Poole Local Plan Habitats Regulations Assessment of Modifications to the Pre-Submission Draft

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Summary

This report is the Habitats Regulations Assessment (HRA) of the Poole Local Plan, currently being prepared by the Borough of Poole. HRA is undertaken to check the implications of a plan or project for European wildlife sites, in terms of any possible harm that could occur as a result of the plan or project. This assessment of the plan is at ‘Modifications’ stage. The plan has been considered at Examination in Public and the Modifications are as a consequence of Examination.

There is a longstanding and chronological progression of HRA work for the Borough, for both the current Core Strategy and other planning documents, and for the new Poole Local Plan. This sits within wider collaborative working on HRA matters with neighbouring local planning authorities across South East Dorset.

At the screening stage of HRA for a plan, there is the opportunity to identify changes to the plan that could be made to avoid risks to European sites. The screening for likely significant effects is a check to identify risks and recommend any obvious changes that can avoid those risks through strengthened wording, corrections to terminology or clarity for project level HRA. Dialogue between Footprint Ecology and the Borough of Poole enabled a number of minor text modifications, for both policy and supporting text, to be made to the plan prior to Examination in Public. Where risks to European sites are identified but further scrutiny of information, further evidence gathering or assessment of the nature and extent of impacts is required, this is undertaken in a more detailed assessment, known as the ‘Appropriate Assessment.’

The appropriate assessment considers water quality and recreation pressure for Poole Harbour, urban and recreation effects for the Dorset Heathlands, development implications for foraging Nightjar, air quality effects, and the protection and enhancement of wider biodiversity to support European sites. Some already have established mitigation measures in place. The appropriate assessment looks at evidence to support the continuation of such measures, and where they may need modification.

In drawing the HRA conclusions within each of the themed sections of the appropriate assessment, Footprint Ecology has liaised with the Borough of Poole to identify suitable mitigation solutions for the Poole Local Plan that meet the recommendations being made. The HRA conclusions set out the action taken by the Council to secure the appropriate assessment recommendations. A recheck of the Modifications is recorded in the final column of the screening table at Appendix 4. With all measures in place, it is concluded that the Poole Local Plan is fully compliant with the Habitats Regulations.
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Acknowledgements

This report was commissioned by the Borough of Poole. It updates work on the earlier HRA at Issues and Options stage, for which we thank Bill Gordon (PBC) for his support and the provision of the various background information required to inform this report, and also Sue Burton (Natural England) for useful discussion and comment.

Data on boats in Lytchett Bay and Holes Bay to inform the report and Issues and Options stage were provided by Luke Bennett (the Borough of Poole). We have also drawn on data collected by the Urban Heaths Partnership, and our thanks go to Rachel Pearce and Paul Atwell for access to those data. We are also grateful to Andy Ramsbottom (Poole Harbour Commissioners) for responding to queries on data held by the Commissioners.

We thank Nick Squirrel and Sue Burton (both Natural England) for their continued support throughout the HRA related work that underpins and relates to this report. We particularly thank Steve Dring (PBC) for working alongside Footprint Ecology during the commission; to understand, update and seek suitable solutions for the Poole Local Plan alongside the preparation of this HRA report.
1. **Introduction**

1.1 This report is the Habitats Regulations Assessment (HRA) of the Poole Local Plan, which has been prepared by the Borough of Poole. This section of the report provides an introduction to the HRA report, its purpose, background context and key information.

1.2 This HRA report has been updated at the various stages of plan making, and is now an assessment of the Poole Local Plan after completion of the hearing sessions for the Examination in Public. This iteration of the HRA provides a check of all Modifications being proposed as a result of the Examination. The Modifications will be the subject of a final round of public consultation, before the plan is adopted. This HRA report is provided alongside the Modifications consultation for the Poole Local Plan, to demonstrate soundness in terms of compliance with the Conservation of Habitats and Species Regulations 2017 (the Habitats Regulations). As described below, this legislation transposes the requirements of European Directives into domestic law.

1.3 HRA is undertaken in order to check the implications of a plan or project for European wildlife sites, in terms of any possible harm on wildlife interest that could occur as a result of the plan or project. Further explanation of the assessment process is provided below and in greater detail in Appendix 1.

1.4 Sustainable development in the Borough of Poole is currently directed by the Poole Core Strategy, which was adopted by the Borough of Poole in 2009. Other development plan documents also form part of the current local plan. It is Government policy that local planning documents are continually reviewed in order to remain up to date and informed by current evidence on local economic, social and environmental needs, and national legislation and planning policy. In light of this, and recognising the need to revisit key issues such as housing, transport, economic growth and meeting community needs, The Borough of Poole has reviewed the existing Core Strategy and additional local plan documents, in order to prepare a new Local Plan. The new Local Plan will replace all current local plan documents (and ‘saved’ policies) and provide the new direction for sustainable development in the Borough of Poole up to 2033.

1.5 This HRA report previously assessed the Poole Local Plan in a form that the Borough of Poole considered to be sound and ready for Examination by the Planning Inspectorate. The plan has been the subject of a final round of consultation to inform the Examination by the Planning Inspectorate, allowing the public and consultees to make comments on the ‘soundness’ of the plan, for the Inspector’s consideration.

1.6 Following the Examination hearing sessions, the Modifications have been checked to ensure that these additions and alterations do not change the previous conclusions that the Borough of Poole has adequately ensured that the Poole Local Plan will not
result in any adverse effects on European sites, with robust protection of European sites, suitable and tested measures to mitigate for any impacts, and clarity on development project level HRA requirements. This HRA report therefore provides a full HRA of the Poole Local Plan prior to its Examination, and a further check of all Modifications now being proposed following Examination hearing sessions.

**Habitats Regulations Assessment process**

1.7 A HRA is the step by step process of ensuring that a plan or project being undertaken by, or permitted by a public body, will not adversely affect the ecological integrity of a European wildlife site. Where it is deemed that adverse effects cannot be ruled out, a plan or project must not proceed, unless exceptional tests are met. This is because European legislation, which is transposed into domestic legislation and policy, affords European sites the highest levels of protection in the hierarchy of sites designated to protect important features of the natural environment.

1.8 The relevant European legislation is the Habitats Directive 1992\(^1\) and the Wild Birds Directive 2009\(^2\), which are transposed into domestic legislation through the Conservation of Habitats and Species Regulations 2017. These Regulations are normally referred to as the ‘Habitats Regulations.’ Since the Government commenced with the processes necessary for the UK to leave the European Union, it has been recognised that much of our domestic law originates in European Directives. The Great Repeal Bill is an important part of the exit process, and once in force it will secure all enactments currently in force under EU law that are relevant to the UK as domestic legislation. This then retains all such legislation until or unless specifically repealed. The Habitats Directive and Wild Birds Directive will therefore be retained and applied after the UK leaves the European Union.

1.9 The Habitats Regulations set out a clear step by step approach for decision makers considering any plan or project. In England, those duties are also supplemented by national planning policy through the National Planning Policy Framework (NPPF). This national planning policy also refers to Ramsar sites, which are listed in accordance with the international Ramsar Convention. The NPPF requires decision makers to apply the same protection and process to Ramsar sites as that set out in legislation for European sites. Formally proposed sites, and those providing formal compensation for losses to European sites, are also given the same protection.

1.10 The duties set out within the Habitats Regulations apply to any public body or individual holding public office with a statutory remit and function, referred to as ‘competent authorities.’ The requirements are applicable in situations where the

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\(^1\) Council Directive 92/43/EEC  
competent authority is undertaking or implementing a plan or project, or authorising others to do so. A more detailed guide to the step by step process of HRA is provided in this report at Appendix 1.

1.11 In assessing the implications of any plan or project, in this case a local plan, for European sites in close proximity, it is essential to fully understand the sites in question, their interest features, current condition, sensitivities and any other on-going matters that are influencing each of the sites. Every European site has a set of ‘interest features,’ which are the ecological features for which the site is designated or classified, and the features for which Member States should ensure the site is maintained or, where necessary restored. Each European site has a set of ‘conservation objectives’ that set out the objectives for the site interest, i.e. what the site should be achieving in terms of restoring or maintaining the special ecological interest of European importance.

1.12 The site conservation objectives are relevant to any HRA, because they identify what should be achieved for the site, and a HRA may therefore consider whether any plan or project may compromise the achievement of those objectives. Further information on European site conservation objectives can be found at Appendix 2 of this report.

1.13 Local plan making proceeds through a number of stages as the plan is developed and refined, with public consultation at key stages where statutory bodies, organisations, business and the public are able to contribute to the direction of the developing plan. The Poole Local Plan is close to adoption, and is currently at Modifications stage. The Council has used previous consultation responses provided by the public and consultees to shape the plan over time, since the review commenced in 2013.

1.14 At each stage of plan development policies are presented in an increasingly refined state over time, with intended approach to policy wording is outlined and consultation informing further refinement of policy wording. This therefore enables this HRA to make meaningful recommendations that can be acted on by the Borough of Poole in order to strengthen the protection afforded to European sites as the plan is refined towards Examination, and now in its final stages prior to adoption.

1.15 It is important to recognise that HRA is an intrinsic part of plan making. It identifies potential risks to European sites posed by an emerging policy approach, but it should also seek to find solutions that enable sustainable development to meet the needs of an area whilst protecting European sites. The HRA work undertaken for the Poole Local Plan has previously made recommendations in the earlier HRA reports to allow plan objectives to be met whilst avoiding or minimising risk. The Council has incorporated the recommendations made, and the Poole Local Plan now adequately and correctly applies the protective legislation for European sites.
As described in Appendix 2, the step by step process of HRA of a plan allows for continual refinement of the plan to ensure its compliance with the Habitats Regulations. At the various stages of plan development, the HRA checks the document in its entirety and will advise where emerging elements of the plan may pose a risk to European sites and therefore require further evidence gathering and/or modification.

**European sites**

European sites are afforded the highest levels of protection in the hierarchy of wildlife assets, but it also needs to be remembered that European sites are wholly reliant upon a functioning network of biodiversity habitats and species, with healthy ecosystems and supporting processes. These principles are well established, and the Government commissioned review ‘Making Space for Nature’ by Professor John Lawton identifies the importance of wider biodiversity to support and maintain nationally and internationally designated wildlife sites.

The National Planning Policy Framework (NPPF) states that sustainable development is the achievement of social, economic and environmental aspirations, and these three dimensions of sustainable development are mutually dependant. For the natural environment, the NPPF advises that sustainable development should include protecting, enhancing and improving biodiversity, and moving from a net loss of biodiversity to achieving net gains. The recently published Defra 25 year plan sets out an ambitious programme for improving the natural environment, including the achievement of environmental net gains through development, of which biodiversity is an important part.

For these reasons, it is important to have regard for wider biodiversity restoration, halting current declines and contributing towards healthy and connected biodiversity networks as part of sustainable development. This point is considered further in the appropriate assessment.

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3 The report is now available within the Government archive webpages. This link takes you to the Government page explaining the review, and then provides a link through to the archives. [https://www.gov.uk/government/news/making-space-for-nature-a-review-of-englands-wildlife-sites-published-today](https://www.gov.uk/government/news/making-space-for-nature-a-review-of-englands-wildlife-sites-published-today)


1.20 The relevant European sites for this assessment are those previously considered in the HRA of the Core Strategy, and are as follows:

- Dorset Heathlands SPA
- Dorset Heaths SAC
- Dorset Heaths (Purbeck and Wareham) and Studland Dunes SAC
- Dorset Heathlands Ramsar site
- Poole Harbour SPA
- Poole Harbour Ramsar site
- The New Forest SAC
- The New Forest SPA
- The New Forest Ramsar site

1.21 Relevant information on the site designations/classifications and the interest features are summarised in Appendix 3. Maps 1-3 show the relevant European sites, with all sites within 20km of Poole Borough plotted. An initial check of all sites confirmed that those previously considered by the Core Strategy, listed above, remain relevant for the Poole Local Plan HRA, whilst there is no risk posed to other European sites within 20km. This is due to an absence of impact pathways, i.e. there isn’t a mechanism by which the plan could pose a risk, such as though water, air or disturbance pathways. A more detailed explanation of impact pathways is given in Appendix 1.
Review of HRA work to date

1.22 There is a longstanding and chronological progression of HRA work for the Poole Borough, for both the current Core Strategy and other planning documents, and for the new Poole Local Plan. This sits within wider collaborative working on HRA matters with neighbouring local planning authorities across South East Dorset.

1.23 The Borough of Poole has been working with neighbouring authorities and Natural England over a number of years to find workable solutions to enabling sustainable development whilst adequately protecting, maintaining and restoring European wildlife sites. The approach to protecting the Dorset Heathlands from additional recreation pressure, and the approach to negating increased nutrient input to Poole Harbour, as detailed in the later appropriate assessment sections of this HRA report, are now established within Supplementary Planning Documents (SPDs), with contributions committed by developers as part of new development coming forward being used to fund mitigation measures that have been developed over time and based on good evidence and expert input. These approaches, set out within the relevant SPDs are now the key mechanisms for mitigating for additional potential effects that might otherwise occur as a result of the new growth promoted within the new Poole Local Plan.

1.24 The new Poole Local Plan has proceeded through the various stages of plan preparation and public consultation since the commencement of the review in 2013, including a Key Issues consultation, a call for sites to be considered for development, and Issues and Options consultation and a Further Issues and Options consultation that included housing and other development sites, development management policies and a Green Belt review. This HRA report includes a full assessment of the plan at Pre-submission stage, and now provides a further update at Modifications stage. The previous HRA work undertaken in earlier stages of the preparation of the new plan, which included:

- An initial review of avoidance and mitigation measures in place for the Core Strategy
- A HRA report for the Issues and Options
- A report providing a check of housing and other development sites for potential implications for European sites, informing the Further Issues and Options consultation.
- A HRA report for the Pre-submission stage

1.25 When embarking on new HRA work, it is important to take stock and consider how well the measures put in place to protect European site interest have worked, and what evidence there is available to support the continuation of such measures, or to indicate that they may need modification. Therefore, in order to inform the early
development of the new Local Plan, the Borough of Poole commissioned Footprint Ecology to produce an initial review of avoidance and mitigation in place for the Core Strategy; which examined the current mitigation in place for impacts arising from growth promoted in the Core Strategy. This included impacts relating to urbanisation, recreation pressure, pollution and nutrient enrichment. That initial report was then developed into an early HRA at Issues and Options. The HRA work for the new Poole Local Plan was then supplemented by an additional report checking for issues relating to the housing and other development sites, consulted upon as part of the Further Issues and Options consultation in 2016.

1.26 The HRA report at Pre-submission stage of plan making, collated all earlier HRA work and provided a full assessment of the Plan prior to Examination in Public. This report now updates the HRA with a check of all Modifications, which includes both the Additional Modifications and Main Modifications. A check of all Additional Modifications enabled a conclusion that these minor proposed changes to the plan were not of relevance to the HRA. Some matters within the Main Modifications required further consideration, as detailed within the screening table at Appendix 4.
2. **Screening for Likely Significant Effects**

2.1 This section explains the screening undertaken of the entire plan at Publication stage, to check for likely significant effects, either to highlight changes that can avoid such risks, or identify where further assessment is required in relation to those risks.

**Avoiding LSE through plan modification**

2.2 At the screening stage of HRA for a plan, there is the opportunity to identify changes to the plan that could be made to avoid risks to European sites. Any requirement for assessing the effectiveness of changes should be made at the appropriate assessment stage. The screening for likely significant effects, as described in Appendix 1, is an initial check to identify risks and recommend any obvious changes that strengthen policy or completely avoid risks with the removal of potentially harmful aspects, for example. All aspects of the emerging plan that influence sustainable development for the area are checked for risks to European sites. The preparation of a screening table enables the competent authority to consider recommendations for text changes or additions within the plan in a clear, policy by policy record. A full record of screening is provided in Appendix 4: Progression of screening for LSE. Appendix 4 shows the full screening of the plan at Pre-submission stage, and now has an additional final column for the re-check of Modifications. All proposed Modifications have been checked, both Additional Modifications and Main Modifications. All of the Additional Modifications are minor in nature and not of relevance to the HRA.

2.3 Text changes are recommended in the screening table where there is an opportunity to avoid impacts on European sites through policy strengthening. In such instances, the risk is not such that further assessment of impacts is required, but rather that the issue raised can be simply avoided with straightforward changes to the plan. This is often where terminology is incorrect or where more clarity in relation to project level HRA requirements would be beneficial, for example.

2.4 Prior to Pre-submission consultation, a near final version of the plan was provided to Footprint Ecology. Initial consideration of that version enabled a dialogue between Footprint Ecology and the Borough of Poole, which then contributed to the finalisation of the plan for Examination. As part of that dialogue, Footprint Ecology highlighted a number of minor text modifications, for both policy and supporting text, that should be made in order to strengthen and clarify European site protection as an integral part of the plan, and allow a conclusion of no likely significant effect. Those changes made by the Council are recorded in the the screening table.

2.1 All matters where action has been taken by the Council though text modification at that point in time are now considered to be resolved. However, an additional recent European Court of Justice Judgment in 2018 (Case C-323/17) clarified that the need to
carefully explain actions taken at each HRA stage, particularly at the screening for likely significant effects stage. The Judgment is a timely reminder of the need for clear distinction between the stages of HRA, and good practice in recognising the function of each. The screening for likely significant effects stage should function as a screening or checking stage, to determine whether further assessment is required. Assessing the nature and extent of potential impacts on European site interest features, and the robustness of mitigation options, should be done at the appropriate assessment stage.

2.2 This HRA report has been prepared in accordance with good practice at each iteration. Recommendations made at the screening stage have not been in relation to mitigation that should be properly scrutinised as part of the appropriate assessment, rather they are recommendations that correct terminology or add in necessary reminders of HRA requirements at the project level. Often the recommendations are made to give clarity on project level HRA requirements, which is beneficial for developers as it gives the necessary information upfront on the possible HRA evidence needs at the development project level. This HRA has the benefit of a detailed appropriate assessment on matters that did require further detailed assessment.

2.3 In light of the recent Judgment, explanatory text is now also included in the final column of the screening table at Appendix 4, to note the nature of the recommendations made at Pre-submission stage, and which were then acted upon by the Council with text changes to the plan. These recommendations, as described in the final column, are not mitigation measures that require further scrutiny at the appropriate assessment stage, but rather they are corrections, clarifications and policy strengthening to better comply with the legislation, and/or provide clearer instructions for project level HRA. The approach to be taken to ensure conformity with the recent Judgment was discussed with Natural England before updating this report at Modifications stage.
Identifying further assessment requirements

2.4 Where risks to European sites are identified but further scrutiny of information, further evidence gathering or assessment of the nature and extent of impacts is required, the full screening table at Appendix 4 records a recommendation for those aspects of the plan to be looked at in greater detail, highlighting the need to consider relevant evidence and information. This is undertaken in a more detailed assessment, known as the ‘Appropriate Assessment’ stage of HRA, forming the following sections of this report, from section 3 onwards. The recommendations for further consideration at appropriate assessment are identified with red text in the screening table. All aspects of the plan that could not be screened out at the likely significant effects stage have been extracted from the full screening table and are detailed in Table 1 below.

2.5 The appropriate assessment section was completed at the Pre-submission stage of plan making, and the recent check of the Modifications does not alter the conclusions drawn. There is one additional discussion topic added to the appropriate assessment since the Pre-submission HRA report, as a representation highlighted that there may be risks to the Dorset Heathlands SPA as a result of the Talbot Village proposals (detailed in the Main Modifications for policy PP20, Part 2).

2.6 Where identified aspects of the plan are brought forward for appropriate assessment, it is on a precautionary basis. Where there are uncertainties, it is usually more beneficial to assess potential risks in greater detail, with proper reference to evidence, than to try to screen out an element of the plan from any impact whatsoever. Where an impact can be clearly avoided, the screening stage is useful in narrowing down to those elements of the plan that post a risk to European sites, but if there are risks or uncertainties, the HRA is more robust if those are assessed in the appropriate assessment. This allows for better quantification of risk and more targeted action to prevent adverse effects.

2.7 From the screening undertaken on the Pre-submission version of the plan, is clear that likely significant effects requiring further consideration can be categorised under a small number of key themes. Most of these themes have been current throughout the HRA at earlier stages of plan making, and back to the earlier HRA work for the Core Strategy and other currently adopted documents. This HRA report therefore includes appropriate assessment sections that revisit each theme and assess the current situation in terms of potential impacts arising from the growth promoted within the new plan, and the ability to mitigate for such impacts, checking current mitigation measures and what might need to be added to those measures to fully accommodate the proposed growth in the new plan whilst preventing adverse effects on European site integrity.

2.8 By structuring the appropriate assessment under these themes, the issues can be assessed in a logical and scientific way, with relevant evidence for each theme.
scrutinised. The key themes are risks that are present because there is a potential ‘pathway’ between the policy proposal in the plan, and one or more interest features of the European site. In other words, there is an identifiable process by which the interest feature could suffer harm. The concept of impact pathways is discussed in more detail in Appendix 1 of this HRA report.

2.9 The key themes that form the sections of the appropriate assessment within this HRA report are:

- Water quality for Poole Harbour
- Poole Harbour recreation pressure
- Dorset Heaths urban and recreation effects
- Development implications for foraging Nightjar
- Air quality implications of road improvements and increased traffic
- Protection and enhancement of wider biodiversity to support European sites.

2.10 These themes are considered in the individual appropriate assessment sections that follow the screening assessment in this report.
<table>
<thead>
<tr>
<th>Policy</th>
<th>Description</th>
<th>LSE</th>
<th>Explanation of LSE conclusion</th>
<th>Action required to remove LSE</th>
<th>Appropriate assessment recommendations</th>
<th>Additional notes</th>
<th>BoP action to incorporate into Plan</th>
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<tbody>
<tr>
<td>Challenge 6</td>
<td>Reducing the need to travel while managing traffic growth</td>
<td>LS</td>
<td>Transport schemes to be considered re air pollution risks</td>
<td>Needs more detailed consideration - Go to AA</td>
<td>AA needs to refer to the transport schemes and need for project HRA checks re air pollution</td>
<td>--</td>
<td>Consider recommendations of AA</td>
</tr>
<tr>
<td>Strategy Objective 2</td>
<td>Meeting all housing needs</td>
<td>LS</td>
<td>An increase from 10,000 for the plan period in the Core Strategy, to 14,200 for the new plan, based on the objectively assessed housing need for the HMA</td>
<td>Needs more detailed consideration - Go to AA</td>
<td>AA needs to consider in more detail the implications at least 14,200 new homes in the Borough of Poole, particularly in terms of recreation pressure.</td>
<td>--</td>
<td>Consider recommendations of AA</td>
</tr>
<tr>
<td>PP2</td>
<td>Amount and broad location of development</td>
<td>LS</td>
<td>14,200 net new homes to meet Poole’s housing needs up to 2033, directed to Poole town centre, district and local centres, transport corridors. 2 urban extensions are to be enabled as a result of Green Belt boundary changes – North of Bearwood and North of Merley (together providing for a minimum of 1,300 homes). Supporting text refers to delivery of mitigation measures at pace with housing growth. SANGs delivery for heathland mitigation and nitrogen neutral approach for Poole Harbour.</td>
<td>Needs more detailed consideration - Go to AA</td>
<td>Further assessment of total housing provision and housing locations required in more detail. 14,200 homes = a 21% increase in housing from current levels. Mitigation measures have been developed over a number of years and now need to adapt to increased housing levels. AA to check in more detail for certainty of capacity and timely delivery.</td>
<td>--</td>
<td>Consider recommendations of AA</td>
</tr>
<tr>
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<td>PP3</td>
<td>Poole Town Centre Strategy</td>
<td>LS E</td>
<td>New neighbourhood around Twin Sails Bridge – enhancing access around Poole Harbour, and the allocation of a minimum of 6,000 homes for Poole town centre.</td>
<td>Needs more detailed consideration - Go to AA re development in the Poole Harbour area. Note that flood defences are outside the SPA but improvements may need project level HRA</td>
<td>AA needs to consider in more detail the implications for 6,000 new homes in Poole town centre, and enhanced access to Poole Harbour (noting that the shoreline by the quayside is within the SPA and Backwater Channel is part of the proposed SPA extension). Cross reference back to previous HRA work needs to be made.</td>
<td>--</td>
<td>Consider recommendations of AA</td>
</tr>
<tr>
<td>PP4</td>
<td>Town Centre North Regeneration Area</td>
<td>LS E</td>
<td>Allocations T1 to T6 include residential development as part of mixed use sites in the town.</td>
<td>Needs more detailed consideration - Go to AA</td>
<td>AA to check town centre residential developments in relation to mitigation measures capacity, including SANGs, SAMM and nitrogen measures</td>
<td>--</td>
<td>Consider recommendations of AA</td>
</tr>
<tr>
<td>PP5</td>
<td>Twin Sails Regeneration Area</td>
<td>LS E</td>
<td>Allocations T7 to T11 all adjoin the SPA (or pSPA)</td>
<td>Needs more detailed consideration - Go to AA</td>
<td>As above, AA to check town centre residential developments in relation to mitigation measures capacity, including SANGs, SAMM and nitrogen measures, but also need to consider development design due to close proximity to SPA/pSPA. Cross reference back to previous HRA work needs to be made.</td>
<td>--</td>
<td>Consider recommendations of AA</td>
</tr>
<tr>
<td>PP6</td>
<td>High Street, Quay and Old Town</td>
<td>LS E</td>
<td>Allocations T12 to T15 all in close proximity to the SPA (or pSPA)</td>
<td>Needs more detailed consideration - Go to AA</td>
<td>As above, AA to check town centre residential developments in relation to mitigation measures capacity, including SANGs, SAMM and nitrogen measures, but also need to consider development design due to close proximity to SPA/pSPA.</td>
<td>--</td>
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<tr>
<td>PP7</td>
<td>Facilitating a step change in housing delivery</td>
<td>LSE</td>
<td>The local plan evidence base identifies an objectively assessed housing need of 14,200 new homes, with a 1,300-home shortfall in housing sites, leading to a Green Belt Review conclusion of exceptional circumstances necessary to allow Green Belt release for housing. A ‘step change’ in delivery is required due to the slow progression of housing growth over the economic downturn.</td>
<td>Needs more detailed consideration - Go to AA</td>
<td>Further assessment of total housing provision and housing locations required in more detail. 14,200 homes = a 21% increase in housing from current levels. Mitigation measures have been developed over a number of years and now need to adapt to increased housing levels. AA to check in more detail for certainty of capacity and timely delivery, including the increasing annual delivery figures towards the end of the plan period.</td>
<td>Positive introduction recognising the contribution of the natural environment to the desirable location to live.</td>
<td>Consider recommendations of AA</td>
</tr>
<tr>
<td>PP9</td>
<td>Urban allocations outside the town centre</td>
<td>LSE</td>
<td>16 sites (U1-U16) allocated for development outside Poole town centre, mixed use including housing and/or care homes.</td>
<td>U10 needs clarification for nursing care home only as within 400m of the heaths to remove LSE. Other sites all need mitigation options checking in more detail at AA.</td>
<td>General concerns in relation to mitigation capacity and timely delivery, but also specifically in relation to site locations – For example, U1 is close to Poole Harbour shore and recreation mitigation needs to be checked, U2 is an existing permission but may needs a re-check re foraging Nightjar, U4 is close to Ham Common.</td>
<td>--</td>
<td>Site U10 amended to read “The care home must be restricted to full nursing home provision, providing necessary nursing care, such as for advanced dementia or physical nursing needs, due to location within 400 metre heathland buffer” Consider recommendations of AA for all other sites</td>
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<table>
<thead>
<tr>
<th>Policy</th>
<th>Description</th>
<th>LSE</th>
<th>Explanation of LSE conclusion</th>
<th>Action required to remove LSE</th>
<th>Appropriate assessment recommendations</th>
<th>Additional notes</th>
<th>BoP action to incorporate into Plan</th>
</tr>
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<tbody>
<tr>
<td>PP10</td>
<td>Strategic Urban Extensions</td>
<td>LS E</td>
<td>North of Bearwood – 800 homes North of Merley – 500 homes</td>
<td>Needs more detailed consideration - Go to AA</td>
<td>General concerns in relation to mitigation capacity and timely delivery, but also specifically in relation to site locations – more detailed check of master/concept plans and mitigation proposed, including foraging Nightjar issues at Bearwood. Note – extensive discussions on European site matters with developers to date, this now needs bringing into the AA.</td>
<td>--</td>
<td>Consider recommendations of AA</td>
</tr>
<tr>
<td>PP18</td>
<td>Magna Business Park</td>
<td>LS E</td>
<td>Close to heaths and also Nightjar foraging locations</td>
<td>Look at the proposal in more detail as part of AA</td>
<td>Check proposals will have necessary restrictions and protection for heaths and foraging Nightjar, check access design.</td>
<td>This proposal is part of a live planning application with a number of HRA related matters yet to be resolved</td>
<td>Consider recommendations of AA Note that during the preparation of this HRA report, matters were resolved and approval given.</td>
</tr>
<tr>
<td>PP20</td>
<td>Investment in education</td>
<td>LS E</td>
<td>Education facility proposals mainly no identifiable risks to European sites other than site at Creekmoor which is partly within the 400m buffer Talbot Village to be checked due to proximity to Talbot Heath</td>
<td>Look at the proposal in more detail as part of AA</td>
<td>Check the Creekmoor site proposals in more detail (within 400m of SPA) Main Modifications – Check the Talbot Village proposals in more detail</td>
<td>Project level HRA may be required outside the buffer, depending on locations.</td>
<td>Consider recommendations of AA Note that at Modifications the AA has been updated to consider a representation in relation to the Talbot Village proposal in close proximity to Talbot Heath</td>
</tr>
<tr>
<td>PP23</td>
<td>Green Infrastructure</td>
<td>LS E</td>
<td>This policy secures some of the necessary mitigation. Need to ensure it covers all requirements.</td>
<td>Need to revisit alongside AA as provides mitigation.</td>
<td>Ensure all GI requirements for mitigation are covered in light of AA findings</td>
<td>--</td>
<td>Consider recommendations of AA</td>
</tr>
<tr>
<td>Policy</td>
<td>Description</td>
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<tr>
<td>PP31</td>
<td>Poole’s nationally and internationally protected sites</td>
<td>LSE</td>
<td>Policy sets out the mitigation approach developed over a number of years for the heathlands and harbour. These are strong and established mitigation methods, LSE relates to the need to make a minor but important change to the wording re care homes.</td>
<td>Change reference to care homes to ‘e.g. nursing homes such as those limited to advanced dementia and physical nursing needs’</td>
<td>Note that whilst the policy is protective, the SANGs element will be further checked at AA.</td>
<td>Care homes providing partial or full residential care only should not be permitted within the 400m</td>
<td>Policy amended as suggested to state “e.g. nursing homes such as those limited to advanced dementia and physical nursing needs” Consider recommendations of AA</td>
</tr>
<tr>
<td>PP32</td>
<td>Biodiversity and geodiversity</td>
<td>LSE</td>
<td>Wholly positive for the natural environment, but does not recognise the need for biodiversity restoration to halt declines, thus securing and maintaining the wider ecosystems that support and connect with European sites</td>
<td>Needs more detailed consideration - Go to AA</td>
<td>Further strengthening in terms of biodiversity net gain, in accordance with NPPF/NPPG and Lawton principles, for the benefit of designated and non-designated biodiversity assets</td>
<td>-</td>
<td>Consider recommendations of AA</td>
</tr>
<tr>
<td>PP33</td>
<td>Transport Strategy</td>
<td>LSE</td>
<td>The Local Transport Plan/Strategy is referenced. Para 10.9 states The Council will continue to investigate the potential for an improved connection linking Poole to the A31 through the Local Transport Plan process. Therefore no proposals/decisions at this stage but should be flagged as needing project level HRA due to potential risks</td>
<td>Needs more detailed consideration - Go to AA</td>
<td>AA to refer to consideration of transport schemes in relation to air quality</td>
<td>Note requirement for project level HRA</td>
<td>Consider recommendations of AA</td>
</tr>
<tr>
<td>Policy</td>
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<tr>
<td>PP35</td>
<td>Safeguarding Strategic transport schemes</td>
<td>LS E</td>
<td>A list of possible transport schemes/road improvements for site safeguarding. May pose risks depending on location (pollution of heaths, loss of supporting habitat etc.)</td>
<td>Needs more detailed consideration - Go to AA</td>
<td>AA needs to refer to the transport schemes and need for early HRA checks re air pollution</td>
<td>--</td>
<td>Consider recommendations of AA</td>
</tr>
<tr>
<td>Monitorin g and Review</td>
<td>Commitment to monitoring policy progression</td>
<td>LS E</td>
<td>Overall housing targets risk LSE, as to be detailed in the AA. Monitoring is an important aspect of the suite of mitigation measures.</td>
<td>Needs more detailed consideration - Go to AA</td>
<td>--</td>
<td>--</td>
<td>Consideration of the role of mitigation monitoring is part of the AA</td>
</tr>
<tr>
<td>Appendix 1</td>
<td>Monitoring</td>
<td>LS E</td>
<td>Was not finalised for preparation of HRA report, but conclusions as above.</td>
<td>Needs more detailed consideration - Go to AA</td>
<td>--</td>
<td>--</td>
<td>Consideration of the role of mitigation monitoring is part of the AA</td>
</tr>
</tbody>
</table>
3. **Appropriate Assessment**

3.1 The appropriate assessment stage of HRA is the part of the HRA process where additional analysis of risks is made and where possible the potential effects, identified as likely significant effects at the screening stage are explored in greater detail in terms of their extent, duration, longevity and implications for achieving site conservation objectives. This stage in the HRA process is described in more detail within Appendix 1 of this report.

3.2 An additional purpose for the appropriate assessment stage is the consideration of appropriate mitigation measures. At the screening stage, any options to completely avoid a likely significant effect are proposed, and these are normally modifications to the plan that remove uncertainty in terms of the ability for the plan to be implemented without causing adverse effects on the integrity of European sites. This could include corrections to terminology or clarity in relation to project level HRA requirements. If likely significant effects cannot be avoided by such simple means, the appropriate assessment investigates the effects further to determine whether they will be adverse effects in terms of the site’s ecological integrity.

3.3 An effect can therefore be identified as a likely significant effect for which avoidance measures are not apparent, and then go on to be further assessed at the appropriate assessment stage to determine whether the initially identified risks are in fact of the nature and extent that adverse effects on site integrity cannot be ruled out, or whether they are effects that can be reduced to an acceptable level through mitigation, i.e. reduced at least to a level at which there is certainty that the effects will not be adverse in terms of the site integrity. Such measures are often a package or suite of measures, because there may not be such confidence in each individual measure, but rather a number of measures acting together may increase confidence in preventing adverse effects on site integrity.

3.4 Furthermore, a plan level and therefore strategic approach to delivering mitigation can be developed so that whilst the approach may be designed to mitigate for the full quantum of development set out within a plan, it can be applied, monitored and incrementally reviewed. Whilst measures should be evidence based and fit for purpose, the opportunity to review and adapt gives additional confidence in overall protection for European sites over the plan period. The plan itself provides a mechanism for committing to mitigation measures and embedding them within the delivery of sustainable growth.

3.5 The new Poole Local Plan secures key strategic mitigation approaches that have been in place since the Poole Core Strategy was adopted, in relation to urban and recreation effects on the Dorset Heathlands and nutrient enrichment of Poole Harbour. These
longstanding approaches are now being refined and strengthened in light of continued
HRA related work, with the support of Natural England and other partners.

3.6 For example, Chapter 4 of the Poole Local Plan states that:

“In order to ensure that the European and internationally important sites of the Dorset
Heathlands and Poole Harbour are not harmed, the Council will implement mitigation
measures at pace with housing growth. This will include bringing forward SANGs at Upton
Country Park and on other suitable sites. The two urban extensions will also deliver SANGs,
which combined will form important pieces of the new Stour Valley Park, a connected public
open space between Wimborne and Bearwood. Further SANGs may be required to mitigate
growth and the Council will continue to explore possible sites. The Council will protect Poole
Harbour by offsetting the nitrogen waste generated by a growing population to ensure
development remains nitrogen neutral, protecting Poole Harbour. The Council will also
continue to mitigate the recreational impacts on Poole Harbour from an expanding
population. Developer contributions will fund most of this infrastructure, but the Council
and its partners will be responsible for timely delivery and ongoing monitoring of the
effectiveness of the mitigation measures.”

3.7 Each of the key themes identified at the screening for likely significant effects stage in
the previous section are now assessed in topic specific appropriate assessment
sections of this HRA report. An important aspect of the appropriate assessment is the
re-checking of existing mitigation measures to understand their evolution over time,
and determine whether they have the capacity to mitigate for the new growth in the
new Poole Local Plan.

3.8 This HRA report at Modifications stage has been updated from the Pre-submission
version of the HRA. It is important to note that the appropriate assessment findings
and recommendations summarised in Section 11 of this report have now all been
taken on board by the Council and are an integral part of the plan now approaching
adoption.
4. **Water Quality & Poole Harbour SPA/Ramsar**

4.1 This section of this HRA report was prepared at Pre-submission stage. Actions taken by Borough of Poole in response with amendments to the plan are described in Section 11.

4.2 Poole Harbour SPA is sensitive to water quality changes in terms of habitat and supporting processes that are vital for the SPA bird populations. Increased nutrient levels have led to the development of green algal mats on intertidal habitat in Poole Harbour. During summer, the extent of these mats can reach 50% of the intertidal area with denser patches persisting into the autumn. The impact of the algal mats on wintering birds in Poole Harbour has been the subject of detailed work by Thornton (Thornton 2016). Thornton’s work showed that, as algal mat biomass increases, the invertebrate populations in the mud also increase, but with this increase driven by larger numbers of smaller species and a corresponding decline in the available energy levels in the preferred diet of feeding wading birds. The birds change their behaviour in the autumn when the mats are still present but also in winter, in areas where the mats were present the previous summer. As a result, some bird species are feeding on smaller, lower-quality prey or on invertebrates on the surface of the mats. The changes in invertebrate populations affect the species of wading bird in different ways depending on site faithfulness, preferred prey and variety of prey types normally taken, and willingness and ability to switch prey types. The distribution of four out of five species studied was affected and one species is feeding at a much higher rate on smaller, less energy dense species (Thornton 2016).

4.3 Ensuring the restoration and maintenance of internationally important populations of overwintering wading birds is one of the main conservation priorities for the Poole Harbour SPA. The intertidal mudflats are the main feeding habitat for wading birds in the Harbour and the maintenance of the invertebrate populations on which they feed is essential for the maintenance of the populations of migrant and wintering birds. The birds not only depend upon there being sufficient numbers of invertebrates within the intertidal mudflats but also that the prey is of a suitable size and quality (i.e. provides sufficient energy) to maintain their condition during autumn and winter.

4.4 The main generators of nitrogen (N) inputs into the Harbour are agriculture and waste water treatment works (WWTWs). Additional sewage effluent from new housing and commercial development will have to be mitigated to avoid increasing the N inputs into the Harbour, either by upgrading the WWTWs or by taking land out of intensive farming (arable and managed grassland) and converting it to low input uses such as woodland, rough grassland or amenity land. Such mitigation will have to last for the lifetime of the development, usually 80-120 years.
4.5 Poole and neighbouring local planning authorities have been working with Natural England on this issue for a number of years, including initially preparing a Nutrient Management Plan for the site, before progressing to recently agree a Nitrogen Reduction in Poole Harbour Supplementary Planning Document (SPD). This will enable the removal of the estimated equivalent increase in N from new development.

4.6 Nitrogen stripping was incorporated in to Poole WWTWs in 2009 which has significantly reduced N inputs from this source. However, Wessex Water, who manage the WWTWs are required to remove 75% of the N and to increase this proportion would be expensive, would incur additional annual funding and would increase Carbon Dioxide outputs. The remaining 25% has to be mitigated for.

4.7 The SPD which has the support of Natural England and the Environment Agency, intends to rely on a combination of the purchase of agricultural land and its conversion to low N uses and explore the potential for alternative technologies to remove N, such as the creation of wetland habitat. The Borough of Poole began implementing the SPD Implementation Plan in April 2017. As the Local Plan is taken forward and the SPD put into effect, the measures will fully mitigate for the otherwise adverse effects of new development on nitrate inputs into Poole Harbour SPA. Monitoring is embedded within the SPD, and it is recommended that this is cross referenced within the monitoring section of the Poole Local Plan.

4.8 In conclusion therefore, there is confidence that the water quality risks for Poole Harbour are fully mitigated for and apart from the monitoring that is an integral part of the SPD, no further measures are required as part of the Local Plan.

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5. Urban effects, including Recreation, and the Dorset Heaths

5.1 This section of this HRA report was prepared at Pre-submission stage. Actions taken by Borough of Poole in response with amendments to the plan are described in Section 11.

5.2 The Dorset Heathlands SPD\(^7\) sets out the current approach to heathland mitigation (for urban effects) followed by the local authorities in South-East Dorset. Strategic mitigation has been in place since 2007 and the approach has developed and been refined over time.

5.3 The current SPD identifies a level of growth for South-East Dorset in the current plan period (i.e. to around 2026-2028) of around 35,000 dwellings of which around 10,000 dwellings were anticipated from Poole. The SPD acknowledges that the level of dwellings likely to come forward will change and was produced before the Local Plan Review for Poole.

5.4 The SPD sets out two main approaches to mitigation. Heathland Infrastructure Projects (HIPs) which are mainly Suitable Alternative Natural Greenspace (SANGs) to draw visitors away from the heaths, but HIPs also include other infrastructure such as BMX parks. The other element of mitigation relates to Strategic Access Management and Monitoring (SAMM), which includes wardening.

**SANGs capacity**

5.5 HIPs will be delivered by either the local authorities from contributions collected through Community Infrastructure Levy payments and/or directly by developers through on-site provision. Third parties may bring forward proposals through the planning system for consideration by the local authorities and Natural England. SANGs are a key component of HIPs and, given their size and importance, guidance for their provision is set out in two appendices within the Heathland SPD.

5.6 Key points relating to SANGs within the Heathland SPD include:

- For large sites (of approximately 50 or more dwellings), SANGs provision should form part of the overall infrastructure provision of that site, particularly where urban extensions or development on greenfield sites are proposed;

• Within the built-up, area brownfield sites are unlikely to be able to accommodate the scale of space required for a SANG and would therefore need to contribute through CIL towards HIP provision;
• HIP provision should be delivered in advance of occupation of dwellings, as is reasonably possible. For larger proposals mitigation may be structured to tie in with development phasing;
• SANGs maintenance and function should be secured and demonstrated as being in place in-perpetuity;
• Monitoring of SANG use should be established for an initial period of 5 years as part of the SANG delivery.

5.7 Within the Poole Local Plan, policy sets out the requirement for SANGs (in particular see Objective 5 in the Strategy for Poole and PP9, PP10 and PP31). SANGs delivery is focussed at three locations:
• Upton Country Park
• Linked to the north of Merley development
• Linked to the north of Bearwood development

5.8 The overall level of growth set out in the plan is 14,200 homes. In some areas of the country, such as the Thames Basin Heaths, the level of SANG provision is linked to the number of new housing, and a figure of 8ha per 1000 residents is used (see Burley 2007 for discussion of different per ha standards). If we assume a level of occupancy of 2.4 people per dwelling, then 14,200 homes would be equivalent to 34,080 new residents, suggesting a level of SANG provision of over 270ha. This figure is a guide – based on approaches in other parts of the country – and no specific target is set for SANGs provision in the Heathland SPD. SANGs must function as alternative sites, drawing visitors away from the European site and as such need to be of a size, design and in a location that works. These are over-riding considerations that mean specifying a set level of provision is difficult.

5.9 It is necessary to consider the extent to which SANG provision is adequate and sufficient to draw recreational use away from the heaths. In Map 5 we show SANG locations in relation to development in the key diagram. From the Map, it can be seen that the SANG provision north of Canford Heath (relating to the two urban extensions and the development west of Bearwood, U2), is well placed. These SANGs have been mapped by developers and have been reviewed by Natural England. The Merley site has had visitor survey work undertaken to check current use of the Castlemain Trailway which runs through the proposed SANG.

5.10 The areas as shown in Map 5 may not entirely reflect the area that comes forward as SANG when planning applications are submitted, but does reflect that SANGs can be delivered in a suitable location and of a suitable size for the urban extensions and development west of Bearwood (U2). There may be potential for the SANG at
Bearwood to provide additional SANG capacity, i.e. for development away from Bearwood. It is understood that further consideration of its function as a more strategic SANG to mitigate for higher growth will be made by the Council as they work on SANGs options to support growth later in the plan period.

5.11 Upton Country Park is the main SANG site and lies in the south-east of the Borough. The area shown in Map 5 is the entire area of the Country Park. Upton Country Park contains over 50ha of formal gardens, parkland, woodland and shoreline habitats. Within the Country Park there is a Georgian mansion, a walled garden, a café, a children's play area/trail, gallery, plant sale area and a splash fountain. Part of the Country Park is a SANG, with its own small car-park (24 spaces) and a dog training area. It provides woodland and semi-natural space for recreation, separate from the more formal gardens and buildings in the main part of the country park. Parking charges were introduced to the Country Park (to the main car-park but not the SANG car-park) in 2017. The introduction of parking charges was subject to an HRA, which considered in detail the risks associated with deflecting visitors onto the heaths and also the risks that the charging would displace more cars to the SANG car-park (Liley & Panter 2016).

5.12 As part of the HRA work, and as part of the SANG monitoring, various visitor survey work has been undertaken. Postcode data from these surveys are shown in Map 6 (red dots showing home postcodes of interviewees in the SANG, from a survey in 2015 (Pearce 2015), black dots reflect home postcodes of interviewees from a 2016 survey undertaken to inform the HRA for parking charges, with data collected from the main car-park prior to parking charges being introduced). It can be seen that the SANG draws visitors from Upton (i.e. Purbeck), Hamworthy and across Poole.

5.13 The existing planned SANG at Upton is the 27.7ha area shown in Map 5. This was expected to mitigate 10,000 homes from 2006-2026, of which 3,045 homes were built prior to 2013. That leaves a theoretical capacity of another 6,955 within the existing planned Upton SANG for the new plan period of 2013-2033. Within the wider park boundary (the remaining area shown on Map 5) there are formal gardens and areas with existing access, but there is the suggestion that there is potentially a further 17ha that could come forward as SANGs in the future and that currently is not part of the formal gardens etc.

5.14 The visitor data indicates that the SANG is well used, for example the 2015 visitor survey (Pearce 2015) counted 547 people entering the site during 32 hours of survey work. The surveys covered two separate locations in the SANG and survey work was split evenly between the two locations (i.e. 16 hours at each). As such, around 34

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people were counted entering per hour (547/16), and given a SANG area of 27.7ha (see Map 5) this is equivalent to 1.2 people per ha per hour. This is a useful measure as it reflects the busy-ness of the site. In other studies (e.g. Liley & Floyd 2013; Liley, Panter & Rawlings 2015) we have suggested 1 person per ha per hour as a useful threshold to measure whether there is additional capacity at a SANG. A level of 1 person per ha per hour is higher than that found on most parts of the SPA but lower than a typical urban park/formal park. Our visitor rate from Upton Country Park is approximate (there could have been some double counting of individuals in the totals given by Pearce for example), but would suggest that the SANG area is well used and likely to feel busy to visitors.

5.15 In terms of SANG capacity it would therefore seem that there is a shortfall in sites and some concern that Upton Country Park – while clearly working well – may be reaching capacity in terms of SANGs. In order to ensure growth and rule out an adverse effect on integrity we recommend the following, which are explained further below:

- Housing growth is phased and directly linked to available capacity at Upton Country Park (e.g. release of additional land)
- Growth beyond the capacity of Upton Country Park is linked to additional SANGs that are secured in advance and reviewed alongside the Plan
- Additional work is undertaken to review SANGs effectiveness, potential and distribution of SANGs across South-East Dorset.

5.16 It is not possible to rule out adverse effects on site integrity for the Dorset Heathlands when considering the full quantum of residential growth proposed in the plan, because despite the robustness of the Dorset Heathlands SPD, it is reliant upon an appropriate supply of SANG alongside the SAMM in order to effectively function as long term strategic mitigation.

5.17 The issue is therefore the uncertainty in mitigation delivery. By phasing housing delivery and only moving to new phases once adequate offsite mitigation is certain, it would be possible to conclude that adverse effects on site integrity have been prevented at the plan level, whilst reliant on particular stages of review and further work in terms of securing SANGs mitigation.

5.18 Within the Poole Local Plan (see Figure 32) there is mention that other SANGs north and west of Poole could come forward. It is understood that the Council will be looking at the options for developing a linked series of SANGs across the Stour Valley, and how such a project may provide an attractive network of natural greenspaces that effectively function as a strategic SANG. This will be integral to planning for a staged progression of growth, therefore securing new SANG in time for future development.
A fundamental part of the Dorset Heathlands SPD is its monitoring and review. Comprehensive monitoring of recreation use and car park counts are undertaken, and data has now been gathered over 10 years. It was always envisaged that this amount of time would be required for monitoring before any meaningful review of mitigation effectiveness could be undertaken. It is now therefore recommended that additional work reviewing SANGs delivery over the last 10 years, and across all authorities involved in the approach in south East Dorset, is timely and should be jointly planned for between the relevant authorities.

There has been on-going monitoring of different SANG sites and the heathland sites since 2007, involving counts of parked cars, visitor surveys and automated counters. While these data have been collated on an annual basis (e.g. Panter & Liley 2016a), to date there has been no detailed analysis to allow detailed conclusions to be drawn. It would be beneficial for such detailed analysis to be undertaken and used to bring clarity in terms of mitigation effectiveness, but also to assist with up to date estimates of existing site capacity for recreation and importantly, bring clarity on where the gaps and shortfalls are in relation to new housing locations. We suggest that, using the data collected to date, it should be possible to:

- Identify how much housing has come forward across South-East Dorset since 2007 and how much greenspace has been delivered;
- Review the current distribution of SANGs in relation to where new housing has come forward;
- Identify where access has changed on heathland sites and how that relates to where new housing has come forward;
- Ascertain current levels of use of different SANG sites and check these in relation to changes in access on nearby heathlands and the distribution of housing;
- Identify where there are gaps in the SANGs/greenspace network, checking the relative draw of SANGs based on postcode data.

In conclusion, it is not possible to rule out adverse effects on site integrity in relation to recreation on Dorset Heathlands in the absence of housing phasing and additional work to secure further SANGs provision. It is also identified that a review of SANGs provision to date across South East Dorset is timely, and important for the continuation of this strategic mitigation approach. This will take some time to co-ordinate across the local planning authorities, and the Council should therefore consider what can be initially prioritised and taken forward for the Borough to best inform the early planning for future SANGs provision. Further progression of the Stour Valley connected SANGs project with Natural England would also be beneficial, to determine the extent to which this can mitigate for additional development.
6. **Impacts for Foraging Nightjar**

6.1 This section of this HRA report was predominantly prepared at Pre-submission stage. Actions taken by Borough of Poole in response with amendments to the plan are described in Section 11. Additions have been made at Modifications stage to this section in relation to Magna Road and Talbot Village.

6.2 Nightjar are an interest feature of the Dorset Heathlands SPA and studies of Nightjar in Dorset have previously identified that birds will fly a considerable distance away from the breeding sites to feed at night (Alexander & Cresswell 1990; Cresswell 1996). These studies radio-tracked birds and showed that they were leaving the forest clearings (most of the tracking was conducted in Wareham Forest) to feed in deciduous woodland, orchards, village gardens and they also used wetland sites such as streams, small ponds and water meadows. Cresswell (1996) also notes that radio-tracking from an open heathland site (Hartland Moor) found birds were using nearby saltmarsh.

6.3 Nightjar feed on insects and predominantly catch them in flight, either in sustained flight or ‘fly-catching’ from a perch or the ground (see Cresswell 1996 for details). Cresswell (1996) argues that habitats used on foraging trips – deciduous woodland and wet grassland in particular – may be of considerable importance to Nightjar: “when it comes to Nightjar conservation, we believe that there may be a need to consider both breeding and feeding habitats”.

6.4 Significant urban growth around northern Poole may therefore impact on Nightjar. The concerns would relate to:

- The direct loss of foraging habitat directly that is functionally linked to the SPA
- Flight paths and access to foraging habitat being blocked or restricted by the presence of built development.

6.5 The concerns in particular relate to Canford Heath, which in recent years has held up to 30 Nightjar territories (e.g. Liley & Fearnley 2014). In Map 7 we show the area around the North of Poole and we also show the urban extensions. The black dots show the data from the last national Nightjar survey, in 2004. While the data is certainly dated, this was the last time all suitable habitat in Dorset, including heaths and forestry, were systematically surveyed in a single year. The dots provide an approximate guide as to the broad distribution of Nightjar in the northern part of the Borough.

6.6 To the south, east and west of Canford Heath there is extensive urban development. The area to the north of Canford Heath would appear to provide the main potential foraging habitat, and includes fields, woodland and wetland habitats, including the
Stour Valley. Access to this area for Nightjar for foraging is likely to be fundamental to the population on Canford Heath. Nightjar are summer migrants and on territory from May through to August. During this time, it is likely that different areas and habitats will be important for foraging. Different areas are likely to be important depending on the weather (for example some areas will be more sheltered than others), depending on prey abundance (different insects will peak at different times and in different habitats) and for individual Nightjar (for example requirements may be different when just after migration or when feeding chicks), as such it is expected that a range of habitats are likely to be important.

6.7 From the map, it can be seen that the urban extensions as included in the Poole Local Plan (dark grey shading) are screened from Canford Heath by existing housing and do not reduce the area of potential foraging habitat and ‘green’ land directly connected to the heath. The Bearwood extension, as originally proposed (pale grey), was considerably larger and has been reduced and revised following initial concerns raised by HRA work – these are concerns are considered in more detail below.

6.8 A representation made and considered at Examination in Public related to the potential use of land in close proximity to the education and employment proposals for Talbot Village (which are detailed on Policy PP20, Part 2 as Main Modifications). This representation is now discussed below, providing an addition to the appropriate assessment that was otherwise prepared at previous HRA iterations up to Pre-submission stage.
Map 7: Dorset Heathlands SPA, Nightjars and Urban Extensions
6.9 The developers promoting the Bearwood site commissioned survey work to address the issues, and tagged a number of Nightjar with GPS tags that allowed their movements to be recorded. The results from this work are detailed in two main documents: a Nightjar GPS study (Souter 2016) and a Nightjar Resource Use Study (Souter 2017). There is also a report by the British Trust for Ornithology (BTO) that considers the precision of the GPS tags used (Conway 2016).

6.10 These reports greatly enhance our understanding of off-site use by Nightjar. Key points relating to the survey are:

- The GPS tracks show data from 7 individual Nightjar and provide data for a total of 36 bird-nights, between the 18th June and 7th July 2015.
- Canford Heath has held up to 30 Nightjar territories in recent years, and therefore supports around 60 adult birds, plus additional young birds once they fledge each year. Nightjar are summer migrants, present roughly from May-September, i.e. around 126 nights. Using these figures, the data cover around 0.5% of the Canford Heath Nightjar bird nights in a single year.
- It is likely that the use of off-site areas will vary through the spring and summer depending on weather conditions and prey availability, meaning different locations may be targeted at different times during the breeding season. The GPS data provide a useful snapshot but are likely to only capture a limited amount of off-site use by Nightjar.
- The results clearly show birds utilising areas away from Canford Heath. Birds originally trapped and tagged on the heath are using areas outside the SPA to the north, and some not travelling out of the SPA in any other direction. Currently Canford Heath is almost entirely surrounded by development and the north is the main area where there are direct links between the heath and undeveloped land offering foraging habitat.
- Birds appear to be using particular locations where there are clusters of sightings and return visits in some cases, suggesting birds are foraging in these areas. In many cases the data suggest reasonably direct flights by birds commuting to these areas.
- The data show very limited use of urban areas relative to the number of data points collected. There are some issues with the accuracy of the tags and the time interval between logging of locations, meaning that it is difficult to have confidence as to how many Nightjar flights definitely crossed urban areas. The number of GPS fixes definitely over built development as a proportion of all off-site fixes has not been clearly presented in the reports. From the Resource Study paragraphs 3.8- 3.14 we can summarise that of the 7 birds for which tracking data were obtained, for 5 birds all fixes were entirely away from built development. For the other 2 birds, which did appear to cross urban areas, there were a very limited number of GPS fixes over built development. The main bird with track data over built-up areas was tag 4, which was a male and was recorded using areas to the east of Canford Heath, including Talbot Heath SSSI. The BTO report suggests these were exploratory flights rather than foraging.
- The BTO report, when reviewing tracking data from a range of different locations including the Canford study states that there “is little tracking data
associated with urban habitat”. The BTO report states that the Canford Heath data show there were 18 movements that could have involved potential crossing of urban habitat and once flight speed is taken into account (i.e. birds not necessarily flying in a straight line between GPS fixes) then potentially only 1-7 movements were direct flights over urban areas.

• GPS data allows the identification of 12 locations away from the heath where birds were presumed to be foraging. The locations included hedgerow trees, grassland and wetland features. Three of these locations would be lost to the proposed development.

• It would appear that additional foraging habitat close to the designated site may be created or additional areas enhanced, but again we are aware of no precedents where this has been done previously/elsewhere.

6.11 The area to the north of Canford Heath is clearly of importance to the SPA Nightjar population and is functionally linked to the SPA, providing supporting habitat that is required by the SPA birds and accessed across open countryside. The data collected fully supports this conclusion, with all tagged birds flying north rather than in any other direction. The data therefore shows clear risks of impact on the SPA from development in this area. We are not aware of any precedents that give confidence that commuting routes can be reliably created for Nightjar, the size/width they need to be and how they should be designed. We are also not aware of any precedents where bespoke foraging habitat has been created successfully elsewhere and over what time scale.

6.12 As such, in order for the Borough of Poole as competent authority to have confidence that a level of development can be delivered without adverse effects on integrity to the Dorset Heathlands SPA, Natural England and Footprint Ecology (in our initial HRA advice) recommended that only housing east of Knighton Lane (i.e. dark grey shading on Map 7) should be allocated. Development here would be consistent with the current line of development and not start to encroach across the northern part of the heath, compromising functionally linked open land. We suggest that, subject to further details relating to landscaping and design, development could proceed here without concerns relating to loss of functionally linked land for Nightjar.

6.13 Any further development in this area would require more detailed work on Nightjar, with flyways and enhanced foraging areas (enhanced through habitat management) created and further GPS studies to show that they work well. With improvements in GPS tag technology we envisage that it should be possible to undertake additional data collection at some point soon whereby tags can be set to record the position of Nightjar more frequently (and therefore more accurately show where they go). It should also be possible to collect data from the tags without having to re-trap the birds, therefore limiting survey/fieldwork effort. Such a piece of work could take place after commuter routes and habitat enhancement have been provided to show they are
effective and in the right places, and as such further areas of development may be able to come forward.

6.14 The GPS tag results show use of the Arena area by Nightjar and we would suggest that this area should also not be developed until further study and evidence of successful establishment of commuter routes and foraging areas has been achieved (see above). The long-term vision for the area should be to ensure a wide range of inter-connected foraging habitats are available for Nightjar, and ideally corridors and key foraging locations should be mapped and secured. The wider improvements to the Stour Valley may have implications for the Nightjar population in terms of improved foraging habitat and opportunities.

6.15 In conclusion, it is highlighted that Nightjar foraging habitat outside but functionally linked to the SPA is considerably reduced from a much wider availability of foraging habitat historically. The remaining habitat connected to the SPA is therefore of increasing importance as a reducing resource that supports the SPA Nightjar population. The Local Plan should recognise this issue and the need to protect critical habitat corridors.

**Magna Road development site**

6.16 This text has been amended at Modifications stage to reflect the current situation. At the time of preparing this appropriate assessment at Pre-submission stage, there was a current planning application for APP/17/00007/P, south of Magna Road, which is included in the Poole Local Plan as an allocation (brown shading in Map 7) and Policy PP17 and specifically in PP18. This appropriate assessment highlighted that if this live application is given permission, this further reduces the only remaining commuting corridor from Canford Heath, and therefore places additional importance on the undeveloped area.

6.17 At the time of finalising this report at Pre-submission stage, it was noted that there is an outstanding objection from Natural England to the application. This objection relates to a number of matters, but includes the current lack of robust mitigation for Nightjar in light of the potential effects on commuting and foraging habitat outside the SPA.

6.18 At Pre-submission stage, this appropriate assessment advised that there is an urgent need to resolve the issues for the Magna Road application, as securing adequate mitigation for this development is critical to the protection of adequate supporting habitat between Canford Heath and wider countryside to the north. Policy PP18 identifies the need for suitable Nightjar mitigation to enable the development to proceed, the promotion of this site to provide 16,000 sq m of employment floor space in the new Poole Local Plan follows its previous allocation and an existing planning permission, which will be replaced by the new permission if given.
In principle, there is confidence that the potential effects on Nightjar can be mitigated for, without compromising the functionally linked land resource, but prior to approval, this was yet to be designed and agreed. Policy wording only allows for the allocation to proceed if suitable mitigation is provided. It was therefore concluded at Pre-submission stage that whilst the Borough of Poole must resolve these matters urgently, the principle that mitigation can be secured, and the protective nature of the policy wording is such that a permission will only be given once mitigation that is fit for purpose is proposed.

Subsequently the issues relating to European site impacts and mitigation requirements were resolved, which involved detailed discussions with Natural England, and approval was given for the proposal in June 2018.

**Talbot Village proposals and proximity to Talbot Heath**

The considerations made here in relation to the proposals within the Poole Local Plan for Talbot Village have been added to the appropriate assessment at Modifications stage. A representation received by the Council highlighted that the education proposals within policy PP20 for Talbot Village may pose a risk to SPA birds present on the nearby Talbot Heath. The discussion here therefore provides assurance that this matter has been adequately considered as part of this HRA for the Poole Local Plan.

The proposals within the Poole Local Plan include an area identified as TV2, the Talbot Innovation Quarter. This area is currently managed agricultural grassland. It is in close proximity to Talbot Heath but does not provide any linkage with wider potential habitat. It therefore does not act as a habitat corridor for commuting Nightjar and is unsuitable for any other SPA species.

The Talbot Village proposals are set out within a Talbot Village SPD. The SPD for Talbot Village has the benefit of a HRA undertaken in December 2015. The HRA of the SPD is informed by Nightjar survey work undertaken in 2014 to support the Talbot Village development. This survey work found no evidence of Nightjar foraging on the TV2 area. The HRA of the SPD provides an assessment of a number of potential impact pathways, including disturbance to Nightjar, and sets out a package of mitigation measures that will be provided as part of the development. The SPD is now adopted and the HRA and its mitigation proposals accepted by Natural England.

At the strategic level of this local plan HRA, it is not considered necessary to repeat any of the HRA work presented in the HRA for the SPD. The HRA includes consideration of potential impacts and sets out suitable mitigation measures in response. The identified potential impacts include urbanisation impacts, hydrological changes and disturbance to birds on the SPA, for which access management, fencing, dog bins, interpretation provision and drainage management measured are proposed, along with the creation of a heathland support area. These measures were supported by Natural England, and
there isn’t any new information since the SPD and HRA were prepared that would alter the impacts assessed or mitigation proposed.

6.25 For the purposes of the plan level assessment of policy PP20 it is concluded that the intensity of current management, the lack of survey evidence to demonstrate Nightjar use and the fact that the area does not function as a habitat corridor leads to a conclusion that use of the area proposed for development by foraging Nightjar is likely to be very low, notwithstanding the need for project level HRA to ensure that the Nightjar present on Talbot Heath itself are not disturbed by any development.

6.26 In checking the Main Modifications for policy PP20, it is concluded that the policy provides adequate protection for the SPA with reference to project level HRA requirements. The policy and supporting text (revised by Main Modifications 44) includes reference to mitigation measures that have been developed as part of the HRA for the Talbot Village SPD, and there is also a reminder of the need for project level HRA. It is therefore concluded that at local plan policy level, adverse effects on site integrity can be ruled out, the proposals have been scrutinised within a separate HRA, and that the development project level is the correct HRA level to consider the further detail in relation to the agreed proposals to prevent disturbance.

6.27 A further point to note is that the representation suggested the need for the Poole Local Plan HRA to identify Annex 1 bird numbers on component SSSIs within the SPA and where in close proximity to development supported in the plan. This level of information is generally too detailed for a plan level HRA, and the information is available through other more specific sources. Liley & Fearnley 2014 provides a summary of the distribution and numbers of the Annex I bird species across the different heaths. These data show that numbers can fluctuate, and distributions will change over time, for example in response to severe weather. As such the Local Plan focus should be on the whole SPA, regardless of presence/absence of birds in a given year. As part of the Dorset Heaths strategic mitigation work, the Urban Heaths Partnership commissions the RSPB to undertake survey work on a sample of sites across the SPA on an annual basis.
8. Recreation and Poole Harbour

8.1 This section of this HRA report was prepared at Pre-submission stage. Actions taken by Borough of Poole in response with amendments to the plan are described in Section 11.

8.2 Disturbance has been identified by Natural England as a generic issue across many European Marine Sites (see Coyle & Wiggins 2010), and can be an issue for a range of species.

8.3 Disturbance to wintering and passage waterfowl can result in:

- A reduction in the time spent feeding due to repeated flushing/increased vigilance (Fitzpatrick & Bouchez 1998; Stillman & Goss-Custard 2002; Bright et al. 2003; Thomas, Kvitek & Bretz 2003; Yasué 2005)
- Increased energetic costs (Stock & Hofeditz 1997; Nolet et al. 2002)
- Avoidance of areas of otherwise suitable habitat, potentially using poorer quality feeding/roosting sites instead (Cryer et al. 1987; Gill 1996; Burton et al. 2002; Burton, Rehfisch & Clark 2002)

8.4 Disturbance can have additional impacts for breeding birds and for breeding gulls and terns, impacts of recreation can include reduced breeding success (Robert & Ralph 1975; Sandvik H & Barrett 2001; Medeiros et al. 2007).

8.5 Work on disturbance within Poole Harbour has included:

- A detailed disturbance study of the SPA (Liley & Fearnley 2012), commissioned by Natural England, which showed that disturbance had a significant, negative effect on the number of waders and the number of wildfowl present at the survey points, indicating that birds respond to disturbance levels and redistribute as a result of disturbance.
- Work on bait harvesting and suction-dredging (Liley et al. 2012; Fearnley et al. 2013), commissioned by Natural England, which highlighted the extent and scale of habitat damage in particular.
- A roost study (Morrison 2015) which repeated a study undertaken 10 years previously and highlighted the key issues including disturbance for many roost sites.
- A PhD study on disturbance within the Harbour, funded by the British Association for Shooting and Conservation (BASC) which modelled the energetic costs of disturbance to compare wildfowling to other types of disturbance (Collop 2016). This study suggested that current levels of human activity were not sufficient to reduce the carrying capacity of the site for wading birds, as they were able to compensate for disturbance, for example by redistributing within the site. Increased levels of human
Looking more widely, the evidence-base for disturbance impacts – linked to development - at other estuary sites around the UK (and particularly along the south coast), including the Solent and the Exe has progressed (Liley & Tyldesley 2013; Liley et al. 2014) such that the local authorities have been working with Natural England to develop strategic mitigation strategies, funded through developer contributions.

Natural England commissioned a national review of estuary SPA sites, housing levels and bird disturbance to provide context for more detailed HRA work (Ross et al. 2014). This national review ranked Poole Harbour 14th out of 29 SPA sites in terms of its vulnerability to disturbance impacts from increased housing. This ranking placed Poole Harbour below other south coast sites such as the Exe Estuary SPA, the Solent & Southampton Water SPA, Portsmouth Harbour SPA and Chichester & Langstone Harbours SPA. Compared to these other sites Poole Harbour is notable in that it has considerable parts of its shoreline with low levels of existing housing nearby (i.e. the Purbeck side of the Harbour). While the northern shore is heavily developed, the southern shore is relatively rural. Parts of the site are therefore to be expected to be under heavy recreational pressure while other areas are comparatively quiet. The review drew together data on the size and shape of sites, habitats present, extent of the footpath network, the proportion of the shoreline of each site that had access and the distribution of access infrastructure such as car-parks. These data were available for all sites and therefore allowed direct comparison. Other data, such as the level of water-sports use and boating activities could not be included as there were no standard data sets available nationally.

From the above we can conclude that disturbance is a risk to the SPA, and from the scale of development set out in the plan and its concentration in the town centre/close to the Harbour, recreation impacts cannot be ruled out as having an adverse effect on the integrity of the site. The Harbour is however perhaps more robust compared to other sites due to the extensive areas of the Harbour with limited access.

As part of the work to inform this HRA work, the Borough of Poole commissioned targeted visitor surveys at a selection of locations around the Poole Harbour shoreline. This visitor survey (undertaken in the winter 2016), collected home postcode data and other information on access patterns through face-face interviews with a random sample of visitors. The full results of the survey are in a separate report (Panter & Liley 2016b). We have reproduced the home postcode data within this report in Map 8, this shows where people visiting sites come from and highlights use by residents across the Borough.
To date, the Borough of Poole has collected money through developer contributions in order to provide mitigation for recreation impacts. This money has been spent on engagement with dog walkers through the Dorset Dogs\textsuperscript{9} project. Contributions were collected only from town centre housing development.

The current plan contains policy wording that recognises the risk from increased recreation pressure to Poole Harbour and the continuing need for mitigation (within the Plan see policies PP7 and PP31). Supporting text for European site policy at 9.46 of the plan sets out that recreation impacts to Poole Harbour are being addressed in an SPD.

The SPD will be finalised in 2018 and as such there will imminently be a mechanism in place to remove any risk and ensure no adverse effects on integrity to Poole Harbour SPA as a result of increased recreation, however the full details as to what mitigation measures will be undertaken, what level of contribution will be required etc. are still to be finalised for the SPD. This HRA therefore advises that it essential that this is progressed to provide clarity and confidence, and then progress monitoring as an integral part of the SPD. The visitor data (e.g. Map 8) provides the context for identifying where new development has the potential to result in increased access to the Harbour and will help inform the mitigation and monitoring requirements.

\textsuperscript{9} See \url{https://www.dorsetdogs.org.uk/dorset-dogs.html}
Map 8: The distribution of all postcodes (inset map) and in the Poole area, categorised by activity.

Legend
- All interviewees

Survey points

Postcodes by activity
- Bird/Wildlife watching
- Watersports
- Cycling/Mountain Biking
- Dog walking
- Fishing
- Jogging/power walking
- Other, please detail:
- Outing with family/Meeting with friends
- Photography
- Walking

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9. **Air Quality and Transport**

9.1 This section of this HRA report was prepared at Pre-submission stage. Actions taken by Borough of Poole in response with amendments to the plan are described in Section 11.

9.2 It is recognised from the screening for likely significant effects that a number of transport schemes are associated with the Local Plan, but may not be specifically allocated, or are being taken forward through other plans and strategies. Additionally, it is also recognised that some developments coming forward in accordance with the Local Plan may result in a concentrated increase in road traffic. Where such locations are in close proximity to European sites, habitats sensitive to air pollution may be affected.

9.3 The Borough of Poole contains a substantial proportion of the internationally important Dorset Heaths SAC/Dorset Heathlands SPA and Ramsar sites. Heathlands are acid, low nutrient systems with poor buffering capability against inputs of nutrients (mostly airborne nitrogen) or increases in acidity (mostly a side effect of nitrogen or from airborne sulphur).

9.4 Airborne nitrogen (mostly as ammonia and nitrous oxides) from burning fossil fuels by industry, traffic, shipping and agriculture, now poses one of the greatest threats to heathland in Europe. Heathland systems are generally poor in nutrients and many of the plant species can only survive and compete successfully on soils with low nitrogen availability (Bobbink & Heil 1993). Nitrogen compounds also increase acidification in soils. The addition of nitrogen in rain or dust particles, results in an increase in the nitrogen in the vegetation, litter and upper soil layers, and this builds up over time. Impacts have been detected on heathland within 200m of roads (Angold 1997).

9.5 In Map 9 we show the Dorset Heaths SAC sites and the road network within and around the Borough of Poole, and for context we show the key elements in the Plan from the key diagram. We have drawn a 200m buffer around the heathland sites to highlight which roads fall within this zone and therefore where traffic increases may have particular implications for the European sites. From Map 9 we can identify the following component heathland SSSIs as within 200m of an A road or B road:

- Canford Heath
- Bourne Valley
- Corfe & Barrow Hills
- Ferndown

9.6 As the plan does not specifically include any allocations for transport schemes or rely on particular schemes for plan delivery it is concluded that the plan can have certainty in its protection of European sites from air pollution as a result of new transport
schemes. The general increase in traffic along existing routes as a result of new employment and housing development is however of potential concern.

9.7 Air quality is an issue of increasing concern and is listed as a current pressure for the Dorset Heaths by Natural England in their Site Improvement Plan\(^\text{10}\). The Plan notes that, as with most lowland heathlands and mires in England, Nitrogen deposition is close to, and in some cases, exceeds critical loads (e.g. for Rhynchosporion). There is a challenge in resolving air quality impacts as the issues relate to a wide variety of potential sources and long-term changes in vegetation that can be difficult to pin-point or record.

9.8 Following a recent High Court decision relating to Ashdown Forest\(^\text{11}\) there is now some uncertainty over the correct approach to assessment of plans or projects with air quality impacts. The High Court's decision criticised the advice that Natural England (and by analogy others e.g. the Environment Agency) had given about there being no need to carry out an express “in combination assessment” in relation to plans and projects which, alone, have air quality impacts falling below a particular threshold.

9.9 Protecting, maintaining and restoring European wildlife sites should not be reactive when there are clear indicators of deterioration. Rather, the legislation and NPPF policy in relation to the environment indicates that it is in integral part of sustainable development and an ongoing area of work. Maintaining European site interest is as relevant as restoring whether there is existing deterioration, and this can mean putting in place checks to avoid deterioration, or gathering further evidence to inform future action if necessary.

9.10 It is recommended that the Borough of Poole, in commencing work on the Local Transport Plan, reviews current air quality monitoring and the triggers for requesting air quality assessments as part of planning applications, to determine whether this adequately protects the heaths from air quality impacts. The preparation of the Local Transport Plan and its HRA should include ensuring adequate protection for the Dorset Heathlands. For this Local Plan HRA, it is essentially therefore not currently a matter requiring a strategic approach within the Local Plan at this stage, but rather it is an aspect of European site protection that warrants further attention through checking that the right processes, underpinned by the right evidence, are in place. Map 9 should assist the Borough of Poole in determining the locations where large-scale developments leading to increases in traffic volumes on roads within 200m of the Dorset Heathlands would need to provide traffic and air quality assessments.

\(^{10}\) See [http://publications.naturalengland.org.uk/publication/5181909839642624](http://publications.naturalengland.org.uk/publication/5181909839642624)

\(^{11}\) Wealden District Council v Secretary of State for Communities and Local Government, Lewes District Council and South Downs National Park Authority [2017] EWHC 351
10. **Ensuring a Holistic Approach to Biodiversity Protection, Restoration and Enhancement**

10.1 This section of this HRA report was predominantly prepared at Pre-submission stage. Actions taken by Borough of Poole in response with amendments to the plan are described in Section 11.

10.2 The UK has national and international legislative, policy and convention commitments to biodiversity. It is widely recognised that both within the UK and internationally, biodiversity is in decline. The Government has committed to reversing those declines within the UK, and targets are set in ‘Biodiversity 2020: A Strategy for England’s wildlife and Ecosystem Services’.

10.3 As discussed earlier in this HRA report, European sites do not function in isolation, and whilst boundaries are drawn to enable the practical application of the legislative requirements for designated sites, their ecological functioning and supporting processes will relate to a much wider biodiversity network. One of the main recommendations of Professor John Lawton’s Making Space for Nature Report is to secure a more ‘joined-up’ network of designated sites by protecting, reconnecting, restoring and enhancing wider biodiversity.

10.4 The dramatic biodiversity declines of recent decades need to be reversed in order to achieve the Biodiversity 2020 targets, and in order to realise the aspirations of the Making Space for Nature Report. The National Planning Policy Framework (NPPF) recognises that the environment is integral to sustainable development, and the recently published Defra 25 year plan makes explicit reference to the need for development to contribute to environmental net gain, which includes biodiversity.

10.5 In explaining what is meant by sustainable development, Paragraph 9 states that “pursuing sustainable development involves seeking positive improvements in the quality of the built, natural and historic environment, as well as in people’s quality of life.” In then continuing to list what might be included, the paragraph states that “moving from a net loss of bio-diversity to achieving net gains for nature” is part of the pursuit of sustainable development.

10.6 Additionally, paragraph 109 refers to “minimising impacts on biodiversity and providing net gains in biodiversity where possible” and paragraph 52 advises that “Local planning

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authorities should seek opportunities to achieve each of the economic, social and environmental dimensions of sustainable development, and net gains across all three.”

10.7 The Poole Local Plan recognises the importance of all biodiversity assets and the need for their protection alongside sustainable development. It is recommended that the policy wording and supporting text is strengthened and more explicitly relates to the requirements of the NPPF.

10.8 It is recommended that the ‘Local Biodiversity’ section supporting text within the plan makes reference to the fact that biodiversity assets include those protected by international designations down to species and habitats of local importance, which all function together in a coherent way, to enable our wildlife to thrive. Maintaining and enhancing a well-connected and healthy network of biodiversity assets is an integral part of sustainable development. New development has an important role to play in reversing biodiversity declines, and should seek to demonstrate how the development will result in a ‘Net Gain’ for biodiversity.

10.9 The supporting text should identify that all development provides opportunities to enhance the natural environment for wildlife, and that new development is therefore expected to demonstrate, it will create better opportunities for wildlife than before. The Borough of Poole requires new development to complete a biodiversity appraisal as part of the planning application process, and it is recommended that the biodiversity policy makes explicit that the appraisal should demonstrate how a ‘Net Gain’ for biodiversity will be achieved as a result of the development.

10.10 This strengthening will better reflect the principles of the Government’s Biodiversity 2020 targets, and the Making Space for Nature Report, thereby working towards a more resilient biodiversity network to support European sites. Monitoring biodiversity impacts, and the positive restoration measures through Net Gain should be part of the Poole Local Plan monitoring criteria.
11. Appropriate Assessment Recommendations

11.1 The following recommendations are a summary of the findings of the theme specific appropriate assessment sections of this HRA report. In drawing the HRA conclusions within each of the themed sections of the appropriate assessment, Footprint Ecology has liaised with the Borough of Poole to identify suitable solutions for the Poole Local Plan that meet the recommendations being made. Each appropriate assessment recommendation is summarised here, with an indication of the Borough of Poole's subsequent action in response to those recommendations.

Poole Harbour water quality

11.2 The appropriate assessment of water quality matters concludes that there is confidence that the water quality risks for Poole Harbour are fully mitigated for and apart from cross reference to the monitoring that is an integral part of the Nitrogen Reduction SPD, no further action is required.

Urban and recreation effects on Dorset Heathlands

11.3 It is not possible to rule out adverse effects on site integrity in relation to urban effects and recreation on Dorset Heathlands in the absence of housing phasing and additional work to secure further SANGs provision. It is also identified that a review of SANGs provision to date across South East Dorset is timely, and important for the continuation of this strategic mitigation approach. Both points are therefore critical for inclusion within the Local Plan and this should be focussed on within the 'Managing Poole’s Natural Environment Section of the plan. Further progression of the Stour Valley connected SANGs project with Natural England would also be beneficial, to determine the extent to which this can mitigate for additional development and inform future housing delivery as part of the phased approach.

11.4 The Borough of Poole has considered the recommendations and undertook the following actions within the plan:

- Adding to Policy PP31: “The Council will review the Poole Plan by 2023. The review will need to assess whether the growth planned for 2023-2033 can be successfully mitigated. A study into the success of mitigation measures since 2007 will be a fundamental part of the evidence base. If there is no certainty that development will not have an adverse impact upon protected wildlife, the Council may not be able to grant planning permission for certain types of harmful development, such as housing”.
- Adding to supporting text: “The 2018 to 2023 period also will provide time for the Council to work with its partners to achieve a long-term step change in the delivery of housing in Poole and crucially plan for and implement new strategic mitigation projects to ensure that the planned higher growth will not have a negative effect upon European and internationally protected..."
wildlife. The Poole Plan will be reviewed by 2023 and will need to re-assess the strategy for 2023-2033 to ensure that higher growth can be mitigated and thereby facilitate a delivery rate of 815 homes per year for the remaining period 2023 to 2033. The Poole Plan will be reviewed by 2023...

- Amending Policy PP7 to reflect need for phased approach to housing delivery to ensure implementation of mitigation: “(h) undertake an extensive study to assess whether measures to mitigate European and internationally important sites in South East Dorset have been successful” and stating that “whilst the above stepped housing target phasing is the minimum delivery expected, a higher level of growth would need to be supported by appropriate heathland mitigation. A full review of the mitigation strategy will be necessary before 2023 to provide the certainty needed that the levels of growth planned for 2023-2033 will not have an adverse effect upon European and internationally important sites, and allow the market time to increase the rate of delivery.”

**Nightjar foraging habitat**

11.5 it is highlighted that Nightjar foraging habitat outside but functionally linked to the SPA is considerably reduced from a much wider availability of foraging habitat historically. The remaining habitat connected to the SPA is therefore of increasing importance as a reducing resource that supports the SPA Nightjar population. The Local Plan should recognise this issue and the need to protect critical habitat corridors.

11.6 The Borough of Poole has continually considered this matter during plan preparation, particularly in relation to the allocation of housing sites that may lead to a reduction in Nightjar supporting habitat. From the initial long list of possible housing allocations, the Borough of Poole has given considerable weight to the need to select housing sites, and the numbers of houses they will provide with this issue in mind. The housing allocations being taken forward in the Local Plan reflect this work.

11.7 In relation to the Magna Road allocation, the appropriate assessment highlights that whilst Policy PP18 identifies the need for suitable mitigation to enable the Magna Road development to proceed, the importance of securing robust mitigation to prevent compromising the functionally linked land resource for Nightjar is of wider importance given the limited supporting habitat still available to the north of Canford Heath. The project level HRA for this development will need to have regard for these wider implications. Subsequently, the outstanding issues relating to potential impacts and the necessary mitigation have been resolved, and permission was granted in June 2018. Policy PP18 provides appropriate requirements that must be adhered to, which are reflected in the permission given.

11.8 In considering the representation made in relation to potential risks to bird interest at Talbot Heath, it is concluded that the Main Modifications for Policy PP20, and the supporting text Main Modifications set out in MM44, adequately protect the interest at
Talbot Heath. The HRA for the SPD made mitigation recommendations, which are now reflected in the plan.

**Recreation pressure on Poole Harbour**

11.9 It is advised that there is a need to strengthen text and policy wording to give confidence in the delivery of mitigation for recreation pressure on Poole Harbour. There is now good evidence to support the mitigation approach, but the SPD is yet to be produced and therefore long-term mitigation measures are not yet formalised, so the full details as to what mitigation and monitoring measures will be undertaken, what level of contribution will be required etc. are still lacking. The SPD needs to be progressed and finalised to provide clarity and confidence, and strengthened wording in plan is therefore recommended.

11.10 The Borough of Poole has considered the recommendation and has implemented the following action within the plan:

Adding the following to supporting text of Policy PP31: Poole’s nationally and internationally protected sites – “Recreational pressures can also have a harmful effect on the Harbour. More activity within the harbour (e.g. boats) and on the shoreline (e.g. dog walkers, bait diggers) can frighten off protected birds. Visitor surveys indicate that people from across Poole visit the harbour. Therefore, all new residential and tourism development in Poole has to provide mitigation to ensure the impact of additional visitors to Poole harbour can be managed without causing harm to protected wildlife. The Council has implemented some measures to mitigate recent development in Poole town centre, in particular, wardening around the harbour’s edge. The Council plans to formalise the mitigation by producing a Recreation in Poole Harbour SPD. The SPD will be progressed alongside the Poole Local Plan with the aim of implementation commencing in 2018. The SPD will determine the level of contribution that development will have to provide and the projects necessary to mitigate potential harm to the harbour.”

**Air quality and transport**

11.11 As the plan does not specifically include any allocations for transport schemes or rely on particular schemes for plan delivery it is concluded that the plan can have certainty in its protection of European sites from air pollution as a result of new transport schemes with additional supporting text, to refer to early air quality assessment work to inform the options for and progression of transport schemes and their HRAs.

11.12 The Borough of Poole has considered the recommendation and implemented the following action within the plan:

- Adding to Chapter 10 transport “When developing transport projects to facilitate growth the Council will carry out a strategic environmental assessment, ensuring effects upon internationally protected sites are considered.”
It is recommended that the Borough of Poole gives specific consideration to the protection of the heaths as part of the forthcoming work on the Local Transport Plan and its HRA. This should include reviewing current air quality monitoring and the triggers for requesting air quality assessments as part of planning applications, and should have regard for increases in traffic use on roads within 200m of the Dorset Heathlands. These recommendations do not require amendments to the Local Plan, but rather it is an aspect of European site protection that the Council should be checking to ensure that the right processes, underpinned by the right evidence, are in place.

The Borough of Poole has identified that triggers are in place, clarified by the wording they are adding in relation to transport assessments, for large developments to take account of these risks. The Borough of Poole will therefore ensure that project level HRAs are linked with such transport assessments in relation to air quality and the Dorset Heathlands.

**Wider biodiversity supporting European sites**

It is recommended that the ‘Local Biodiversity’ section supporting text within the plan makes reference to the fact development has an important role to play in reversing biodiversity declines, and should seek to demonstrate how the development will result in a ‘Net Gain’ for biodiversity through the biodiversity appraisal process.

The Borough of Poole has considered the recommendation and has now strengthened both the supporting text and policy for biodiversity to identify that all development provides opportunities to enhance the natural environment for wildlife, and that new development is therefore expected to demonstrate, it will create better opportunities for wildlife than before through Net Gains. The Borough of Poole requires new development to complete a biodiversity appraisal as part of the planning application process, and has strengthened the biodiversity policy PP32 and supporting text in Chapter 9 of the plan, to make explicit that the appraisal should demonstrate how a ‘Net Gain’ for biodiversity will be achieved as a result of the development. Biodiversity net gain is now also added as part of the monitoring criteria for the Poole Local Plan.

**Conclusions**

In overall conclusion, this HRA report has fully assessed the Poole Local Plan at Pre-submission stage in accordance with the requirements of the Habitats Regulations and established good practice in the assessment process. As discussed below, this resulted in a number of recommendations for clarifications and corrections to the plan, set out within the screening table in Appendix 4 (i.e. matters not requiring further assessment) and a number of recommendations for mitigation as a result of the appropriate
assessment (set out in sections 3 to 10 and then summarised in this section). These have all been actioned by the Borough of Poole and amendments to the plan made accordingly, as summarised above.

11.18 The HRA report has subsequently been updated to check the proposed Modifications after the hearing sessions for the Examination in Public. This HRA report is evidence based and solutions focused, and importantly has engaged fully in the development of the plan though close working between the Borough of Poole and Footprint Ecology to enable the HRA findings to inform the plan at its final stage prior to adoption.

11.19 At the screening for likely significant effects stage of HRA a number of recommendations were made for text modifications to avoid likely significant effects. These proposals related to corrections in terminology, strengthening and clarity in relation to HRA requirements at the project level. They fully conform with recent European case law in relation to the correct stages of HRA for recommendations to be made. Changes to the plan made by the Council have enabled a conclusion that all matters in relation to text changes to screen out likely significant effects have been incorporated into the plan. A check of Modifications is now recorded in the screening table at Appendix 4, which also includes a narrative on the nature of previous recommendations in terms of their conformity with the recent European case law.

11.20 Matters requiring further consideration within the appropriate assessment were assessed under key themes, and again the findings have been discussed with the Borough of Poole. The recommendations of the appropriate assessment are that measures can be taken forward that allow a conclusion of no adverse effects on European site integrity, but require commitments within the plan and ongoing action to enable this conclusion. The Borough of Poole has concurred with the need for the mitigation measures, and proposed how those measures will be taken forward as part of the plan. An additional consideration within the appropriate assessment has been added at Modifications stage, relating to a representation that highlighted potential risk to SPA birds as a result of the Talbot Village proposals (policy PP20 Part 2). This discussion does not alter the overall conclusions, and as described above, the Main Modifications adequately deal with the concerns raised.

11.21 The Poole Local Plan reflects the measures described within the appropriate assessment sections and summarised within this final section of the HRA report. With all measures in place, it is concluded that the Poole Local Plan is fully compliant with the Habitats Regulations.
12. References


The designation, protection and restoration of European wildlife sites is embedded in the Conservation of Habitats and Species Regulations 2017, which are commonly referred to as the ‘Habitats Regulations.’

The Habitats Regulations are in place to transpose European legislation set out within the Habitats Directive (Council Directive 92/43/EEC), which affords protection to plants, animals and habitats that are rare or vulnerable in a European context, and the Birds Directive (Council Directive 2009/147/EC), which originally came into force in 1979, and which protects rare and vulnerable birds and their habitats. These key pieces of European legislation seek to protect, conserve and restore habitats and species that are of utmost conservation importance and concern across Europe. Although the Habitats Regulations transpose the European legislation into domestic legislation, the European legislation still directly applies, and in some instances, it is better to look to the parent Directives to clarify particular duties and re-affirm the overarching purpose of the legislation.

European sites include Special Areas of Conservation (SACs) designated under the Habitats Directive and Special Protection Areas (SPAs) classified under the Birds Directive. The suite of European sites includes those in the marine environment as well as terrestrial, freshwater and coastal sites. European sites have the benefit of the highest level of legislative protection for biodiversity. Member states have specific duties in terms of avoiding deterioration of habitats and species for which sites are designated or classified, and stringent tests have to be met before plans and projects can be permitted, with a precautionary approach embedded in the legislation, i.e. it is necessary to demonstrate that impacts will not occur, rather than they will. The overarching objective is to maintain sites and their interest features in an ecologically robust and viable state, able to sustain and thrive into the long term, with adequate resilience against natural influences. Where sites are not achieving their potential, the focus should be on restoration.

The UK is also a contracting party to the Ramsar Convention, which is a global convention to protect wetlands of international importance, especially those wetlands utilised as waterfowl habitat. In order to ensure compliance with the requirements of the Convention, the UK Government expects all competent authorities to treat listed Ramsar sites as if they are part of the suite of designated European sites, as a matter of government policy, as set out in Section 118 of the National Planning Policy Framework. Most Ramsar sites are also a SPA or SAC, but the Ramsar features and boundary lines may vary from those for which the site is designated as a SPA or SAC.

It should be noted that in addition to Ramsar sites, the National Planning Policy Framework also requires the legislation to be applied to potential SPAs and possible
SACs, and areas identified or required for compensatory measures where previous plans or projects have not been able to rule out adverse effects on site integrity, yet their implementation needs meet the exceptional tests of Regulation 62 of the Habitats Regulations, as described below.

13.6 The step by step process of HRA is summarised in the diagram below. Within the Habitats Regulations, local planning authorities, as public bodies, are given specific duties as ‘competent authorities’ with regard to the protection of sites designated or classified for their species and habitats of European importance. Competent authorities are any public body individual holding public office with a statutory remit and function, and the requirements of the legislation apply where the competent authority is undertaking or implementing a plan or project, or authorising others to do so. Regulation 63 of the Habitats Regulations sets out the HRA process for plans and projects, which includes development proposals for which planning permission is sought. Additionally, Regulation 105 specifically sets out the process for assessing emerging land use plans.

13.7 The step by step approach to HRA is the process by which a competent authority considers any potential impacts on European sites that may arise from a plan or project that they are either undertaking themselves, or permitting an applicant to undertake. The step by step process of assessment can be broken down into the following stages, which should be undertaken in sequence:

- Check that the plan or project is not directly connected with or necessary for the management of the European site
- Check whether the plan or project is likely to have a significant effect on any European site, from the plan or project alone
- Check whether the plan or project is likely to have a significant effect on any European site, from the plan or project in-combination with other plans or projects
- Carry out an ‘appropriate assessment’
- Ascertain whether an adverse effect on site integrity can be ruled out

13.8 A competent authority may consider that there is a need to undertake further levels of evidence gathering and assessment in order to have certainty, and this is the appropriate assessment stage. At this point the competent authority may identify the need to add to or modify the project in order to adequately protect the European site, and these mitigation measures may be added through the imposition of particular restrictions and conditions.

13.9 For plans, the stages of HRA are often quite fluid, with the plan normally being prepared by the competent authority itself. This gives the competent authority the opportunity to repeatedly explore options to prevent impacts, refine the plan and rescreen it to demonstrate that all potential risks to European sites have been successfully dealt with.
13.10 When preparing a plan, a competent authority may therefore go through a continued assessment as the plan develops, enabling the assessment to inform the development of the plan. For example, a competent authority may choose to pursue an amended or different option where impacts can be avoided, rather than continue to assess an option that has the potential to significantly affect European site interest features.

13.11 After completing an assessment, a competent authority should only approve a project or give effect to a plan where it can be ascertained that there will not be an adverse effect on the integrity of the European site(s) in question. To reach this conclusion, the competent authority may have made changes to the plan, or modified the project with restrictions or conditions, in light of their Appropriate Assessment findings.

13.12 Where adverse effects cannot be ruled out, there are further exceptional tests set out in Regulation 64 for plans and projects and in Regulation 107 specifically for land use plans. Exceptionally, a plan or project could be taken forward for imperative reasons of overriding public interest where adverse effects cannot be ruled out and there are no alternative solutions. It should be noted that meeting these tests is a rare occurrence and ordinarily, competent authorities seek to ensure that a plan or project is fully mitigated for, or it does not proceed.

13.13 In such circumstances where a competent authority considers that a plan or project should proceed under Regulations 64 or 107, they must notify the relevant Secretary of State. Normally, planning decisions and competent authority duties are then transferred, becoming the responsibility of the Secretary of State, unless on considering the information, the planning authority is directed by the Secretary of State to make their own decision on the plan or project at the local level. The decision maker, whether the Secretary of State or the planning authority, should give full consideration to any proposed ‘overriding reasons’ for which a plan or project should proceed despite being unable to rule out adverse effects on European site interest features, and ensure that those reasons are in the public interest and are such that they override the potential harm. The decision maker will also need to secure any necessary compensatory measures, to ensure the continued overall coherence of the European site network if such a plan or project is allowed to proceed.
Figure 1: Outline of the assessment of plans under the Habitat Regulations
In assessing the implications for European sites of any plan or project, research and evidence gathering underpinning the assessment usually consists of three types of information:

- The European sites
- The plan or project
- Potential impacts

In order to assess the implications of a plan or project for European sites, it is necessary to fully understand the European sites in question, to establish whether site features could potentially be affected.

It is also necessary to appreciate the purpose and objectives of the plan or project, to understand its constituent parts, how and when it will be implemented, and what may occur as a consequence of its implementation. A further evidence gathering requirement relates to any information that may assist with establishing and assessing the potential impacts that may occur. This may be locally specific information, or relevant evidence from elsewhere that can contribute to the understanding of potential impacts. This could include for example, studies on similar species, habitats or impacts in different locations, or the monitoring of mitigation approaches elsewhere that may be applicable. Previous HRA work that relates to the plan or project links with the evidence gathered on potential impacts, as previous assessment work will highlight what was previously considered a potential risk, and how such impacts were mitigated for.

Potential impacts are the link between the plan or project and the European sites. The HRA is assessing an ‘interaction’ between the plan or project, and the European site features. For this reason, the link is very often referred to as the ‘impact pathway.’ They are the route by which a plan or project may affect a European site (Figure 1).
Figure 1: Impact Pathways
14. **Appendix 2: Conservation Objectives**

14.1 As required by the European Directives, ‘Conservation Objectives’ have been established by Natural England, which should define the required ecologically robust state for each European site interest feature. All sites should be meeting their conservation objectives. When being fully met, each site will be adequately contributing to the overall favourable conservation status of the species or habitat interest feature across its natural range. Where conservation objectives are not being met at a site level, and the interest feature is therefore not contributing to overall favourable conservation status of the species or habitat, plans should be in place for adequate restoration.

14.2 Natural England is progressing a project to renew all European site Conservation Objectives, in order to ensure that they are up to date, comprehensive and easier for developers and consultants to use to inform project level Habitats Regulations Assessments in a consistent way. In 2012, Natural England issued now a set of generic European site Conservation Objectives, which should be applied to each interest feature of each European site. These generic objectives were the first stage in the project to renew conservation objectives, and the second stage, which is to provide more detailed and site specific information for each site to support the generic objectives, is now underway. This site-specific information is referred to as ‘Supplementary Advice.’

14.3 The new list of generic Conservation Objectives for each European site includes an overarching objective, followed by a list of attributes that are essential for the achievement of the overarching objective. Whilst the generic objectives currently issued are standardised, they are to be applied to each interest feature of each European site, and the application and achievement of those objectives will therefore be site specific and dependant on the nature and characteristics of the site. The second stage, providing the Supplementary Advice will underpin these generic objectives with much more site-specific information.

14.4 Whilst the Supplementary Advice has been prepared for some of the European sites, it is currently still not available for many of the sites. Once finalised, this site-specific detail will play an important role in informing future HRAs, giving greater clarity to what might constitute an adverse effect on a site interest feature.

14.5 In the interim, Natural England advises that HRAs should use the generic objectives and apply them to the site-specific situation. This should be supported by comprehensive and up to date background information relating to the site.

14.6 For SPAs, the overarching objective is to:
14.7 ‘Avoid the deterioration of the habitats of qualifying features, and the significant disturbance of the qualifying features, ensuring the integrity of the site is maintained and the site makes a full contribution to achieving the aims of the Birds Directive.’

14.8 This is achieved by, subject to natural change, maintaining and restoring:

- The extent and distribution of the habitats of the qualifying features.
- The structure and function of the habitats of the qualifying features.
- The supporting processes on which the habitats of the qualifying features rely.
- The populations of the qualifying features.
- The distribution of the qualifying features within the site.

14.9 For SACs, the overarching objective is to:

‘Avoid the deterioration of the qualifying natural habitats and the habitats of qualifying species, and the significant disturbance of those qualifying species, ensuring the integrity of the site is maintained and the site makes a full contribution to achieving Favourable Conservation Status of each of the qualifying features.’

14.10 This is achieved by, subject to natural change, maintaining and restoring:

- The extent and distribution of the qualifying natural habitats and habitats of qualifying species.
- The structure and function (including typical species) of qualifying natural habitats and habitats of qualifying species.
- The supporting processes on which qualifying natural habitats and habitats of qualifying species rely.
- The populations of qualifying species.
- The distribution of qualifying species within the site.

14.11 This HRA therefore has regard for the generic SAC related objectives. Conservation objectives inform HRAs by identifying what the interest features for the site should be achieving, and what impacts may be significant for the site in terms of undermining the site's ability to meet its conservation objectives.
15. **Appendix 3: European Site Interest**

15.1 Table 2 below provides site information for the following European sites considered within this HRA report:

- Dorset Heathlands SPA
- Dorset Heaths SAC
- Dorset Heaths (Purbeck and Wareham) and Studland Dunes SAC
- Dorset Heathlands Ramsar site
- Poole Harbour SPA
- Poole Harbour Ramsar site
- The New Forest SAC
- The New Forest SPA
- The New Forest Ramsar site
<table>
<thead>
<tr>
<th>Site</th>
<th>Reason for designation:</th>
<th>SAC</th>
<th>SPA</th>
<th>Ramsar</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dorset Heaths SAC, Dorset Heathlands SPA and Ramsar site</td>
<td>Northern Atlantic wet heaths with <em>Erica tetralix</em>, temperate Atlantic wet heaths with <em>Erica ciliaris</em> and <em>Erica tetralix</em>, European dry heaths*, depressions on peat substrates of the <em>Rhynchosporion</em>, <em>Molinia</em> meadows on calcareous, peaty or clayey-silt-laden soils, Calcareous fens with <em>Cladium mariscus</em> and species of the <em>Caricion davallianae</em>, Alkaline fens, Old acidophilous oak woods with <em>Quercus robur</em> on sandy plains</td>
<td>Breeding nightjar, Dartford warbler, woodlark. Wintering hen harrier, merlin.</td>
<td>Ramsar criterion 1: Contains particularly good examples of (i) northern Atlantic wet heaths with cross-leaved heath <em>Erica tetralix</em> and (ii) acid mire with <em>Rhynchosporion</em>, largest example in Britain of southern Atlantic wet heaths with Dorset heath <em>Erica ciliaris</em> and cross-leaved heath <em>Erica tetralix</em>. Ramsar criterion 2: Supports 1 nationally rare and 13 nationally scarce wetland plant species, and at least 28 nationally rare wetland invertebrate species. Ramsar criterion 3: high species richness and ecological diversity of wetland habitat types and transitions; lies in one of the most biologically-rich wetland areas of lowland Britain.</td>
<td></td>
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<tr>
<td>Dorset Heaths (Purbeck and Wareham) and</td>
<td>Embryonic shifting dunes*, shifting dunes along the shoreline with <em>Ammophila arenaria</em> (“white dunes”), Atlantic decalcified fixed dunes*, humid dunes slacks*, oligotrophic</td>
<td>See above</td>
<td>See above</td>
<td></td>
</tr>
<tr>
<td>Site</td>
<td>Reason for designation:</td>
<td>SAC</td>
<td>SPA</td>
<td>Ramsar</td>
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<tr>
<td>Studland dunes SAC</td>
<td>waters containing very few minerals of sandy plains (Littorelletalia uniflorae) -+ Northern Atlantic wet heaths with <em>Erica tetralix</em>-, temperate Atlantic wet heaths with <em>Erica ciliaris</em> and <em>Erica tetralix</em>*, European dry heaths-, depressions on peat substrates of the <em>Rhynchosporion</em>-, bog woodland*, <em>Molinia</em> meadows on calcareous, peaty or clayey-silt-laden soils, Calcareous fens with <em>Cladium mariscus</em> and species of the <em>Cariccion davallianae</em>*, Alkaline fens, Old acidophilous oak woods with <em>Quercus robur</em> on sandy plains.</td>
<td>Little Sea and Eastern Lake located within this SAC fall within Poole Harbour SPA.</td>
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<td></td>
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</tbody>
</table>
| Poole Harbour SPA and Ramsar site (also a marine site) | Breeding common tern, sandwich tern and Mediterranean gull.  
Non breeding Eurasian spoonbill, little egret. avocet.  
Internationally important wintering populations of Icelandic population of black-tailed godwit and the North- | Ramsar criterion 1: best and largest example of a bar-built estuary with lagoonal characteristics in Britain.  
Ramsar criterion 2: 2 species of nationally rare plant, 1 nationally rare alga, at least 3 British Red data book invertebrate species.  
Ramsar criterion 3: Mediterranean and thermo Atlantic halophilous scrubs, dominated by shrubby seablite *Suaeda* |                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                                                                                                                                                                                                                                                                                                   |
<table>
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<tr>
<th>Site</th>
<th>Reason for designation:</th>
<th>SAC</th>
<th>SPA</th>
<th>Ramsar</th>
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<td></td>
<td>western European population of wintering shelduck.</td>
<td></td>
<td>A wetland of international importance by regularly supporting at least 20,000 waterfowl.</td>
<td>vera; calcareous fens with great fen sedge <em>Cladium mariscus</em>; transitions from saltmarsh through to peatland mires. Nationally important populations of breeding waterfowl including common tern, and Mediterranean gull, and of wintering avocet.</td>
</tr>
<tr>
<td>The New Forest</td>
<td>Oligotrophic waters containing very few minerals of sandy plains (<em>Littorelletalia uniflora</em>)<em>, Oligotrophic to mesotrophic standing waters with vegetation of the <em>Littorelletea uniflora</em> and/or of the <em>Isoëto-Nanojuncetea</em></em>, Northern Atlantic wet heaths with <em>Erica tetralix</em>*, European dry heaths*, <em>Molinia</em> meadows on calcareous, peaty or clayey-silt-laden soils (<em>Molinion caeruleae</em>)<em>, Depressions on peat substrates of the <em>Rhynchosporion</em></em>, Atlantic acidophilous beech forests with <em>Ilex</em> and sometimes also <em>Taxus</em> in the shrub layer (<em>Quercion robori-petraeae</em> or...</td>
<td>Breeding Dartford warbler, nightjar, woodlark, honey buzzard, wood warbler <em>Phylloscopus sibilatrix</em>, hobby. Wintering hen harrier</td>
<td>Ramsar Criterion 1: Valley mires and wet heaths of outstanding scientific interest. The largest concentration of intact valley mires of their type in GB. Ramsar Criterion 2: Supports a diverse assemblage of wetland plants and animals. Ramsar Criterion 3: Mire habitats of high ecological quality and diversity. Invertebrate fauna important due to the concentration of rare and scarce wetland...</td>
<td></td>
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<tr>
<td>Site</td>
<td>Reason for designation:</td>
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<tr>
<td></td>
<td><strong>SAC</strong></td>
<td><strong>SPA</strong></td>
<td><strong>Ramsar</strong></td>
<td></td>
</tr>
<tr>
<td></td>
<td><em>Ilici-Fagenion</em> <em>, <em>Asperulo-Fagetum</em> beech forests</em>, Old acidophilous oak woods with <em>Quercus robur</em> on sandy plains*, Bog woodland*, Alluvial forests with <em>Alnus glutinosa</em> and <em>Fraxinus excelsior</em> (<em>Alno-Padion, Alnion incanae, Salicion albae</em>) *, Transition mires, quaking bogs and Alkaline fens. <em>Southern damselfly</em> <em>Coenagrion mercuriale</em>, <em>Stag beetle</em> <em>Lucanus cervus</em>, Great crested newt <em>Triturus cristatus</em>.</td>
<td></td>
<td>species. Whole site complex is essential to the genetic and ecological diversity of southern England.</td>
<td></td>
</tr>
</tbody>
</table>
16. **Appendix 4: Progression of screening for LSE**

16.1 Table 3 below provides a full record of screening of the Poole Local Plan, including discussions between Footprint Ecology and the Borough of Poole, as the Council finalised the plan in preparation for submission to the Planning Inspectorate for Examination. As described in Section 2 of this report, initial screening undertaken on working draft versions of the plan highlighted that a number of text improvements could be made in order to strengthen and clarify European site protection as an integral part of the plan. These recommendations ensure that likely significant effects are avoided, and can be highlighted at the screening stage of HRA because the recommendations are not mitigation measures requiring further scrutiny at appropriate assessment. The majority of changes were made by the Council prior to submission of the plan for Examination, with some also now forming part of the Modifications where additional input from Natural England suggested further text refinement.

16.2 All matters where action has been taken by the Council though text modification are considered to be resolved. The table below therefore records that progression. It provides a full screening for likely significant effects of the entire plan and includes the text modifications undertaken by the Borough of Poole in response to the screening undertaken.

16.3 Red text within this table indicates where issues were screened as requiring further consideration at the appropriate assessment stage, i.e. matters could not be resolved with certainty by simply adding text, and therefore required further and more detailed scrutiny at appropriate assessment. All such matters taken to appropriate assessment stage are copied from the full screening table below and feature in the shortlist at Table 1 within the main report at Section 2, thus providing a list of matters screened as having likely significant effects, for the appropriate assessment sections of this HRA report to consider.

16.4 The final column of the screening table provides a check of all Modifications to the plan after Examination. A check of all Additional Modifications concluded that they were not of relevance to the HRA, and it is only some of the Main Modifications that have therefore been given further consideration in the screening table.

16.5 Additionally, the final column of the screening table also provides a narrative on the nature of the text alterations made by the Council in response to the screening recommendations, to confirm that these changes fully accord with recent European caselaw, in that they are simple corrections of terminology, giving clarity or instruction on project level HRA or strengthening text in accordance with the legislation. This confirms that these recommendations are correctly made at the screening stage,
whereas the appropriate assessment sections cover matters requiring further assessment, including consideration of the suitability of mitigation.
### Table 3: Screening for LSE of Poole Local Plan at Pre-submission, subsequent action taken by Borough of Poole, and then screening for LSE of the Modifications

<table>
<thead>
<tr>
<th>Policy</th>
<th>Description</th>
<th>LSE</th>
<th>Explanation of LSE conclusion</th>
<th>Action required to remove LSE</th>
<th>Appropriate assessment recommendations</th>
<th>Additional notes</th>
<th>BoP action taken</th>
<th>Modifications screening</th>
</tr>
</thead>
<tbody>
<tr>
<td>Opening sections, scene setting</td>
<td>Setting the scene for the plan</td>
<td>No</td>
<td>Poole’s ‘precious environment’ is adequately described in the context of sustainable development</td>
<td>--</td>
<td>--</td>
<td>--</td>
<td>No action required</td>
<td>No further HRA relevant changes at Modifications</td>
</tr>
<tr>
<td>Challenge 1</td>
<td>Regenerating Poole town centre</td>
<td>LSE</td>
<td>Town centre regeneration sites are allocated around Poole Harbour – need for a reference to securing regeneration whilst protecting the SPA.</td>
<td>Add in reference to the importance of the Poole Harbour SPA within the town, and the need for careful planning along the water’s edge.</td>
<td>Recommended modification will remove LSE</td>
<td>--</td>
<td>Inserted new para 3.6: “A number of brownfield opportunities (in areas 4 and 7 in figure 4) lie on the waters edge of Poole Harbour. The harbour is an internationally protected site for wildlife and therefore the challenge for new development is to ensure through careful design of any buildings that there is no harm to wildlife in the harbour”.</td>
<td>No further HRA relevant changes at Modifications</td>
</tr>
<tr>
<td>Policy</td>
<td>Description</td>
<td>LSE</td>
<td>Explanation of LSE conclusion</td>
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<tr>
<td>Challenge 2</td>
<td>Meeting all housing needs</td>
<td>LSE</td>
<td>An increase from 10,000 for the plan period in the Core Strategy, to 14,200 for the new plan, based on the objectively assessed housing need for the HMA</td>
<td>Needs more detailed consideration - Go to AA</td>
<td>AA needs to consider in more detail the implications at least 14,200 new homes in the Borough of Poole, particularly in terms of recreation pressure.</td>
<td>---</td>
<td>Challenge of meeting needs is already covered by para 3.37 “The challenge is to meet housing needs whilst ensuring that suitable mitigation is provided without adding further pressure to these habitats and the protected species that reside within them.” Therefore no need to refer to duplicate issue under Challenge 2 (subject to AA findings about overall capacity of Poole)</td>
<td>Screening recommendations undertaken are to ensure designated site duties are clear, not plan level mitigation requiring further assessment. No further HRA relevant changes at Modifications</td>
</tr>
<tr>
<td>Challenge 3</td>
<td>Addressing the widening affordability gap</td>
<td>LSE</td>
<td>Seeks to rectify slow delivery of affordable homes – No LSE, but note that all net increases in housing need to be adequately mitigated for, irrespective of type.</td>
<td>The Plan needs to acknowledge that any housing type that is excluded from making mitigation payments must be accounted for by other means</td>
<td>--</td>
<td>Sentence added to supporting text to 9.48 “All residential types that result in a net increase in dwellings will need to be accounted for through Council monitoring to secure the appropriate amount of mitigation”</td>
<td>Screening recommendations undertaken are to ensure designated site duties are clear, not plan level mitigation requiring further assessment. No further HRA relevant changes at Modifications</td>
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<tr>
<td>Challenge 4</td>
<td>Providing care for an aging population</td>
<td>LSE</td>
<td>Residential care homes will need to follow agreed mitigation for European sites, in the same way that other housing is required to. Nursing homes will be exempt.</td>
<td>Suggest adding a footnote to highlight that residential care home spaces are treated as net increases in dwellings for European site mitigation purposes, but that nursing home spaces are exempt.</td>
<td>Some care home allocations will be looked at in more detail in the AA.</td>
<td>--</td>
<td>Sentence added to supporting text at 6.60 “Therefore in terms of mitigation for internationally protected sites, residential care home spaces are treated as net increases in dwellings requiring mitigation, whereas nursing homes spaces are exempt.”</td>
<td>Screening recommendations undertaken are for clarity re HRA requirements at the project level, not plan level mitigation requiring further assessment. No further HRA relevant changes at Modifications</td>
</tr>
<tr>
<td>Challenge 5</td>
<td>Stimulating economic growth</td>
<td>No</td>
<td>Economic growth and proposed allocations have been checked - do not pose risks to European sites</td>
<td>--</td>
<td>--</td>
<td>--</td>
<td>No action required</td>
<td>No further HRA relevant changes at Modifications</td>
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<tr>
<td>Challenge 6</td>
<td>Reducing the need to travel while managing traffic growth</td>
<td>LSE</td>
<td>Transport schemes to be considered re air pollution risks</td>
<td>Needs more detailed consideration - Go to AA</td>
<td>AA needs to refer to the transport schemes and need for project HRA checks re air pollution</td>
<td>--</td>
<td>Consider recommendations of AA</td>
<td>Pre-submission stage AA undertaken to resolve. No further HRA relevant changes at Modifications</td>
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<tr>
<td>Challenge 7</td>
<td>Improving health and tackling pockets of deprivation</td>
<td>No</td>
<td>Relates to public health only.</td>
<td>--</td>
<td>--</td>
<td>Wider benefits of SANGs should be recognised and promoted.</td>
<td>Agree, but no action required in this section. The proposed SANGs are not in the vicinity of the pockets of deprivation (except Upton Country Park). An important part of the strategy that follows the challenges seeks to improve connectivity of these areas with public open space (and SANGs) for health benefits.</td>
<td>No further HRA relevant changes at Modifications</td>
</tr>
<tr>
<td>Challenge 8</td>
<td>Preparing for sea level rise</td>
<td>No</td>
<td>Flood defences are in place and improvements should not lead to AEOI, but project level HRA will be required.</td>
<td>--</td>
<td>--</td>
<td>Note need for project level HRA for any sea defence works.</td>
<td>Noted, no action required</td>
<td>No further HRA relevant changes at Modifications</td>
</tr>
<tr>
<td>Challenge 9</td>
<td>Allowing internationally protected species to thrive</td>
<td>No</td>
<td>Clear explanation of protection requirements and implications of growth on European sites in the absence of measures to protect them.</td>
<td>--</td>
<td>--</td>
<td>Suggest change ‘species’ to ‘wildlife’ to cover both species and habitats</td>
<td>‘Species’ changed to ‘wildlife’. Subsequently changed within Modifications to reflect NE advice to use the term ‘European and internationally important sites’</td>
<td>Screening recommendations undertaken are to correct terminology, not plan level mitigation requiring further assessment. Further corrections at Modifications reflect NE advice. No further HRA relevant changes at Modifications</td>
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<td>Challenge 10</td>
<td>Carefully managing growth to maintain Poole’s local distinctiveness</td>
<td>LSE</td>
<td>The challenge of retaining wildlife corridors whilst accommodating growth should be referenced, in recognition of the limited undeveloped corridors linking urban heaths to wider countryside.</td>
<td>Add reference to undeveloped urban fringe providing important wildlife corridors</td>
<td>Recommended modification will remove LSE</td>
<td>--</td>
<td>Inserted into Challenge 10 “It is also important to retain wildlife corridors linking urban heaths to wider countryside.”</td>
<td>Screening recommendations undertaken are to ensure biodiversity duties are clear, not plan level mitigation requiring further assessment</td>
</tr>
<tr>
<td>Vision</td>
<td>The aspiration for Poole in 2033</td>
<td>No</td>
<td>Vision adequately incorporates protection and maintenance of European sites as an integral part.</td>
<td>--</td>
<td>--</td>
<td>--</td>
<td>No action required</td>
<td>No further HRA relevant changes at Modifications</td>
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<tr>
<td>Strategy Objective 1</td>
<td>To transform and revitalise Poole town centre</td>
<td>LSE</td>
<td>Add in reference to protecting natural assets</td>
<td>Could add reference to Poole Harbour SPA at the 2nd bullet point</td>
<td>Recommended modification will remove LSE</td>
<td>--</td>
<td>Amended first two bullets to read “creation of a distinctive, attractive and safe urban environment within the natural setting of Poole harbour; significant redevelopment providing 6,000 new homes and supporting leisure, retail, community and commercial development, in balance with protection of the harbour and its important wildlife;”</td>
<td>Screening recommendations undertaken are to ensure designated site duties are clear, not plan level mitigation requiring further assessment</td>
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<td>Strategy Objective 2</td>
<td>Meeting all housing needs LSE</td>
<td>An increase from 10,000 for the plan period in the Core Strategy, to 14,200 for the new plan, based on the objectively assessed housing need for the HMA</td>
<td>Needs more detailed consideration - Go to AA</td>
<td>AA needs to consider in more detail the implications at least 14,200 new homes in the Borough of Poole, particularly in terms of recreation pressure.</td>
<td>--</td>
<td>Consider recommendations of AA</td>
<td>Pre-submission AA undertaken to resolve. No further HRA relevant changes at Modifications</td>
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<tr>
<td>Strategy Objective 3</td>
<td>Poole’s economy remains strong and continues to grow No</td>
<td>Economic growth and proposed allocations have been checked - do not pose risks to European sites</td>
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<td>--</td>
<td>No action required</td>
<td>No further HRA relevant changes at Modifications</td>
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<tr>
<td>Strategy Objective 4</td>
<td>Enhance and better connect Poole’s network of strong, healthy and active communities No</td>
<td>Relates to public health only.</td>
<td>--</td>
<td>--</td>
<td>Wider benefits of SANGs should be recognised and promoted. Suggest adding “and natural greenspaces” to the end of the last bullet.</td>
<td>Last bullet amended to read “protecting and enhancing public open space and natural greenspaces.”</td>
<td>Screening recommendations undertaken are to ensure biodiversity duties are clear, not plan level mitigation requiring further assessment</td>
<td></td>
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<tr>
<td>Strategy Objective 5</td>
<td>Enhancing the outstanding natural setting and built environment of Poole No</td>
<td>Strong protective objective for European sites, clearly explained.</td>
<td>--</td>
<td>--</td>
<td>--</td>
<td>No action required</td>
<td>No further HRA relevant changes at Modifications</td>
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<tr>
<td>Strategy Objective 6</td>
<td>Promoting sustainable, safe and convenient access</td>
<td>No</td>
<td>Predominantly focuses on sustainable travel. Transport schemes will be checked elsewhere.</td>
<td>--</td>
<td>--</td>
<td>--</td>
<td>No action required</td>
<td>No further HRA relevant changes at Modifications</td>
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<tr>
<td>Strategy Objective 7</td>
<td>Protecting Poole from the challenges of climate change</td>
<td>No</td>
<td>Protection measures unlikely to affect European sites, but project level HRA may be required.</td>
<td>--</td>
<td>--</td>
<td>The plan would benefit from a reference here to facilitating change in the natural environment to enable it to be more resilient to climate change (for example, protecting wildlife corridors).</td>
<td>Added a new bullet: “enabling the natural environment to be more resilient to climate change such as protecting wildlife corridors that link fragments of urban heaths with the wider countryside;”</td>
<td>No further HRA relevant changes at Modifications</td>
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</table>

Note: Additional notes include the added bullet point regarding enabling the natural environment to be more resilient to climate change.
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<tr>
<td>PP1</td>
<td>Presumption in favour of sustainable development</td>
<td>LSE</td>
<td>Presumption in favour does not apply where there is a likely significant effect on European sites. Policy does make reference to protecting sites, but could be re-worded to give clarity and fully accord with NPPF</td>
<td>Suggested amended policy text “This assumption does not apply where there are likely significant effects on internationally protected sites. The Council will ensure that effective mitigation measures are provided to prevent adverse effects, before allowing such development to proceed”</td>
<td>Recommended modification will remove LSE</td>
<td>--</td>
<td>Last para in policy replaced with suggested text “This assumption does not apply where there are likely significant effects on European and internationally important protected sites. The Council will ensure that effective mitigation measures are provided to prevent adverse effects, before allowing such development to proceed”</td>
<td>Screening recommendations undertaken are for clarity re HRA requirements at the project level, not plan level mitigation requiring further assessment. \nChanges at Modifications are to correct terminology, not plan level mitigation requiring further assessment.</td>
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<td>PP2</td>
<td>Amount and broad location of development</td>
<td>LSE</td>
<td>14,200 net new homes to meet Poole's housing needs up to 2033, directed to Poole town centre, district and local centres, transport corridors. 2 urban extensions are to be enabled as a result of Green Belt boundary changes – North of Bearwood and North of Merley (together providing for a minimum of 1,300 homes). Supporting text refers to delivery of mitigation measures at pace with housing growth. SANGs delivery for heathland mitigation and nitrogen neutral approach for Poole Harbour.</td>
<td>Needs more detailed consideration - Go to AA</td>
<td>Further assessment of total housing provision and housing locations required in more detail. 14,200 homes = a 21% increase in housing from current levels. Mitigation measures have been developed over a number of years and now need to adapt to increased housing levels. AA to check in more detail for certainty of capacity and timely delivery.</td>
<td>--</td>
<td>Consider recommendations of AA</td>
<td>Pre-submission AA undertaken to resolve. Changes at Modifications are minor and not of relevance to HRA</td>
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<td>PP3</td>
<td>Poole Town Centre Strategy</td>
<td>LSE</td>
<td>New neighbourhood around Twin Sails Bridge – enhancing access around Poole Harbour, and the allocation of a minimum of 6,000 homes for Poole town centre.</td>
<td>Needs more detailed consideration - Go to AA re development in the Poole Harbour area. Note that flood defences are outside the SPA but improvements may need project level HRA.</td>
<td>AA needs to consider in more detail the implications for 6,000 new homes in Poole town centre, and enhanced access to Poole Harbour (noting that the shoreline by the quayside is within the SPA and Backwater Channel is part of the proposed SPA extension). Cross reference back to previous HRA work needs to be made.</td>
<td>--</td>
<td>Consider recommendations of AA</td>
<td>Pre-submission AA undertaken to resolve. Changes at Modifications are minor and not of relevance to HRA.</td>
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<td>PP4</td>
<td>Town Centre North Regeneration Area</td>
<td>LSE</td>
<td>Allocations T1 to T6 include residential development as part of mixed use sites in the town.</td>
<td>Needs more detailed consideration - Go to AA</td>
<td>AA to check town centre residential developments in relation to mitigation measures capacity, including SANGs, SAMM and nitrogen measures</td>
<td>--</td>
<td>Consider recommendations of AA</td>
<td>Pre-submission AA undertaken to resolve. Changes at Modifications are minor and not of relevance to HRA.</td>
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<td>PPS</td>
<td>Twin Sails Regeneration Area</td>
<td>LSE</td>
<td>Allocations T7 to T11 all adjoin the SPA (or pSPA)</td>
<td>Needs more detailed consideration - Go to AA</td>
<td>As above, AA to check town centre residential developments in relation to mitigation measures capacity, including SANGs, SAMM and nitrogen measures, but also need to consider development design due to close proximity to SPA/pSPA. Cross reference back to previous HRA work needs to be made</td>
<td>--</td>
<td>Consider recommendations of AA</td>
<td>Pre-submission AA undertaken to resolve. Changes at Modifications include additional reference to strategic mitigation measures, providing clarity to project level HRA. Other changes are minor and not of relevance to HRA.</td>
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<td>PP6</td>
<td>High Street, Quay and Old Town</td>
<td>LSE</td>
<td>Allocations T12 to T15 all in close proximity to the SPA (or pSPA)</td>
<td>Needs more detailed consideration - Go to AA</td>
<td>As above, AA to check town centre residential developments in relation to mitigation measures capacity, including SANGs, SAMM and nitrogen measures, but also need to consider development design due to close proximity to SPA/pSPA</td>
<td>--</td>
<td>Consider recommendations of AA</td>
<td>Pre-submission AA undertaken to resolve. Changes at Modifications are minor and not of relevance to HRA.</td>
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<td>PP7</td>
<td>Facilitating a step change in housing delivery</td>
<td>LSE</td>
<td>The local plan evidence base identifies an objectively assessed housing need of 14,200 new homes, with a 1,300-home shortfall in housing sites, leading to a Green Belt Review conclusion of exceptional circumstances necessary to allow Green Belt release for housing. A ‘step change’ in delivery is required due to the slow progression of housing growth over the economic downturn.</td>
<td>Needs more detailed consideration - Go to AA</td>
<td>Further assessment of total housing provision and housing locations required in more detail. 14,200 homes = a 21% increase in housing from current levels. Mitigation measures have been developed over a number of years and now need to adapt to increased housing levels. AA to check in more detail for certainty of capacity and timely delivery, including the increasing annual delivery figures towards the end of the plan period.</td>
<td>Positive introduction recognising the contribution of the natural environment to the desirable location to live.</td>
<td>Consider recommendations of AA</td>
<td>Pre-submission AA undertaken to resolve. Changes at Modifications include correction of European site terminology, and also improve the explanation of requirements relating to strategic mitigation, giving commitment to the continued progression of strategic mitigation approaches and their review. This is confirmation relating to mitigation that has already been assessed at AA. Other changes are minor and not of relevance to HRA.</td>
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<td>PP8</td>
<td>Type and mix of housing</td>
<td>LSE</td>
<td>Relates to housing types only, all net increases of any housing type need to be mitigated for.</td>
<td>The plan needs to state that any housing type that is excluded from making mitigation payments will be accounted for by other means.</td>
<td>--</td>
<td>--</td>
<td>Sentence added to supporting text to 9.48 “All residential types that result in a net increase in dwellings will need to be accounted for through Council monitoring to secure the appropriate amount of mitigation”</td>
<td>Screening recommendations undertaken are for clarity re HRA requirements at the project level, not plan level mitigation requiring further assessment. Mitigation already established through previous AA work. Changes at Modifications are minor and not of relevance to HRA.</td>
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<tr>
<td>PP9</td>
<td>Urban allocations outside the town centre</td>
<td>LSE</td>
<td>16 sites (U1-U16) allocated for development outside Poole town centre, mixed use including housing and/or care homes.</td>
<td>U10 needs clarification for nursing care home only as within 400m of the heaths to remove LSE. Other sites all need mitigation options checking in more detail at AA.</td>
<td>General concerns in relation to mitigation capacity and timely delivery, but also specifically in relation to site locations – For example, U1 is close to Poole Harbour shore and recreation mitigation needs to be checked, U2 is an existing permission but may needs a re-check re foraging Nightjar, U4 is close to Ham Common.</td>
<td>--</td>
<td>Site U10 amended to read “The care home must be restricted to full nursing home provision, providing necessary nursing care, such as for advanced dementia or physical nursing needs, due to location within 400 metre heathland buffer”</td>
<td>Consider recommendations of AA for all other sites</td>
</tr>
</tbody>
</table>

Screening recommendations undertaken are for clarity re HRA requirements at the project level, not plan level mitigation requiring further assessment. Mitigation already established through previous AA work.

Changes at Modifications improve the explanation of requirements relating to strategic mitigation. And conform with AA recommendations. Increase in number of dwellings for U3 is still accommodated for by strategic level mitigation, as detailed in the AA. Other changes are minor and not of relevance to HRA.
<table>
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<th>Explanation of LSE conclusion</th>
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</thead>
<tbody>
<tr>
<td>PP10</td>
<td>Strategic Urban Extensions</td>
<td>LSE</td>
<td>North of Bearwood – 800 homes North of Merley – 500 homes</td>
<td>Needs more detailed consideration - Go to AA</td>
<td>General concerns in relation to mitigation capacity and timely delivery, but also specifically in relation to site locations – more detailed check of master/concept plans and mitigation proposed, including foraging Nightjar issues at Bearwood. Note – extensive discussions on European site matters with developers to date, this now needs bringing into the AA.</td>
<td>--</td>
<td>Consider recommendations of AA</td>
<td>Pre-submission AA undertaken to resolve.</td>
</tr>
<tr>
<td>PP11</td>
<td>Affordable housing</td>
<td>LSE</td>
<td>Relates to affordable housing provision only, all net increases of any housing type need to be mitigated for.</td>
<td>The plan needs to state that any housing type that is excluded from making mitigation payments will be accounted for by other means.</td>
<td>--</td>
<td>--</td>
<td>Clarify in 9.48 added to supporting text “All residential types that result in a net increase in dwellings will need to be accounted for through Council monitoring to secure the appropriate amount of mitigation”</td>
<td>Screening recommendations undertaken are to ensure designated site duties are clear, not plan level mitigation requiring further assessment. Changes at Modifications are minor and not of relevance to HRA.</td>
</tr>
<tr>
<td>PP12</td>
<td>Housing for an ageing population</td>
<td>LSE</td>
<td>Reference to care home provision within 400m of European heathland sites needs clarification</td>
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<td>Care homes providing partial or full residential care only should not be permitted within the 400m zone. Make specific reference to nursing homes in the description, for example “the type of care home will be limited to full nursing home provision only, providing necessary nursing care, such as for advanced dementia or physical nursing needs.”</td>
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New para added before policy PP12 at 6.60 states “Certain types of care home are allowed within the 400 metre heathland buffer. These exceptions to the general principle of not permitting new housing within the 400m buffer are limited to full nursing home provision, where nursing care is necessary such as for advanced dementia or physical nursing needs. This is because pets can be easily restricted and residents are not expected to visit the nearby heathland. Therefore in terms of mitigation for European and internationally important protected sites, residential care home spaces are treated as net increases in dwellings requiring mitigation, whereas nursing homes spaces are exempt.”.

Policy amended to read:

(1) (a) “nursing homes providing for advanced dementia or physical nursing needs are acceptable in less accessible locations”

(1) (c) “in the instance of a care home development proposed within the 400-metre heathland buffer, the type of care home will be limited to full nursing home provision only, providing

Screening recommendations undertaken relate to clarity in term of the application of strategic mitigation, already rested at AA. Therefore, not new plan level mitigation requiring further assessment.

Changes at Modifications are minor and not of relevance to HRA.
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</thead>
<tbody>
<tr>
<td>PP13</td>
<td>Housing for multi-generational and extended families</td>
<td>No</td>
<td>Previous HRA work undertaken has established a principle that annexes do not constitute a net increase in dwellings.</td>
<td>--</td>
<td>--</td>
<td>--</td>
<td>No action required</td>
<td>Changes at Modifications are minor and not of relevance to HRA.</td>
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necessary nursing care, such as for advanced dementia or physical nursing needs”.

Chapter 9 text amended to read
“Natural England advises that additional residential development should not be permitted within 400 metres of a designated heathland. However, there can be exceptions to this for certain types of care homes (restricted to full nursing home provision, providing necessary nursing care, such as for advanced dementia or physical nursing needs,) where residents are unable to freely leave to walk on the heath or keep pets” Additional reference also added to other land uses being considered on a case by case basis.

PP13 | Housing for multi-generational and extended families | No | Previous HRA work undertaken has established a principle that annexes do not constitute a net increase in dwellings. | -- | -- | -- | No action required | Changes at Modifications are minor and not of relevance to HRA. |
<table>
<thead>
<tr>
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</thead>
<tbody>
<tr>
<td>PP14</td>
<td>Talbot Village – Houses in Multiple Occupation</td>
<td>No</td>
<td>Previous HRA work undertaken has established a principle that HMOs do not constitute a net increase in dwellings.</td>
<td>--</td>
<td>--</td>
<td>--</td>
<td>No action required</td>
<td>Changes at Modifications are minor and not of relevance to HRA.</td>
</tr>
<tr>
<td>PP15</td>
<td>Meeting the needs of gypsy and travellers</td>
<td>No</td>
<td>No site allocations, states an evolving approach and working with neighbouring authorities on a ‘Dorset Gypsy and Traveller Site Allocations Plan’</td>
<td>--</td>
<td>--</td>
<td>Dorset Gypsy and Traveller Site Allocations Plan’ will need HRA</td>
<td>No action required</td>
<td>No further HRA relevant changes at Modifications</td>
</tr>
<tr>
<td>PP16</td>
<td>Employment areas</td>
<td>No</td>
<td>Economic growth proposals – no identifiable risks to European sites</td>
<td>--</td>
<td>--</td>
<td>Project level HRA may be required, especially if other uses are pursued.</td>
<td>No action required</td>
<td>Changes at Modifications are minor and not of relevance to HRA.</td>
</tr>
<tr>
<td>PP17</td>
<td>Employment site allocations</td>
<td>LSE</td>
<td>Uses should not pose a risk to European site, but note that some allocations are close to European sites. They have been the subject of HRA at either the allocation, SPD or project level. – see Magna notes below.</td>
<td>See notes below re Magna</td>
<td>--</td>
<td>Whilst all have been the subject of plan level HRA, project level HRA will need to build on the plan level work and mitigation measures in more detail (e.g. finalising SANGs)</td>
<td>No action required</td>
<td>Changes at Modifications are minor and not of relevance to HRA.</td>
</tr>
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</table>
| PP18   | Magna Business Park | LSE | Close to heaths and also nightjar foraging locations | Look at the proposal in more detail as part of AA | Check proposals will have necessary restrictions and protection for heaths and foraging Nightjar, check access design. | This proposal is part of a live planning application with a number of HRA related matters yet to be resolved | Consider recommendations of AA  
Note that during the preparation of this HRA report, matters were resolved and approval given. | Pre-submission AA undertaken to resolve.  
Changes at Modifications are minor and not of relevance to HRA. |
| PP19   | Poole Port | No | Uses should not pose a risk, but the potential is already flagged in supporting text in relation to need for project level HRA and requirement to ensure no AEOI | -- | -- | -- | No action required | Changes at Modifications are minor and not of relevance to HRA. |
| PP20   | Investment in education | LSE | Education facility proposals mainly no identifiable risks to European sites other than site at Creekmoor which is partly within the 400m buffer Talbot Village to be checked due to proximity to Talbot Heath | Look at the proposal in more detail as part of AA | Check the Creekmoor site proposals in more detail (within 400m of SPA)  
Main Modifications – Check the Talbot Village proposals in more detail | Project level HRA may be required outside the buffer, depending on locations. | Consider recommendations of AA  
Note that at Modifications the AA has been updated to consider all changes in relation to Talbot Village.  
Other changes at Modifications are not of relevance to HRA | Pre-submission AA undertaken to resolve.  
AA updated at Modifications to consider all changes in relation to Talbot Village.  
Other changes at Modifications are not of relevance to HRA |
<p>| PP21   | Retail and town centre uses | No | Town centre shopping – no impact pathways or risks to European sites | -- | -- | -- | No action required | Changes at Modifications are not of relevance to HRA |</p>
<table>
<thead>
<tr>
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<tbody>
<tr>
<td>PP22</td>
<td>Tourism and the evening/night-time economy</td>
<td>No</td>
<td>Protective wording in place in relation to tourist attractions and accommodation. Does not promote accommodation increases in any location.</td>
<td>--</td>
<td>--</td>
<td>--</td>
<td>No action required</td>
<td>Changes at Modifications are minor and not of relevance to HRA.</td>
</tr>
<tr>
<td>PP23</td>
<td>Green Infrastructure</td>
<td>LSE</td>
<td>This policy secures some of the necessary mitigation. Need to ensure it covers all requirements.</td>
<td>Need to revisit alongside AA as provides mitigation.</td>
<td>Ensure all GI requirements for mitigation are covered in light of AA findings</td>
<td>--</td>
<td>Consider recommendations of AA</td>
<td>Pre-submission AA undertaken to resolve. Changes at Modifications are minor and not of relevance to HRA.</td>
</tr>
<tr>
<td>PP24</td>
<td>Open space and allotments</td>
<td>No</td>
<td>Open space provision is separate to SANGs provision</td>
<td>--</td>
<td>--</td>
<td>--</td>
<td>No action required</td>
<td>Changes at Modifications are minor and not of relevance to HRA.</td>
</tr>
<tr>
<td>PP25</td>
<td>Sports, recreation and community facilities</td>
<td>No</td>
<td>Formal recreation/sports provision is separate to SANGs provision</td>
<td>--</td>
<td>--</td>
<td>--</td>
<td>No action required</td>
<td>Changes at Modifications are not of relevance to HRA.</td>
</tr>
<tr>
<td>PP26</td>
<td>Design</td>
<td>No</td>
<td>Qualitative design requirements – no risks</td>
<td>--</td>
<td>--</td>
<td>--</td>
<td>No action required</td>
<td>Changes at Modifications are minor and not of relevance to HRA.</td>
</tr>
<tr>
<td>PP27</td>
<td>Flats and plot severance</td>
<td>No</td>
<td>Provision of adequate parking and communal facilities where blocks of flats are built – no risks</td>
<td>--</td>
<td>--</td>
<td>--</td>
<td>No action required</td>
<td>Changes at Modifications are minor and not of relevance to HRA.</td>
</tr>
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<td>Policy</td>
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<tr>
<td>PP28</td>
<td>Tall buildings</td>
<td>LSE</td>
<td>Reference is made to ecological impacts, but the policy should make clear that this in particular relates to bird flight lines and lighting.</td>
<td>Change the word ‘minimise’ in part d) of the policy to ‘avoid’ as the sentence refers to adverse impacts, which need to be prevented not minimised. Add reference to flight lines, lighting and solid vertical planes of mirrored glass as key risks, either within the policy wording or in supporting text.</td>
<td>--</td>
<td>--</td>
<td>Policy amended to “be positioned and designed to remove any adverse environmental, ecological and climatic impacts; including those on European and internationally important sites”</td>
<td>Added to supporting text at 9.15: “Furthermore, in order to remove any adverse impacts on European and international important protected birds, the building should be carefully designed to avoid key risks, such as flight lines, lighting and the appearance of solid vertical planes of mirrored glass.”</td>
</tr>
<tr>
<td>PP29</td>
<td>Heritage</td>
<td>No</td>
<td>Protective policy for the built and historic environment</td>
<td>--</td>
<td>--</td>
<td>--</td>
<td>No action required</td>
<td>Changes at Modifications are minor and not of relevance to HRA.</td>
</tr>
<tr>
<td>Policy</td>
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<tr>
<td>PP30</td>
<td>Poole’s coast and countryside</td>
<td>No</td>
<td>Reference in supporting text to European sites, and the policy includes protective wording</td>
<td>--</td>
<td>--</td>
<td>--</td>
<td>No action required</td>
<td>Changes at Modifications add further clarity re HRA requirements at the project level. Other modifications are minor and not of relevance to HRA.</td>
</tr>
<tr>
<td>PP31</td>
<td>Poole’s nationally and internationally protected sites</td>
<td>LSE</td>
<td>Policy sets out the mitigation approach developed over a number of years for the heathlands and harbour. These are strong and established mitigation methods, LSE relates to the need to make a minor but important change to the wording re care homes.</td>
<td>Change reference to care homes to “e.g. nursing homes such as those limited to advanced dementia and physical nursing needs”</td>
<td>Note that whilst the policy is protective, the SANGs element will be further checked at AA.</td>
<td>Care homes providing partial or full residential care only should not be permitted within the 400m</td>
<td>Policy amended as suggested to state “e.g. nursing homes such as those limited to advanced dementia and physical nursing needs” Consider recommendations of AA</td>
<td>Screening recommendations undertaken are to ensure conformity with strategic mitigation for designated sites, already tested through AA. Changes at Modifications are in accordance with Pre-submission stage AA and strengthen this policy to ensure compliance with strategic mitigation already in place and tested through AA.</td>
</tr>
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<tr>
<td>PP32</td>
<td>Biodiversity and geodiversity</td>
<td>LSE</td>
<td>Wholly positive for the natural environment, but does not recognise the need for biodiversity restoration to halt declines, thus securing and maintaining the wider ecosystems that support and connect with European sites</td>
<td>Needs more detailed consideration - Go to AA</td>
<td>Further strengthening in terms of biodiversity net gain, in accordance with NPPF/NPPG and Lawton principles, for the benefit of designated and non-designated biodiversity assets</td>
<td>-</td>
<td>Consider recommendations of AA</td>
<td>Changes at Modifications are in accordance with Pre-submission stage AA and strengthen this policy to ensure compliance with biodiversity legislation, national policy and good practice, which in turn supports European sites. Policy strengthening is not mitigation requiring further assessment.</td>
</tr>
<tr>
<td>PP33</td>
<td>Transport Strategy</td>
<td>LSE</td>
<td>The Local Transport Plan/Strategy is referenced. Para 10.9 states The Council will continue to investigate the potential for an improved connection linking Poole to the A31 through the Local Transport Plan process. Therefore no proposals/decisions at this stage but should be flagged as needing project level HRA due to potential risks</td>
<td>Needs more detailed consideration - Go to AA</td>
<td>AA to refer to early consideration of transport schemes in relation to air quality</td>
<td>Note requirement for project level HRA</td>
<td>Consider recommendations of AA</td>
<td>Pre-submission AA undertaken to resolve. Changes at Modifications are environmentally positive with the addition of are quality considerations, and do not require any assessment</td>
</tr>
<tr>
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<tr>
<td>PP34</td>
<td>A safe, connected and accessible transport network</td>
<td>LSE</td>
<td>A qualitative policy, LSE triggered by the need to strengthen wording in relation to air quality, as measures other than active travel may be necessary.</td>
<td>Add to the last sentence of the policy text “...or appropriate measures to prevent adverse effects on designated wildlife sites.”</td>
<td>--</td>
<td>--</td>
<td>Last sentence of policy now states “Any potential significant impact on local air quality will require proportionate mitigation measures to support active travel (walking and cycling) and public transport use or appropriate measures to prevent adverse effects, either alone or in combination, on European and internationally important protected sites”.</td>
<td>Screening recommendations undertaken are to ensure designated site requirements are clear at the project level HRA. Changes at Modifications are similarly for clarity and correct text to give cross policy consistency only.</td>
</tr>
<tr>
<td>PP35</td>
<td>Safeguarding Strategic transport schemes</td>
<td>LSE</td>
<td>A list of possible transport schemes/road improvements for site safeguarding. May pose risks depending on location (pollution of heaths, loss of supporting habitat etc.)</td>
<td>Needs more detailed consideration - Go to AA</td>
<td>AA needs to refer to the transport schemes and need for early HRA checks re air pollution</td>
<td>--</td>
<td>Consider recommendations of AA</td>
<td>Pre-submission AA undertaken to resolve. Changes at Modifications are minor and not of relevance to HRA.</td>
</tr>
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<tr>
<td>PP36</td>
<td>Adapting Poole to climate change</td>
<td>No</td>
<td>An environmentally positive policy. Potential for LSE from renewable energy, but the policy does not refer to locations, and includes the need for proposals to be suitable for the location</td>
<td>--</td>
<td>--</td>
<td>May require project level HRA</td>
<td>No action required</td>
<td>Changes at Modifications are minor and not of relevance to HRA.</td>
</tr>
<tr>
<td>PP37</td>
<td>Managing flood risk</td>
<td>No</td>
<td>Flood defences are in place and improvements should not lead to AEOI, but project level HRA will be required.</td>
<td>--</td>
<td>--</td>
<td>Note need for project level HRA for any sea defence works. FRMS has been the subject of HRA – projects need to refer to this.</td>
<td>No action required</td>
<td>Changes at Modifications are minor and not of relevance to HRA. Addition of clarity in relation to SUDs is environmentally positive and will be of benefit to biodiversity.</td>
</tr>
<tr>
<td>PP38</td>
<td>Delivering Poole’s Infrastructure</td>
<td>No</td>
<td>Legal mechanisms for delivering infrastructure, including green infrastructure required for European site mitigation, therefore policy supports mitigation delivery. Use of S106 or S111 gives certainty.</td>
<td>--</td>
<td>--</td>
<td>--</td>
<td>No action required</td>
<td>Changes at Modifications are for correction of European site terminology only.</td>
</tr>
<tr>
<td>PP39</td>
<td>Viability</td>
<td>No</td>
<td>Only stipulates the need for viability justifications on major development – no relationship or risk</td>
<td>--</td>
<td>--</td>
<td>--</td>
<td>No action required</td>
<td>Changes at Modifications are not of relevance to HRA.</td>
</tr>
<tr>
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<tr>
<td>Monitoring and Review</td>
<td>Commitment to monitoring policy progression</td>
<td>LSE</td>
<td>Overall housing targets risk LSE, as to be detailed in the AA. Monitoring is an important aspect of the suite of mitigation measures.</td>
<td>Needs more detailed consideration - Go to AA</td>
<td>--</td>
<td>--</td>
<td>Consideration of the role of mitigation monitoring is part of the AA</td>
<td>Pre-submission AA undertaken to resolve.</td>
</tr>
<tr>
<td>Appendix 1</td>
<td>Monitoring</td>
<td>LSE</td>
<td>Was not finalised for preparation of HRA report, but conclusions as above.</td>
<td>Needs more detailed consideration - Go to AA</td>
<td>--</td>
<td>--</td>
<td>Consideration of the role of mitigation monitoring is part of the AA</td>
<td>Pre-submission AA undertaken to resolve.</td>
</tr>
<tr>
<td>Appendix 2</td>
<td>Changes to the Policies Map</td>
<td>No</td>
<td>Was not finalised for preparation of HRA report, but LSE unlikely as changes themselves do not constitute a risk.</td>
<td>--</td>
<td>--</td>
<td>--</td>
<td>No action required</td>
<td>No further HRA relevant changes at Modifications</td>
</tr>
<tr>
<td>Appendix 3</td>
<td>List of Deleted Policies</td>
<td>No</td>
<td>Protective policies will be replaced with new policy wording in the new plan</td>
<td>--</td>
<td>--</td>
<td>--</td>
<td>No action required</td>
<td>No further HRA relevant changes at Modifications</td>
</tr>
<tr>
<td>Appendix 4</td>
<td>Glossary</td>
<td>No</td>
<td>Information to assist with reading the local plan only</td>
<td>--</td>
<td>--</td>
<td>--</td>
<td>No action required</td>
<td>No further HRA relevant changes at Modifications</td>
</tr>
</tbody>
</table>

Additional Main Modifications not linked to policy numbers
<table>
<thead>
<tr>
<th>Policy</th>
<th>Description</th>
<th>LSE</th>
<th>Explanation of LSE conclusion</th>
<th>Action required to remove LSE</th>
<th>Appropriate assessment recommendations</th>
<th>Additional notes</th>
<th>BoP action taken</th>
<th>Modifications screening</th>
</tr>
</thead>
<tbody>
<tr>
<td>MM40</td>
<td>Text changes at 3.17 in relation to gypsy and traveller pitches</td>
<td>No</td>
<td>--</td>
<td>--</td>
<td>--</td>
<td>--</td>
<td>--</td>
<td>Modifications relate to the requirements for gypsy and traveller pitches. Changes not of relevance to HRA, but any additional pitches will need to adhere to strategic mitigation requirements for European sites.</td>
</tr>
<tr>
<td>MM41</td>
<td>Text changes at 5.3</td>
<td>No</td>
<td>--</td>
<td>--</td>
<td>--</td>
<td>--</td>
<td>--</td>
<td>Modifications are not relevant to HRA.</td>
</tr>
<tr>
<td>MM42</td>
<td>Text changes at 6.33</td>
<td>No</td>
<td>--</td>
<td>--</td>
<td>--</td>
<td>--</td>
<td>--</td>
<td>Modifications are not relevant to HRA.</td>
</tr>
<tr>
<td>MM43</td>
<td>Text changes at 6.37</td>
<td>No</td>
<td>--</td>
<td>--</td>
<td>--</td>
<td>--</td>
<td>--</td>
<td>Modifications are not relevant to HRA.</td>
</tr>
<tr>
<td>MM44</td>
<td>Text changes at 7.32</td>
<td>LSE</td>
<td>Representation re Talbot Village needs to be addressed within the HRA</td>
<td>--</td>
<td>AA to be added to Modifications stage to address concerns</td>
<td>--</td>
<td>--</td>
<td>Modifications make reference to the importance of Talbot Heath, highlighting importance for taking forward the Talbot Village SPD. Text provides clarity and is considered as an additional section within the AA. Other text additions at Modifications are not of relevance to HRA.</td>
</tr>
<tr>
<td>MM45</td>
<td>Text changes at 9.23</td>
<td>No</td>
<td>--</td>
<td>--</td>
<td>--</td>
<td>--</td>
<td>--</td>
<td>Modifications are not of relevance to HRA.</td>
</tr>
<tr>
<td>MM46</td>
<td>Text changes at 10.2</td>
<td>No</td>
<td>--</td>
<td>--</td>
<td>--</td>
<td>--</td>
<td>--</td>
<td>Modifications are not of relevance to HRA.</td>
</tr>
</tbody>
</table>