

# **BIODIVERSITY PAPER**

## **CONTENTS**

### **PART 1 POLICY BACKGROUND**

#### **Chapter 1 Legislation**

- 1.1 Birds Directive
- 1.2 Habitats Directive
- 1.3 Habitats Regulations
- 1.4 Appropriate Assessment & The Dorset Heathland Interim Planning Framework and Joint DPD
- 1.5 Bern Convention and Recommendation 67
- 1.6 Natural Environment and Rural Communities Act 2006
- 1.7 Countryside and Rights of Way Act

#### **Chapter 2 Biodiversity Action Plans and Strategies**

- 2.1 UK Biodiversity Action Plan
- 2.2 SW Biodiversity Action Plan
- 2.3 Dorset Biodiversity Strategy (2003)
- 2.4 Purbeck Local Biodiversity Action Plan (1998)

#### **Chapter 3 Planning Policy Documents**

- 3.1 Planning Policy Statement 1
- 3.2 Planning Policy Statement 9
- 3.3 Planning Policy Statement 9 Good Practice Guide
- 3.4 Planning Policy Statement 12
- 3.5 Circular 06/2005

#### **Chapter 4 Corporate and Community Plans**

### **PART 2 DESIGNATIONS**

#### **Chapter 1 INTERNATIONAL AND EUROPEAN DESIGNATIONS**

- 1.1 SACs
- 1.2 SPAs
- 1.3 Ramsars

#### **Chapter 2 NATIONAL DESIGNATIONS**

- 2.1 SSSIs
- 2.2 NNRs

#### **Chapter 3 LOCAL DESIGNATIONS**

- 3.1 LNRs

- 3.2 SNCIs
- 3.3 RIGs

## **PART 3 RECOMMENDATIONS**

### **APPENDICES**

#### **PART 1**

##### **Chapter 1**

*App 1 MAP: 400m Buffer Zones*

#### **PART 2**

##### **Chapter 1**

*App 2 MAP: Special Areas of Conservation (SACs)*

*App 3 Details of SACs*

*App 4 MAP: Special Protection Areas (SPAs)*

*App 5 Dorset Heathlands SPA summary*

*App 6 Poole Harbour SPA summary*

*App 7 Map: Ramsars*

*App 8 Dorset Heathlands Ramsar summary*

*App 9 Poole Harbour Ramsar summary*

##### **Chapter 2**

*App 10 Map: National Nature Reserves (NNRs)*

*App 11 Map: Sites of Special Scientific Interest (SSSIs)*

##### **Chapter 3**

*App 12 Map: Sites of Nature Conservation Importance (SNCIs)*

.....

## **PART 1 POLICY BACKGROUND**

### **CHAPTER 1 EUROPEAN LEGISLATION**

#### **1.1 COUNCIL DIRECTIVE 79/409/EEC ON THE CONSERVATION OF WILD BIRDS**

The following text is taken from Joint Nature Conservation Committee website:

In 1979, the European Community adopted Council Directive 79/409/EEC on the conservation of wild birds (PDF 209KB) (the 'Birds Directive'), in response to the 1979 Bern Convention on the conservation of European habitats and species (the 'Bern Convention'). The annexes were amended by the Environment Chapter of the Treaty of Accession 2003. The Directive provides a framework for the conservation and management of, and human interactions with, wild birds in Europe. It sets broad objectives for a wide range of activities, although the

precise legal mechanisms for their achievement are at the discretion of each Member State (in the UK delivery is via several different statutes).

The main provisions of the Directive include:

The maintenance of the favourable conservation status of all wild bird species across their distributional range (Article 2) with the encouragement of various activities to that end (Article 3).

The identification and classification of Special Protection Areas (SPAs) for rare or vulnerable species listed in Annex I of the Directive, as well as for all regularly occurring migratory species, paying particular attention to the protection of wetlands of international importance (Article 4). Together with Special Areas of Conservation (SACs) designated under the Habitats Directive, SPAs form a network of pan-European protected areas known as Natura 2000.

A very wide range of other statutory and non-statutory activities also support the Bird Directive's implementation in the UK. This includes national bird monitoring schemes, bird conservation research, and the UK Biodiversity Action Plan which involves action for a number of bird species and the habitats which support them.

It is generally UK policy that areas classified as SPAs are first notified as Sites of Special Scientific Interest (or as Areas of Special Scientific Interest in Northern Ireland) as this provides the legal underpinning for SPAs in domestic legislation.

In Britain, the provisions of the Birds Directive are implemented through the Wildlife & Countryside Act 1981 (as amended) and The Conservation (Natural Habitats, &c.) Regulations 1994 (as amended).

## **1.2 COUNCIL DIRECTIVE 92/43/EEC ON THE CONSERVATION OF NATURAL HABITATS AND OF WILD FAUNA AND FLORA (“HABITATS DIRECTIVE”)**

The following text is taken from Joint Nature Conservation Committee website:

The main aim of the EC Habitats Directive is to promote the maintenance of biodiversity by requiring Member States to take measures to maintain or restore natural habitats and wild species at a favourable conservation status, introducing robust protection for those habitats and species of European importance. In applying these measures Member States are required to take account of economic, social and cultural requirements and regional and local characteristics.

In 1992 the European Community adopted Council Directive 92/43/EEC on the Conservation of Natural Habitats and of wild fauna and flora (EC Habitats Directive). The provisions of the Directive require Member States to introduce a range of measures including the protection of species listed in the Annexes; to undertake surveillance of habitats and species and produce a report every six

years on the implementation of the Directive. The 189 habitats listed in Annex I of the Directive and the 788 species listed in Annex II, are to be protected by means of a network of sites. Each Member State is required to prepare and propose a national list of sites for evaluation in order to form a European network of Sites of Community Importance (SCIs). Once adopted, these are designated by Member States as Special Areas of Conservation (SACs), and along with Special Protection Areas (SPAs) classified under the EC Birds Directive, form a network of protected areas known as Natura 2000. The Directive was amended in 1997 by a technical adaptation Directive. The annexes were further amended by the Environment Chapter of the Treaty of Accession 2003.

The Habitats Directive introduces for the first time for protected areas, the precautionary principle; that is that projects can only be permitted having ascertained no adverse effect on the integrity of the site. Projects may still be permitted if there are no alternatives, and there are imperative reasons of overriding public interest. In such cases compensation measures will be necessary to ensure the overall integrity of network of sites. As a consequence of amendments to the Birds Directive these measures are to be applied to SPAs also. Member States shall also endeavour to encourage the management of features of the landscape to support the Natura 2000 network.

### **1.3 HABITATS REGULATIONS**

In the UK the Directive has been transposed into national laws by means of the Conservation (Natural Habitats, & c.) Regulations 1994 (as amended), and the Conservation (Natural Habitats, & c.) Regulations (Northern Ireland) 1995 (as amended). These are known as 'the Habitats Regulations'. Most SACs on land or freshwater areas are underpinned by notification as Sites of Special Scientific Interest (SSSIs). In the case of SACs that are not notified as SSSI, positive management is promoted by wider countryside measures, while protection relies on the provisions of the Habitats Regulations.

The regulations were amended in 2006 (see below).

### **1.4 APPROPRIATE ASSESSMENT & THE DORSET HEATHLAND JOINT INTERIM PLANNING FRAMEWORK & JOINT DEVELOPMENT PLAN DOCUMENT**

Article 6(3) of the Habitats Directive states that: “Any Plan or project not directly connected with or necessary to the management of the site but likely to have a significant effect thereon, either individually or in combination with other plans or projects, shall be subject to appropriate assessment of its implications for the site in view of the site’s conservation objectives”. An Appropriate Assessment provides the means to determine whether or not site integrity will be affected by a plan.

The requirement for Appropriate Assessment of plans is transposed into English law through the Conservation (natural habitats &c.) (Amendment) Regulations 2006. PPS9 sets out that Ramsars should also be subject to appropriate assessment.

A Joint Interim Planning Framework was agreed by South East Dorset local authorities to cover all protected heathland across South East Dorset. It was put in place for three years from 1 January 2007 and will eventually be replaced by a Joint Heathland Development Plan Document (DPD). The Interim Framework seeks developer contribution toward a package of mitigation measures to offset the adverse effects of additional residential development. The framework applies to all new housing that results in a net gain in dwelling units within a zone between 400m and 5km of European wildlife sites. Most of Purbeck falls within 5km of such sites. As no adverse effects of residential development within 400m of a protected site could be avoided or alleviated, no residential development is permitted within the "400m buffer".

(A note about Corfe Common from Natural England: It is not in the SPA so there are no heathland bird issues. It does not hold the full range of heathland SAC interests, and does not naturally have the species interests associated with the heathland SAC natural habitats that we know to be vulnerable to urban pressures. Similar considerations apply to the heathland Ramsar site features as to the SAC ones).

The DPD is a long term strategy allowing for the more detailed consideration of mechanisms and measures that may contribute to the appropriate and necessary mitigation of residential development proposed to 2026.

***For map of 400m buffer, refer to Appendix 1***

## **1.5 BERN CONVENTION**

The Habitats Directive (see above) is the means by which the European Community meets its obligations as a signatory of the Convention on the Conservation of European Wildlife and Natural Habitats. This is known as the Bern Convention

The Bern Convention is a binding international legal instrument covering the whole of the natural heritage of the European continent and some States of Africa. Its aims are to conserve wild flora and fauna and their natural habitats and to promote European co-operation in that field

***Recommendation No. 67 (adopted on 4 December 1998) on the conservation of heathlands in Dorset (United Kingdom)***

1. Define and implement a general policy concerning heathlands in Dorset aimed at maintaining and improving the existing heathlands and at creating new heathlands from woodlands or agricultural land;

***For heathlands in the suburban eastern part of Dorset:***

***General recommendation:***

2. No further loss or degradation of heathland is to be permitted;
3. Efforts should concentrate on the protection and restoration of heathlands damaged by fire.

***Urban development:***

4. Apply Planning Policy Guidance Note 9 (Nature Conservation) (which supersedes and takes forward Circular DOE 1/92, Planning Controls over Sites of Special Scientific Interest) in letter as well as in spirit;
5. Pay special attention to the extent of the consultation area from the boundary of SSSIs as mentioned in Planning Policy Guidance Note 9, to avoid any more development close to existing heathland and creation of new interfaces between heathland and housing;
6. Provide for external buffer zones of appropriate size around heathlands;
7. For new housing, provide areas for playgrounds, sport or leisure in areas other than heathlands, to avoid unwanted pressure on heathlands.

***Road construction:***

8. Avoid roads on heath or in its immediate proximity;
9. Formalise the European designation on the Dorset heath and declare that Policy Guidance Note 9 (carrying forward Circular DOE 1/92) also applicable to all road planning.

***Extraction of sand and gravel:***

10. Ensure that mineral extraction does not take place in heathland;
11. Formalise the European designation on the Dorset heath so that necessary reviews of old and potentially damaging mineral extraction permits can proceed at the earliest opportunity.

***Recreation:***

12. Work out rules, including the organisation of their enforcement c.a., to regulate public access to and recreational use of heathlands by the county and local authorities in cooperation with the nature conservation organisations;
13. Provide alternative, diverting facilities for intensive recreation and otherwise damaging recreational activities.

***Wardening (surveillance, prevention, enforcement of rules, prosecution):***

14. Reinforce wardening, etc., especially during the critical summer period, and by promoting more cooperation between the various nature conservation organisations and other services involved (county, local authorities, police);

15. Advance a higher profile of the police, to stimulate more imaginative tactics and solutions, and to review priorities and distribution of resources;
16. Reinforce police presence in sensitive areas during particularly critical periods.

***Uncontrolled fires (additional to wardening):***

17. Promote imaginative fire breaks not attracting the public to penetrate further onto the heath;
18. Improve and extend fire fighting facilities (e.g. installing hydrants on Canford Heath). Public awareness and responsibility (prevention):
19. Promote more collaboration of residents in fire prevention and facilitate participation of volunteers in heath conservation;
20. Stimulate involvement of schools.

***Monitoring:***

21. Support and facilitate the initiative of the county police to set up a comprehensive GIS system for documenting uncontrolled fires;
22. Promote the elaboration of this GIS-system into a fully-fledged heathland management and conservation monitoring system, in which all nature conservation organisations and other services involved participate.

***Restoration:***

23. Assure that enough human and natural resources are available to restore heathlands that have been damaged by fire;
24. Consider the possibility of fencing off areas that have been subject to fire where this may help their restoration.
25. Consider reclaiming more surface of woodland to heath;

***Heathlands in the rural western part of the area***

Target of general policy:

26. Concentrate on conservation and substantial extension of coherence between fragments of heath; Support and expand existing intentions and plans for enlargement and connection heathlands; thereby calling for a prime position for the Forestry Commission reclaiming more surface of woodland to heath; setting goals in measurable terms of hectares, time limits, etc.

## **1.6 NATURAL ENVIRONMENT AND RURAL COMMUNITIES ACT 2006**

Section 40 "Duty to Conserve Biodiversity" states that "Every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity".

## **1.7 COUNTRYSIDE AND RIGHTS OF WAY ACT**

The following text is taken from the "Working for Wildlife" website:

In 1999 the government proposed a new right of access for those on foot to certain types of land. A statement of the Government's access proposals was published in March 1999, entitled Access to the Countryside in England & Wales: The Government's Framework for Action. The framework was developed in the light of responses to the public consultation paper, Access to the Open Countryside in England & Wales, published in February 1998, and the results of a study of the economic, environmental and social benefits and costs of different approaches for improving access to open countryside.

The Act received Royal Assent on 30 November 2000 and covers four main areas of interest; Access to Open Country, Public Rights of Way, Nature Conservation and Areas of Outstanding Natural Beauty. Some of the provisions came into force on 30th January 2001, others on 1st April 2001, and other parts of the Act become effective over a period of a few years.

The Act sets out a number of new duties and powers available to a variety of bodies. The purpose of the Act is to create a new statutory right of access on foot to certain types of open land, to modernise the public rights of way system, to strengthen nature conservation legislation, and to facilitate better management of AONBs. There are provisions for local authorities to establish byelaws and give greater powers of enforcement to a variety of relevant bodies. It seeks to balance the new rights with responsibilities on all parties and there will be codes of practice produced to explain these to landowners and users. In addition, guidance will be produced to assist local authorities and other relevant bodies in administering the procedures.

Section 74 of the Act sets out list of species that need to taken forward in the UK Biodiversity Priority Species List and Habitats

## **CHAPTER 2 BIODIVERSITY ACTION PLANS & STRATEGIES**

### **2.1 UK BIODIVERSITY ACTION PLAN**

The following text is taken from Defra website:

The UK Biodiversity Action Plan (BAP) was published in January 1994 in response to Article 6 of the Biodiversity Convention, to develop national strategies for the conservation of biological diversity and the sustainable use of biological resources. It was preceded by a consultation exercise, culminating in a two day seminar.

The UK BAP included contributions from Government, statutory conservation agencies, the academic world and the voluntary sector. It committed the then Government and its agencies to 59 programmes or tasks: to conserve species and habitats; to develop public awareness and understanding; and to contribute to biodiversity work in the European and global context.



Following the publication of UK BAP, a Biodiversity Steering Group was established to advise the Government on implementation. The Steering Group had a wide-ranging membership including central and local Government, statutory nature conservation agencies, industry, the main collections, scientific and academic institutions, farming and land management, and the nature conservation NGOs.

The work of the Steering Group included:

- Proposals for monitoring a long list of 1252 species to provide a health check on biodiversity within the UK;
- The production of action plans for 116 species and 14 habitats;
- Recommendations to produce further action plans;
- Improving the quality and accessibility of data and biological recording, including developing both a national database and local record centres;
- The production of initial guidance on local biodiversity action plans, with the recommendation that more detailed guidelines should be produced;
- Over 80 proposals to increase public awareness and foster education and training in biodiversity.

A response to the Steering Group report was issued by the [then] Government in May 1996. This welcomed the objectives and targets put forward by the Steering Group and endorsed their aims and main proposals as a basis for follow-up action.

### **Updated list of Priority Species and Priority Habitats (2007)**

The following comments are taken from Natural History Museum website:

After two years of work involving in excess of 500 people, the proposed UK List of Priority Species and Habitats was presented in a UK BAP website report in June 2007. The Priorities Species and Habitats Review Working Group and the Priorities Review Group recommended that this list was formally adopted. The Governments of all four UK administrations have now adopted the recommendations of experts and published the UK list of priority species and habitats. The new UK BAP list is an important reference source, bringing all the scientific information on UK BAP species and habitats together in one place. This list, a result of the most comprehensive analysis ever undertaken in the UK, contains 1149 species and 65 habitats that have been listed as priorities for conservation action under the UK Biodiversity Action Plan (UK BAP).

### **2.1. SOUTH WEST BIODIVERSITY ACTION PLAN**

**The following text is taken from the South West Biodiversity Partnership website:**

The South West Biodiversity Action Plan was developed in 1997. It has since been updated & complemented with the SW Biodiversity Implementation Plan. The South West Biodiversity Partnership prepared regional habitat and species action plans in 1997 in order to:

- To make it easier for the UK biodiversity plans to be implemented at the local level;
- To enable organisations that function at a regional (or similar administrative boundaries) to recognise those conservation priorities relevant to their boundaries
- To inform regional planning of the main biodiversity issues within the South West;
- To ensure the best possible information base on which decisions can be made;
- To provide consistent information so that confusion over different data and priorities can be avoided.

The South West Biodiversity Action Plan is not intended to replace local action. It will be essential that local action plans are created for habitats and species, as well as areas and issues. To date such local initiatives are varied. It is anticipated that local delivery will take place via a wide range of initiatives, some already in place, others existing only as an idea. Local biodiversity partnerships will clearly have a role, especially where an area is complex and encompasses a range of biodiversity priorities.

### 2.3 DORSET BIODIVERSITY STRATEGY (2003)

#### Habitats for which action plans have been prepared:

Group	Habitat
Local habitat	Brittlestar beds
Local habitat	Chalk Streams
Local habitat	Lowland mixed deciduous woodland
Local habitat	Mytelis edulis beds
Local habitat	Ponds
Local habitat	Veteran Trees

[Priority Habitats](#)      [Ancient and/or species rich hedgerows](#)

[Priority Habitats](#)      [Arable and horticulture](#)

[Priority Habitats](#)      [Coastal and floodplain grazing marsh](#)

<a href="#"><u>Priority Habitats</u></a>	<a href="#"><u>Coastal saltmarsh</u></a>
<a href="#"><u>Priority Habitats</u></a>	<a href="#"><u>Coastal sand dunes</u></a>
<a href="#"><u>Priority Habitats</u></a>	<a href="#"><u>Coastal vegetated shingle</u></a>
<a href="#"><u>Priority Habitats</u></a>	<a href="#"><u>Fens</u></a>
<a href="#"><u>Priority Habitats</u></a>	<a href="#"><u>Littoral and sublittoral chalk</u></a>
<a href="#"><u>Priority Habitats</u></a>	<a href="#"><u>Lowland beech and yew woodland</u></a>
<a href="#"><u>Priority Habitats</u></a>	<a href="#"><u>Lowland calcareous grassland</u></a>
<a href="#"><u>Priority Habitats</u></a>	<a href="#"><u>Lowland dry acid grassland</u></a>
<a href="#"><u>Priority Habitats</u></a>	<a href="#"><u>Lowland heathland</u></a>
<a href="#"><u>Priority Habitats</u></a>	<a href="#"><u>Lowland meadows</u></a>
<a href="#"><u>Priority Habitats</u></a>	<a href="#"><u>Lowland wood pasture and parkland</u></a>
<a href="#"><u>Priority Habitats</u></a>	<a href="#"><u>Maerl beds</u></a>
<a href="#"><u>Priority Habitats</u></a>	<a href="#"><u>Maritime cliff and slope</u></a>
<a href="#"><u>Priority Habitats</u></a>	<a href="#"><u>Mud in deep water</u></a>
<a href="#"><u>Priority Habitats</u></a>	<a href="#"><u>Mudflats</u></a>
<a href="#"><u>Priority Habitats</u></a>	<a href="#"><u>Purple moor grass and rush pasture</u></a>
<a href="#"><u>Priority Habitats</u></a>	<a href="#"><u>Reedbeds</u></a>
<a href="#"><u>Priority Habitats</u></a>	<a href="#"><u>Sabellaria alveolata reefs</u></a>
<a href="#"><u>Priority Habitats</u></a>	<a href="#"><u>Sabellaria spinulosa reefs</u></a>

<a href="#"><u>Priority Habitats</u></a>	<a href="#"><u>Saline lagoons</u></a>
<a href="#"><u>Priority Habitats</u></a>	<a href="#"><u>Seagrass beds</u></a>
<a href="#"><u>Priority Habitats</u></a>	<a href="#"><u>Sheltered muddy gravels</u></a>
<a href="#"><u>Priority Habitats</u></a>	<a href="#"><u>Sublittoral sands and gravels</u></a>
<a href="#"><u>Priority Habitats</u></a>	<a href="#"><u>Tidal rapids</u></a>
<a href="#"><u>Priority Habitats</u></a>	<a href="#"><u>Wet woodland</u></a>

The strategy will be updated in 2008

## **2.4 PURBECK LOCAL BIODIVERSITY ACTION PLAN (1998)**

The following text is taken from the Action Plan:

### **Choice of Habitat Actions Plans**

The project was given a habitat emphasis so that much of the biodiversity of the district could be adequately covered in this pilot phase. Habitats were chosen for action plans because they are/have:

- UK priority habitats, particularly those most characteristic of the area
- opportunity available to enhance the local resource
- high local decline rates
- locally rare, threatened or distinctive
- fragmented and fragments viable for linkage
- important for key species.

The following 10 habitats were chosen for 'habitat action plans':

- lowland heathlands and associated habitats
- rivers
- reedbed
- lowland wet grassland
- broad-leaved woodland
- parkland
- arable
- calcareous grassland
- maritime cliff and slope
- maerl beds.

## Choice of Species Action Plans

There are many species in Purbeck of conservation concern which warrant specific action. Species have been selected for plans using a set of criteria that ensures action is taken for local, regional and national priorities in Purbeck (see "Toolkit" for further details). For the purpose of this pilot project species have been chosen for action plans which would not be adequately conserved by carrying out actions for habitats alone. These species need special attention locally and if this is not given they are in danger of disappearing completely. For this reason, species which are being conserved through other initiatives, such as the red squirrel, Adonis blue and Lulworth skipper, are not included in the list below. This approach is a pilot one, and it is envisaged that more species plans will be written in the future as the process evolves.

The 18 species chosen are as follows

nail fungus	<i>Porina punctata</i>
churchyard lichen	<i>Lecanatis hemispherica</i>
golden-hair lichen	<i>Teloschistes flavicans</i>
thatch moss	<i>Leptodontium gemmascens</i>
a moss	<i>Habrodon perpusillus</i>
lizard orchid	<i>Himantoglossum hircinum</i>
fairy shrimp	<i>Chirocephalus diaphanus</i>
southern damselfly	<i>Coenagrion mercuriale</i>
speckled footman moth	<i>Coscinia cribraria bivittata</i>
a micro moth	<i>Eudarcia richarsoni</i>
reed leopard moth	<i>Phragmataecia castaneae</i>
a micro moth	<i>Stenoptilia graphodactyla</i>
a robber fly	<i>Asilus crabroniformis</i>
a weevil	<i>Cathormiocerus britannicus</i>
a water beetle	<i>Graphoderus cinereus</i>
a spider	<i>Enoplagnatha tecta</i>
great crested newt	<i>Triturus cristatus</i>
sand lizard	<i>Lacerta agilis</i>

Purbeck's Biodiversity Action Plan is currently undergoing review.

## CHAPTER 3 PLANNING DOCUMENTS

### 3.1 PLANNING POLICY STATEMENT 1

In Planning Policy Statement 1: Delivering Sustainable Development (PPS1) the Government sets out how the planning system should contribute to the delivery of sustainable development objectives. Paragraph 27 of PPS1 states that sustainable development should underpin the formulation of development plan policies, including a requirement to "enhance as well as protect biodiversity, natural habitats, the historic environment and landscape and townscape character".

Plan policies should be based on:

- Up-to-date information on the environmental characteristics for the area
- The potential impacts, positive as well as negative, on the environment for development proposals (whether direct, indirect, cumulative, long-term or short-term and
- Recognition of the limits of the environment to accept further development without irreversible change.

Paragraph 18, also acknowledges the wider benefits of a 'healthy' environment, stating that "the condition of our surroundings has a direct impact on the quality of life and the conservation and improvement of the natural and built environment brings social and economic benefit for local communities".

## **3.2 PLANNING POLICY STATEMENT 9**

### ***PPS9 and the need for up-to-date information***

The key principles of PPS9 (Paragraph 1) include the following statement: "Development plan policies ... should be based upon up-to-date information about the environmental characteristic of their areas. These characteristics should include the relevant biodiversity and geological resources of the area". Paragraph 4 states that policies must be consistent with national regional and local biodiversity priorities and objectives (including those agreed by local biodiversity partnerships) and in particular that LDFs should identify areas or sites for the restoration or creation of new priority habitats which contribute to regional targets.

### ***PPSS9 and Enhancement***

Previous guidance placed a significant emphasis on the need to protect nature conservation interests, but little mention was made of enhancement. However, in PPS9, new objectives and principles relating to the enhancement of biodiversity have been introduced. Paragraph 1 of PPS9 contains a set of key principles that local planning authorities should adhere to in delivering their planning function. Among these is a requirement that: "plan policies and planning decisions should aim to maintain, and enhance, restore or add to biodiversity and geological conservation interests".

Paragraph 5 states that LDFs should: "identify any areas or sites for the restoration or creation of new priority habitats which contribute to regional targets, and support this restoration or creation through appropriate policies".

### ***PPS9 and international sites***

Paragraph 6 states that "Local Authorities should identify these sites on proposals maps and may need to cross-refer to the statutory protection given to these sites in the explanatory texts in local development documents. Since they enjoy statutory protection specific policies in respect of these sites should not be

included in local development documents”. PPS9 para 6 states that LPAs should identify sites on proposals maps.

### ***PPS9 and SSSIs***

PPS9 seeks to protect SSSIs from adverse impacts associated with new development. PPS9 indicates that “*an exception should only be made where the benefits of the development, at this site, clearly outweigh both the impacts that it is likely to have on features of the site that make it of special scientific interest and any broader impacts upon the national network of SSSIs*”. Over 23% of Purbeck is designated SSSI. Para 7 states that those SSSIs that are not sites of international importance or those features of SSSIs not covered by an international designation should be given a high degree of protection. (Those also designated as sites of international importance will be protected accordingly).

### ***PPS9 and non-statutory nature conservation sites (SNCl)s***

PPS9 recognises the important role that local sites play in meeting overall national biodiversity targets. Over 4% of Purbeck is designated SNCl.

### ***PPS9 and RIGS, Local Nature Reserves and Local Sites***

PPS9 recognises the important role that the above play in meeting overall national biodiversity targets and in supporting research and education. It suggests criteria-based policies.

### ***Protected species***

Policies regarding protected species should not be included in local development documents.

## **3.3 PPS9 GOOD PRACTICE GUIDE**

### **Page 3**

The summary of good practice includes reference to “using information to identify and map areas best suited for proactive enhancement measures”. This would appear to be in support of Nature Mapping and, in the case of Purbeck, reinforce the need to retain a policy on heathland recreation.

### **Page 4**

Checklist of components of an environmental information base

- Broad bio-geographical, geological and geomorphological character of the area, creating its man landscapes types
- Key nature systems and processes within the area, including fluvial and coastal
- Local and extent of internationally, nationally and locally designated sites
- Distribution of UKBAP priority habitats and species and irreplaceable natural habitat

- Habitats where specific land management practices are required for their conservation
- Main landscape features which are important for migration, dispersal and genetic exchanges of plants and animals, including potential for new habitat corridors to link any isolated sites that hold nature conservation value
- Areas with potential for habitat enhancement or restoration
- Audit of green space within built areas
- Information on the presence of protected priority species
- Information on biodiversity and geodiversity value of previously developed sites
- Areas of geological value which would benefit from enhancement

### **Page 11**

Contains example of the RSPB Opportunity Mapping in Dorset as an example of best practice. It states that there are examples of planners developing opportunity maps to show where priority habitats could be restored or re-created in their area or region as a basis from which to develop policies and targets.

### **Page 16 - Para 2.20**

BAPs contribute to the fulfilment of the requirements placed on local authorities in terms of habitat and species conservation and enhancement.

### **Page 38**

Checklist of issues which might be covered in LDF core strategy:

- Recognition of environmental trends
- Framework for the protection, restoration or creation of priority BAP habitats
- Aligning objectives with SMPs and RBMPs
- Maintaining, restoring or adding to networks of natural habitats
- Promoting sustainable design
- Identifying the role of a hierarchy.
- Safeguarding biodiversity value of previously developed land
- Promoting the enhancement of local geological sites

The core strategy should provide criteria-based policies that address biodiversity and geological conservation.

### **Page 40, para 4.40: Locally and regionally protected sites.**

The core strategy will indicate how the authority and its partners intend to promote biodiversity and geological conservation. Good practice would be to include a strategy for local sites which would include positive proposals for protection and enhancement and how they will work to this end with landowners and developers of these sites.

## **3.4 PLANNING POLICY STATEMENT 12**



Paragraph 1.9 states: “Local planning authorities should ... take account of the principles and characteristics of other relevant strategies and programmes when preparing local development documents and in particular the core strategy. These should include the community strategy, strategies for education, health, social inclusion, waste, biodiversity, recycling and environmental protection”.

Annex A (page 61) suggest that the proposals map may show:

- Nationally designated areas such as AONB and SSSIs
- Areas where flooding issues will need to be addressed
- Areas of more regional or local importance for biodiversity and where biodiversity will be enhanced
- Areas relating to hazards such as flooding, land instability and contaminated land

### **3.5 CIRCULAR 06/2005**

This circular is intended to accompany PPS9, providing administrative guidance on the application of the law. It outlines how statutory obligations impact within the planning system. Part 1 covers internationally designated sites, Part 2 nationally designated sites, Part 3, habitats and species outside designated sites, Part 4 species protected by law and Part 5 refers to the Environmental Impact Assessment, Strategic Environmental Assessment, and Water Framework Directive.

#### ***Circular 06/2005 and internationally designated sites***

While paragraph 54 states that development plans are not subject to assessment under the Habitats Regulations, this is now out of date and a recent ruling means that all development plans must undergo an Appropriate Assessment screening and, if necessary, an Appropriate Assessment. Guidance on Appropriate Assessment is anticipated in September 2006.

#### ***Circular 06/2005 and nationally designated sites***

Paragraph 57 quotes from the Wildlife and Countryside Act 1981 which requires an authority to take steps to further the conservation and enhancement of the features of which sites are of special interest. It states that this “applies at every stage from the formulation of plans, to the carrying out of operations and the making of decisions”.

#### ***Circular 06/2005 and conservation of habitats and species outside designated sites***

Paragraph 84 states that “the potential effects of a development, on habitats or species listed as priorities in the UK Biodiversity Action Plan (BAP) and by Local Biodiversity Partnership, together with policies in the England Biodiversity Strategy, are capable of being a material consideration in the preparation of ... local development documents”

Article 10 of the Habitats Directive requires Member States (where they consider it necessary) to endeavour to encourage the management of features of the landscape that are of major importance for wild flora and fauna. Examples include rivers with their banks, traditional field boundaries such as hedgerows, ponds and small woods. Hedgerows have more specific protection on the Hedgerows Regulation 1997.

Circular 06/2005 does not cover RIGS, Local Nature Reserves and Local Sites.

***Circular 06/2005 and species protected by law***

Paragraph 97 states that the two principal pieces of legislation protecting wild species are Part 1 of the Wildlife and Countryside Act 1981 and the Habitats Regulations, with other animals such as badgers protected under their own legislation. Paragraph 98 states that planning obligations and conditions may be required to ensure protection. However, PPS9 (paragraph 15) states that specific policies should not be included in local development documents.

## **CHAPTER 4 COMMUNITY & CORPORATE PLANS**

**DORSET COMMUNITY STRATEGY:** Page 52 lists the key issues and actions for the Environment section of this document. The two key issues and actions which relate to the natural environment are as follows:

- Protecting and enhancing the diversity and richness of the rural and natural environment for the benefit of people and wildlife
- Safeguarding Dorset and the wider environment against pollution, erosion and damage from human activities.

**PURBECK COMMUNITY PLAN:** The Environment is recognised as a key issue for the District, and page 10 sets out some of the key actions within the plan. However, these actions are not contained within the Community Plan itself, but within *Making Purbeck More Special*, the action plan of the Purbeck Heritage Committee.

**PURBECK CORPORATE STRATEGY:** The Council's "overarching strategic priority" is "protecting and enhancing the natural environment".

# **PART 2: DESIGNATIONS**

## **CHAPTER 1: INTERNATIONAL AND EUROPEAN DESIGNATIONS**

### **1.1 SPECIAL AREAS OF CONSERVATION**

Sites of international importance as natural habitats, designated to conserve habitats and species which are rare or threatened within the EU. Sites hosting

habitats or species which are particularly threatened have “priority” status. The Purbeck SACs are:

- Isle of Portland to Studland Cliffs (1447,5 ha)
- Dorset Heaths (Purbeck & Wareham) & Studland Dunes (2221.94 ha)
- Dorset Heaths (5730.73 ha)
- St Albans Head to Durlston Head (287.22 ha)

***For further details, refer to Appendices 2 and 3***

## **1.2 SPECIAL PROTECTION AREAS (SPAs)**

Habitats of international importance for birds, designated to ensure the survival and reproduction of rare breeding and migratory species. The Purbeck SPAs are:

- Dorset Heathlands
- Poole Harbour

***For further details, refer to Appendices 4, 5 and 6***

## **1.3 RAMSARS**

Sites identified as being of international importance as wetlands, particularly for their populations of migratory or wintering waterfowl. The Purbeck Ramsars are:

- Dorset Heathlands
- Poole Harbour

***For further details, refer to Appendices 7, 8 and 9***

# **CHAPTER 2: NATIONAL DESIGNATIONS**

## **2.1 NATIONAL NATURE RESERVES (NNRs)**

These are sites of key national, or international, biological or geological importance which are managed primarily for nature conservation. NNRs are owned or leased by Natural England, or bodies approved by them, or are managed in accordance with Nature Reserve Agreements with landowners or occupiers. All NNRs in Purbeck are also SSSIs, with the exception of one small part of Stoborough Heath.

***For further details, refer to Appendix 10***

## **2.2 SITES OF SPECIAL SCIENTIFIC INTEREST (SSSIs)**

These collectively form a nationally important series of sites of biological or geological value and are notified by English Nature in accordance with published

guidelines. All Ramsar Sites, SPAs, SACs and NNRs are also designated as SSSIs (with one exception of small part of Stoborough Heath which is NNR but not SSSI).

The SSSIs are as follows: Arne, Belle Vue Quarry, Bere Stream, Blackhill Heath, Blashenwell Farm Pit, Blue Pool and Norden Heaths, Brenscombe Heath, Corfe Common, Corfe Meadows, Creech Grange, Cullpeppers Dish, East Coppice, Hartland Moor, Holton and Sanford Heaths, Lulworth Park and Lake, Morden Bog and Hyde Heath, Oakers Bog, Oakers Wood, Poole Harbour, Povington and Grange Heaths, Purbeck Ridge (East), Purbeck Ridge (West), Rempstone Heaths, River Frome, South Dorset Coast, Stoborough and Creech Heaths, Stokeford Heaths, Studland and Godlingston Heaths, Studland Cliffs, The Moors, Thrashers Heath, Townsend, Turners Puddle Heath, Upton Heath, Wareham Common, Wareham Meadows, Winfrith Heath, Worgret Heath

The following text is taken from Natural England's website:

*Sites of Special Scientific Interest (SSSIs) are valuable for a number of reasons, the most obvious being the protection and conservation of our most important wildlife and geology. They play a key role in achieving our biodiversity goals and contribute to people's quality of life. Ensuring their good condition is a key indicator of sustainable development.*

*There are 4,112 SSSIs in England, covering over 7% of England. The sites range from small areas that protect populations of a single species, to large expanses of upland moorland or coastal mudflats. The Government has set a Public Service Agreement (PSA) target that 95% of SSSI land, by area, should be in favourable condition by 2010. As the Government's English nature conservation agency, Natural England assesses the condition of SSSIs using categories agreed for the UK through the Joint Nature Conservation Committee. Condition is a measure of both the quality of the special habitat and species features on SSSIs, and of the land management in place to recover or conserve them. SSSIs are assessed as being in either a favourable, unfavourable recovering, unfavourable no change, or unfavourable declining condition.*

*The major causes of unfavourable condition include overgrazing, inappropriate moor burning, drainage, undergrazing and neglect, inappropriate coastal management, diffuse pollution and fisheries. There is no one universal remedy for each reason for unfavourable condition across all SSSIs. Putting the remedy in place is often not in English Nature's gift. Government Departments, public decision-makers, legislators and regulators, voluntary conservation organisations and owners and managers of SSSI land all have a role to play.*

The following SSSIs are not European designations. Oakers Wood, Culpeppers Dish, Lulworth Park and Lake, Wareham Common, Bere Stream, East Coppice.

In addition, a number of SSSIs have parts/units which are not European designations.

***For further details, refer to Appendix 11***

## **CHAPTER 3: LOCAL DESIGNATIONS**

### **3.1 LOCAL NATURE RESERVES (LNRs)**

The following is taken from *Dorset For You* website:

*Local Nature Reserves are for both people and wildlife. They are places which should have wildlife or geological features that are of special interest locally and can provide opportunities for local people to learn about and enjoy their natural environment. We look at several factors when assessing potential sites to become LNRs:*

- *Biodiversity - what is the existing and potential interest*
  - *Accessibility - are sites near to towns and villages*
  - *Education - who can benefit from the opportunity*
  - *Enjoyment - how can people participate*
- Local Authority interest - a parish, town, district, borough or county council must have a legal interest in the land*

*A Local Nature Reserve (LNR) is a statutory designation under the National Parks and Access to the Countryside Act 1949, which gives the area legal protection.*

*There are two Local Nature Reserves (LNRs) that fall within the boundaries of Purbeck District Council: Turlin Moor LNR and Eight Acre Wood LNR. Turlin Moor falls mainly in Borough of Poole and as such is managed by them. Eight Acre Wood LNR was designated in 2003 and is part of the larger Eight Acre Coppice SNCI. The LNR is managed with the support of the landowner Dorset County Council.*

### **3.2 SITES OF NATURE CONSERVATION INTEREST (SNCIs)**

SNCIs are wildlife sites selected in accordance with guidelines published by the Dorset Wildlife Trust. The following sites are within Purbeck:

AEA Winfrith  
Affington Wood  
Ailwood  
Ailwood Down  
Alderbed  
Ash Farm  
Ashey Copse  
Baker's Well Valley  
Barn Coppice  
Bartom's Lane Meadow

Bere Down  
Bere Wood  
Bindon Range Firing Point  
Bindon Ranges  
Bladen Plantation  
Bloxworth and Morden  
Heaths  
Bramble Coppice  
Brencombe Wood  
Brimland Wood

Broad Breach  
Brooms Plantation  
Bryantspuddle Heath  
Budden's Farm  
Bulbury Coppice  
Burgate/Park Woods  
Burton Heath East  
Bushey  
Bushey Withy Bed  
California Farm

Chaldon Bottom	Highwood	Ridgeway Hill
Challow and Rollington Hills	Highwood Wood	Rollington Wood
Chapel Wood	Hill Wood	Rough Bulbury
Church Knowle	Holton Heath Industrial Estate	Row Down Coppice
Claywell	Holy Stream	Rushall House
Cobbs Legg	Horse Coppices	Rye Hill farm
Corfe Castle	Huntick Farm	Sandford
Creech Barrow	Hurst Heath	Sandyhills Copse
Creech Great Pond	Hurst Mill	Scotland Meadows
Creech Pond	Hyde House	Sheep's Walk Pit
Culeaze Meadows	Hyde Wood & Beach/Pole	Sherford River
Dairy House Copse	Coppices	Slepe Roadside
Damerhill Coppice	Isolation Cottage	South Gwyle
Doddings	Kimmeridge Coppice	Southbrook
Dorey's Farm	Kingsbridge	Southover Heath
Dorset Wood	Knaveswell Copse	Spyway Farm
Down Barn	Knowle and West Hills	St Aldhelm's Head
Downshay Field	Landshare Coppice	Steeple Leaze Wood
Downshay Wood	Langton West Wood	Stokeford Heath
DRA, Holton Heath	Leeson Wood and Serrell's	Studland Hill
Drove Coppice	Copse	Swyre Head
Dullar/West Woods	Lily's and Bury's Ponds	Tabbits Hill
Dyett's Coppice	Litchfield Copse	Talbot's Wood
Dyett's Meadow	Lodge Wood	The Glebe Meadow
East Holme Firing Range	Long/Perry Copses and	The Plantation
East Lulworth Copse	Blindman's Wood	The Wilderness
East Morden Wither Bed	Longthorns Heath	Thrasher's Lane
Egliston Gwyle	Lower Hove Wood	Three Barrows
Eight Acre Coppice	Lutton Woodlands & Alms	Throop Lane
Elder Moor	Grove Gate	Trigon Heaths
Eweleaze Coppice	Lytchett Bay Meadows	Turnerspuddle Ford
Eweyards Coppice	Lytchett Bridge	Turnerspuddle Meadows
Farm Wood	Madgrove	Tyneham Valley
Fitzworth Peninsula	Marl Pits Wood	Ullwell Wither Bed
Five Marys	Marley Wood	Upton Wood
French's Coppice	Marsh Copse	Victoria Meadows
Fry's Wood	Millum Head	Wareham Lodge
Furze/Gully Copses	Morden Pk Lakes	Warren Heath Bog
Furzebrook	New Barn	Waterley Wood
Gallows Hill	Nine Barrow Down	Weatherby Castle
Gallows Hill Road-side	Norden Wood	West Chaldon Roadside
Garden Wood	North Meadows	West Creech
Godlingston Wood	Oak Hill	West Creech Farm
Godlingston-Studland Fields	Oak Tree Farm	West Wood/ Fox-holes Wood
Great Linnings Copse	Oakley Wood	Westhill Wood
Greenfield Coppice	Old Park Farm Wood	Westwood Coppice
Greenland	Old Ram Plantation	Whitehall
Haremere Wood	Pallington Coppice	Whiteway Farm
Harpstone	Philliol's Coppice	Whiteway Farm Wood
Haycraft Wood	Phillip's Coppice	Wilcocks Wood
Heathland Restoration, South	Piddle/Shitterton Woods	Winter's Coppice
Middlebere	Pit Bottom	Wool Meadow
Heron Coppice	Povington Farm	Woolbridge-Hyford Ditches
Herston	Purbeck Forest Tracks	Woolgarston Road
Higher and Lower Grove	Purbeck Heights	Woolgarston Wood
Woods	Purbeck Ridge	Worgret Heath
Higher and Lower Stonehips	Quince Hill Wood	Worgret Junction
Higher Hove Wood	Redbridge	Yards Brake
Higher Sandy Coppice	Rempstone Farm Fields	
Higher Wood	Rempstone Wood	

***For further details, refer to Appendix 12***