the heaths. Figure 3 and Appendix B are not consistent, e.g. student accommodation. The Trust supports the existing approach and therefore objects to an outright refusal of student accommodation within 400m of the heathland. • The draft SPD has removed HIPs and states they will be replaced by a new, but as yet, unpublished document. The Councils are asked to publish this document as soon as possible to identify the HIPs to be delivered over the SPD period, as well as reporting on progress of those delivered since the inception of the heathland policy. • The new SPD should include a comprehensive list of HIPs to be delivered over the period of the document. Alternatively, accompanying HIPs documents should be published and regularly updated to reflect new and completed projects. • The Councils need to publish clear criteria which will be used to measure the suitability of HIPs. The Trust considers the Councils should set out and 	<ul style="list-style-type: none"> • Suggested project noted and can be included in the Monitoring, Projects and Implementation Plan. • The 400m consultation area would need to be altered through the local plan process. This is just a consultation area and each application will be determined on a case by case basis. <p>Action</p> <ul style="list-style-type: none"> • Re-insert threshold for the provision of SANGs

Respondent	Comment	Officer response
	<p>consult on the criteria used to assess whether a scheme is a suitable HIP. At present it is unclear how funds will be allocated, which makes it hard to optimise HIP submissions, and provides no obvious basis by which to understand funding decisions. For instance the SPD should address:</p> <ul style="list-style-type: none"> ○ What weight is given to different criteria used to allocate resources? ○ Will such decisions be made by the proposed Heathland Panel, or by a group, or individual officers? ○ Will those proposing HIPs be able to present their schemes? ○ Is there recourse to challenge funding decisions? <ul style="list-style-type: none"> ● The Trust owns land at Talbot Village that could be used to help mitigate the impacts of residential development on the heaths. Approximately 10 hectares of woodland to the north of Wallisdown Road offers the opportunity to deliver a HIP. The woods are open to limited public access, but have not been managed to encourage recreational use. There is scope to re-imagine this area and provide a highly attractive recreational facility. A combined plan for Slades Farm and Talbot Woods could provide a very effective area for heathland mitigation within the very restricted conurbation. ● The 400m heathland buffer zone should be amended to exclude numbers 198 and 190 Wallisdown Road. The update of the SPD provides the opportunity to review the 400m heathland boundaries to amend anomalies, e.g. numbers 198 and 190 Wallisdown Road where the 400m heathland buffer only just touches the front garden of number 198 and does not reach number 190. However, the heathland buffer restricts residential development on these properties. For no obvious reason, they are the only dwellings north of Wallisdown Road which are included within the 400m buffer. To reach the heath from these houses, someone would have to cross the busy Wallisdown Road and travel over 600m, which is a distance far greater than used to establish the buffer. Additionally, land to the north of the dwellings is allocated in the Bournemouth Local Plan as suitable for residential development. These would be accessed off Alton Road, which is outside the 400m buffer. 	

Respondent	Comment	Officer response
		
Verwood Town Council	<ul style="list-style-type: none"> The Town Council support the document. 	<ul style="list-style-type: none"> Support noted
Walsingham Planning	<ul style="list-style-type: none"> The calculation on the SAMMs excludes allowance for the additional classes of development set out in Appendix B, e.g. hotel bedrooms. Assuming all anticipated housing to be built (and charged) this would result in a surplus of payments beyond the anticipated costs. It is an oversimplification to assume that these additional classes of development would give rise to the same extent and type of use as dwellings. For example, dog walking is identified as a particular potential impact on the Heathlands but the % of hotel guests that bring dogs is very low thereby resulting in much lower potential impact. Similarly, whilst residents will take a wide range of opportunities for leisure activities, including the possibility of walking in the Heathlands, visitors will have a very different pattern of behaviour to permanent residents. Likely usage should be taken into account in setting any charge, e.g. 10% of the charge for a flat – or suitable justified figure. It is unclear how HIP mitigation is to be agreed for any particular proposal. Section 5 seems aimed at larger scale residential proposals which para 5.10 suggests may deliver specific SANGs/HIPs. But there will be many other schemes that are captured. Para 5.9 states HIPs will be delivered through CIL contributions – this requires that a specific cost will be calculated – assuming that is the case this SPD should set how the cost will be assessed and distributed between different types of proposal. The flexibility set out in para 5.12 to deal with cases on a case by case basis is welcomed, but in the absence of any guidance does not provide clarity about potential liability for prospective developers or how the Council(s) will know their duties have been discharged. 	<ul style="list-style-type: none"> As the number of other types of development cannot be quantified they cannot be included in the calculations. Any surplus will be put towards mitigation. The Councils work on the basis that if the homes are built they can be fully occupied at some point in the future, and use average occupancy as the basis of the mitigation. As population may change during the lifetime of the home (in perpetuity) this is seen as a precautionary approach as set out in the Habitats Regulations. Where a development pays CIL the appropriate level of mitigation will be directed towards a relevant HIP project and this will be set out in the Appropriate Assessment. If a development does not pay CIL there are different costs depending upon the specific mitigation project that the development has to contribute towards – i.e. a SANG in Poole or a SANG in Christchurch. These costs will be shared with the applicant at the time. Applicants can contact the Council at pre-application

Respondent	Comment	Officer response
	<ul style="list-style-type: none"> Merely stating that HIPs will be required without setting out a methodology does not assist either the Council(s) or prospective developers. 	<ul style="list-style-type: none"> stage to understand the likely project that will mitigate their development and the proportion of that project the developer will have to contribute.
Wareham Neighbourhood Plan Steering Group of Wareham Town Council	<ul style="list-style-type: none"> Fully support the aim and objectives of the SPD in ensuring the mitigation of the effects of new development on highly valued heathland. The difficulty in preparing the Wareham Neighbourhood Plan concerns achieving a deliverable SANG to mitigate development of the 300 dwelling indicative housing requirement for the Town set by Dorset Council. In line with the NPPF the priority is to bring forward underused and vacant brownfield land for residential development before considering greenfield and Green Belt sites. These brownfield sites are in multiple ownerships and bringing them forward is a challenge. The problem has come in providing mitigation arrangements through a SANG. The ownership of the brownfield land does not include any greenfield land and therefore providing a SANG has required negotiation with adjoining landowners. The key issue concerned the level of financial contributions Welbeck were seeking towards the provision of a SANG. Welbeck Land preferred bringing forward development of land in the Green Belt in Estate ownership to meet most of the housing requirement which was not something which the Town Council supported. Further discussions with Dorset Council and Natural England have resulted in an agreed Statement of Common Ground which limits housing allocations north of the railway line to up to 50 units with financial contributions towards HIPs and enhancement of an existing SANG at Bog Lane for development south of the railway line achieved through a financial contribution. However, this has considerably delayed progress of the Neighbourhood Plan and there remains further potential brownfield land north of the railway line The key issue which therefore needs to be addressed is how mitigation measures are to be achieved for brownfield land where there is no land available in the same ownership for mitigation. There needs to be a simple method of discharging the requirement at a financial level which recognises the challenging viability associated with developing brownfield sites. This would best be achieved by the local authorities taking a proactive approach in conjunction with Natural England, the DWT, etc to provide a network of SANGs throughout the area covered by the policy. This requires a strategic approach 	<ul style="list-style-type: none"> Situations such as this need to be resolved at the plan making stage.

Respondent	Comment	Officer response
	<p>which is linked to the development strategy and a greenspace strategy for the whole of South East Dorset. Relying on private landowners to provide SANGs can lead to a ransom situation which fails to bring forward brownfield land in line with Government policy.</p> <ul style="list-style-type: none"> Part of the solution to this problem could be through the preparation of the next round of Local Plans for Dorset and BDP but it would be helpful to address this issue in the current SPD. 	
Wareham Town Trust	<ul style="list-style-type: none"> The need to protect our precious heathland and to mitigate the impacts so as to ensure the protection of endangered species is clearly of vital importance. Wareham is a highly constrained settlement where surrounding land is protected by a wide range of designations and the Wareham Neighbourhood Plan is seeking to maximise the use of underused brownfield land in accordance with the NPPF. Mitigation of brownfield land needs to take into account the viability issues associated with developing brownfield land. Relying on negotiations with private landowners for the provision of a SANG is clearly untenable if brownfield land is to be encouraged to come forward for development in line with government policy. Recommend mitigation of brownfield land by means of a financial contribution which takes account of the viability and that the Council is responsible for the provision of SANGs. 	<ul style="list-style-type: none"> Situations such as this need to be resolved at the plan making stage.
Welbeck	<ul style="list-style-type: none"> Welbeck, representing the Charborough Estate, is broadly supportive of the SPD It should be noted in the Heathlands SPD that mitigation measures will be part of an overall package that will ensure much needed development is acceptable in planning terms and a balance is struck across the three strands of sustainable development. The viability of payments and mitigation alongside the need for a net gain in biodiversity will be vital in delivery Despite the future strategic review of mitigation through the local plan there is a lack of specificity in the Heathland SPD. The solution is the provision of a strategic scale SANG at North Wareham in combination with sustainable housing development. The Charborough Estate's extensive land ownership provides a rare opportunity to deliver development alongside a SANG on land in the same ownership. An emerging master plan for the proposed SANG at North Wareham will see the creation of over 19ha of natural greenspace to include: <ul style="list-style-type: none"> A 3.76 km circular walking route Informal, mown paths 	<ul style="list-style-type: none"> Comments noted. Large scale proposals will be considered through the local plans process. Adherence to the Habitats regulations trumps other planning requirements. The Councils are not aware of SANGs stopping sites coming forward on viability grounds.

Respondent	Comment	Officer response
	<ul style="list-style-type: none"> ○ Visitor parking for 20 cars ○ Two pedestrian crossing points on Bere Road to enable a larger circular walk to be achieved ○ Management and enhancement of areas of wet grassland and acidic grassland ○ New native tree and scrub planting. ○ New planting along key boundaries ○ 25 m planted buffer to Wareham Forest to deter public access ○ Creation of several viewpoints ○ Provision of interpretation boards ○ Protection of the tumuli ○ A secure area for dogs to be off lead ● The SANG has the indicative capacity for approximately 660 new units (or 1,583 population) based on 12 ha per 1000 population. There would therefore be additional capacity of 505 dwellings beyond those being promoted by Welbeck Land. Delivery would be on phased basis. 	
Wessex Water	<ul style="list-style-type: none"> ● Para 4.23 - Would welcome clarification in the SPD that Permitted Development Rights afforded to statutory undertakers under Schedule 2 Part 13 of the Town and Country Planning (General Permitted Development) (England) Order are not within scope of these requirements. Reference to Appendix C for further information on this topic should actually be to Appendix F. ● The SPD only briefly touches on the other environmental impacts from development on the Dorset Heathlands. As part of the Dorset Heaths SAC Judicial Review Process further information on the condition of the Heaths and the impacts of diffuse and other pollution on their status has been put forward. It would be beneficial for section 3 to be updated with references to water pollution and drainage related issues, with the document signposting other relevant measures in place to address these impacts (for example, the Nitrogen Reduction in Poole Harbour SPD). ● Consider through the Local Plan process broadening the scope of mitigation delivered by the SPD beyond solely recreational measures, in order to begin to address wider impacts on the Dorset Heaths, e.g. surface water drainage, flooding, diffuse pollution, nutrient enrichment etc. It would be beneficial for SANGs to include consideration of multi-benefit solutions to ensure that developments cohesively and sustainably deal with their impacts to the sensitive habitat, i.e. natural capital gains. Such an approach would be in line with emerging Government expectations towards delivering net biodiversity/environmental gain and could support delivery of multiple outcomes. 	<ul style="list-style-type: none"> ● This SPD covers permitted residential development. Other uses and permitted development rights have to be in accordance with the Habitats Regulations. ● The impacts identified in the judicial review are a result of historical development rather than additional development so does not need reference in the SPD. However, the multi functionality of HIPs could be highlighted as mitigating both recreational and nitrate pressures on heathlands and Poole harbour. <p>Action:</p> <ul style="list-style-type: none"> ● Amend Appendix reference in para 4.23. ● Highlight that HIPs can be multi functional in Section 4

Respondent	Comment	Officer response
West Parley Parish Council	<ul style="list-style-type: none"> • Concerned about the impact from staff and visitors to nursing homes within the 400 metre area, who may well take advantage of the close proximity to the heathland to exercise family and dogs. A full impact assessment is needed. • In addition small nursing homes may not prove to be viable leaving an empty building within the 400m zone. • Fully supports the principal of Heathland Support Areas. Details of the funding available needs to be promoted. • The requirement to provide a SANG is not always clear to residents and although it is set out in the Local Plan, it would be helpful if the SPD set out the framework for these areas and their intended use. • The life of the SANG was intended to be in perpetuity but this now appears to have been revised to 80 years which appears a retrograde step. • Equally the requirement for the SANG to be operational before the first occupancy should be included in the revised SPD. • Not all SANG sites selected are considered suitable and attractive enough to encourage residents to make use of them and away from protected areas. Many areas designated as SANGS are prone to flooding in Winter and unusable. Serious consideration should be given to these sites before approval and not accepted as the cheapest and closest available to the application site. • Monitoring of these sites is essential and the parish supports the monitoring programme. • Developers should be encouraged to plant native species and local wild flowers species and not the most available non native species, which may spread seeds to heathlands. • P12 states managed student accommodation will be allowed within 400 zone while previous SPD states these will be considered case by case. This appears a retrograde step. Consideration should be given to the level of development within the 400m-5KM which although generates funding for mitigation at present, should the level of development increase to a much higher level the impact on protected areas will need a greater level of protection. 	<ul style="list-style-type: none"> • Nursing homes will be considered on a case by case basis and assess staff and car parking impacts. • The requirement to provide a SANG is set out in the respective local plans. A number of factors are considered in assessing the suitability of SANGs, in particular whether they will be attractive and therefore effective. • Flooding events generally do not coincide with the bird nesting season (March-July) when the adverse effect of people upon protected birds is most sensitive. If flood events occur in this period they are for a short timespan compared to the wetter winter months. • Acknowledge Draft SPD was inconsistent regarding student accommodation. <p>Actions:</p> <ul style="list-style-type: none"> • Clarify the issue of flooding in SANG design and native species in Appendix D • Sort out student accommodation inconsistency • Amend para 6.1 regarding first occupation
WH White Ltd	<ul style="list-style-type: none"> • Welcomes the continuation of the Framework. The draft is timely and offers the new Councils scope to align practices. Commend the streamlining of the document to reflect the general acceptance and understanding of the pressures upon heathland sites and the current approach to mitigation. 	<ul style="list-style-type: none"> • Support noted. • Agree that explanation of the appropriate assessment process would be helpful to applicants. • The evidence is cited in footnote 4 and through various habitats regulations

Respondent	Comment	Officer response
	<ul style="list-style-type: none"> • The SPD needs to better articulate alongside the HRA process the connection between new development, potential in combination effects and proposals. • Paragraph 2.4 presents an opportunity to explain how the Councils undertake Appropriate Assessment when considering planning applications including use of relevant templates. • Para 5.9 should consider sites that are zero rated for CIL purposes as their impact still needs to be mitigated to satisfy an Appropriate Assessment. Ideally, in the interest of simplicity, a consistent approach should be adopted across the area. • It is unfortunate that an appendix identifying potential mitigation projects is omitted. Suggest that the Riverside SANG be added to the stated examples • Disappointingly the evidence is not cited, nor how it has influenced the summary table in Figure 1. • Figure 3 - guidance on managed student accommodation would be welcomed. What is meant by ‘... run on their behalf ...’ as it would seem anti-competitive if the judgement was to rest with the established universities? • Appendix B is inconsistent and contradicts figure 3, so needs adjustment. In addition the advice for C1 uses and C2 residential education, as contained in the table set out in Appendix B, is unclear (i.e. “Depends”) and should be elaborated upon more fully with hypothetical examples. • The clarity on approach to HMO’s is considered pragmatic. • Figure 4 - the average occupancy figures have been derived from research into the occupation of new homes. In considering SAMM provision, it is unclear whether baseline occupancy trends for the existing stock have been taken into account, which if falling might create headroom when considering the recreational pressures arising from new homes. • Welcomes that Dorset Council (excluding the north Dorset area) will collect financial contributions towards both SAMMs and HIPs by means of CIL. Infrastructure lists (formerly Reg 123) will need to be amended accordingly, as this approach was previously only adopted in Purbeck. • Welcome that BCP will accept upfront contributions towards SAMM secured through s111 of the Act, thereby restricting the need to enter into S106 agreements which are frequently cause for delay. • Figure 2 provides a helpful map showing the distribution of the Dorset Heathlands and the 5km heathland area and aids the understanding of the reader. 	<p>assessments and monitoring work undertaken for local plans.</p> <ul style="list-style-type: none"> • For housing proposals that are zero rated for CIL, para 5.12 and Appendix F set out mechanisms for how mitigation can be secured. With time following local government reorganisation, different approaches to mitigation in each local plan will become more consistent, and this will certainly become necessary through the local plan process. • Agree about wider ownership of SANGs. • The section on university accommodation is inconsistent and will be amended. • The falling occupancy for existing housing stock is not taken into account as under the precautionary principle of the Habitats Regulations, average occupancy could also rise. • Para 5.15 refers to in perpetuity as 80 years, as this is the timeframe being used by the Councils to secure mitigation projects. • With the abolition of Regulation 123 the Councils will instead publish annually an Infrastructure Funding Statement to set out clearly where CIL and S106/S111 monies have been spent. • The Councils would welcome private sector representation in overseeing the heathland mitigation process. • The Councils continue to assess each SANG on a site by site basis with advice from Natural England. The 8/16ha standards are a guide but it is attractiveness of the SANG that is more important.

Respondent	Comment	Officer response
	<ul style="list-style-type: none"> • Pleased to see the reinstatement of the Advisory Group but would suggest this includes private sector representation. Would also welcome informal opportunities for participation in the preparation of the 'Monitoring, Projects and Implementation Plan' recognising that the private sector has an important role in provision and management. • Whilst the Appendix D Quality Standards have been rolled over from the previous iteration, concern is expressed at the lack of parity with the quantitative approach adopted in other regions, such as the Thames Basin, where a threshold of 8ha per 1,000 of population is applied. • Concern at the lack of flexibility afforded to new developments of 50-100 homes with on-site SANG. SANGs delivered in Swanage and Upton do not allow for a circular walk of 2.3km, notwithstanding their wider connectivity. Were new developments of this scale to provide a SANG of 8-16ha it would present significant overprovision; with consequential impacts for viability. • Suggest modifying Appendix D to identify the requirements for (i) strategic SANG and (ii) non-strategic SANG; the latter allowing greater flexibility. • Not clear why the SAMM contribution for Christchurch and East Dorset is set to increase markedly (by circa 60%)? • It is unclear why paragraph 5.16 distinguishes between Council controlled sites and SANG's delivered by the private sector as all need to be secured in-perpetuity and that funding is secured to maintain them. • Concerned by the disparity in the thresholds applied to settlement extensions and / or greenfield sites as these are not clearly defined in Local Plan policies. • Para 19 - support the distinction being drawn between 'Strategic' and 'Non-strategic local' SANGs in para 19 and the basic premise that draw / catchment is a determining factor. The Riverside SANG is sufficiently attractive to draw persons from an extensive area and support its identification as a 'Strategic' SANG in figure 5. However, the SPD should adopt a more transparent approach to the identification of Strategic SANGs and their potential role in enabling future development. Draw is influenced by quantitative. Factors like overall scale, number of circular walks available, availability of facilities and qualitative factors like landscape setting, tranquillity, connectivity and convenience. The draft SPD contains no assessment of how 'draw' (existing or likely) has been assessed by the Council's in pulling together figure 5. With respect to the qualitative aspects, it is evident that 	<ul style="list-style-type: none"> • SANGs may have features that compensate for a shorter walk such as viewpoints (Swanage) and proximity to the housing (Upton). The Councils are not aware of SANGs stopping sites coming forward on viability grounds. • Agree that Appendix D requires an update in line with best practice. 2.3km is a correction for consistency with the evidence. • SAMM contributions have been re-calculated on basis of the new Council area and have changed accordingly for consistency. • Each SANG is assessed as part of the planning application, and good practice is a learning experience as set out in Appendices D and E. • Para 5.15 refers to in perpetuity as 80 years, as this is the timeframe being used by the Councils to secure mitigation projects <p>Actions:</p> <ul style="list-style-type: none"> • Amend Paras 5.16 to refer to wider ownership. • Action – In section 5 and Appendix F set out clearly the appropriate assessment process. • Appendix A - Refer to Canford SANG as a good example • Ensure Figure 3 is consistent with Appendix B. • Update Appendix D. • Amend paras 1.3, 2.1, 4.3, 5.8 and Figure 5 as suggested. • Add new appendix with references to evidence

Respondent	Comment	Officer response
	<p>professional judgement needs to be exercised. Underpinning judgements should be published in a table as an appendix to the SPD, thereby enabling scrutiny. Surprised by the inclusion of the UE1 SANG and smaller SANGs shown in east Dorset.</p> <ul style="list-style-type: none"> • Para 6.4 presents an opportunity to refer to the Stour Valley Concept • Para 1.3 – delete ‘of’ in final sentence. • Para 2.1 – insert ‘(SAC)’ after Conservation. • Para 4.3 – delete the first ‘to’ in the final sentence. • After para 4.11, it might be helpful to draw distinction between SAMM and the landowner’s statutory obligations for biodiversity management consistent with the SAC / SPA objectives. • Figure 5 - exclude SANG link at Canford. • Figure 5 show HSA to the south of Magna Business Park. • Para 5.8 clarify means of indexation as a footnote. • Appendix D: The reason for altering 2.2km to 2.3km is unclear? • Support the fourth paragraph on page 26, but highlight that Natural England and the Council has been reticent to engage on matters such as SANG capacity, although recent discussions on the future role of SANGs has proved constructive. • Appendix E: it is unclear why the guidance on perpetuity meaning 80-125 years has been removed? 	
Woodland Trust	<ul style="list-style-type: none"> • For the later full review of the SPD we would like to see an integrated, strategic approach to nature recovery embedded in the Local Plan process. • A Green Infrastructure Strategy should integrate the requirements for protected species and sites with a strategic approach to safeguarding and enhancing the wider ecological networks of which they are part, whilst unlocking wider benefits (ecosystem services) to people and nature. • The emerging Environment Bill requires local planning authorities to develop and deliver on Nature Recovery Strategies, the commitment to Nature Recovery Networks in Government’s 25 Year Environment Plan and the work of the Local Nature Partnership in coordinating a collaborative approach to nature recovery across Dorset. • In combination effects must be considered not only on the protected heathlands, but the wider ecological networks of which they are part and which help sustain them. The draft SPD does not currently reflect the impact of further isolation of the heathlands through increased development. • In the SPD refer to the existing mapped potential ecological networks, with Nature Recovery Plans to be wholly integrated in the full review later this year. 	<ul style="list-style-type: none"> • Suggestions for the local plan process are noted. • Action: Refer to the Ecological Network in the SPD

Respondent	Comment	Officer response
Wyatt Homes	<ul style="list-style-type: none"> • Welcome that both councils intend to review the overall approach as part of the preparation of their new local plans. In any such review assessment is needed of the financial viability impacts of any proposed development contributions to ensure that policy requirements do not undermine deliverability. • Consider through the local plan process the opportunities to bring forward large scale development, at sustainable locations, that can deliver significant new areas of green infrastructure, including on-site SANGs to mitigate the impacts of both new and existing development on the Dorset Heathlands e.g. • Dudsbury Golf Course, south of Ferndown (Dorset Council) provides the opportunity to deliver a new neighbourhood to Ferndown of around 700 dwellings and 24 hectares of green infrastructure. It could include a strategic-scale SANG, connections to existing green infrastructure links, including the Stour Valley Way, a new connection across the river to the Millhams Mead Nature Reserve and improved linkages between SANGs and other green infrastructure along the Stour Valley. • Higher Clockhouse Farm, west of Bransgore (BCP Council) provides for a new neighbourhood of around 300 dwellings, adjacent to the west of the village of Bransgore. Some 20 hectares of public open space, including the opportunity to create a new strategic-scale SANG for the northeast of the BCP area and for the village of Bransgore. • Pages 2-3 - support the reference to Wyatt Homes Frenches Farm development as being a 'good example' of a SANG. • Figure 3 is not consistent with Appendix B resulting in Figure 3 presenting a significantly more restrictive approach than is envisaged by the detailed guidance at Appendix B. For C2 development to be potentially acceptable within 400 metres it is not necessary for it to comprise 'nursing homes'. In order to address this inconsistency revise Figure 3 as follows: <i>'Permitted within 400 metres: Certain types of development within C2 Use Class where there is an element of close care provided on site 24 hours a day, or where, by the nature of the residents' disabilities, they are unlikely to give rise to any significant effect on heathlands. Not permitted within 400 metres and requiring mitigation between 400 metres and 5km: Development within C2 Use Class where no element of close care is provided on site 24 hours a day, or where residents' level of activity is likely to give rise to a significant effect on heathlands.'</i> • Para 4.16 refers to Appendix A (part 1), which provides a general description of the possible 	<ul style="list-style-type: none"> • Comments noted. Large scale proposals will be considered through the local plans process. • If there is only an element of close care then this is C3 development and not appropriate in the 400 metre heathland area, e.g. Nursing homes and specialist facilities (Use class C2) can be clearly differentiated from extra care or retirement housing (Use class C3). • The cost changes to SAMMs reflect the fact that the costs have been amalgamated into two Council areas. The advisory group and publication of an annual Monitoring, Projects and Implementation Plan will enable proper scrutiny. Furthermore, the SPD includes a caveat that it can be reviewed within the 5 years.

Respondent	Comment	Officer response
	<p>types of SAMMs measures. Thus there is no information to justify the overall cost figures set out within paragraph 4.16. The currently adopted SPD quotes a total cost of SAMMs measurers over a 14 years period as £4.3 million (average of £0.307 million per year). Concerned this has now increased to £2 million for 5 years (average of £0.4 million per year) a 30% increase without clear justification. The CIL Regulations 2010 (as amended) require that planning obligations are “fairly and reasonably related in scale and kind to the development”</p> <ul style="list-style-type: none"> • Concerned that the overall contribution cost per dwelling has increased even more steeply than the overall aggregate costs (when averaged). Taking the contribution for houses, the increase set out within Figure 4, over the current contribution rates is as follows: • BCP: Current rate for houses = £241, new proposed rate = £394, giving an increase of £153 per dwelling or a 63% increase. • Dorset (applicable through s106 to those affected areas in the North Dorset Local Plan area): Current rate for houses = £241, new proposed rate = £406, giving an increase of £165 per dwelling or a 68% increase. The Draft SPD provides no justification for these very significant increases which is a concern for developers. The cumulative impact of all of the various planning obligations and CIL has the potential to harm the viability of otherwise sustainable and much-needed residential development. • Paragraph 4.21 (page 14) Support the guidance that in some cases promoters of larger developments may wish to deliver bespoke measures which will be considered by the Councils with advice from Natural England. Some larger sites will provide particular opportunities to provide strategic SANGs which could be of benefit to a wider section of the community than those occupying the new development and can improve linkages to existing green infrastructure assets. 	

Responses from the public:

Respondent	Comment	Officer response
Abernethie, Ann	<ul style="list-style-type: none"> Excellent! Comprehensive, detailed, good information. From the perspective of a non-specialist, just a Verwood resident! Thanks to all who have worked so hard and contributed to this plan. 	<ul style="list-style-type: none"> Support noted.
Amey, Jo	<ul style="list-style-type: none"> Concerned there is a presumption that development is the way forward and that the negative impact of such development can be counteracted in various ways. Surely BCP Council's climate emergency implies that protection of our remaining natural environment must take priority over other issues. Include a condition for developers of any site within 5 km of heathland to fund an independent baseline bio-diversity survey carried out by a reputable organisation and this survey is to be submitted with their application. Commercial development should not be considered within the 5 km zone as commercial needs are rapidly changing and any benefits would not be worth the damage caused to the environment. 	<ul style="list-style-type: none"> The proposed Innovation Quarter is an allocated employment site in the Poole Local Plan. For the Council to grant planning permission proposals will have to pass appropriate assessment to ensure that there is no harm the protected sites.
Arnell, Vivienne	<ul style="list-style-type: none"> Concerned with the effectiveness of SANGs. By-the-way is a good example but others are not, in particular the proposals on UE1 North of Merley which are at odds with the statements in the document as this proposed SANG is totally unsuitable to be used for mitigation purposes. The UE1 SANG: <ul style="list-style-type: none"> Does not 'avoid sites of high nature conservation value' which this is. Floods regularly every year for many months it is narrow in places and has an urban feel with the roads. Where will they go for the months it is unsuitable? The nearest and driest being the Heathland. The extent of board walks needs make that unsuitable as well, The biodiversity of the area close to the river would make it unsuitable for dog walkers. Only one circular walk exists all year and the length is 0.9km under the recommended guidelines, a significant percentage. The area is rich in wildlife including Great Crested Newts, otters, kingfishers, night jars, bats and much more. The delicate balance needed to ensure their protection will be under threat by people and pets. 	<ul style="list-style-type: none"> Flooding events generally do not coincide with the bird nesting season (March-July) when the adverse effect of people upon protected birds is most sensitive. If flood events occur in this period they are for a short timespan compared to the wetter winter months. In general SANGs are taken out of agricultural use and include an element of re-wilding to improve attractiveness for users, so have the potential for significant biodiversity benefits compared to the existing agricultural use. In terms of this particular SANG at Merley, it has the support of Natural England as providing suitable mitigation for the adjacent housing proposal (Site UE1 North of Merley). <p>Action: Clarify the issue of flooding in SANG design in Appendix D</p>

Respondent	Comment	Officer response
	<ul style="list-style-type: none"> ○ It is estimated that 1 in 4 households have a dog which would result in 125 more dogs in that area potentially. 	
Barraclough, Andrew & Trishia	<ul style="list-style-type: none"> • The overall strategy is a move in the right direction with regard to harm avoidance and mitigation. • However, we are concerned that this applies only to residential and tourist related development and does not cover developments to use for the purposes of retail, industrial or academic institutions, particularly if these are sited close to existing lowland heathland for instance Highmoor Farm in relation to Talbot Heath, where the impact of such development would be significant in the following regards: <ul style="list-style-type: none"> • Reduced carbon sink from building on farmland as well as increased CO production related to construction • Loss of species rich buffer zone • Pressure on existing infrastructure • Increase in traffic and associated pollution • Loss of future green space utility within the conurbation • The cavalier approach of development at Highmoor farm in December 2019 contractors excavating a trench for fibre-optic cabling not only cut through an underground electricity cable but disturbed the hibernation site of slow worms (a protected species) as well as letting stock roam through a gate left unsecured. • 	<ul style="list-style-type: none"> • The proposed Innovation Quarter is an allocated employment site in the Poole Local Plan. • For the Council to grant planning permission proposals will have to pass appropriate assessment to ensure that there is no harm the protected sites.
Bateman, Helen	<ul style="list-style-type: none"> • Object to the digital village at Highmoor Farm BCP Council has stated that the climate emergency is a priority. • There is no need for a digital village so close to Talbot Heath when there are numerous empty commercial units nearby - Wallisdown rd, Alder Rd, Branksome - rejuvenate these existing sites and the dying town centre instead of ruining what little green space is left in the area? • In a few years it is likely to be surplus to requirements as the demand for residential university study is replaced by apprenticeships and remote courses. 	<ul style="list-style-type: none"> • The proposed Innovation Quarter is an allocated employment site in the Poole Local Plan. • For the Council to grant planning permission proposals will have to pass appropriate assessment to ensure that there is no harm the protected sites
Baylis, J	<ul style="list-style-type: none"> • SSSI land should be protected but not by making the land around it unusable. • Where there is a 'hard' barrier such as a main road between SSSI and other land, it should be possible to have new residences within reasonable amounts. Domestic pets will not survive crossing a main road with constant traffic. 	<ul style="list-style-type: none"> • Fencing around development is not an effective mechanism in perpetuity due to maintenance and its appearance as it has to be high to stop cats. • Businesses are allowed within 400 metres heathland area provided the Council's can be assured that

Respondent	Comment	Officer response
	<ul style="list-style-type: none"> • Small businesses should also be allowed providing they do not effect the air, pollute water or create noise. • The heathland can be protected by fences around small developments. • Information notices could be placed to inform the public and in certain places request that they do not let dogs off leads and to remain on the paths. • Do not have car parks near sensitive parts of heathland. Despite not allowing development, people drive to heathland areas for walks, cycling and riding. • During sensitive times e.g., ground nesting birds, the nearby car parks could be closed and information notices placed. • Development such as sheltered accommodation for elderly people could also be allowed, where they are not likely to have domestic pets. • Applications for redundant farm buildings for residential purposes could also be considered, where there would be very little risk to surroundings. • Mitigation to pay for heathland rangers could be made. • Barriers need to be placed on the access to footpaths and bridleways to prevent fly-tipping. • 'One size does not fit all', each application for development should be considered with honest regard and whether barriers e.g. roads, rivers, fencing, reduced car parking could be effective to allow development close to heathland. 	<p>employees will not access the heathland.</p> <ul style="list-style-type: none"> • The SAMMs payment includes signposting and raising awareness of bird nesting season and controlling dogs at this vulnerable time for birds. It also pays for wardens (rangers). • Managing the location of car parks, by providing alternative car parks in less sensitive areas is part of the mitigation approach. But closing car parks is difficult as they are often privately owned. • The blanket approach to residential use in the 400 metre heathland area provides certainty, although each application will be considered on a case by case basis. The redevelopment of redundant farm buildings for a residential use within the 400 metres heathland area is not allowed for the reasons set out in the SPD.
Benson, Ian	<ul style="list-style-type: none"> • Because of the predation of cats, houses should be kept at least 3 miles away from the heathland. Cats kill an enormous number of birds. At least 80% of the area should be fenced off and inaccessible to dog walkers. 	<ul style="list-style-type: none"> • The evidence shows that a 400 metre buffer is a sufficient range to discourage cats from visiting heathland. Due the CROW Act giving rights to open access of land fencing cannot be used to discourage access.
Black, Karin	<ul style="list-style-type: none"> • There are so many alternative sites to Talbot Village for that can be used for a Digital Village that won't cause such a detrimental effect to wild life and local residents 	<ul style="list-style-type: none"> • The proposed Innovation Quarter is an allocated employment site in the Poole Local Plan. • For the Council to grant planning permission proposals will have to pass appropriate assessment to ensure that there is no harm the protected sites
Brown, Greg	<ul style="list-style-type: none"> • Object to any measure, policies or plans that will result in the building of new homes on Dorset's heathland areas. The areas are precious and need to remain green spaces for the enjoyment of all, not a means to an 	<ul style="list-style-type: none"> • The Councils have to balance the delivery of housing to meet needs with the protection of the environment. New development would not be permitted if it were to

Respondent	Comment	Officer response
	<p>end of this government to build yet more homes that are just not required.</p>	<p>have an adverse effect upon the Dorset Heathlands.</p>
Casey, Desmond	<ul style="list-style-type: none"> Object to using the precious Talbot Heathland for the provision of a digital village. With the horrors of climate change and increasing carbon footprint surely we should preserve the heathland. How relevant it would be to plant indigenous trees and bushes instead of siting more buildings, roads and associated services. For the sake of your and our children/grandchildren and the rare fauna and Flora please consider siting this development somewhere else where it would have less impact on a treasured facility and the population. 	<ul style="list-style-type: none"> The proposed Innovation Quarter is an allocated employment site in the Poole Local Plan. For the Council to grant planning permission proposals will have to pass appropriate assessment to ensure that there is no harm the protected sites
Casey, Susan	<ul style="list-style-type: none"> Object to the siting of a digital village on the heathland in the Talbot area and spoiling this area of pristine heathland by building not only offices and work stations on it but also access roads to, from and within it. Once the heathland has been destroyed there will be no way back. Surely there are empty premises in the Poole/Bournemouth area which could be used? The Council should preserve this unique landscape and its habitat not to despoil it by not only building on it but making it accessible to motorised vehicles. What happens if the industry for which it is being constructed decides it would rather be located closer to transport links, presumably it will be turned over to light industry and storage units. 	<ul style="list-style-type: none"> The proposed Innovation Quarter is an allocated employment site in the Poole Local Plan. For the Council to grant planning permission proposals will have to pass appropriate assessment to ensure that there is no harm the protected sites
Cassels, Anne	<ul style="list-style-type: none"> Object to the proposed Digital village on Talbot Heath The Council has declared Climate Emergency so this will be in the forefront of your minds when deciding about protecting the Heathlands and how crucial they are to our environment, amongst the other impacts. 	<ul style="list-style-type: none"> The proposed Innovation Quarter is an allocated employment site in the Poole Local Plan. For the Council to grant planning permission proposals will have to pass appropriate assessment to ensure that there is no harm the protected sites.
Colman, Andrew	<ul style="list-style-type: none"> The council has already allowed building on an area at Bearwood which was part of the feeding area of nightjars from the SSSI. This area which was part wetland also supported bats, frogs, toads, palmate newts and a large selection of insects. More care must be taken in planning, once you have destroyed the habitat you cannot replace it. 350 new houses here will also add to the footfall on the heath. The area set aside as SANG has spent most of the winter underwater and is not usable by the public? 	<ul style="list-style-type: none"> The former Borough of Poole Council only granted planning permission for 324 homes to the south of Magna Road as the possible adverse effects of the development will be mitigated. Alternative foraging land has been secured in perpetuity to the south of the development near to the heathland. Residents will not have direct access onto Canford Heath and a SANG has been provided which is proving to be very

Respondent	Comment	Officer response
		<p>attractive to walkers whom may otherwise visit the heath.</p> <ul style="list-style-type: none"> Flooding events generally do not coincide with the bird nesting season (March-July) when the adverse effect of people upon protected birds is most sensitive. If flood events occur in this period they are for a short timespan compared to the wetter winter months. <p>Action:</p> <ul style="list-style-type: none"> Clarify the issue of flooding in SANG design in Appendix D
Cooper, Bob	<ul style="list-style-type: none"> Object as the NPPF and the Habitat Regulations require that consideration is given to any application for Development which may have an effect on a protected habitats site. The draft SPD does not comply with the NPPF because it only covers residential development. The SPD should be extended to include policies which cover the potential effect of that ANY type of proposed development 	<ul style="list-style-type: none"> This document is a strategy for mitigating the impact of housing. For the Council to grant planning permission all proposals (not just housing) will have to pass appropriate assessment to ensure that there is no harm the protected sites.
Cooper, S	<ul style="list-style-type: none"> Object to development by Talbot Village Trust of the areas boarding Talbot Heath, How the BCP council can declare a climate emergency then allow such a vast destruction of our green space for commercialism? We need all the existing the green space, without this, the area will continue to choke its self with congested roads, infrastructure and energy use. The region is already over developed, over populated and cannot sustain anymore growth. All development should be halted until we are able to see significant improvements in climate change, locally as well as nationally. The 'Innovation quarter would be better placed in the many empty shops that occupy Bournemouth and Poole, to revive the towns and bring in increased footfall. 	<ul style="list-style-type: none"> The proposed Innovation Quarter is an allocated employment site in the Poole Local Plan. For the Council to grant planning permission proposals will have to pass appropriate assessment to ensure that there is no harm the protected sites
Cox, Dorothy Joyce	<ul style="list-style-type: none"> Please preserve all heathland in Dorset there is so much protected wildlife and it must be saved. There used to be an area on Turlin Moor at the end of Junction Road and Dartford Warblers lived there until the council cut it down. Please be more aware of the damage caused by allowing vegetation to be removed, wildlife need homes as well. 	<ul style="list-style-type: none"> The Councils have to balance the delivery of housing to meet needs with the protection of the environment. New development would not be permitted if it were to have an adverse effect upon the Dorset Heathlands.
Dobbs, Nick	<ul style="list-style-type: none"> The reality is that even for sites with protected designations we really don't accurately know what we are mitigating for because of the lack of up to date baseline data from which to assess the impact of any 	<ul style="list-style-type: none"> To satisfy the Habitats Regulations the SPD sets out a mitigation strategy to ensure there are no adverse effects. There is no requirement for a net gain in

Respondent	Comment	Officer response
	<p>development in terms of net gains (or losses) in biodiversity.</p> <ul style="list-style-type: none"> In any planning application that has the potential to impact a site with designation it is Natural England's submission that is regarded by Councils as prima facie. Why? It is well reported in the media that Natural England is significantly under resourced on the frontline; consequently and by their own admission, Natural England has very limited understanding of how wildlife is faring (e.g. species present/population fluctuations) – even on nature reserves with supposed protected designations. Despite both Council's declaring a Climate Emergency in only one place in the entire draft SPD document (para 6.4) is there a reference to the Council's desire to achieve net gains in biodiversity. Submits a flowchart for how the planning system can deliver a net gain in biodiversity. 	<p>biodiversity to mitigate the adverse impact of urban pressures. However mitigation projects by their very nature provide opportunities to re-wild countryside and improve biodiversity and therefore the strategy is likely to have a positive effect. The Council is the decision maker and relies upon Natural England for advice before reaching a decision. Part of the SAMMs payment is used for monitoring of bird populations on protected sites and human access patterns.</p>
Farrell, Nigel	<ul style="list-style-type: none"> Object to the proposed digital village on land at Highmoor Farm as development is likely to harm the adjacent heathland which is one of the few remaining green areas in the conurbation. It should be protected rather than creating increased risks of fires and further encroachment. There would also be traffic and amenity are also issues. 	<ul style="list-style-type: none"> The proposed Innovation Quarter is an allocated employment site in the Poole Local Plan. For the Council to grant planning permission proposals will have to pass appropriate assessment to ensure that there is no harm the protected sites.
Gawler, Keith	<ul style="list-style-type: none"> As a parish councillor, support the strategy as proposed. However, suggest that better quality mapping of the heathland areas will be helpful to everyone including health walkers around Verwood. 	<ul style="list-style-type: none"> The maps are small scale due to the nature of the SPD, but are set out in greater detail on Local Plan Policies Maps.
Glazer, Holly	<ul style="list-style-type: none"> Object to the planning permission. The roads will not cope with the increased traffic. Wallisdown is already gridlocked / moving at a snails pace. 	<ul style="list-style-type: none"> The proposed Innovation Quarter is an allocated employment site in the Poole Local Plan.
Green, Tara	<ul style="list-style-type: none"> No development should be allowed on the heathland and agree with limitation on development within a further 400m distance around it. The issues regarding degradation and erosion of the heathland habitats, particularly highlights the need to ensure further provision is made for additional public open space and SANGs in Corfe Mullen. Non-heathland pockets of public open spaces in Corfe are limited by grazing animals, poor maintenance and poor drainage (i.e. unable to get through as often overgrown or waterlogged - such as the walks through the Happy Bottom Nature Reserve areas and 	<ul style="list-style-type: none"> Comments noted.

Respondent	Comment	Officer response
	<p>further overuse - such as the Badbury Rd rec and the play area behind the Coop.</p> <ul style="list-style-type: none"> Retain open spaces around Corfe Mullen as an alternative to the heathland, esp. the Corfe Mullen, Badbury Road recreation ground - the entire rec. (incl. the end field which borders the main Wimborne Rd / Higher Merley Lane and the western edge of Stour View Gardens end as well as the fields / wildflower meadow and adjacent field bordering to the NE part of Rectory Avenue). This valuable recreation space is the only place where dogs and children can stretch their legs and run and play in any sort of reasonable space. 	
Gunn, John	<ul style="list-style-type: none"> The SPD will need to undergo Habitats Regulations Assessment. The Sweetman judgement will also apply Can SANGs be more biodiverse e.g. create patches of heathland in Queens Park, Bournemouth The payments for SAMMs are too low and do not take into account the full cost benefit analysis Can protected sites be monitored by CCTV? 	<ul style="list-style-type: none"> The SPD provides guidance to policies set out in higher level local plans. The local plans were subjected to habitats Regulations Assessment. Each planning application also has to undergo appropriate assessment as a result of the Sweetman judgement SANGs have a particular purpose, but opportunities to improve biodiversity are encouraged. The SAMMs cost reflects the mitigation costs only as the mitigation has to ensure no adverse effect, rather than site improvement. CCTV would be costly.
Gundry, J	<ul style="list-style-type: none"> Development in close proximity to conservation areas especially Heathlands, is particularly undesirable – the impact of people could prove extremely adverse in many ways. It is most certainly the case that our local heathlands should be respected and protected. We do indeed have a legal duty to safeguard our environment. 	<ul style="list-style-type: none"> New development would not be permitted if it were to have an adverse effect upon the Dorset Heathlands.
Guntrip, Rosa	<ul style="list-style-type: none"> Strongly disagree with any proposed building work on the Heathland, soon there will be no green spaces left! 	<ul style="list-style-type: none"> Comment noted
Harris, Matt	<ul style="list-style-type: none"> The proposed development is a great idea for the conurbation. The University has been a success for the region and it makes sense to collocate digital businesses around these thought centres as many other university cities across the country have. 	<ul style="list-style-type: none"> The proposed Innovation Quarter is an allocated employment site in the Poole Local Plan.
Heward, Julie	<ul style="list-style-type: none"> Under no circumstances build on them or reduce them as it is our leisure and pleasure place to unwind and get back to nature. All this council want to do is build build build and build again. I live in Broadstone but go to 	<ul style="list-style-type: none"> The Councils have to balance the delivery of housing to meet needs with the protection of the environment. New development would not be permitted if it were to

Respondent	Comment	Officer response
	Corfe Mullen as Broadstone is so over built up, too many cars. It has lost its identity.	have an adverse effect upon the Dorset Heathlands.
Hudson, Martyn	<ul style="list-style-type: none"> • Natural England has too much influence whereby the exclusion zones force unnecessarily large areas of genuine Green Belt to be de-classified so that substantial housing estates can be created with insufficient improvement in the surrounding infrastructure. That position cannot be maintained if we are going to be able to house the population that require it. • Suggest reducing the zones to 300m or even 250m and exclude Natural England from any influence within village envelopes, so that we can maximise the inhabitable content of a village or small town, where existing infrastructure can absorb the development permitted. We are not utilising to the fullest extent possible the areas that we already inhabit, before we use open land to build even more houses. 	<ul style="list-style-type: none"> • The heathland areas are based upon evidence. To amend these areas would require new compelling evidence of which there is none.
Keats, Chris	<ul style="list-style-type: none"> • The precious Dorset Heathlands house, feed and protect many wild creatures and plants and it is essential that this continues through the next few centuries, irrespective of housing requirements for humans. After all, the wildlife have inhabited Dorset much longer. • Perhaps there is an argument for designating certain restrictions for new housing? Like cat owners ensure their animals wear bells to warn creatures, especially birds and smaller mammals like shrews, etc. of their approach? • Perhaps voluntary wardens or rambling groups could be recruited to advise home owners of their responsibilities if they end up living so close to Heathland areas? The new BCP Council was the first in the U.K to really do something for wildlife, rather than talk about it. Pet-free homes might be rather refreshing to lots of people. 	<ul style="list-style-type: none"> • The suggestions for cats are not currently enforceable. • Developers will fund wardens to raise awareness, but equally the role of the voluntary sector should be encouraged.
Kenward, Robert E.	<ul style="list-style-type: none"> • In a democracy, conservation requires consent of citizens who elect decision makers and citizens need to appreciate the value of heathland in order to support future conservation. The value that heathland's international designation has created in planning terms (for preventing over-development around Wareham) is inestimable, but the CIL (with integral SAMMs and HIPS) adds to planning costs for local householders as well as on developers. If local people gain aesthetic appreciation from SAMMs, and health benefits through SANGs, citizen consent may be sustained. 	<ul style="list-style-type: none"> • The Habitats Regulations are UK law. • The proposals seek not to stop people from doing as they wish, but encouraging a change in behaviour over time by offering up alternative places to visit and educating people on the benefits of protecting heathland sites. The Habitats Regulations ensure that development does not have an adverse effect upon the protected sites so is not aimed at improving the heathland sites, although the projects have the potential to

Respondent	Comment	Officer response
	<ul style="list-style-type: none"> It is therefore important that tourism is not unduly constrained by pets. The science shows an association between proximity to households and disturbance of wildlife, but not the causal mechanism for that association. Dogs might be involved, and poorly controlled dogs are undesirable, but there is more evidence in general for wildlife impact from cats, and plenty for generalist wild predators (foxes, badgers) that may benefit from bird-tables and worming on lawns. It is therefore good that, in the strategic plans (p.7-8) that tourist (and student) accommodation is permitted within 400m of heathland, given mitigation (and supervision), especially because tourists are probably more likely to bring their dogs than their cats. Anomalous therefore that Table 2 HIPs projects focus on dogs rather than heathland connectivity projects that could enable rewilding processes. 	<p>create the wider health and environmental benefits as suggested.</p>
Lees, Clare	<ul style="list-style-type: none"> Appendix D – In light of the declaration of a climate emergency reconsider the statement that most visitors to SANGs arrive by foot or car. Housing sites should be selected with the possibility of providing SANGS alongside. It should be considered undesirable to provide an attractive destination accessible only by car. 	<ul style="list-style-type: none"> Agree, ideally everyone would walk to SANGs but this is not possible in all cases, particularly those functioning as a strategic SANG. Car parks are necessary until such time as the access behaviour of the public shows a significant modal shift e.g. to cycling/buses/e-cars etc. <p>Action:</p> <ul style="list-style-type: none"> -Amend Appendix D.
Lloyd-Jones, Stephen	<ul style="list-style-type: none"> A prerequisite of SANGS should be that they are able to offer sufficiently stable mitigation for large developments. The Canford Park SANG patently does not as it is necessary to close it due to flooding during spells of heavy rain. The knock on effect is of course much greater use of the heathland for the exercise of dogs during the winter months. 	<ul style="list-style-type: none"> Flooding events generally do not coincide with the bird nesting season (March-July) when the adverse effect of people upon protected birds is most sensitive. If flood events occur in this period they are for a short timespan compared to the wetter winter months. <p>Action:</p> <ul style="list-style-type: none"> Clarify the issue of flooding in SANG design in Appendix D
McManus, Theresa	<ul style="list-style-type: none"> There should be no further development. Neither increasing the urban density nor extending its footprint, until healthy wildlife numbers are re-established. A threshold of 5km should be redundant. However, if one is required, dog owners probably drive 10 miles. Given the precarious state of the Dorset Heathlands, and their lack of interconnectedness, highlight areas which could over time be developed as green 	<ul style="list-style-type: none"> The Councils have to balance the delivery of housing to meet needs with the protection of the environment. New development would not be permitted if it were to have an adverse effect upon the Dorset Heathlands. Acknowledge that linking heathlands through green infrastructure is an important

Respondent	Comment	Officer response
	<p>wildlife corridors between the patches of heathland and apply 10 miles to these potential heathland connectors as well.</p> <ul style="list-style-type: none"> • SANGs seem to be sited in peripheral areas that would not have had any value as development land, are where people are likely to drive to them (carbon footprint), and may be unattractive for several months of the year due to flooding • SAMMs charges -why are they so low, and why aren't they being used to encourage affordable development? Why not charge £1K per bedroom (as the potential footfall is the problem) with fee of just £500 for each affordable home? 	<p>strategy for the upcoming local plans to address.</p> <ul style="list-style-type: none"> • SANGs use wide open rural areas of similar attraction to heathland, which necessitates using land around the edge of the conurbation, along the Stour Valley. • The flooding on SANGs is generally outside of nesting season. • The SAMMs charges are based on the costs of mitigating the impact and to ask for more from developers would be unlawful..
Mellor, Carolyn	<ul style="list-style-type: none"> • Object to the proposed Digital Village. The extra traffic and activity is detrimental to the residents and to the wildlife. 	<ul style="list-style-type: none"> • The proposed Innovation Quarter is an allocated employment site in the Poole Local Plan. • For the Council to grant planning permission proposals will have to pass appropriate assessment to ensure that there is no harm the protected sites.
Miles, Robert	<ul style="list-style-type: none"> • The EU produced a badly worded document which instead of dealing with the proposal at which it directed, allowed it to be applied universally, which has resulted in the loss of 44% of potential development land in Poole and 66% in the Isle of Purbeck. • There are hundreds of serviced building plots available within the existing urban framework which could be developed rather than provide new roads and services to Green Belt land at a time when we are all are concerned about the planet, yet here we are utilising Green Belt, which helps to heal our planet. 	<ul style="list-style-type: none"> • The Conservation of Habitats and Species Regulations 2017 (the Habitats Regulations) transposes EU legislation into law in the UK. This UK law ensures that any plan nor project does not cause harm to a protected wildlife interest.
Mitchell, Susan	<ul style="list-style-type: none"> • Our heathland is a most important habitat and it is upsetting that a lot has been lost through arson. The creatures and plant that live in these areas are unique and we should do all we can to care for them. 	<ul style="list-style-type: none"> • Comments noted.
Monsell, Suzy	<ul style="list-style-type: none"> • No mention of the Climate Emergency and its impact on heathland • No suggestions as to how the heathland will be made safer in the future from fire breakouts • Plan to "wet" the heaths to avoid fire spread • Revise this document in the light of the Government's plan for Climate Change Action • Provide manpower/volunteers to develop these strategies and groundforce taskforces 	<ul style="list-style-type: none"> • Reducing arson events is an important part of the mitigation approach - through wardens and education in schools as set out in Appendix A. • The heaths are protected and the suggestion to change dry heaths to wet heaths would not support certain protected species. Furthermore in summer the rivers are low and water extraction is restricted. • Developers will fund wardens, but equally the role of the voluntary sector should be encouraged.

Respondent	Comment	Officer response
		Action: <ul style="list-style-type: none"> • Refer to the Council's commitment to the Climate Change Emergency.
Oswald, Carol	<ul style="list-style-type: none"> • Am strongly against any further building on Dorset heathland. These are vital areas that need 100% protection. Once the area is covered in concrete it will be lost forever, as will all the wildlife that depends on it. 	<ul style="list-style-type: none"> • The Councils have to balance the delivery of housing to meet needs with the protection of the environment. New development would not be permitted if it were to have an adverse effect upon the Dorset Heathlands.
Phillips, George	<ul style="list-style-type: none"> • Generally in favour of this framework, but not convinced this will provide sufficient housing to allow the younger generation to get established on the housing ladder. • Offer alternatives but do not block people or their dogs from enjoying the heathlands. If 'managing access' or 'manage visitor pressure' means stopping walkers and their dogs from going on to the heathlands, then not only will this cause a lot of friction, but it will be unfair on the walkers. • Lone Pine Park seems to be adding dozens of higher density housing, including dogs with another 15 still to be installed. This has been at the expense of dozens of trees, some with retrospective TPO permission. 	<ul style="list-style-type: none"> • The strategy enables the Council's to grant permission for housing. Without this strategy the Council would not be able to do so. • Management is about influencing people's behaviour over time so that people become more understanding of the risks to protected species and choose to change their behaviour accordingly. • Lone Pine Park benefits from deemed consent without condition or limitation. Thus the provision of additional caravans on the site would not require planning permission but would need to comply with the details contained in the current site license.
Piot, Bernadette Richmond	<ul style="list-style-type: none"> • The local heathlands should continue to be protected as areas of natural beauty and interest with birds and animals. They are also areas much used by local people and visitors for recreation and sport. • It is vital to keep and protect the Dorset Heathlands and not to use the land for building more houses. The roads in the area are saturated and it would cause even more problems and pollution. 	<ul style="list-style-type: none"> • Comments noted.
Pope, Marion	<ul style="list-style-type: none"> • Significant damage has been caused to Canford Heath by industrial development: household waste processing and inert recycling facilities adjacent to White's Pit. The SPD should be enhanced to mitigate against damage caused to protected sites from both housing and industrial developments. • It is unfortunate that the Government reduced the CIL rate for North Poole from £175 per sq. metre proposed by the Council to £115 per sq metre. Doubtless it was done to encourage developers to commit to opening up the sites but SAMMs are only one item to be met from a CIL rate which is now little more than it has been for years. 	<ul style="list-style-type: none"> • The evidence does not illustrate that a mitigation strategy is needed for the in-combination effects of industrial uses. Each planning application will be determined on a case by case basis and may include bespoke mitigation to avoid adverse effects upon the Dorset Heathlands. • The Councils prioritise the funding of heathland mitigation from CIL before the majority of other types of infrastructure. If the Council had insufficient funds for up-front mitigation the housing would not be allowed.

Respondent	Comment	Officer response
	<ul style="list-style-type: none"> Where SANGs are built on flood plains, they can be unusable for many months while the rivers are in flood. When that happens, local populations will revert to using heathlands which somehow defeats the object. The SPD will only be effective if its policies are rigorously adhered to. Too often in the past, damage has been caused to lowland heath habitats and protected species by the LPAs themselves. Those preparing the SPD should first read the Proof of Evidence of the late Dr John Underhill-Day - APP/13/00272/P 3 February 2014). It is a great pity that his evidence has largely been ignored. <p>I should be grateful if you would let me know where these comments, and those of other residents, will be published.</p>	<ul style="list-style-type: none"> Flooding events generally do not coincide with the bird nesting season (March-July) when the adverse effect of people upon protected birds is most sensitive. If flood events occur in this period they are for a short timespan compared to the wetter winter months. The late Dr Underhill Day's research (and others) provides the evidence of urban pressures upon the Dorset Heathlands. This evidence is paramount to preparing the mitigation strategy set out in this SPD. <p>Action:</p> <ul style="list-style-type: none"> Clarify the issue of flooding in SANG design in Appendix D
Price, Hazel J	<ul style="list-style-type: none"> If any more homes are built in Bearwood, Canford Magna or Merley there will be gridlocked roads, ruined heathlands destroyed wildlife habitats and excessive flooding on the land meant to absorb high water levels during the winter months. The SANG area designated on the old river course is closed due to flooding and this will continue for most of the winter months so this in no way compensated for the loss of land for housing. All open areas and habitats should be protected for future generations of both humans and wildlife 	<ul style="list-style-type: none"> Flooding events generally do not coincide with the bird nesting season (March-July) when the adverse effect of people upon protected birds is most sensitive. If flood events occur in this period they are for a short timespan compared to the wetter winter months. <p>Action:</p> <ul style="list-style-type: none"> Clarify the issue of flooding in SANG design in Appendix D.
Smith Jennie	<ul style="list-style-type: none"> The reason our heathland is under pressure is because little by little you are allowing developers to encroach on green areas. Look for building opportunities on empty industrial estates, brownfield sites, etc. and stop land grabbing the few remaining green areas we have for leisure purposes. 	<ul style="list-style-type: none"> Comments noted.
Stewart-Jones, Harriet	<ul style="list-style-type: none"> Development has been allowed to eat away at our precious lowland heathland in Poole over the past 40 years. Please let's put a stop to heathland destruction now. On Talbot Heath the universities have been allowed to encroach gradually, nibbling away at the farmland on Highmoor Farm, removing the buffer between the heathland and buildings. And if the proposed "Digital Village" were to be given permission to go ahead it would seriously impact the heathland further. I'm opposed to the use of the farmland as a light industrial innovation park. There are other more suitable locations for this. It does not need to be near the university. 	<ul style="list-style-type: none"> The proposed Innovation Quarter is an allocated employment site in the Poole Local Plan. For the Council to grant planning permission proposals will have to pass appropriate assessment to ensure that there is no harm the protected sites.

Respondent	Comment	Officer response
	<ul style="list-style-type: none"> • I believe it is time to cease construction in this area. Leave the green fields for grazing and as a taste of the natural world for residents and future generations. And for the wildlife that currently uses it. • The BCP Climate and Ecological Emergency plan currently in preparation will surely mandate the planting of trees and use of heathland edges as carbon sinks. It is necessary to make room for these measures by taking them into consideration in the SPD. 	
Thomas, Jo	<ul style="list-style-type: none"> • As a nearby resident to Upton Heath for over 50 years, notes: • Fire danger to the Heath was high from the motorbikes, this has been stopped by notices and the presence of wardens. Further fire danger has been low, and usually accidental. • The greatest continuing danger to the wildlife is from loose dogs. Many people let the dog off the lead on reaching the heath. Many of these dog-walkers park their cars in Beacon Road. Suggest making Beacon Road a no-parking zone, with residents having parking permits. • Dog-walkers could be entirely restricted to the heathland area next to Springdale Road, where there is a car park, and the undergrowth is in process of being cleared. • This change would need widespread publicity. • Walkers on Upton Heath seem to keep to the established footpaths, and notices requesting that could accompany the above publicity. • The restrictions on changes to established residences, and the building of new homes, could therefore be viewed more leniently. We need more homes for young people and families – at a price they can afford. The result of present restrictions is that Broadstone is becoming overwhelmed by the elderly • It might be possible to forbid the keeping of pet dogs or cats in any new build? 	<ul style="list-style-type: none"> • Comments noted.
Tuffin, J	<ul style="list-style-type: none"> • The Heathlands are desperately important to all of us in Dorset. We need these lungs of green between areas of residential development. The variety of wildlife and the environmental balance must be maintained for future generations. • Highmoor Farm, (Talbot Village), is an important local resource. Could we have some "City Farms" providing a learning resource for local schools ? • The Digital Village would replace this last local farm and the heathland at Talbot Village would be surrounded by development. Why 	<ul style="list-style-type: none"> • The proposed Innovation Quarter is an allocated employment site in the Poole Local Plan.

Respondent	Comment	Officer response
Vincent, Nicola	<p>could it not be developed on the universities sites?</p> <ul style="list-style-type: none"> Object to plans for the Digital Village on Talbot Heath. The UK has lost 95% of its lowland heathlands since the time of the Talbot Sisters (Victorian) and the amazing and unique wildlife that exists upon them. Talbot Heath is definitely worth preserving for future generations. 	<ul style="list-style-type: none"> The proposed Innovation Quarter is an allocated employment site in the Poole Local Plan. For the Council to grant planning permission proposals will have to pass appropriate assessment to ensure that there is no harm the protected sites
Waite, Julia	<ul style="list-style-type: none"> Have concerns about existing pressures from people and animals on nearby heathland, and do not any assessment of how effective mitigating measures were, which is surely critical if you are doing more of the same (i.e. allowing development within 400 metres). Do not think existing proposals for mitigation are strong enough: appointing some wardens and visiting a few schools seems very little if you are trying to change local behaviours. Why not get local children involved and make them junior wardens who can help out at weekends? Or adult volunteers to replace/ supplement the wardens? Has anyone asked the RSPB, Dorset Wildlife Trust or any other relevant organisation if they would help in protecting the sites for birds and other wildlife? And rather than just visiting schools and talking at teachers and pupils, why not identify an area of heathland for class visits, where children can see for themselves the birds, animals, reptiles and insects that live there, and link this to the climate emergency and how valuable these natural spaces are? The council may go through the motions of mitigation and as a result, what is done may be ineffective and cause the heathland to deteriorate as an environment for wildlife. 	<ul style="list-style-type: none"> A full review of the effectiveness of mitigation will be considered through the local plan process. Local organisations manage a number of the heathlands and thus are already play an important role in their protection. Note the positive suggestions for educating children.
Walford, Leigh	<ul style="list-style-type: none"> To maintain the wildlife richness of this area, it is important to respect and protect the little remaining heathland that we have. While the document was clear about residential development, it did not discuss commercial development which is more dangerous to Talbot Heath. Recently we have examples of developers attempting to building <400m from the Heath and trying to take advantage of permitted development to break ground before planning was approved. 	<ul style="list-style-type: none"> This SPD focuses on mitigating the impact of housing. Commercial development still has to undergo appropriate assessment at the planning application to ensure that there would be no adverse effect on the heaths.

Respondent	Comment	Officer response
Webber Jill	<ul style="list-style-type: none"> • One of the pressures you highlight is disruption of hydrology. The increase in tarmac & paved areas is significantly affecting the water table & increasing floods in all areas not just the heathlands. • There should be the ability in planning conditions to ensure water permeable surfaces are used in ALL new developments, small & large. Also ensure ground water drainage is an integral part of all new buildings, instead of surface water going down drains. Especially in flat developments, where car parks can have a major impact. • The conditions should remain with the building so future owners can't just tarmac over everything. 	<ul style="list-style-type: none"> • Comment noted.
Welch, Gregory	<ul style="list-style-type: none"> • Currently in a Climate Crisis, a Policy adopted by the BCP Council. • Losing any more green space/biodiversity would be calamitous and so unnecessary as a Digital Village could be placed on a brown site elsewhere in the conurbation e.g. at the top of Alder Road behind Homebase • The increase in traffic increase pollutants from vehicles 	<ul style="list-style-type: none"> • The proposed Innovation Quarter is an allocated employment site in the Poole Local Plan. • For the Council to grant planning permission proposals will have to pass appropriate assessment to ensure that there is no harm the protected sites.
Wellman, Sue	<ul style="list-style-type: none"> • If there is evidence to prove harm to our precious heathlands then we should not allow development within 5kms under any circumstances • There are still plenty of brownfield sites that can be adapted and used for development, more higher raised flats within urban areas and with new tax legislation that will start to discourage owners to have buy to let mortgages and rent/own a second home, which may well reduce second home ownership, that there should be other options. • The bush fires and floods around the world are being blamed on climate change reminding us to be aware of the importance of protecting our nature and environment before it is too late. • Would be greatly saddened if further development (even if mitigating action was taken) were permitted to these precious rural areas and green belt and heathlands are not protected. 	<ul style="list-style-type: none"> • The Councils have to balance the delivery of housing to meet needs with the protection of the environment. New development would not be permitted if it were to have an adverse effect upon the Dorset Heathlands.
Worthy, Mr & Mrs	<ul style="list-style-type: none"> • Object to the proposed Highmoor Farm Digital Village which is a valuable piece of Heathland close to the town centre and must be protected. The proposed site would be some 240m from Talbot Heath Nature SSSI. • Why it is necessary to replace an area of heathland with a digital village when there are 	<ul style="list-style-type: none"> • The proposed Innovation Quarter is an allocated employment site in the Poole Local Plan. • For the Council to grant planning permission proposals will have to pass appropriate assessment to ensure that there is no harm the protected sites

Respondent	Comment	Officer response
	<p>numerous other areas that would be more suitable such as existing brown field sites.</p> <ul style="list-style-type: none"> • We also understand that Highmoor Farm is recognised as an essential buffer zone for the heath and is currently a tenanted farm that, if maintained, could be turned into a valuable learning centre for local schools. • Public access to real nature on their doorstep has enormous benefits to public wellbeing and health. • Why cant this be built on the university campuses? • Additional traffic will cause further congestion 	
Young, Daniel	<ul style="list-style-type: none"> • Strongly reject the planning for a proposed digital village on Highmoor Farm as the area is full of wonderful birds, animals and creatures The disruption of the current building is bad, this would be ginormous. Parking and noise just to make a few. Also flood lighting, would be bad for the houses backing onto the farm like us. • The area cannot cope with the extra cars. • The expansion of the university is compromising the environment. Every last bit of land is being build on. Talbot village is being engulfed by university buildings 	<ul style="list-style-type: none"> • The proposed Innovation Quarter is an allocated employment site in the Poole Local Plan. • For the Council to grant planning permission proposals will have to pass appropriate assessment to ensure that there is no harm the protected sites.