

Knoll House Hotel, Studland, Dorset

Topic HRA Statement of Common Ground: Draft for Discussion

PINS Reference: APP/D1265/W/24/3348224

LPA Reference: P/FUL/2022/06840

Site Address:

Knoll House Hotel, Ferry Road, Studland, Dorset BH19 3AH.

Description of Development:

“Redevelopment of existing hotel to provide new tourist accommodation including: 30 hotel bedrooms, apartments and villa accommodation and associated leisure and dining facilities.”

Statement of Matters Agreed between Dorset Council (the Local Planning Authority) and Mr Ben Read, Black Box Planning, on behalf of Kingfisher Resorts Ltd (the Appellant) in relation to the Habitats Regulations Assessment of the appeal proposals.

Agreed on behalf of the Appellant

Name: Dr Rebecca Brookbank

Position: Technical Director, EPR

Date: 6 December 2024

Agreed on behalf of Dorset Council

Name: Mr Oliver Rendle

Position: Senior Environmental Assessment Officer

Date: 6 December 2024

Schedule of Revisions

V1	EPR first draft, 6 November 2024
V2	EPR amendments, 8 November 2024
V3	DC amendments, 15 November 2024
V4	EPR amendments, 16 November 2024
V5	DC amendments, 26 November 2024
V6	EPR amendments, 2 December 2024
V7	DC amendments, 4 December 2024

1. INTRODUCTION

1.1 This Topic-specific Habitats Regulations Assessment (HRA) Statement of Common Ground (SoCG) has been prepared jointly by EPR Ltd on behalf of Kingfisher Resorts Ltd (the Appellant) and Dorset Council (DC, the LPA), with input from Natural England as the Statutory Adviser under the Regulations, to assist the Inspector in the determination of this appeal. In the context of Reason for Refusal 2 (Impact on European Designated Sites), it will identify those HRA-related matters that are agreed and those that remain in dispute pursuant to Section 13 of the PINS Procedural Guidance (28 May 2024).

1.2 This HRA SoCG should be read alongside the Planning SoCG produced by Black Box Planning and DC. Planning-related matters covered under the following subject headings are not duplicated here:

- Planning History;
- Description of the Site;
- Development Plan; and
- Proposal.

2. MATTERS AGREED

2.1 The International sites located within the zone of influence of the appeal proposals are listed in **Table 1** along with the impact pathway(s) relevant to HRA.

Table 1: International sites within the zone of influence and relevant impact pathways

International Sites	Relevant Impact Pathways
The 'Dorset Heathlands' comprising: Dorset Heathlands SPA and Ramsar; Dorset Heaths (Purbeck and Wareham) and Studland Dunes SAC	<ul style="list-style-type: none">• Recreational pressure (disturbance, trampling, eutrophication (dog fouling, littering), fire risk)• Urban edge effects (cat predation, fire risk)• Hydrological change (surface water)• Air pollution• Functionally linked land (lighting)
Poole Harbour SPA and Ramsar	<ul style="list-style-type: none">• Recreational pressure• Nitrogen pollution (nutrient neutrality)

2.2 The impacts that fall to be assessed are net impacts, therefore the baseline context must be considered.

2.3 The agreed guest/staff occupancy figures pre/post development, as per Officers Report (**CD3.46**), Appellant SoC/Planning SoCG, result in a net decrease in overnight accommodation.

- 2.4 A C1 Use Class for the villas/apartments is acceptable, subject to a planning condition restricting the use and the obligations in the draft UU (dated 3/12/'24).
- 2.5 An uncontrolled C3 use is not acceptable according to the Dorset Heathlands Planning Framework 2020-25 SPD and planning policy.
- 2.6 The nutrient budget calculation presented at **CD1.58** is agreed.

3. MATTERS IN DISPUTE

- 3.1 There is dispute as to whether or not a condition limiting the villas and apartments to a C1 use would meet the *Newbury* tests for lawfulness, given what is stated in the application form (though it is agreed that this is a legal matter and not a matter of expert opinion).
- 3.2 There is dispute as to whether or not the Holiday Accommodation (as currently defined in the draft UU, dated 3/12/'24)) would result in a net increase in recreational impacts and be contrary to the Dorset Heathlands Planning Framework 2020-25 SPD and planning policy.
- 3.3 There is dispute as to whether the proposed 'measures' should be regarded as mitigation or enhancement.