

Appropriate Assessment

Applicable to development in Bournemouth Local Plan area

Application Ref: 7-2024-3914-D

Address: Purbeck Court 65-67 Boscombe Overcliff Drive Bournemouth BH5 2EN

Site Proposal: Outline application with some matters reserved for demolition of the existing building of flats and garages and erection of a 6 storey building consisting of 17 x 2-bed flats and 5 x 3-bed flats with underground parking, swimming pool and gym spa complex, associated bin and cycle storage and the erection of a detached dwelling fronting Rotherfield Road with associated access and parking.



In accordance with the Conservation of Habitats and Species Regulations 2017 (“The Habitats Regulations”) and findings of *People Over Wind & Sweetman v Coillte Teoranta* (Case C-323/17), Bournemouth, Christchurch and Poole Council (BCP Council) as the competent authority has concluded that, in the absence of mitigation the above application will have a likely significant effect on the European wildlife sites identified below (including Ramsar sites where relevant), arising from identified impact pathways.

In accordance with the Habitats Regulations, this document provides an appropriate assessment, which includes checking and confirming that avoidance and mitigation measures can be secured to prevent adverse effects on the integrity of the European sites identified below. This project level appropriate assessment has been undertaken to check that the proposal provides the necessary measures to prevent adverse effects on site integrity in accordance with the following strategic mitigation schemes:

- Dorset Heathlands Planning Framework Supplementary Planning Document (SPD);
- Dorset Heathlands Interim Air Quality Strategy;
- New Forest National Park Revised Habitat Mitigation Scheme SPD (July 2020)
- Footprint Ecology - New Forest Strategic Access Management and Monitoring Strategy (2023)
- Footprint Ecology – Discussion and analysis relating to the New Forest SAC/SPA/Ramsar and a zone of influence for recreation. (2021)
- Footprint Ecology – Recreational use of the New Forest SAC/SPA/Ramsar: Impact of recreation and potential mitigation approaches. (2020).
- New Forest Planning Position Statement (2025)

These strategic mitigation schemes set out avoidance/mitigation measures that are supported by an extensive and tested evidence base which has been scrutinised at various levels from planning appeals, public consultation processes and Habitats Regulations Assessments prepared for local plans or projects.

The proposal is assessed against the likely significant effects as follows:

Designated site	Applicable plan area	Likely Significant Effect?	Adverse effects caused by:
• Dorset Heathlands SPA • Dorset Heathlands Ramsar • Dorset Heaths SAC • Dorset Heaths (Purbeck & Wareham) & Studland Dunes SAC	BCP (Bournemouth, Christchurch & Poole) ¹	Yes	The proximity of urban development and its related effects including recreational pressures, arson, enrichment, etc. which arise from this development, requires measures to avoid and mitigate the effects. The impact of residential development on these sites and the suitability and robustness of avoidance and mitigation measures have already been considered as set out in the Dorset Heathlands Planning Framework 2020 - 2025 SPD, and the Dorset Heathlands Interim Air Quality Strategy - Phase 2 Interim Measures for 2020-2025, along with the underpinning evidence base and plan level HRA work.

¹ Area covered by latest local plan – B: Bournemouth Core Strategy (2012), C: Christchurch and East Dorset Local Plan (2014), P: Poole Local Plan (2018)

• New Forest SAC • New Forest SPA and Ramsar	BPC	Yes	The proximity of urban development and its related effects including recreational pressures, which arise from this development, requires measures to avoid and mitigate the effects. The impact of residential development on these sites and the suitability and robustness of avoidance and mitigation measures has already been considered as set out in the New Forest National Park Revised Habitat Mitigation Scheme SPD (July 2020). Footprint Ecology - New Forest Strategic Access Management and Monitoring Strategy (2023), New Forest Strategic Access Management and Monitoring Strategy (2023); and the draft New Forest Access Management & Monitoring (SAMM) Strategy and the underpinning evidence base and plan level HRA work.
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Having concluded that the application will have a likely significant effect in the absence of avoidance and mitigation measures on the above European wildlife sites, this document represents the Appropriate Assessment undertaken by BCP Council as Competent Authority in accordance with requirements under Regulation 63 of the Conservation of Habitats and Species Regulations 2017, Article 6 (3) of the Habitats Directive and having due regard to its duties under Section 40(1) of the NERC Act 2006 to the purpose of conserving biodiversity. Consideration of European wildlife sites is a matter of government policy set out in the National Planning Policy Framework.

Part 1: Compliance with strategic approaches

The starting point for this appropriate assessment is to check that the proposed development can be mitigated by compliance with the three strategic mitigation schemes set out above.

TABLE 1: Can the following strategic schemes mitigate the adverse effects of this planning application?

The proposed development provides the following contributions towards the strategic mitigation schemes listed above:

Impact: Addition 10 flats/ 1 house

Mitigation Strategy	Applicable plan area	Scheme	Specific Project	Cost per home	This application is mitigated by	
Dorset Heathlands Planning Framework	BCP	SAMM	SAMMs measures undertaken by the Council and the Urban Heaths Partnership	£527 per house/ £360 per flat	✓	A payment of £3,990 plus a £199.50 administration fee towards strategic access management, education and monitoring
		SANG/HIP	Two Riversmeet SANG and other HIPs projects	Based on specific mitigation project	✓	Mitigation projects paid for from the wider CIL pot.
Dorset Heathland Air Quality Strategy	BCP	Direct/ Indirect measures	Management of heathland, changing use of land, encouragement of modal shift / zero emission vehicles	Based on specific mitigation project	✓	Mitigation projects paid for from the wider CIL pot.
The New Forest Strategic Access and Management Plan (October 2023); the	BCP	SAMM	Access management within the designated sites; Alternative recreational greenspace sites and routes outside the designated sites; Education, awareness and promotion; Monitoring and research;	£300 per dwelling	✓	A payment of £3300, plus a £165 administration fee towards strategic access management, education and monitoring.

Mitigation Strategy	Applicable plan area	Scheme	Specific Project	Cost per home	This application is mitigated by	
draft New Forest Access Management & Monitoring (SAMM) Strategy (October 2024)			In perpetuity mitigation and funding			

Does the development plan, applicant's evidence or the Council's advisors indicate that additional bespoke mitigation measures are necessary? **Yes**

If yes, complete Part 2. If no, go to Part 3.

Part 2: Bespoke Mitigation Requirements

Table 2 sets out particular issues and mitigation measures that are additional to those covered in Table 1 and are not therefore covered by strategic mitigation schemes. These issues were highlighted by the development plan, applicant's evidence or the Council's advisors.

TABLE 2: What bespoke measures mitigate the adverse effects of this planning application?

Issue	Proposed Mitigation measures

Have the proposed mitigation measures in Table 2 above been agreed with Natural England as providing effective mitigation and will be secured by legal agreement to enable a conclusion of no effect? **N/A**

Part 3: Conclusion

Based on the assessment undertaken in Table 1 and if relevant Table 2, the Council is able to assess the application against the designated sites as follows:

Designated site affected	Document setting out adverse effect and mitigation strategy	Compliance with mitigation requirements		Confirmation that applicant has avoided / mitigated adverse effects on integrity for all features secured through the payment of CIL/S111/S106 or by any other suitable means and where necessary legal measures, enabling adherence to the relevant mitigation strategy
		Table 1	Table 2	
Dorset Heathlands SPA, Dorset Heathlands Ramsar, Dorset Heaths SAC, Dorset Heaths (Purbeck & Wareham) & Studland Dunes SAC	Dorset Heathlands Planning Framework	✓	n/a	Yes Mitigation secured via S106 Agreement
New Forest SAC, New Forest SPA and New Forest Ramsar site	The draft New Forest Access Management & Monitoring (SAMM) Strategy	✓	n/a	Yes Mitigation secured via S106 Agreement

Conclusion

The Council as Competent Authority can therefore conclude that following appropriate assessment and with the necessary mitigation measures secured, there will be no adverse effect on the integrity of the designated sites identified above.

Signatures

Case officer signature *Piotr Kulik*

Date 05/11/2025

Sign off signature

Date