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Core Strategy for the Borough of Poole

Habitats Regulations Assessment

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1. Introduction

1.1 Background to the Habitats Regulations Assessment

The Conservation (Natural Habitats &c.) Regulations 1994, normally referred to as the 'Habitats Regulations,' transpose the requirements of the European Habitats Directive 1992¹ into UK law. The EC Habitats Directive and UK Habitats Regulations afford protection to plants, animals and habitats that are rare or vulnerable in a European context.

Earlier European legislation, known as the Birds Directive 1979², protects rare and vulnerable birds and their habitats and includes the requirement for all Member States to classify 'Special Protection Areas' (**SPA**) for birds. This involves each State identifying the most suitable areas of land, water and sea for the protection of rare and vulnerable species listed in the Directive, and areas which are important for migratory species, such as large assemblages of waterfowl.

The Habitats Directive increased the protection afforded to plants, habitats and animals other than birds, through stricter protection of species and by the creation of 'Special Areas of Conservation' (**SAC**). This required each State, working in bio-geographical regions, to designate the best areas for habitats and species listed in annexes to the Directive. Article 6(1) and (2) of the Habitats Directive impose duties on Member States to establish ecological conservation management measures for these areas, to avoid deterioration of their natural habitats and the habitats of species, and to avoid significant disturbance of the species in the areas.

Importantly, by virtue of Article 7 of the Habitats Directive, the procedures relating to the protection of SAC equally apply to SPA. Article 7 of the Habitats Directive supersedes the previous requirements of the first sentence of Article 4(4) of the Birds Directive.

It should be noted that SPAs and SACs include European Marine Sites, which are designated sites below Highest Astronomical Tide. In addition, European Offshore Marine Sites (**EOMS**) are also part of the suite of internationally protected sites. Although outside the direct jurisdiction of local planning authorities, there is the potential for indirect effects upon European Offshore Marine Sites as a result of plans or projects under local planning authority control.

The UK is also a contracting party to the Ramsar Convention³. This 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 policy⁴. 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. Collectively proposed and classified SPA, SAC and EOMS are referred to in this assessment as European sites.

¹ Council Directive on the conservation of natural habitats and of wild fauna and flora of 21st May 1992 (92/43/EEC)

² Council Directive on the conservation of wild birds of 2nd April 1979 (70/409/EEC)

³ Convention on wetlands of international importance especially as waterfowl habitat, Ramsar, Iran, 2/2/71 as amended by the Paris protocol of 3/12/92 and the Regina amendments adopted at the extraordinary conference of contracting parties at Regina, Saskatchewan, Canada 28/5 – 3/6/87, most commonly referred to as the 'Ramsar Convention.'

⁴ Office of the Deputy Prime Minister, 2005, *Planning Policy Statement 9, Biodiversity and Geological Conservation*, paragraph 6.

Article 6(3) and (4) of the Habitats Directive, and Regulations 48 and 85A - 85E of the Habitats Regulations, impose duties on all public bodies to follow strict regulatory procedures in order to protect the European sites from the effects of plans or projects.

Until recently, the assessment of the potential effects of a spatial or land use plan upon European sites was not considered a requirement of the Habitats Directive. A judgment of the European Court of Justice⁵ required the UK to extend the requirements of Article 6(3) and (4) of the Directive to include the assessment of the potential effects of spatial and land use plans on European sites. The Habitats Regulations have been amended accordingly⁶.

It should be noted that the Habitats Regulations Assessment of the Core Strategy, a re-assessment of the Full Sail Ahead Regeneration Area and a Habitats Regulations Assessment of an application for outline planning permission on the former power station site within the Full Sail Ahead Regeneration Area were all commissioned by Poole Borough Council at the same time, and the authors of this Record are also the authors of the other two Habitats Regulations Assessment Records. As all three assessments were undertaken at the same time, there are numerous linkages between the documents. It is necessary however, to include as much information in each of the documents to ensure that they each form a robust Record without reliance upon the other Records. It is for this reason that some key sections inevitably appear in more than one of the three Records.

1.2 Outline of the Habitats Regulations Assessment process

The Habitats Regulations Assessment procedure is outlined in Figure 1 below, which illustrates the method of assessment in accordance with Regulation 85B. The site(s) affected could be in or outside the relevant plan area. Depending on the outcome of the Habitats Regulations Assessment, the LPA may need to amend the plan to eliminate or reduce potentially damaging effects on the European site. If adverse effects on the integrity of sites cannot be ruled out, the plan can only be adopted in accordance with Regulations 85C to 85E, where there are no alternative solutions that would have a lesser effect and there are imperative reasons of overriding public interest sufficient to justify adopting the plan despite its effects on the European site(s).

The Government is likely to expect that a plan will only need to proceed by way of these later tests in the most exceptional circumstances because a LPA should, where necessary, adapt the plan as a result of the Habitats Regulations Assessment, to ensure that it will not adversely affect the integrity of any European site. The considerations of Regulations 85C to 85E are not applicable in this case.

It will be seen that the key stages are screening, scoping, the 'Appropriate Assessment', introducing mitigation measures, consultation and recording the assessment.

This Habitats Regulations Assessment has taken account of published guidance and good practice, Department for Communities and Local Government, 2006, *Planning for the Protection of European Sites: Appropriate Assessment under The Conservation (Natural Habitats &c) (Amendment) (England and Wales) Regulations 2006: Guidance for Regional Spatial Strategies and Local Development Documents*; Office of the Deputy Prime Minister (ODPM), Circular 6/2005, Department for Environment Food and Rural Affairs Circular 1/2005, *Biodiversity and Geological Conservation: Statutory obligations and their impact within the planning system*; and Royal Society for the Protection of Birds, 2007, *The Appropriate Assessment of Spatial Plans in England: A guide to why, when and how to do it*.

⁵ ECJ case C-6/04, *Commission of the European Communities v United Kingdom of Great Britain and Northern Ireland*, 20th October 2005.

⁶ The addition of Part IVA (Regulations 85A-85E) to the Habitats Regulations in 2007, under the title "Appropriate Assessments for Land Use Plans in England and Wales".

This is the record of the assessment of the Core Strategy for the Borough of Poole, in terms of its potential implications for the European sites within and around the Borough of Poole. It has been undertaken by Footprint Ecology and David Tyldesley and Associates on behalf of the Council. The purpose of the assessment is to consider any negative effects that the plan may have upon any European site, in accordance with the tests set out in the Habitats Regulations.

Because the Core Strategy submission document has not yet been prepared, this assessment describes the iterative process of assessment and how it has influenced the emerging Strategy. It is not yet a record of a complete Habitats Regulations Assessment.

1.3 Introduction to the Core Strategy for Poole

The Core Strategy is informed by Regional Planning Policy, set out within the South West Regional Spatial Strategy (**RSS**). The Panel Report of the Examination in Public of the RSS was due to be published in December 2007, this will then be followed by the Secretary of State's Proposed Changes to the RSS. Poole has been identified within the draft Regional Spatial Strategy as a strategically significant town and has an important role to play in meeting economic and housing needs both locally and regionally. It has also been identified as one of the nation's select growth points and as such is expected to make a significant contribution towards housing delivery. This emphasis is reflected in the focus upon new housing, economic diversification and regeneration of the urban centre in the Core Strategy.

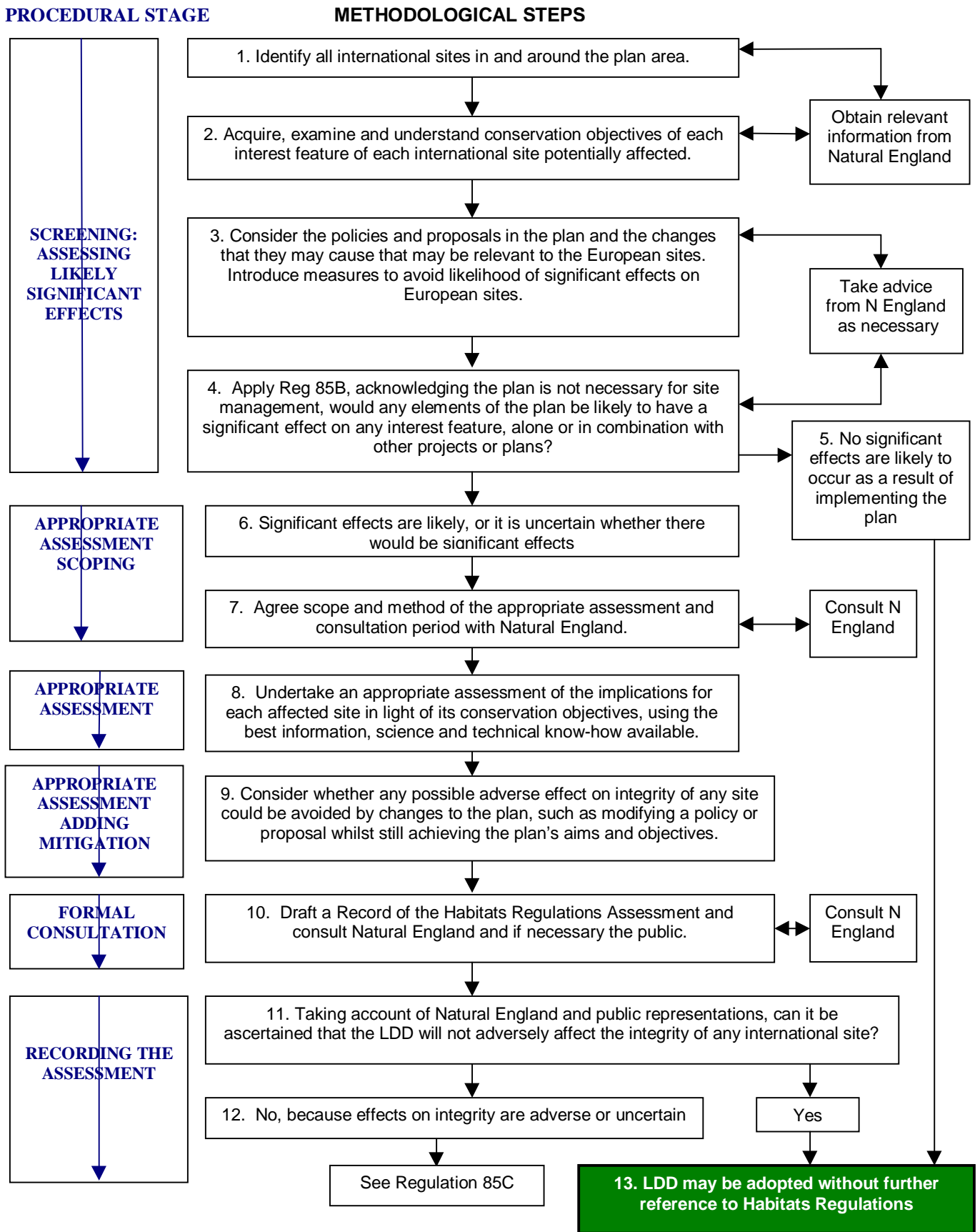
The Core Strategy sets the strategic context for the direction of sustainable development within the Borough of Poole over the next 20 years. Recent advice from The Planning Inspectorate reiterates that the Core Strategy should normally be seen as the lead document in any Local Development Framework⁷.

The Core Strategy is therefore the overarching plan within the Local Development Framework for the Borough of Poole, which will feed into the more detailed and specific policy documents that are also planned as part of the Local Development Framework. All aspects of the Core Strategy that may affect one or more European sites must be carefully considered, because the Core Strategy sets the priorities and direction for all subsequent development plan documents.

This is a complete Record of the Habitats Regulations Assessment of the Core Strategy for the Borough of Poole. Assessment commenced at the Preferred Options (post consultation) stage of the Core Strategy, and the Record documents all assessment work undertaken from that point onwards, up to the final check of the submission draft of the Core Strategy. The Record includes an account of all measures applied to ensure that the plan would not have an adverse effect on any European site, including any avoidance measures, mitigation measures or the pursuit of alternative options. The Record also includes notes of discussions or correspondence with the Council, Natural England and other stakeholders.

⁷ The Planning Inspectorate, 2007, Local Development Frameworks: Lessons learnt examining Development Plan Documents. Paragraph 1.22.

**FIGURE 1
OUTLINE OF THE PROCEDURE FOR HABITATS REGULATIONS ASSESSMENT**



2. European Sites Potentially Affected

(See Boxes 1 and 2 Figure 1)

The following information is sourced from the ecological and local knowledge of the Project Team, previous and current work with Natural England and also from information on the Joint Nature Conservation Committee (JNCC) website, and the Ramsar Site Information Service website.

All official citations and site descriptions for European sites and Ramsar sites can be found on the following web sites:

Natura 2000 European sites

<http://www.jncc.gov.uk/page-4>

Ramsar wetland sites

<http://www.wetlands.org/RSDB/default.htm>

2.1 Dorset Heathlands SPA

The Dorset Heaths were classified as a Special Protection Area in October 1998 pursuant to Article 43(1) of the Wild Birds Directive (Council Directive 79/409/EEC). This is a composite site of 8,168.8 ha and includes 40 Sites of Special Scientific Interest (**SSSIs**) in whole or in part.

The SPA qualified for classification under Article 4.1 of the Birds Directive, as it is used regularly by 1% or more of the Great Britain population of the species shown in Table 1.

Table 1. Estimated populations of Annex I species used for SPA designation

Annex I species	Est. Pop	%GB	Survey Date
Dartford warbler <i>Sylvia undata</i>	418-606 pairs	26.1%	1991/92 & 1994
Nightjar <i>Caprimulgus europaeus</i>	436+ pairs	12.8%	1991/92
Woodlark <i>Lullula arborea</i>	41-56 pairs	6.8%	1991/92 & 1994
Hen harrier <i>Circus cyaneus</i>	20, wintering	2.7%	1991/92
Merlin <i>Falco columbarius</i>	15, wintering	1.2%	1991/92

The conservation objectives for the SPA are to maintain, in favourable condition, the habitats for the populations of Annex 1 bird species (nightjar, woodlark, Dartford warbler, hen harrier and merlin) of European importance, with particular reference to their lowland heathland habitat.

The populations of the Annex I breeding species are monitored approximately every 10 years, as part of the national monitoring for each species. National surveys of nightjars took place in 1992 (Morris *et al.*, 1994) and 2004 (Conway *et al.*, 2007). The 2004 survey results for Dorset are summarised in (Lake, 2004). The most recent survey of woodlarks and Dartford warblers took place in 2006, the results of which are as yet unpublished. Previous surveys for woodlark were undertaken in 1996 (Wotton & Gillings, 2000) and for Dartford warbler in 1994 (Gibbons & Wotton, 1996).

2.2 Dorset Heaths SAC

Some 5,730.7 ha of the Dorset Heaths, including all or part of 37 SSSIs were also designated as a Special Area of Conservation in April 2005 under the EC Directive 92/43/EEC on the Conservation of Natural Habitats and of Wild Fauna and Flora ("The

Habitats Directive"). The Annex I habitats and species that are the primary reason for this designation are as follows:

- European dry heaths
- Northern Atlantic wet heaths with *Erica tetralix*
- Depressions on peat substrates with *Rhynchosporion*
- Southern damselfly *Coenagrion mercuriale*

Other habitats and species present as qualifying features, but not a primary reason for selection are:

- *Molinea* meadows on calcareous, peaty or clayey silt-laden soils
- Calcareous fens with *Cladium mariscus* and species of the *Caricion davallianae*
- Alkaline fens
- Old acidophilous oak woods with *Quercus robur* on sandy plains
- Great crested newt *Triturus cristatus*

2.3 Dorset Heathlands Ramsar site

In addition to the SPA classification and SAC designation, about 6,730 ha of the Dorset heathlands were also listed as a Ramsar site in October 1998, under criteria 1, 2 and 3 of the guidelines adopted under resolution VII.II of the Ramsar Convention⁸. Those criteria are as follows:

Under Ramsar Criterion 1

Contains particularly good examples of:

- north Atlantic wet heaths with *Erica tetralix*
- acid mire with *Rhynchosporion*.

Under Ramsar Criterion 2

Supports 1 nationally rare and 13 nationally scarce wetland plants and at least 28 nationally rare wetland invertebrate species

Under Ramsar Criterion 3

Has a high species richness and high ecological diversity of wetland types and transitions.

The heaths have been the focus of many detailed, long term, ecological studies, mainly led by the local ITE / CEH research station, which for many years was located locally at Furzebrook, in Purbeck. Of particular note are the successive heathland surveys that have documented the changes in extent, fragmentation and area of different heathland habitats within Dorset (Rose *et al.*, 2000; Webb, 1990).

2.4 Poole Harbour SPA

Under Article 4.1 of the of the Birds Directive, Poole Harbour qualifies by supporting populations of rare or vulnerable species listed in Annex I (Article 4.1) or regularly occurring migratory species (Article 4.2). Under Article 4.1, Poole Harbour is of European importance for breeding common tern *Sterna hirundo*, and Mediterranean gull *Larus melanocephalus*, passage aquatic warbler *Acrocephalus paludicola* and little egret *Egretta garzetta*, and wintering avocet *Recurvirostra avosetta* and little egret (JNCC 2001). Under Article 4.2, the Harbour also supports internationally important wintering populations of the Icelandic

⁸ Convention on wetlands of international importance especially as waterfowl habitat, Ramsar, Iran, 2/2/71 as amended by the Paris protocol of 3/12/92 and the Regina amendments adopted at the extraordinary conference of contracting parties at Regina, Saskatchewan, Canada 28/5 – 3/6/87, most commonly referred to as the 'Ramsar Convention.'

population of black-tailed godwit *Limosa limosa* and the North-western European population of wintering shelduck *Tadorna tadorna*. It is also a wetland of international importance by regularly supporting at least 20,000 waterfowl. These include six wader species, four species of duck, dark-bellied brent goose *Branta bernicla bernicla*, red-breasted merganser *Mergus serrator* and cormorant *Phalacrocorax carbo* as well as lesser numbers of other species.

The conservation objectives for Poole Harbour include the maintenance in favourable condition of the shallow inshore waters, intertidal sediment communities, saltmarsh and reedbed for the internationally important populations of regularly occurring Annex I and migratory bird species and the internationally important assemblage of waterfowl.

There is a considerable amount of data on the birds of Poole Harbour. Work funded by BP Ltd. and conducted by the RSPB in the mid 1980s provides useful context (Collins, 1985; 1986). The Harbour is surveyed annually as part of the national Wetland Bird Survey (WeBS). These data have been collated and analysed to provide comparative assessments of the important bird species within Poole Harbour (Pickess & Underhill-day, 2002; Pickess, 2007). Dedicated surveys of roost sites within the Harbour were conducted by Morrison (2004), and detailed mapping and surveying of the invertebrates that are the main prey of the key bird species was conducted by CEH (Thomas et al., 2004), the latter work to provide a baseline against which future verification of favourable condition could be established. A condition assessment of the Harbour was conducted by Footprint Ecology in 2006 (Underhill-Day, 2006).

The bird data is summarised in Underhill-Day (2006), which shows that populations of those bird species for which the harbour was designated as an SPA are mostly stable or increasing. Breeding numbers of common terns and Mediterranean gulls have been rising and the wintering populations of black-tailed godwits and avocets have also been increasing. Shelduck numbers have declined but at a lower rate than those nationally. The size of the overall assemblage of wintering waterfowl has declined, but wader numbers excluding lapwings (which have fallen considerably) have risen and wildfowl numbers show no clear trend. Some wader roosts are threatened by saltmarsh erosion and disturbance from people and boats. The fact that overall wader numbers are rising can mask impacts that prevent numbers increasing to their full potential within the protected site.

2.5 Poole Harbour Ramsar site

The Harbour is also designated as a Ramsar site, and qualifies under a range of criteria as follows:

Ramsar criterion 1

The site is the best and largest example of a bar-built estuary with lagoonal characteristics (a natural harbour) in Britain.

Ramsar criterion 2

The site supports two species of nationally rare plant and one nationally rare alga. There are at least three British Red data book invertebrate species.

Ramsar criterion 3

The site includes examples of natural habitat types of community interest - Mediterranean and thermo Atlantic halophilous scrubs, in this case dominated by *Suaeda vera*, as well as calcareous fens with *Cladium mariscus*. Transitions from saltmarsh through to peatland mires are of exceptional conservation importance as few such examples remain in Britain. The site supports nationally important populations of breeding waterfowl including Common tern, *Sterna hirundo* and Mediterranean gull *Larus melanocephalus*. Over winter the site also supports a nationally important population of Avocet *Recurvirostra avosetta*.

Ramsar criterion 5

Assemblages of international importance:

Species with peak counts in winter:

- 24,709 waterfowl (5 year peak mean 1998/99-2002/2003)

Ramsar criterion 6

a) Species/populations occurring at levels of international importance. Qualifying Species / populations (as identified at listing):

Species with peak counts in winter:

- Common shelduck , *Tadorna tadorna*, NW Europe – 2,120 individuals, representing an average of 2.7% of the GB population (5 year peak mean 1998/9-2002/3)
- Black-tailed godwit , *Limosa limosa islandica*, Iceland/W Europe – 1,724 individuals, representing an average of 4.9% of the population (5 year peak mean 1998/9-2002/3)

b) Species/populations identified subsequent to listing for possible future consideration under criterion 6.

Species with peak counts in winter:

- Avocet , *Recurvirostra avosetta*, Europe/Northwest Africa 1,260 individuals, representing an average of 1.7% of the population (5 year peak mean 1998/9-2002/3)

2.6 The New Forest SPA

The New Forest was classified as a Special Protection Area in September 1999 pursuant to Article 43 (1) of the Wild Birds Directive (Council Directive 79/409/EEC). It is a composite site of 28,000.81 ha.

Ninety nine per cent of the SPA lies in the county of Hampshire, with the remaining 1% in Wiltshire.

The SPA contains a variety of habitats, particularly broad-leaved deciduous woodland (28.9%), heathland (27.3%), dry grassland (17.6%) and coniferous woodland (17.3%). Among less well-represented habitat types are bogs and marshes (5.9%).

The SPA qualified for classification under Article 4.1 of the Birds Directive as it is used regularly by 1% or more of the Great Britain population of the species shown in Table 1.

Table 1 Estimated populations of Annex I species used for SPA designation

Annex I species	Est. Pop	%GB	Survey Date
Dartford warbler <i>Sylvia undata</i>	538 pairs	33.6	n/a
Nightjar <i>Caprimulgus europaeus</i>	300 pairs	8.8	1991
Woodlark <i>Lullula arborea</i>	184 pairs	12.4	1997
Hen harrier <i>Circus cyaneus</i>	15, wintering	2	n/a
Honey buzzard <i>Pernis apivorus</i>	2 pairs	10	n/a

In addition, the SPA qualifies for classification under Article 4.2 of the Birds Directive, as it supports more than 350 pairs of breeding wood warbler *Phylloscopus sibilatrix* (2% of the GB population) and 25 pairs of hobby *Falco subbuteo* (5% of the GB population).

2.7 The New Forest SAC

Some 29,262.36 ha of the New Forest were also designated as a Special Area of Conservation in April 2005. The Annex I habitats and Annex II species which were the primary reason for this designation are:

Annex I

- Oligotrophic waters containing very few minerals of sandy plains (*Littorelletalia uniflorae*)
- Oligotrophic to mesotrophic standing waters with vegetation of the *Littorelletea uniflorae* and/or of the *Isoëto-Nanojuncetea*
- Northern Atlantic wet heaths with *Erica tetralix*
- European dry heaths
- *Molinia* meadows on calcareous, peaty or clayey-silt-laden soils (*Molinion caeruleae*)
- Depressions on peat substrates of the *Rhynchosporion*
- Atlantic acidophilous beech forests with *Ilex* and sometimes also *Taxus* in the shrub layer (*Quercion robori-petraeae* or *Ilici-Fagenion*)
- *Asperulo-Fagetum* beech forests
- Old acidophilous oak woods with *Quercus robur* on sandy plains
- Bog woodland
- Alluvial forests with *Alnus glutinosa* and *Fraxinus excelsior* (*Alno-Padion*, *Alnion incanae*, *Salicion albae*)

Annex II

- Southern damselfly *Coenagrion mercuriale*
- Stag beetle *Lucanus cervus*

In addition, there are two Annex I habitats (Transition mires and quaking bogs and Alkaline fens) and a few Annex II species (Great crested newt *Triturus cristatus* brook lamprey *Lampetra planeri*, bullhead *Cottus gobio*, barbastelle bat *Barbastella barbastellus*, Bechstein's bat *Myotis bechsteini*, and Eurasian Otter *Lutra lutra*) that comprise qualifying features but not a primary reason for selection.

2.8 The New Forest Ramsar Site

In addition to the SPA classification and SAC designation, 28,002.81 ha of the New Forest were listed as a Ramsar site in September 1993, under criteria 1, 2 and 3 of the guidelines adopted under resolution VII.II of the Ramsar Convention. Details follow:

Under Ramsar Criterion 1

Valley mires and wet heaths found throughout the site are of outstanding scientific interest. The largest concentration of intact valley mires of their type in Great Britain.

Under Ramsar Criterion 2

Supports a diverse assemblage of wetland plants and animals including (at the time of designation at least) 29 nationally important plant species occur, including small fleabane *Pulicaria vulgaris*, slender cottongrass *Eriophorum gracile* and pennyroyal *Mentha pulegium*. Invertebrates include two species with internationally important populations (southern damselfly *Coenagrion mercuriale* and stag beetle *Lucanus cervus*) and 180 species of invertebrates ranging from butterflies such as the high brown fritillary *Argynnis adippe* to ground bugs such as *Nysius helveticus*, freshwater invertebrates such as the tadpole shrimp *Triops canriformis* and insects such as the New Forest cicada *Cicaette montana*, the latter two species only known from the New Forest in the UK. Other important species occurring include one amphibian (great crested newt *Triturus cristatus*) and two fish (brook lamprey *Lapetra planeri* and bullhead *Cottus gobio*).

Under Ramsar Criterion 3

The mire habitats are of high ecological quality and diversity. Invertebrate fauna that is important due to the concentration of rare and scarce wetland species. The whole site complex is essential to the genetic and ecological diversity of southern England.

2.9 Issues that influence the Baseline Conditions of the European sites

External factors that may impact on a European site, other than plans and projects subject to assessment, should be considered as part of the overall Habitats Regulations Assessment. A site suffering from external influences may be closer to the threshold whereby the ecological integrity of the site is affected than the site would be without the pressure of those external factors. Therefore, when a plan or project is assessed under the provisions of the Habitats Regulations, the potential for an adverse effect as a result of the plan or project may be more likely when the site in question is in sub-optimal condition, i.e. the baseline is closer to the threshold of change that may adversely affect site integrity.

With this in mind, it is important for the purposes of this Habitats Regulations Assessment to understand what external pressures may be already affecting the European sites being assessed.

2.10 Issues Influencing the Dorset Heathlands

Urban Pressures

The heaths situated close to built development in South East Dorset face particular risks to their integrity, given their frequent use and damage by people. The conurbation has been built on the formerly extensive tracts of heath north of the Poole Bay coastline (Webb & Haskins, 1980), and the remaining heathland fragments provide communities with relatively easy access to open countryside for regular activities such as dog walking. This recreational use, particularly when the levels of use are very high, can place particular pressures on the sites themselves, with problems such as increased erosion, trampling and disturbance to birds (see Liley *et al.*, 2006b; Underhill-Day, 2005 for reviews).

Recent research has demonstrated links between adverse effects on the heathland and the proximity of built development, for example heathland sites surrounded by more housing have a higher incidence of fires (Kirby & Tantrum, 1999) and a lower density of some key bird species (Liley & Clarke, 2003; Liley *et al.*, 2006a; Mallord, 2005). The diverse effects that people and urban living have on the heaths have become known as 'urban pressures' and are now well understood and documented (Liley *et al.*, 2006b).

Waste and minerals

Adjacent to the heaths is the largest onshore oilfield in western Europe, nationally important ball clay reserves and large sand and gravel workings. The oil and ball clay occur within particularly sensitive locations.

Sand and gravel extraction is mainly centred within Purbeck, along the gravel-capped ridge between the rivers Frome and Piddle. Old planning permissions for this extraction often conflict with more recent designations.

Waste is a related issue, with several old sand and gravel pits filled with domestic waste. There are current landfill sites adjacent to Canford Heath and Upton Heath. Leachate from unlined older sites at Duck Hill and Holt Heath has damaged nearby wetlands (Nicholson, 1997). Extant sites, where occurring alongside heaths, attract scavengers such as corvids and foxes that would otherwise occur at low densities on the heaths.

Both mineral extraction and waste sites can generate high levels of vehicle traffic and often dust and noise, all of which can impact adjacent heathland sites (e.g. Pickess, 2004).

Air quality

Inputs of atmospheric nitrogen (N) are a source of essential nutrients, which commonly limits growth in temperate ecosystems. This fertiliser effect results in increased plant growth and an increased demand for other plant nutrients. The gradual increase and enrichment of ecosystems by nutrients such as N and/or P is termed eutrophication.

In heathland communities, changes in the species composition have occurred as a result of increased nutrient availability. In the Netherlands this has resulted in a dramatic decrease in species diversity, because many (rare) species, characteristic of the *Calluna* or *Erica* Sp. dominated heathlands, have disappeared, to be replaced by the grasses *Molinia caerulea* and *Deschampsia flexuosa*. More than 35% of former Dutch heathland is estimated to have changed into grassland (Bobbink, Hornung & Roelofs, 1998). Both increased N deposition (largely in the form of NH₃ from intensive livestock units) and heather beetle damage (Brunsting, 1982) have been implicated. *Calluna* decline has also occurred in a number of Breckland heaths in East Anglia (Marrs, 1992).

Water issues

New housing places demands on water levels, with abstraction potentially removing water from sites. Run-off, diffuse pollution and discharge can alter the chemistry of water within heathland systems and can result in pollutants entering the system.

All new abstractions and discharges must be consented by the Environment Agency and all existing consents have been reviewed, so control mechanisms are in place.

Management issues on some sites (tree / scrub removal and grazing)

Heathland habitats are usually transitional, in that they tend to change over time, typically reverting to wooded habitats. Management such as tree / scrub clearance, grazing, heather foraging and controlled burning is usually necessary to maintain the range of habitats and a range of habitat structure within sites. Such management can be costly and implementation is not always straightforward. There can be public opposition to some management, particularly where the management results in landscape change, large areas of tree clearance or grazing. Such opposition typically occurs on sites with a high public profile, with high levels of access and residential areas in very close proximity, or where there is a lack of understanding of the need for management.

2.11 Issues Influencing Poole Harbour

Boat traffic

Poole Harbour is a major resource for commercial and recreational boating. Boat traffic within the Harbour includes commercial craft associated with the docks, international ferries, cruise ships, MOD training craft, a fishing fleet and a range of recreational craft including yachts, wind surfers, motor boats, jet skis and para surfers.

Boat traffic can generate wash, disturbing sediments and causing erosion. Boats and the people on them can also disturb waterfowl. The levels and distribution of boat traffic within the Harbour are therefore important factors. They are difficult to monitor and control due to the range of craft and types of activity.

Recreational pressures along shoreline

Shorelines typically represent thin strips of land popular with people for a range of activities, such as sun bathing, dog walking, and fishing. Due to the linear nature and narrow width of most shorelines, the density of people can often be very high (Liley & Sutherland, 2007) and this can result in disturbance to birds using the beach and associated habitats. Within Poole Harbour there is recreational access to many areas, with the northern shore and sites such as Baiter and Ham Park being particularly busy.

Dredging and port maintenance

Channel deepening and maintenance of shipping routes necessitates dredging, which removes sediment from the bed of the Harbour. Dredged material has been used to recharge beaches within Poole Bay.

Dredging results in additional boat activity and consequent disturbance. In addition the physical disturbance of the sea bed can result in the direct destruction of benthic invertebrate communities, increased sediment mobilisation and potential release of pollutants within the sediments.

Development pressure

New buildings and structures along the shoreline, such as jetties and marinas, have the potential to disrupt sight lines of feeding birds, disrupt flight lines and bring additional people to the shoreline. Structures below the mean high water mark also have the potential to disrupt sediment movements. Strategic guidance regarding jetties etc within the Harbour is provided by Donnelly *et al.* (2003).

2.12 Issues Influencing the New Forest

Recreational Pressure

Various studies highlight the high levels of recreational use currently taking place within the New Forest (Gallagher, Graham & Colas, 2007; Tourism South East Research Services & Geoff Broom Associates, 2005; University of Portsmouth, 1996). Total visitor volumes within the New Forest are estimated at over 13 million visitor days (Tourism South East Research Services *et al.*, 2005). This total includes holidaymakers staying within the National Park (12% of visitor days), day trips from home by New Forest residents (14% of visitor days) and people living outside the Park and visiting for the day from home (64% of day visits).

2.13 The Influence of Climate Change

There is now a government policy requirement to take into account the effect of development upon biodiversity and its capacity to adapt to likely changes in the climate⁹. Bearing in mind this general duty and considering the influence of climate change upon the functioning of European sites, there are two main elements to the consideration of climate change with specific regard to this assessment. Firstly, the influence climate change may have upon the behaviour of the interest features, and secondly the influence it may have upon people using the European sites.

Over the coming years, as the effects of climatic changes become more apparent, it is possible that the way in which the interest features utilise Poole Harbour, the Dorset Heathlands and the New Forest may change. Habitats may become more or less suitable, and migratory or seasonal patterns of behaviour may begin to vary. There is also the possibility that some species may stop using sites completely or new species that are important, rare or vulnerable in a European context may begin to use the sites. These will of course have important implications for the reasons for site designations.

In terms of people behaviour, it is likely that the effects of climate change will result in increased pressure on Poole Harbour, the Dorset Heathlands and the New Forest as warmer days, and longer periods of warmer weather annually, encourage more residents and visitors to undertake recreational activities such as boating, jet skiing and dog walking, in the harbour area, on the heaths and within the forest.

⁹ The Department for Communities and Local Government, 2007, *Planning Policy Statement Planning and Climate Change. Supplement to Planning Policy Statement 1*, paragraph 24.

The changes in behaviour of both the interest features and people may also cause further impacts, particularly if they result in increased recreational pressure at times when the interest features may be most vulnerable.

3. Taking Account of Regional Issues - Habitats Regulations Assessment of the South West Regional Spatial Strategy

A comprehensive Habitats Regulations Assessment (HRA) of the South West RSS was undertaken in February 2007. Following the screening of the draft RSS, a number of key issues were identified that were taken forward to more detailed assessment in the 'Appropriate Assessment' stage. It was concluded that it was not possible to ascertain that there would not be an adverse effect on site integrity, and more detailed assessment was therefore undertaken with regard to a number of key issues. It is important for local level assessments to carefully check the assessments made at a regional level. The high strategic level of RSS documents often makes it difficult to undertake detailed Habitats Regulations Assessments for elements that are so general and wide ranging. It is common for regional assessment to state that a local level consideration of an issue would be more appropriate, once greater detail has been added, such as more specific locations and phasing, for example. The following issues were considered at the Appropriate Assessment Stage of the Habitats Regulations Assessment of the Draft South West RSS, and under each issue the direction given to local level plans is set out. Much of this is relevant to the Local Development Framework for the Borough of Poole and must therefore be considered as part of this Habitats Regulations Assessment of the Core Strategy for Poole Borough.

3.1 Water Abstraction

The conclusions relevant to the sites that may be affected by development within the Borough of Poole are that, for the Dorset Heathlands SPA/SAC/Ramsar, Poole Harbour SPA/Ramsar and the New Forest SPA/SAC/Ramsar it was not possible to conclude that no adverse effects on integrity will occur. The assessment goes on to conclude that sufficient safeguards are available with both lower level plan making and the other regulatory mechanisms such as Catchment Area Management Plans coordinated by the Environment Agency. The assessment advises that further detailed assessment should be undertaken at the local or catchment level to ensure strong safeguards are in place.

3.2 Water Quality

Similar conclusions have been drawn by the HRA of the RSS with regard to water quality. The assessment stated that it was not possible to conclude that no adverse effects would occur with regard to both Dorset Heathlands and Poole Harbour (the New Forest is not included in the list of sites where it is not possible to conclude that no adverse effects will occur). Furthermore, the potential for pollution effects on Poole Harbour as a result of Port activities are noted within the HRA of the RSS as a potential effect that could not be ruled out at the regional level and therefore necessitates consideration at the local level. The Core Strategy must take note of the proposal, within the regional HRA, for an amendment to regional policy to include a requirement to protect the integrity of European sites that could be adversely affected by pollution associated with port development and port activities.

3.3 Tourism, Recreation and Urban Effects

The regional HRA states that it is not possible to conclude, at the regional level, that there would not be any adverse effect on Poole Harbour or the New Forest as a result of tourism, recreation and urban effects, and concludes that for the Dorset Heathlands, there is a greater likelihood of adverse effects occurring.

The regional HRA recommends changes to the policy wording of the RSS to make it clear that local plans must address any potentially adverse effects as a result of increased

tourism, recreation and urbanisation. The HRA suggests a number of mitigation measures that could be taken forward at a local level, including the provision of alternative recreation spaces, and the development of management plans for sensitive sites.

For the heathlands the regional HRA identifies a greater chance of an adverse effect, and proposes a mitigation measure in the form of a joint Development Plan Document to guide local authorities in the achievement of development requirements for the area whilst ensuring that the integrity of the Dorset Heathlands is not adversely affected. It is suggested within the regional HRA that the DPD will propose mitigation measures in the form of the provision of alternative recreational greenspace, a focus on the use of land adjacent to development sites to accommodate local recreational needs, and consideration of the most appropriate management of sensitive heathland sites to reduce disturbance and harm, including access management. This mitigation is also necessary to mitigate for the effects of direct habitats loss through trampling.

3.4 Air Quality

The regional HRA advises that Poole Harbour and the New Forest are within 200m of strategic road networks or road networks flagged for improvement, but states that it is a site that has not been identified as being vulnerable to pollution.

The Dorset Heathlands are highlighted within the regional HRA as being of greater likelihood to encounter adverse effects from air pollution, and are within 200m metres of strategic road networks or road networks flagged for improvement.

The regional HRA therefore recommends that the RSS amend policy wording to specifically include reference to the need to avoid/reduce the impacts of air quality on European sites, explaining that local development documents must take this requirement into account in plans and the determination of projects.

3.5 Physical Habitat Loss and Damage

The regional RSS includes Poole Harbour and the New Forest as sites for which effects from physical loss and damage cannot be ruled out, and the Dorset Heathlands as a site where effects are likely as a result of physical loss and damage.

Regional HRA proposals of relevance to Poole Harbour are the recommendation that the RSS guides port development in the context of European site protection, the requirement to set out within the RSS the need to ensure that any development does not result in coastal squeeze or hydrological changes that may affect European sites, and importantly that Local Development Documents are checked to ensure that climate change adaptation is not compromised by any policy proposal. This is particularly relevant to the Poole Local Development Framework documents.

For the Dorset Heathlands the RSS covers the potential for physical loss and damage under the proposed Heathland DPD mitigation measure.

The regional HRA advises that renewable energy proposals within local plans can only be considered where specific details are provided regarding their location and design.

4. Initial Assessment under the provisions of the Habitats Regulations – Poole Core Strategy Preferred Options stage

4.1 Defining Likely Significant Effects

English Nature, a founding body of Natural England, defined a significant effect as “*any effect that may reasonably be predicted...that may affect the conservation objectives of the features for which the site was designated, but excluding trivial or inconsequential effects*” in its guidance for staff¹⁰, written prior to amalgamation into Natural England.

The term “*likelihood*” is equally important in the application of the check for a likelihood of significant effects. Critically, the check is for likelihood of effects rather than a certainty of effects¹¹.

It is important to note here that scale or significance of an actual effect is not necessarily, and quite often not proportional to the scale of potential damage. The European Commission provides the following example in its guidance¹², stating that “*a loss of a hundred square metres of habitat may be significant in relation to a small rare orchid sites, while a similar loss in a large steppic site may be insignificant.*”

A large scale effect can be the result of seemingly very insignificant development where no direct habitat loss actually occurs. For example, a slight variation in water quality as a result of additional run off from a minor road some distance away from a European site may result in an adverse effect on a chalk stream where the interest features are reliant upon good water quality and particular water chemistry. A review of previous decisions by authoritative decision makers¹³ demonstrates that in many cases even the loss of less than 1% of a European site has been considered significant, and also likely to have an adverse effect on integrity of some of the sites.

Decisions on whether there is a likely significant effect are therefore made with regard to ecological implications, rather than simply considering the scale of direct damage.

4.2 The Check for Likelihood of Significant Effects at Preferred Options Stage

At the commencement of the Habitats Regulations Assessment of the Poole Core Strategy the Preferred Options document, which was published in April 2007, had been out to public consultation, and the consultation responses were being considered by the Council in order to inform the development of the final submission draft.

The assessment of the Core Strategy Preferred Options, in accordance with the Habitats Regulations, should influence the development of the submission draft of the Core Strategy in terms of ensuring that any elements of the plan where there is a likelihood of a significant effect on any European site are assessed, and where necessary appropriate amendments are applied or alternative options pursued. The following section is the Habitats Regulations Assessment of the Preferred Options document. Its outcomes have subsequently been used to ensure that any potentially damaging options were not taken forward to the

¹⁰ English Nature, 1999, Habitats Regulations Guidance Note 3: The determination of likely significant effect under The Conservation (Natural Habitats &c.) Regulations 1994. English Nature publication.

¹¹ EC, 2000, Managing Natura 2000 sites. Section 4.4.2.

¹² EC, 2000, Managing Natura 2000 sites. Section 4.4.1

¹³ Hoskin, R. & Tyldesley, D. 2006, How the scale of internationally designated nature conservation sites in Britain has been considered in decision making: A review of authoritative decisions. English Nature Research Report No. 704.

submission draft without either modification or the application of measures to prevent an adverse effect.

The Core Strategy has the potential to affect a number of European sites that lie both within and close to the Borough of Poole. Further sites lie some distance from the borough boundary, but must be considered to ensure that all potential for harm to the network of European sites has been considered.

4.3 The Preferred Options Document

The Preferred Options document sets out two differing approaches for sustainable development in the Borough of Poole. Firstly, the preferred option is to focus on the central area of the borough as a driver for economic growth. The alternative option is to allow housing needs to drive the regeneration of the Borough but this would essentially still focus to a large extent on the central area, as the primary location for the residential development.

In considering these two overarching strategy directions, it is clear that there is the potential for both to have a significant effect on the European sites described above. Both strategy direction options are spatially focused upon the central area of Poole. It is here, within the heart of Poole, that the Poole Harbour SPA and Ramsar site extends into Holes Bay, and it is here that internationally important birds rely upon fragile habitats for their survival in terms of feeding, roosting and breeding alongside and amongst Poole's primary economic activities, including industrial, retail and business use, road and rail infrastructure and large residential areas. With such close proximity there are numerous instances where the edge of the SPA/Ramsar site directly borders land that either already supports such development, or is previously used land awaiting redevelopment. The latter is the key focus for regenerating the central area.

Potentially, the most sustainable focus for the regeneration of Poole is the heart of Poole centre, where there is a considerable amount of previously used land that now stands vacant, or the use is no longer economically viable or placed in the most appropriate location (for example the area holds warehouses, storage yards and a large area of vacant land formerly occupied by the old power station). The redevelopment of land to commercial and residential uses is urgently needed to improve the town. A mix of unattractive and characterless buildings is currently masking the character and attractiveness of some of the older residential and community buildings. The reuse of the former industrial land, and land where existing commercial or community facilities would be better located elsewhere, is a preferred option. It represents the most sustainable option in terms of regenerating economic prosperity community cohesiveness and a sense of place. Putting high density housing back into the heart of Poole makes environmental sense in that it prevents further urban sprawl and loss of greenfield sites in the wider borough, where landscape and wildlife implications would be significant. However, the regeneration of the centre cannot be the most sustainable option if it cannot be demonstrated that the option would not have an adverse effect on the integrity of the European sites that share the town centre location.

The Core Strategy is currently progressing towards the submission draft. In order to inform the development of the submission draft, the current stage, Preferred Options, must be considered in terms of each individual element of the plan, i.e. each preferred option that will; be taken forward as policy. The check for likely significant effects at preferred options stage table is set out within **Annex 1**, and takes each element of the plan at its preferred options stage and considers the likelihood of a significant effect, i.e. the table gives a policy option by policy option check for the likelihood of significant effects. This is the initial checking stage to determine whether an 'Appropriate Assessment' is necessary. The check then considers whether any preferred option likely to have a significant effect can be

modified to avoid the potential effect. The final column within the table at Annex 1 explains whether further action is needed before the policy option can be taken forward.

Eliminating possible adverse effects

This procedure represents the application of avoidance measures, which ensure that any potential effects on the European sites are completely avoided. Avoidance measures usually take the form of amendments to the policy to ensure that it can be taken forward without any likelihood of a significant effect and therefore removing the need for further assessment. If an avoidance measure can easily be applied and the complete removal of the effect is ensured, it is no longer necessary to consider magnitude, duration, intensity etc of the effects, because the effect has been completely removed.

However, if measures only serve to reduce the effect they cannot be considered to be avoidance measures. At this initial stage, and without the benefit of detailed analysis, it is not possible to determine the effectiveness of reduction measures. It is not known by how much the effect must be reduced in order for it to become insignificant. It is for this reason that mitigation measures, i.e. those that reduce rather than eliminate the effect, are more fully considered at the 'Appropriate Assessment' stage, when more detailed analysis can take place.

If suitable avoidance measures cannot be recommended at this initial check, the need for further assessment is highlighted.

For each policy option, the recommendations from the regional Habitats Regulations Assessment are also considered.

4.4 Outcomes from the Check for Likelihood of Significant Effect at Preferred Options Stage

From the initial check of the Preferred Options document, as set out at Annex 1, a number elements of the plan with, a potential to have a significant effect could be easily amended by avoidance measures, (see table at Annex 1). These should inform the development of the Submission draft. It is also apparent that some key issues cannot be resolved with the application of avoidance measures, because it cannot be ensured that the policy could be implemented with any caveats imposed. Caveats cannot be imposed as avoidance measures if they would render the policy incapable of being implemented.

Following the initial check of the Preferred Options Document, and taking account of the issues identified within the regional assessment, the following issues may not be capable of resolution without further assessment at the next stage, i.e. Appropriate Assessment:

- Meeting housing needs with the numbers and phasing of dwellings currently proposed, and in line with Regional Spatial Strategy requirements, because a likely significant effect caused by the quantum of new residential development within the Borough cannot be ruled out at this stage.
- Regeneration of the Central Area, because of the particular focus on the Full Sail Ahead Regeneration Initiative where a likely significant effect upon European sites cannot be ruled out at this stage.

The unresolved issues listed above should be taken forward to the Appropriate Assessment stage, where more detailed assessment can be undertaken to try to ascertain whether it can be demonstrated that the issue will not result in an adverse effect on the integrity of the

European site. At this stage a more detailed assessment is clearly necessary for some issues, whilst others may still be resolved with the application of avoidance measures.

In addition, a number of other issues remain outstanding, which may be resolved without the need to proceed to Appropriate Assessment stage. This list is essentially driven by the outcomes of the Regional Habitats Regulations Assessment, and is a list for further action. If these issues cannot be resolved, or appropriate avoidance measures applied, they will also need to be added to the list of elements of the plan being taken forward to Appropriate Assessment stage:

- To discuss water quality and quantity issues with the Environment Agency and Natural England and then propose appropriate measures to see if there is enough information available to rule out any likely significant effect?
- Whilst particular road schemes are not specifically mentioned in core strategy Preferred Options, there should be specific policy wording with regard to road improvements within the Core Strategy, to inform road improvement priorities and direction.
- The Core Strategy requires policy wording with regard to development and flooding, coastal squeeze and the need to facilitate adaptation to climate change.

Following the check for likelihood of significant effects of the Preferred Options, and prior to the commencement of an Appropriate Assessment of the two elements of the plan set out above, a working draft of the Core Strategy Submission document was produced. More detailed assessment of these issues was therefore delayed until after further progress on the Submission draft, which will take on board the initial work undertaken with regard to Habitats Regulations Assessment and the initial findings set out in Annex 1. A check of the working draft for likelihood of significant effects prior to the commencement of an Appropriate Assessment is beneficial to the development of the Submission draft because some issues may yet be resolved, and further issues may emerge, affecting the scope of the Appropriate Assessment.



5. Initial Assessment under the Provisions of the Habitats Regulations – Unpublished Working Draft of Submission Stage

As Poole Borough Council prepares the Core Strategy for submission for Examination, a working draft of the development of the Strategy from Preferred Options to Submission draft has been presented for interim assessment, to assist with the iterative development of the Core Strategy and ensure its soundness, in terms of compliance with the Habitats Regulations prior to submission. This draft is an unpublished working draft, dated 4/10/07. Consideration of this draft under the provisions of the Habitats Regulations is beneficial to the emerging Submission document. A re-check for likely significant effect has therefore been undertaken on this working draft, again prior to taking any aspects to the Appropriate Assessment stage of the Habitats Regulations Assessment.

5.1 Check for Likelihood of Significant Effects – Unpublished Working Draft of Submission Stage (4/10/07)

The unpublished working draft does not yet include all elements that will be taken forward from the Preferred Options Stage, but does include considerable work on the key areas such as housing, employment, transport and climate change. At this stage a recheck is therefore important to determine which elements require more detailed assessment, and which elements are not considered likely to have a significant effect on any European site. Progress has already been made in this working draft, particularly in the refinement of strategic objectives, the natural environment protection policies and the emphasis given to the implementation of the joint Heathlands DPD.

Set out in the same way as the check for likelihood of significant effects of the Preferred Options document at Annex 1, the table set out in **Annex 2** gives a policy by policy check, for those policies developed so far in the working draft of the Submission document. The final column of the assessment table sets out the suggested measures to avoid an adverse effect, or indicates where the element of the working draft of the submission document still needs further assessment. In order to assist the use of the table in Annex 2, the text within the final column has been colour coded into the following categories:

<p>Proposal strengthens environmental robustness of plan, which in turn offers greater protection to European sites, but will not result in an adverse effect if not included in the plan.</p>	<p>Proposal is required as a measure to ensure no adverse effect.</p>	<p>Proposal includes advice to be taken forward to plan review or subsequent plans.</p>	<p>It is proposed that this element of the plan requires further assessment because it cannot currently be ascertained that there will not be any adverse effect.</p>
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5.2 Outcomes from the Check for Likelihood of Significant Effect at Unpublished Working Draft of Submission Stage (4/10/07)

From the initial check for the likelihood of significant effects of the Unpublished Working Draft of Submission Stage (4/10/07) document, as set out at Annex 2, a number of the recommendations made at the initial check of the Preferred Options document had been incorporated. Many of the potential effects remaining can be avoided by the suite of avoidance measures proposed within Annex 2, which are essentially recommendations for amendment to the Strategy prior to the finalisation of the Submission document.

The following issues cannot be resolved at the initial check for likely significant effect stage, and it is recommended that the following issues are now taken forward to an Appropriate Assessment:

- Meet people's housing needs across the borough, including provision of student accommodation
- The focus of economic, employment, leisure, residential regeneration within the area of Poole identified as the 'Full Sail Ahead' Regeneration Area.

As previously noted when considering the Preferred Options document, a number of issues remained unresolved from the initial check and suggested avoidance measures. These issues were raised particularly in relation to concerns raised within the Regional Habitats Regulations Assessment. The following issues have now been considered and suitable recommendations proposed.

- Water resource provision and water treatment capacity – Natural England have confirmed that water abstraction will not have a significant effect upon the valley mire interest within the Dorset Heathlands (SAC feature Depressions on peat substrates with *Rhynchosporion* and Ramsar feature acid mire with *Rhynchosporion*). Water quality, in terms of discharge into Holes Bay remains of considerable concern. The high nutrient level of treated waste water being discharged into the bay is currently having an adverse effect on Poole Harbour in terms of increased algal growth affecting feeding conditions on the mudflats. The significant increase in housing within the regeneration area will only serve to further exacerbate this problem, if sewage treatment facilities are not improved. An avoidance measure in terms of policy wording has therefore been recommended, to ensure that this problem is rectified prior to the development of further housing within the regeneration area. Furthermore, the Environment Agency, as a competent authority, will regulate discharges to a level that will ensure that the European site is not adversely affected.
- Climate change – An additional policy has been recommended in Annex 2, which requires the council and development projects to consider opportunities to facilitate climate change adaptation.
- Road improvements – Whilst concerns were highlighted in the Regional Habitats Regulations Assessment, the Core Strategy for Poole does not propose any new roads or road improvements that are considered likely to have a significant effect upon any European site. Changes to the road network do not improve access to the Dorset Heathlands or the New Forest, and do not result in a net increase in traffic on any of the key roads.

6. Appropriate Assessment Stage

6.1 Introduction to Appropriate Assessment

A number of elements of the Core Strategy, where a likely significant effect was highlighted at Preferred Options Stage have been resolved, but a number of elements still remain as aspects of the plan which are likely to have a significant effect. Where it is not possible to apply avoidance measures to remove the likelihood of significant effects, because the effects are likely or not fully understood, the relevant aspects of the plan must be subject to an 'Appropriate Assessment'. Application of the Habitats Regulations incorporates the precautionary principle at every stage. The European Court of Justice has set clear parameters in determining the question of the likelihood of significant effects and established that there should be no reasonable scientific doubt as to the absence of such effects¹⁴.

The Core Strategy for Poole should therefore be subject to Appropriate Assessment stage. Whilst the Habitats Directive and Regulations do not provide detailed guidance on the scope of an Appropriate Assessment, its requirements are clear from the title, in that it should be an assessment that is 'appropriate.' It should be detailed enough to meet the requirements of the Habitats Regulations in that plans or projects should only proceed where it can be ascertained that there will not be an adverse effect on the integrity of any European site (unless the further specific tests in Regulation 85C are met, which are not considered at this stage).

6.2 Scope of the Appropriate Assessment

The following issues have been highlighted through the check for likelihood of significant effects as those requiring more detailed assessment:

- Meet people's housing needs across the borough, including provision of student accommodation
- The focus of economic, employment, leisure, residential regeneration within the area of Poole identified as the 'Full Sail Ahead' Regeneration Area.

The 'Appropriate Assessment' for each of these issues follows, with recommendations as to how the potential adverse effects may be mitigated in order to reduce the effects to a level that can be considered not to be adverse to site integrity.

It has already been ascertained that the effects cannot be completely avoided. The mitigation measures proposed are therefore reduction measures. With this in mind, it must be remembered that, whilst reduced to an acceptable level, there will still be residual effects. These are also considered below in terms of their potential for likely significant effects in combination with other plans or projects.

6.3 Appropriate Assessment of the Effect of 'Meeting Housing Needs' on Poole Harbour SPA/Ramsar

The Core Strategy outlines plans for 10,000 new homes within Poole Borough for the period 2006 – 2026. Approximately 40% (4,000 dwellings) will be within the central area. The focus within the Core Strategy is for high density housing in the more central parts of the Borough, with indicative densities of 100-150 homes per ha for some areas.

¹⁴ European Court of Justice Ruling Case C-127/02, 2004, Landelijke Vereniging tot Behoud van de Waddenzee, Nederlandse Vereniging tot Bescherming van Vogels vs. Staatssecretaris van Landbouw, Natuurbeheer en Visserij. Most commonly referred to as the 'Waddenzee Ruling.'

This volume of new houses will result in a change in the distribution of accommodation, an increase in local residents in some areas of the Borough and possibly a change in the types of people living in different areas. This is likely to have consequences for the levels of recreational activity within different parts of the Borough.

As a result there are the following likely significant effects:

- Increased levels of recreational activity to the shoreline areas of Poole Harbour, with the potential for increased levels of disturbance to birds in or around Poole Harbour
- An increase in recreational boat traffic, resulting in disturbance from the boats and an increase in disturbance to remoter parts of the harbour from people landing on islands etc
- Increased levels of recreational activity on the heaths, with the potential for increased disturbance to breeding and wintering birds associated with the heaths
- Increased levels of people on and around the heaths, resulting in an increase in urban effects, such as increased fire risk, fly-tipping, trampling etc (see Liley *et al.*, 2006b for a review).

Existing Open Space and Potential Sites

Within the Borough there are rather limited options for recreational access to areas of green space which are not associated with any of the European sites. There are five parks / gardens away from the Harbour front (Alexandra Park, Branksome Chine, Coy Pond Gardens, Pinecliff Gardens and Princess Gardens). Along the Harbour front / shoreline are Poole Park, Baiter Park, Whitecliff, Ham Park and Upton Country Park, all of which border Poole Harbour SPA.

There are also the heathland sites, of which Canford Heath SSSI, Corfe and Barrow Hills SSSI and Bourne Valley SSSI are within the Borough. A very small part of Upton Heath SSSI also lies within the Borough. All these sites are part of the Dorset Heaths SAC. There are numerous other heathland sites close to the Borough (Map 1). Within a relatively short drive or train ride of Poole there are other Natura 2000 sites, including the Avon Valley (c.14km linear distance from Poole Town Centre); the New Forest (c.15km linear distance from the town centre to the western boundary of the National Park) and the Dorset Coast (c.8km linear distance from the town centre to Studland village).

Poole Harbour SPA

There are three open space sites that provide access to the Harbour front. Upton Country Park is to the west of the Borough and is a large site containing a mix of habitats, including mature woodland and gardens. The shoreline here is quite wooded and there are viewing facilities (a bird hide) over-looking Holes Bay. Poole Park merges with Baiter and Whitecliff Park and contains formal gardens, a lake, and a tarmac path running along the shoreline. Ham Park contains beach huts, a children's play area and the rest of the area is largely mown grass. A tarmac path runs along the shore. In addition there is a path running along the shoreline around Holes Bay and another from Lilliput round to Sandbanks.

The Harbour frontage is used for a variety of recreational activities. The shoreline paths are popular with families, dog walkers, cyclists, joggers, walkers and fishermen. There is currently no information on levels of recreational use of the harbour frontage, but these areas are very well used. The only studies looking specifically at Poole Harbour and access/disturbance issues involve work on bait diggers (Dyrynda & Lewis, 1994; Morrisson, 2006) and work at Studland (Liley, Pickess & Underhill-day, 2006c).

Levels of existing recreational boating activity are high (see Underhill-Day, 2006 for counts). There are currently c.2,500 swinging moorings and c.2,300 pontoon and marina berths

within the Harbour. There are 7 marinas with dry storage for c.2,000 craft. With approximately eight yacht clubs (combined membership c.7,500 members), some 5,000 yachts visit the harbour each year (Underhill-Day, 2006). There are two public slipways. Other waterborne activities include windsurfing, kite-surfing, water-skiing, jet skis and other personal watercraft, wildfowling, motor boating and canoeing.

There are designated zones for water-skiing and personal watercraft within the Harbour both of which require permits. An area off Whitley Lake is set aside for wind surfers but they are not confined to this, and the area to the south of the harbour is designated as a quiet area, although this is only enforced in relation to activities taking place outside permitted areas or violations of the speed limits. Generally speed limits are 10 knots, but with six knots in some enclosed parts of the Harbour.

The number of wet moorings provided by pontoons and marinas has increased in recent years, but the policy of the Harbour Commissioners has been to reduce swinging mooring numbers as other wet berths become available. This policy has resulted in a small reduction in wet berths in the Harbour since 1994 (Underhill-Day, 2006). Based on a questionnaire survey, Southgate (2006) estimated the popularity of various water borne activities within the Harbour. The mean figures of daily use suggest some increase in harbour usage from 1994, and although the number of wet berths has declined slightly, there is an increasing trend in the number of visiting boats being launched from the public slipway at Baiter (Underhill-Day, 2006).

The Harbour Commissioners are a statutory body responsible for overseeing the Harbour, and function as an umbrella body for the Harbour. There is also an Aquatic Management Plan (2006) for the Harbour. The Plan looks at ways of maintaining sustainable levels of economic and social activity within the Harbour and its hinterland, while protecting its natural environment. It considers the activities of all those involved in the development, management and use of the Harbour. The plan is supported by a steering group of almost wholly statutory bodies, and consists of; Borough of Poole, Dorset County Council, Natural England, Environment Agency, Poole Harbour Commissioners, Purbeck District Council, Southern Sea Fisheries District Committee and Wessex Water Services Ltd.

There are existing concerns about recreational disturbance to the northern shoreline and its impacts upon the SPA (Underhill-Day, 2006). There is the potential for disturbance to result in birds avoiding using certain feeding areas and birds being repeatedly flushed, resulting in increased energy expenditure. Such effects can have population consequences (see Stillman & Goss-Custard, 2002; Stillman *et al.*, 2001; Stillman *et al.*, 2007; West *et al.*, 2002). It is likely that the main effect of boating in the Harbour on the SPA interest will be to cause disturbance to birds on the adjoining flats, saltmarshes, shingle and other habitats, particularly during the winter months. The boats can provide access to parts of the Harbour that are otherwise inaccessible.

The audit of wader roost sites around the Harbour documents the principal wader roost locations, species present and principal threats (Morrison, 2004). The roost locations on the northern shoreline of the Harbour are summarised in Map 1. It can be seen that, of the 25 locations identified, nearly half (12 roosts) are listed by Morrison as being disturbed by recreational activity from the shoreline (people on foot). Morrison expresses concern that some of the other roosts are also disturbed by boat traffic.

The main tern colonies are on protected areas on Brownsea Island, but the gull colony in Wareham Channel is easily accessible to small boats and landing is possible. There is no information on landings here.

It is during the winter that disturbance is likely to have the greatest effect as there are more birds present within the harbour and the weather conditions can mean additional stress (Clark *et al.*, 1993). Although boat traffic is likely to be reduced in winter (although there is no available data on boat use in the most important areas of the Harbour on the south shore during the year), other activities increase. Wildfowling is a winter activity, legally permissible from September 1st to February 20th on foreshore below mean high water, while the licensed clam fishery runs from October to January. Some fishermen collect cockles in winter both from dredging and hand raking, and bait digging takes place all the year round. While these activities taken individually may engender acceptable levels of disturbance under normal tidal and weather conditions, when birds can move to undisturbed areas to feed, taken in combination they could have a profound effect, particularly during hard weather.

Disturbance at times in the tidal cycle or in freezing weather could bear particularly hard on avocet or grey plover which have a limited distribution, linked to the patchy occurrence of their main prey species, or birds such as oystercatcher and curlew where the abundance of their prey species is in places too low to meet their winter energy requirements. There is no data on the in-combination disturbance from these and other shore-based activities for the Harbour, or on the likely effects. In the medium to longer term, milder winters could encourage greater year-round recreational activities with consequent disturbance both alone and in-combination with other activities. Existing in-combination effects have been little studied, and the increases in a number of wintering species in the Harbour may simply reflect changes in distribution due to factors elsewhere. These may mask effects of changing distribution and intensities of activities within the Harbour about which little is known. Moreover, any effects may take some time to influence population trends, and further time may elapse before causes can be identified.

The Core Strategy will result in very high densities of housing very close to the Harbour front. It is currently not possible to predict the extent to which residents in the new homes will visit the adjacent shore, as there is no visitor data for these areas. However given the attractiveness of the sites, the proximity and the lack of alternatives it would seem likely. This frontage already receives very high levels of recreational access. There is currently inadequate evidence to determine the effect of increased recreational pressure on these sites.

Given the high levels of existing use, the areas around Baiter, Poole Park and Ham Common hold relatively few birds, but there are occasionally notable counts, especially of gulls and oystercatchers (Natural England, unpublished correspondence.). Studies of depletion rates on other estuaries (for example see Gill, Norris & Sutherland, 2001; Gill, Sutherland & Norris, 1998) have shown that while birds may apparently avoid highly disturbed sites, the level of prey depletion is not significantly different from other less disturbed areas. Birds can compensate for disturbance by increasing their foraging rate (Urfi, Goss-Custard & Lev. Dit Durell, 1996) or utilising disturbed areas at times when disturbance levels are low, for example at night (Burton & Armitage, 2005). It is therefore important to understand how the northern shore is used by birds and how disturbance impacts this use. With such an understanding, and a knowledge of how visitor numbers might change, it would be possible to be confident of the scale of any impacts to Poole Harbour SPA as a result of the changes outlined in the Core Strategy. There is also uncertainty as a result of climate change, as this may change the distribution of the birds and the species present within Poole Harbour (Norris, Atkinson & Gill, 2004; Rehfisch *et al.*, 2005), the distribution and availability of soft sediments (birds may be pushed closer to the shoreline by coastal squeeze) and the timing and levels of recreational access.

Conclusions with regard to the Appropriate Assessment of 'Meeting Housing Needs' in terms of Poole Harbour SPA/Ramsar

The research and analysis undertaken for the Appropriate Assessment above indicates that, if the 'Meeting Housing Needs' Element of the Core Strategy is implemented without mitigation measures, an adverse effect upon the integrity of Poole Harbour SPA/Ramsar site cannot be ruled out. Adverse effects are likely as a result of the Core Strategy alone, either as single elements or as a combination of elements within the plan. There is therefore no need to undertake an in-combination assessment with other plans or projects.

Mitigation proposals for 'Meeting Housing Needs' in terms of Poole Harbour SPA/Ramsar

Mitigation measures proposed for Poole Harbour in light of the findings of the Appropriate Assessment are set out below. It is considered that the application of these mitigation measures, if all implemented fully, can ensure that the effects of the 'Meeting Housing Needs' element of the Core Strategy are reduced to a level that enables the Council to ascertain that there would be no adverse effect on the integrity of the site.

Given such uncertainty and a lack of baseline data we recommend that the Core Strategy needs to address issues concerning the Harbour in more detail. The wording must address recreational access issues around the Harbour. With coastal access being a high profile current political issue, the Core Strategy should set the context for carefully controlled and planned access to the Harbour shoreline.

We recommend the following:

1. Carefully planned and improved zoning for different activities, working with the Harbour Commissioners and Poole Harbour Steering Group to focus on the currently unregulated activities, such as canoeing, bait digging, fishing and dog walking. Where the nature or location of activities is outside the jurisdiction of the Poole Local Development Framework or other Council functions, the Council should continue working with relevant partners to improve regulation of such activities.
2. Detailed monitoring of the different activities (see above), established in such a way as to inform the zoning and ensure that it is effective.
3. Resources allocated to policing of speed limits and control of boating activities (such as jet skis), especially around key locations for the birds.
4. Landing / launching of small craft (windsurfers, canoes etc) carefully controlled and limited to specific locations only. Development control can limit the number of additional slipways around the bay. As above, however, where the nature or location of activities is outside the jurisdiction of the Poole Local Development Framework or other Council functions, the Council should continue to work with relevant partners to improve regulation of such activities, including the police.
5. Dogs prevented from roaming on mud flats at Poole Park and Ham Common.
6. Footpaths relocated back from the shore at the most sensitive locations such as Baiter, with some screening put in place to separate walkers from the shore and provide quiet feeding areas at Baiter and in parts along the shoreline path round to Sandbanks and around Holes Bay. Dog walking zoned and a 'dogs on leads' policy for selected sensitive path lengths where dog walking is still allowed.
7. Access at key locations should be controlled or prohibited. The following locations: Blue Lagoon mouth (breakers and adjacent saltmarsh), parts of Holes Bay and the shore towards Sandbanks (Whitley Lake, Morrisson roost 93) are important areas for birds where disturbance currently has an impact. Through screening, interpretation, footpath design and modifications to the seawall it would be possible to keep people away from these locations.

For Map 1: See accompanying pdf

6.4 Appropriate Assessment of the Effect of ‘Meeting Housing Needs’ on Dorset Heathlands SPA/SAC/Ramsar

It is clear from Map 2 that Ham Common, Canford Heath, Bourne Valley, Turbary & Kinson Commons, Upton Heath and Corfe & Barrow Hills are the heathland sites closest or within Poole Borough.

Predictions of the increase in visitor pressure predicted to occur on these sites as a result of possible future housing allocations within the sub-region have been calculated (Liley *et al.*, 2006b) and are summarised in Table 3. These predictions were made assuming that all sites have the same “draw” to visitors, and that the number of visitors is determined by the amount of housing at different distances from the site (people living close to the site are more likely to visit), and that the large car-parks attract more people from a greater distance. The scenarios provided an allocation for future housing and in order to derive the predictions these houses were distributed within the sub-region so that 1) there were no new houses within 400m of a heath, 2) certain urban extensions such as Parley Cross were allocated a set figure provided by local authorities, and then 3) across all postcodes so that new housing was in proportion to the number of houses already there.

Table 3: Percentage increase in visitor numbers for different scenarios of future housing.

Scenarios and data taken from (Liley *et al.*, 2006b, with the estimates made using "Model C5"). Scenarios are based largely on the draft Regional Spatial Strategy:

Scenario 1 assumes 445 houses per annum within Poole and 2060 within the S-e sub region;
 Scenario 2 assumes 500 houses per annum within Poole and 2090 within the S-e sub region;
 Scenario 3 assumes 540 houses per annum within Poole and 2270 within the S-e sub region and
 Scenario 4 assumes 610 houses per annum within Poole and 2547 within the S-e sub region.

The predictions assume all sites have the same degree of attractiveness and are based purely on housing and car-park sizes at / around each site.

Site	Scenario 1	Scenario 2	Scenario 3	Scenario 4
Upton Heath	8	9	9	10
Canford Heath	10	11	12	13
Turbary Common	9	10	11	12
Bourne Valley	10	11	12	13
Dunyeats	11	13	13	15
Corfe Hills Golf Course	12	13	14	15
Ham Common	9	11	12	13

These predictions suggest that there will be a 10-15% increase in visitor pressure across these sites as a result of the proposals within the Core Strategy, and when taken into consideration with other development in the sub-region.

These estimates do not take into account the attractiveness of the sites. Ham Common, with beach frontage and good views is likely to attract more visitors than the other sites, such as Turbary Common or Kinson. The estimates also proposes a focus for new homes around the Central Area and Poole Power Station. These were not specifically included in the predictions in Table 3. These two areas will hold a large proportion of new houses, and are closest to Upton and particularly Ham Common. A further element missing from the predictions for Ham Common is the large number of static caravans, which do not appear in postcode data for housing. These will mean that the baseline level of access at Ham Common was probably an under-estimate. Taking into account these factors, it is likely that the increase in visitor numbers at Ham Common would be higher than predicted, but the actual level of existing access is also probably higher.

Postcode data supports the selection of these sites as likely to see an increase in visitor pressure as a result of proposals within the Core Strategy. Map 3 shows postcodes from Poole for people interviewed on heaths in Dorset, data held by Footprint Ecology from various different surveys (largely from Clarke *et al.*, 2006; Liley & Underhill-Day, 2006d). Different numbers of interviews were conducted at different sites, and interviews were not conducted on all sites so direct comparison between sites is difficult. The data do however provide a useful indication of the 'catchment' of the different sites. Residents in the Hamworthy area clearly do visit Ham Common and people in the Central Area / Regeneration Area do visit Canford Heath, Upton Heath and Ham Common. People from across the northern half of the Borough appear to visit Canford Heath. Also of interest is that some people from the Borough were interviewed on heaths outside the Borough, including Hartland Moor and Wareham Forest.

It is therefore concluded that, with the evidence currently available, there is likely to be an increase in levels of recreational activity on heathland sites and that this may result in an adverse effect on the integrity of the Dorset Heathlands SPA/SAC/Ramsar site. In order for the provision to proceed at this stage in the Habitats Regulations Assessment, the adverse effect must be mitigated. The Appropriate Assessment must consider mitigation measures that are able to reduce the effect to a level at which it is no longer considered to be an adverse effect on site integrity. Mitigation measures are unlikely to remove the effect in its entirety, but mitigation options should be pursued that reduce the effect to its minimum. This is likely to require consideration of a number of mitigation measures that may function together to reduce the adverse effects. All mitigation measures considered must be capable of being implemented.

These data support a strategic approach to green space provision and access management across the sub-region. Existing data indicates that visitor levels will increase at sites within and close to the Borough, and it is also likely that sites outside the Borough, such as some of the Purbeck sites, will also be visited by residents in new accommodation in Poole. There are gaps in our understanding. We have little understanding of the impact that very high density housing has on use of green space sites (but see Dehring & Dunse, 2006; but see Harrison *et al.*, 1995; Maat & de Vries, 2006). It is not straight forward to estimate the additional areas of green space that may be necessary to alleviate pressure on sites of nature conservation importance, as site attractiveness, ease of access and distance from housing will all determine actual use.

Conclusions with regard to the Appropriate Assessment of 'Meeting Housing Needs' in terms of the Dorset Heathlands SPA/SAC/Ramsar site

The research and analysis undertaken for the Appropriate Assessment above indicates that, if the 'Meeting Housing Needs' element of the Core Strategy is implemented without mitigation measures, an adverse effect upon the integrity of the Dorset Heathlands SAC/SPA/Ramsar site cannot be ruled out. Adverse effects are likely as a result of the Core Strategy alone, either as single elements or as a combination of elements within the plan. There is therefore no need to undertake an in-combination assessment with other plans or projects.

Mitigation proposals for 'Meeting Housing Needs' in terms of the Dorset Heathlands SPA/SAC/Ramsar site

Mitigation measures proposed for the Dorset Heathlands in light of the findings of the Appropriate Assessment are set out below. It is considered that the application of these mitigation measures, if all implemented fully, can ensure that the effects of the 'Meeting Housing Needs' element of the Core Strategy are reduced to a level that enables the Council to ascertain that there would be no adverse effect on the integrity of the site.

The Interim Planning Framework (IPF) and subsequent DPD should undertake strategic access management and green space provision across south-east Dorset to mitigate additional pressures on the heaths.

The following measures would be necessary either within or outside the IPF / DPD, to mitigate for the potential increase in visitor numbers and urban effects:

- 1) Creation of alternative green space in the area to the north-west of Poole conurbation, providing a large off site green-space site with good parking and a range of routes, and therefore replicating the attractiveness of the heaths for recreation. This site should be of a suitable size and design to attract people from the development location. At least 30ha would be necessary to provide a range of routes and accommodate a typical dog-walk of c.2.5km.
- 2) Wardening presence on the sites listed in Table X, with the aim of preventing fires, barbeques etc and ensuring dog owners keep their dogs on leads during the period from April to the end of August. The warden should be present during times of high fire risk, i.e. prolonged dry spells, and these may occur in both the summer and the winter. Levels of wardening to meet this requirement should be agreed between Poole Borough Council and Natural England.
- 3) Access to car-parks should be prevented adjacent to Ham Common at night, through security gates. This will result in a reduction in the number of people visiting the area at night for barbeques, parties etc. The resource requirements for this measure will need to be determined by Poole Borough Council (PBC already closes the Baiter car park each night).
- 4) Greater management of visitors at Ham Common, with the reduction in the number of static caravans at Rockley Park, and potentially creating a buffer zone around the northern fringe of Ham Common being possible measures.
- 5) Reassessment of existing open spaces, to consider how they can be improved to provide alternative natural green spaces to those within the European sites.

For Map 2: See accompanying pdf

For Map 3: See accompanying pdf

6.5 Appropriate Assessment of the Effect of ‘Meeting Housing Needs’ on the New Forest SPA/SAC/Ramsar

Total visitor volumes within the New Forest are currently estimated at over 13 million visitor days (Gallagher *et al.*, 2007; Tourism South East Research Services *et al.*, 2005). This total includes holidaymakers staying within the park, day trips from home by New Forest residents and people living outside the park and visiting for the day from home.

Tesserae (Tesserae Environmental Consultants, 2007), in their Habitat Regulations Assessment of the draft New Forest District Council Core Strategy, have identified recreational pressure as a potential issue for European habitats in the New Forest National Park. Changes in the levels of recreational pressure are likely to result from new development, changing the number of people living in the vicinity of the park and the spatial distribution of housing.

Increases in the number of houses in Poole have the potential to result in more people living within an easy travel distance to the National Park – those day visitors travelling from more than 5 miles outside the park. Such “other day-visitors” account for 25% - 35% of visitor days to the park (Tourism South East Research Services *et al.*, 2005; University of Portsmouth, 1996), comprising 4.657 million visits per annum.

The recent visitor data from the New Forest (Tourism South East Research Services *et al.*, 2005) reveals that the majority of these day visitors (52%) come from Hampshire, specifically Southampton, Eastleigh and Chandlers Ford (28%), Winchester (9%), Portsmouth, Fareham, Gosport and Havant (8%) and North Hampshire (3%). Dorset forms the next largest visitor origin, contributing 29% of the ‘other day-visitor’ total, specifically from Bournemouth (11%), Poole (5%) and Ferndown, West Moors and Verwood (5%). Other counties (as far north as Cambridgeshire) contribute far smaller proportions of day visitors, with only Wiltshire (7%) being notable.

It is therefore clear that Poole residents do visit the New Forest and that approximately 230,000 visitor days (5% of 4.657 million) within the National Park are by Poole residents. It also appears (Footprint Ecology, in prep) that visitors from the west tend to visit the western part of the National Park, suggesting that pressure from development in the Poole area will be focused on the western part of the Park. Increases in the number of residents at Poole, and the other areas surrounding the New Forest, clearly have the potential, in combination, to result in an increase in recreational pressure on the National Park. It cannot be ascertained, at this stage, that this will not result in an impact on the European Interest Features present in the National Park.

Mitigation proposals for the ‘Meeting Housing Needs’ Element of the Core Strategy in terms of the New Forest SPA/SAC/Ramsar site

Mitigation measures proposed for the New Forest in light of the findings of the Appropriate Assessment are set out below. It is considered that the application of these mitigation measures, if all implemented fully, can ensure that the effects of the ‘Meeting Housing Needs’ Element of the Core Strategy are reduced to a level at which they will no longer result in an adverse effect upon site integrity.

The in-combination effects can only be resolved through a strategic approach, either through the Interim Planning Framework (IPF) and subsequent DPD, or through some extended partnership that includes the New Forest National Park.

- 1) Development and promotion of alternative green space sites that have the potential to attract Poole residents that might otherwise visit the New Forest. Parts of Ringwood Forest (including West Moors Country Park) may be suitable.
- 2) Access Management measures put in place within the National Park, particularly around the western car-parks. Suitable measures would include limiting parking, path maintenance, promotion of particular routes and wardening.
- 3) Consideration given to transport routes and in particular ways to encourage people from Poole to travel to the National Park by train rather than by road, thereby limiting changes in visitor numbers to the areas around the train stations.

6.6 Full Sail Ahead Regeneration Area

Running alongside the Habitats Regulations Assessment of the Core Strategy is a re-assessment of the Full Sail Ahead Regeneration Area Supplementary Planning Document. A Habitats Regulations Assessment of the SPD was undertaken in 2005. However, since that time, national, regional and local priorities and planning guidance have changed, and consequently the regeneration area will be subject to considerably higher densities and overall numbers of housing than previously allocated. For this reason a new Habitats Regulations Assessment has been commissioned by Poole Borough Council at the same time as the Habitats Regulations Assessment of the Core Strategy, by the same team of consultants. The conclusions of the other assessments are inter-related with those of the Core Strategy but they are not reiterated here. Reference can be made to the other assessments.

However, the recommendations relating to the Core Strategy, in section 7 below, incorporate all the proposed changes to the Core Strategy arising from all three Habitats Regulations Assessments.

6.7 In-combination Considerations

The Habitats Regulations require the potential effects of plans and projects to be checked to ensure that they would not be likely to be significant, either alone or in combination with other plans and projects.

The above assessment of the potential effects of the Core Strategy indicates that two principal aspects of the plan would be likely to have a significant effect and these are taken forward to appropriate assessment alone. The assessment indicates that the other potential effects of the plan can be eliminated by avoidance measures. Once these avoidance measures have been built into the plan the effects are ruled out and cannot therefore be significant either alone or in combination.

Consequently, if the avoidance measures are incorporated into the Core Strategy, no in-combination assessment will be required in respect of the Core Strategy.

However, whilst it can be ascertained that the proposals in the plan for meeting the housing need and the 'Full Sail Ahead' Regeneration Area will not adversely affect the integrity of the European sites, there will be residual effects of the plan in respect of housing on the Poole Harbour SPA/Ramsar. These residual effects are not likely to be significant themselves, but in combination with other plans and projects the possibility of a significant effect cannot be ruled out on the basis of objective information.

Consequently, plans and projects that may affect Poole Harbour SPA/Ramsar site may need to be combined with the residual effects of the proposals in the Core Strategy in respect of both meeting the housing need and the 'Full Sail Ahead' Regeneration Area. These proposals are likely to come from within Poole Borough or Purbeck District, because proposals outside these areas would not be likely to affect the European site. The local planning authorities will need to take account of this when considering plans and projects in the future.

Furthermore, the Habitats Regulations Assessments of the power station site redevelopment and the 'Full Sail Ahead' Regeneration Area similarly concluded no adverse effect on the Poole Harbour SPA/Ramsar, owing to detailed mitigation measures. These proposals form part of the Core Strategy. Thus, it is concluded that if all of the measures proposed in the three Habitats Regulations Assessments are adopted, there would be no adverse effect on the integrity of the Poole Harbour SPA/Ramsar site arising from the Core Strategy, the 'Full Sail Ahead' Regeneration Area or the redevelopment of the power station site, individually or in any combination.

Impacts on the Dorset Heathlands SPA/SAC/Ramsar could occur in-combination with other plans and projects because the heathlands extend into the administrative areas of other local planning authorities, and because residential development in neighbouring areas may result in increased visitors to the heaths within Poole Borough and additional visits to heaths outside the Borough may be generated by new development within it. However, the potential effects are intended to be eliminated by the provisions of the Interim Planning Framework, which is a combined authority initiative to prevent adverse effects arising through the planning system upon the integrity of the Dorset Heathlands across their South Dorset range. In-combination effects are therefore eliminated through the adoption and implementation of the Interim Planning Framework.

Bournemouth Airport, which could be a focus for economic development within the sub-region, is adjacent to European heathland sites and there is potentially an effect from increased recreational pressure resulting from an increase in the number of people working in the area. The airport development may therefore require a separate, detailed assessment. Careful design measures within the new development to control and manage access from the development site to European heathland will be necessary. Measures within the IPF and DPD will provide means of mitigating any increase in access levels, but the Habitats Regulations Assessment of the airport development should take into account the findings and recommendations of this assessment for Poole Core Strategy.

Issues with regard to the New Forest are similar to the Dorset Heaths, in that the in-combination effects of cumulative development across a wide geographic area can only be tackled strategically. On-going work by Footprint Ecology, commissioned by the New Forest National Park Authority will provide greater detail on the level of impacts and likely levels of change as a result of new development outside the National Park. This work is likely to provide recommendations for access management and possible alternative green space provision.

6.8 The iterative process of assessment

The Habitats Regulations Assessment has been an iterative process of assessment and discussion between the consultants, Poole Borough Council and Natural England. **Annex 3** provides details of the key stages in the assessment process to date.

7. Conclusions and Recommendations

The recommendations to ensure that there will not be an adverse effect upon the integrity of any European site are in two parts. Firstly, avoidance measures, which are set out within the initial check for likely significant effect (Annex 2), consisting of various recommended measures to incorporate into the Submission draft of the Core Strategy. Secondly, measures are recommended below, which arise from the Appropriate Assessment. Both parts need to be incorporated into the final Submission draft of the Core Strategy.

The recommendations will inform the final Submission draft of the Core Strategy. It will however be necessary for a final Habitats Regulations Assessment check of the Submission document to be undertaken, to ensure that all recommendations have been adequately incorporated. This final check should confirm that the document is submitted for Examination with a complete Habitats Regulations Assessment Record that demonstrates that the final Submission document will not have an adverse effect upon the integrity of any European site, in accordance with the Habitats Regulations.

7.1 Recommendations with Regard to Poole Harbour SPA/Ramsar Site

It is recommended that, in order to include the recommended measures for the protection of Poole Harbour SPA and Ramsar site within the Core Strategy and therefore enable the Council eventually to conclude that the Strategy will not have an adverse effect upon the integrity of Poole Harbour SPA and Ramsar Site, a new policy for the Harbour needs to be added to the Strategy. The recommendations of the Habitats Regulations Assessments of the 'Full Sail Ahead' Regeneration Area and the redevelopment of the power station will also need to be adopted.

Holes Bay, and the wider Poole Harbour is within area promoted for economic regeneration and growth, as well as the prime location for much of the required high density housing to meet local, regional and national demand. As a result of the types of development and regeneration proposed, there is the potential for increased activity around the Harbour, in terms of informal recreation and dog walking, water sports and boating, all of which could have detrimental effects upon internationally important wildlife within the Harbour. There is a need to ensure carefully controlled and planned access to the Harbour shoreline in order to prevent additional disturbance to sensitive wildlife. Monitoring and control of unregulated activities within the Harbour is also needed. To the extent that they relate to spatial planning issues, these measures should be included in the Core Strategy. Other measures should be incorporated into the European Marine Site Management Scheme for the Poole Harbour SPA, prepared under the provisions of Regulation 34 of the Habitats Regulations. In this way the mitigation measures necessary to ascertain that the development flowing from the implementation of the Core Strategy will not adversely affect the integrity of the SPA and Ramsar site will be delivered through statutory plans and schemes.

Furthermore, if all of these measures are secured through the LDF and the European Marine Site Management Scheme, the effects of the proposed developments would not be likely to have a significant effect on the SPA or Ramsar site.

Whilst the Core Strategy is a strategic and overarching document for the Poole LDF, more site specific and development control specific policy in relation to the regeneration of the Holes Bay area has already been produced with the Full Sail Ahead SPD. Whilst this document has been the subject of a retrospective Habitats Regulations Assessment, updating an original assessment of lower development densities, the SPD itself is not likely to be formally updated as part of the LDF. The opportunity to ensure measures are in place

to prevent adverse effects upon the integrity of Poole Harbour SPA/Ramsar in terms of policy wording and developer requirements must therefore be incorporated in the Core Strategy. Specific reference to the findings and recommendations of the Habitats Regulations Assessment of the 'Full Sail Ahead' Regeneration Area SPD is therefore necessary, along with the requirement to implement the mitigation measures set out within this assessment.

Suggested text and policy wording – Poole Harbour

Two new policies should be added to the Core Strategy Submission document with accompanying text as suggested below.

Proposed text

The 'Full Sail Ahead' Regeneration area, and wider developments in the vicinity of Holes Bay and the Harbour have the potential to adversely affect Poole Harbour Special Protection Area (SPA) and Ramsar site, which is specifically designated for its important bird assemblages and associated habitats. The Council recognises the importance of protecting and enhancing these important wildlife features, whilst ensuring the sustainable regeneration of the Harbour and 'Full Sail Ahead' area around Holes Bay, for the benefit of local communities, visitors, and the local and regional economy.

Policy XX

(a)

The Council will determine applications for development within the 'Full Sail Ahead' Regeneration zones and wider Holes Bay area in accordance with the recommendations of the Habitats Regulations Assessment of the 'Full Sail Ahead' Regeneration Area SPD, including the imposition of conditions on planning permissions controlling construction works where appropriate and the provision of other mitigation measures through section 106 planning obligations.

(b)

Developer contributions will be required, in addition to those that may be required by the Dorset Heathlands Interim Planning Framework (and subsequent DPD (see policy AA). The developer contributions will protect the Poole Harbour SPA/Ramsar site through the strategic provision of mitigation measures to reduce effects on the habitats and species by controlling and managing development and access including contributions to the implementation of the Poole Harbour SPA European Marine Site Management Scheme

Policy XY

Planning permission for additional slipways and other infrastructure works that could increase the recreational activity likely to have a significant effect on the Poole Harbour SPA / Ramsar site will not be permitted.

Measures that should be included in the Poole Harbour SPA European Site Management Scheme

Measures that should be included in the Poole Harbour SPA European Site Management Scheme include:

- 1. Carefully planned and improved zoning for currently unregulated activities, such as bait digging, fishing and dog walking and improved zoning and management of jet skiing, canoeing, windsurfing, sailing and motor boating to concentrate these activities in areas where disturbance effects are least likely and that speed limits are controlled.*
- 2. Detailed monitoring of the different activities above, established in such a way as to inform the required zoning and ensure its effectiveness.*

3. *The enforcement of speed limits and control of boating activities (such as jet skis), especially around key locations for the birds.*
4. *Control over the landing / launching of small craft (windsurfers, canoes etc), including restricting such activities to specific locations only.*
5. *Restrictions to prevent dogs from roaming on mud flats at Poole Park and Ham Common.*
6. *Footpaths relocated back from the shore at the most sensitive locations such as Baiter, with some screening put in place to separate walkers from the shore and provide quiet feeding areas at Baiter and in parts along the shoreline path round to Sandbanks and around Holes Bay. Dog walking zoned and a 'dogs on leads' policy for selected sensitive path lengths where dog walking is still allowed.*
7. *Access at the following key locations that are important areas for the SPA/Ramsar site birds and where disturbance currently has an impact to be controlled, managed and where deemed necessary prohibited: Blue Lagoon mouth (breakers and adjacent saltmarsh), parts of Holes Bay and the shore towards Sandbanks (Whitley Lake, Morrisson roost 93). Management may include screening, interpretation, footpath design and modifications to the seawall to keep people away from sensitive locations.*
8. *If necessary (as a result of the monitoring above) setting limits on the number of berths in different marinas.*
9. *No provision made for personal boat storage in any of the developments associated with the regeneration area.*
10. *Further survey work for the sponge *Suberites massa* to confirm its distribution within the channel, the area of hard surface currently colonised and the distance to the new areas of hard surface. If necessary currently colonised areas to be left undisturbed.*

With reference to policy XX above, the following matters are considered to be too detailed to incorporate into the text of the Core Strategy. However, for the sake of clarity and completeness, the measures that should be considered in **conditions on the grant of a planning permission, or any other form of consent, licence or authorisation**, and where appropriate in a section 106 planning obligation are as follows.

1. *Most construction work, especially that directly adjacent to the Harbour shore, involving loud noises or large lifting plant, should take place between late March and late July. Should work take place during the winter, construction work should be halted during any extended periods of exceptionally cold weather (below freezing).*

Such scheduling will ensure that major works take place when the numbers of birds in the area are at their lowest. Numbers of birds build steadily through the winter (Figure 1) and it is the mid-winter period, when numbers of birds are highest and cold weather may occur, that birds are likely to be most stressed and more likely to be affected by disturbance. The area around the regeneration area is not important for breeding waterfowl.

2. *Construction work should be screened from the harbour. Ideally temporary earth banks or similar would be used to create both visual screening and reduce noise.*

3. *Works in particular areas should not be erratic, allowing birds to habituate to noise and works at particular locations.*
4. *Construction personnel should remain within the works area, and when outside vehicles personnel should not be allowed on the shoreline adjacent to the power station site or any other areas with mudflats where birds could be feeding. No dogs should be brought on site, other than police or guard dogs.*
5. *Reductions to noise levels can be achieved through the sensitive location of equipment and enclosures and through plant maintenance, following the British Standard for 'Noise control on construction and open sites' (BS5528). When detailed plans are available, an in-depth assessment must be undertaken by a noise specialist prior to construction.*
6. *Where new housing is adjacent to the harbour, for example at the power station site, some kind of barriers should be incorporated into the design of the site to ensure people cannot access the shoreline, or cause disturbance to any birds present.*
7. *Strict conditions imposed on the excavation, storage and disposal of all potentially contaminated material.*
8. *All drainage from roads, walkways, buildings and other surfaces both within the development sites and from the bridge are directed away from the SPA and surface water is treated before disposal.*
9. *Best practice is incorporated into construction procedures and building design (such as bunding around fuel storage, effective waste disposal and adequate drainage to accommodate one-off events, prevention of spillages during bridge maintenance and painting).*
10. *A carefully designed contingency plan for accidents / spills etc during and post construction is to be put in place and regularly reviewed and rehearsed.*
11. *Dredging of the top 0.5 m of sediment is restricted to periods of slack water or ebb tides. In this way any contaminated sediment released by the dredging operation will be carried into the ship channel of the Harbour where they will more easily disperse and any contaminants diluted. No dredging of this surface layer should be carried out in strong winds or choppy conditions.*
12. *Any dredging taking place around the new bridge location in areas shown to have PAH levels above PEL should only take place at slack water or on an ebb tide and use sediment screens.*
13. *The water analysis carried out as part of the Bridge ES should be repeated immediately following the dredging operation for the Bridge supports and after the proposed channel dredging, and levels compared with the base line levels set by the ES and the EQS permitted limits.*
14. *Areas to be dredged for moorings should be grab sampled and the samples tested for contaminants, particularly TBTs. If these or other contaminants are found at elevated levels (above PEL), appropriate measures will need to be taken to prevent damage to the European site. This should include prevention of contaminants washing into the higher reaches of Holes Bay on rising tides, no dredging in strong winds or choppy conditions and if elevated levels of PAH or TBT are found, the use of sediment screens.*

The physical removal of existing swinging and replacement with fixed moorings without dredging will not have a significant adverse effect on the European site through the release of sediments.

15. *Stone is placed at the base of the coffer dams and downstream of the bridge supports to prevent scour. For the downstream areas an alternative would be to dredge the affected area before scour occurs, with any dredging taking place only at slack water or on an ebb tide and using sediment screens.*
16. *Plant and machinery must be confined to the power station site and prevented from accessing any areas below the high water mark. Secure fencing should be established to prevent access by personnel and machinery. Guidance should be given to all construction personnel that there is to be no access to intertidal areas.*
17. *No anti-fouling compounds are to be used on any hard surfaces within the Blackwater Channel.*
18. *No new tall (i.e. taller than existing buildings in the area) buildings adjacent to the harbour side should be permitted without further detail monitoring of birds flight paths in and out of the bay, especially in relation to existing buildings and pylons.*

Buildings that are at the height of existing buildings or pylons should not pose a problem.

19. *There should be no towers, masts or large aerials on top of new or existing buildings within the Regeneration Area.*
20. *All structures, lighting and street furniture adjacent to the harbour side should eliminate cables, chains or wires that might present a hazard to flying birds.*

7.2 Recommendations with regard to Dorset Heathlands SPA/SAC/Ramsar Site

It is recommended that, in order to include the recommended measures for the protection of the Dorset Heathlands SPA, SAC and Ramsar site within the Core Strategy and therefore be able to conclude that the Strategy will not have an adverse effect upon the integrity of the Dorset Heathlands SPA, SAC and Ramsar site, a new policy for the heathlands needs to be added to the Core Strategy and a number of recommendations also need to be taken forward into the joint Heathlands DPD.

Suggested text and policy wording – Dorset Heathlands SPA/SAC/Ramsar Site

Two new policies should to be added to the Core Strategy Submission document with accompanying text as suggested below.

Proposed text

The Interim Planning Framework (IPF), which will be subsequently replaced by a joint Heathlands DPD, makes strategic access management and green space provision across south-east Dorset to avoid adverse effects arising from additional residential development around the Dorset Heathlands SPA / SAC / Ramsar site.

This will need to include the large-scale additional green space, in the area to the north-west of Poole conurbation, which will have good parking and a range of routes, in order to replicate, and therefore compete with, the attractiveness of the heaths for recreation. This

site should be of a suitable size and design to attract people from the development location. At least 30ha will be necessary to provide a range of routes and accommodate a typical dog-walk of c.2.5km, and will be identified as a site allocation for additional green space.

Provision will be made for improved warden cover of the designated heathlands and access management measures will be implemented through developer contributions. The Council will reassess all existing green spaces within the Borough in order to realise their full potential as alternative natural green spaces. This will inform the use of developer contributions to the IPF, and subsequent DPD.

Policy AA

Planning permission for residential development that would lead to an increase in the number of dwellings within 400m of the Dorset Heathlands SPA / SAC / Ramsar site will not be permitted. For residential development between 400m and 5km of the boundary of the Dorset Heathlands SPA / SAC / Ramsar site the Council will require developer contributions in accordance with the Heathlands Interim Planning Framework, and subsequently the Heathlands DPD. The developer contributions will protect the Heathlands SPA / SAC / Ramsar site through the strategic provision of green space and access and management measures to avoid adverse effects on the habitats and species.

Policy AB

Provision will be made in all Development Plan Documents to ensure that adequate and appropriate green space will be provided and to facilitate other measures to meet the requirements of the Interim Planning Framework.

With reference to policies AA and AB above, the following matters are considered to be too detailed to incorporate into the text of the Core Strategy. However, for the sake of clarity and completeness, the measures that should be considered for funding by developer contributions, in line with the Heathlands IPF, will include.

1. A warden presence on the sites listed in Table X, with the aim of preventing fires, barbeques, etc and ensuring dog owners keep their dogs on leads, will be in place during the period from April to the end of August each year from 200X. The warden should additionally be present during times of high fire risk, i.e. prolonged dry spells, and these may occur in both the summer and the winter. Levels of warden cover to meet this requirement will be agreed between Poole Borough Council and Natural England.
2. Access to car-parks adjacent to Ham Common will be prevented at night, through the use of security gates. This will result in a reduction in the number of people visiting the area at night for barbeques, parties etc. The resource requirements for this measure will need to be determined by Poole Borough Council.
3. Detailed visitor monitoring will be undertaken at Rockley Park, to determine routes taken by visitors and the volume of people using the adjacent heath that originate from the caravan park. The results will then be used to inform access management, possible caravan park reconfiguration, possible caravan unit reduction and/or changes to the provision of car park facilities. Measures should ensure that visitor pressure remains at a level that does not adversely affect the heath.

7.3 Recommendations with regard to the New Forest SPA/SAC/Ramsar Site

Increases in the number of houses in Poole may result in an increase in recreational pressure to the New Forest SPA / SAC / Ramsar, with people making day trips to the New Forest area. The relatively recently-formed New Forest National Park Authority is responsible for overseeing planning and management within the New Forest. The National Park Authority has commissioned work which will identify the current levels of impacts and likely change as a result of new development. This work will document necessary measures to reduce any impact. It is currently too early to determine whether, in-combination with other visitors within the sub-region, visitor pressure from Poole Borough is likely to contribute to a significant effect on the New Forest. On a precautionary basis, the Poole Core Strategy should commit Poole Borough Council to working with the New Forest National Park Authority and other relevant local authorities in the sub-region to assess the effects and how any such effects may be avoided.

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Annex 1 - Tabular Illustration of the Check of the Preferred Options Document for Likely Significant Effect

Note on abbreviations in the table COs = Conservation Objectives of the European Site. Blue highlights areas that may need further assessment.

	Preferred option	Potential impact	Effects on site features	Effects on COs	LSE?	Avoidance measures to take forward to Submission
Vision	The developing vision takes issues and themes from the Sustainable Communities Strategy, and it is from this starting point that the Core Strategy develops, as a mechanism for addressing those issues and priorities in the sustainable Communities Strategy.	The options for the overall vision sets out how the Core Strategy will address the key issues for Poole. This includes economic and community improvements, and makes specific reference to regeneration of the water front.	Focus of development at the centre of Poole, and specifically the water front is likely to affect Poole Harbour because it is in such close proximity – impacts are likely from the presence of development, disturbance etc.	Possibly. Focus on Poole Centre will place most development away from heathland sites, but closer to Harbour.	Yes	As part of the three pronged approach to sustainable development (PPS1), the protection and enhancement of the natural environment should be a key feature of the vision for Poole, to be achieved alongside economic and social wellbeing.
	The following strategic objectives are high level and overarching. Without specific reference to locations or a quantum of development, the strategic objectives tend to be a list of overall priorities. Measures to avoid and potential effects can also therefore reflect this overarching and strategic approach, and do not need to be very detailed or specific, rather the measure serves to highlight a potential effect and demonstrate that the objectives must be achieved whilst ensuring no adverse effects on European or Ramsar sites.					
Strategic objectives	A Delivering sub-regional priorities	A general and wide ranging objective. Also promotes the heathland mitigation strategy as a sub-regional priority.	No perceivable potential effects on any site.	Positive contribution to conservation objectives	No	The objective gives priority to the heathland mitigation strategy as a sub-regional priority, which is very positive. The general and wide ranging nature of the objective does not warrant any further specific measures.
	B Meeting housing needs	General and wide ranging, but with reference to meeting housing needs, which is guided by the RSS.	Levels of housing set out within the RSS for the borough of Poole, and for Poole as a growth point, may increase numbers of new residents to the extent that recreational pressure on the Dorset Heathlands and Poole Harbour is significant. Some housing may be directed close to designated sites, which may result in more significant direct effects.	Yes, maintenance of heathland habitats and the Harbour.	Yes	<i>"...whilst ensuring the protection of our valuable natural environment"</i> should be added to the end of the objective. Meeting housing needs is an objective that is directing development that is likely to have a significant effect on sites. The general and wide ranging nature of the objective requires the application of a similar general and wide ranging avoidance measure. However, it must be ensured that the policy option can be implemented. Uncertainties regarding the impacts of new housing is being taken forward to AA stage from the Housing Core Element below.

	Preferred option	Potential impact	Effects on site features	Effects on COs	LSE?	Avoidance measures to take forward to Submission
	C Nurturing economic prosperity	General and wide ranging.	No perceivable potential effects on any site.	None	No	This is a very general objective and does not direct development. No further avoidance measure needed.
	D Transforming the central area of Poole	Regeneration of central area adjacent to Poole Harbour will bring more people, buildings and activities very close to the site. Also potential for construction impacts in such close proximity.	Disturbance from people, lights, noise may disrupt roosting and feeding (and breeding?). Water quality of the bay requires consideration – including drainage and dredging proposals. Physical presence of buildings may alter site use by birds, and may also represent physical barriers to movement.	Yes, could influence harbour habitats and their use by birds.	Yes	Specifically directing development adjacent to Poole Harbour. There are clear uncertainties regarding the potential effects, which are likely to be significant. Further assessment is certainly needed. Avoidance wording is not applicable at this stage, because there is such a clear likelihood of effects. Avoidance wording without further assessment may render the policy incapable of implementation. Take forward to AA stage. Additional impacts from development in the central area generally, outside the immediate FSA regeneration area are possible. Policy wording must include strict guidance regarding the progression of development in the Central Area generally in terms of ensuring that European and Ramsar sites are not adversely affected. It must be clear that development cannot go ahead unless it can be demonstrated that there will not be any adverse effect.
	E Delivering a high quality urban environment	General and wide ranging.	No perceivable potential effects on any site.	None	No	Relates to design quality generally, not directing development that will affect sites.
	F Investing in Poole's vulnerable and older people	General and wide ranging.	No perceivable potential effects on any site.	None	No	Refers to specific types of development, but a type not likely to result in significant effects.

	Preferred option	Potential impact	Effects on site features	Effects on COs	LSE?	Avoidance measures to take forward to Submission
	G Protecting our natural and built environment	Generally positive.	With a lack of reference to the protection and enhancement of the natural environment the objective fails to demonstrate the key importance of the natural environment as integral to the vision and objectives of the Core Strategy.	Does not contribute to objectives, but does not specifically hinder their achievement	Yes	Should refer to the protection and enhancement of natural environment as well as built in text as well as objective title.
	H Reducing our impact on, and susceptibility to, climate change	Erection of coastal flood defences is referred to within the objective.	New or improved flood defences have the potential to affect coastal sites. Also lack of commitment to preventing adverse effects on sites as a result of climate change.	Does not contribute to objectives, but does not specifically hinder their achievement	Yes	Objective needs to state a commitment to protecting natural assets. The Core Strategy and subsequent plan documents need to put measures in place to facilitate species migration and habitat creep. This may include land allocation for habitats to colonise.
	I Improving accessibility and promoting sustainable travel	General and wide ranging, but does direct development to central area of Poole.	Putting development close to transport links will focus development on the centre of Poole, and therefore Poole Harbour.	Possibly. Access routes around the Harbour may increase disturbance levels	Yes	Reference in the text to the “most sustainable locations” would also ensure that the natural environment is included as a determining factor.
	J Meeting community needs	Improvements to recreation facilities	Some recreation sites are also part of or close to European and Ramsar sites. Both Baiter and Ham Park are integral with Poole Harbour SPA.	Possibly, as modifications to some parks may reduce suitability of Harbour habitats.	?	The objective is so general in its wording that it is considered not necessary to add avoidance measures at this stage. Consider measures that may be necessary at more specific policies.
	K Establishing a framework for developer contributions	No apparent negative effects. Need to include contributions towards strategic mitigation measures to prevent effects on sites as a result of development guided by the LDF.	The framework for developer contributions must include the natural environment in order for agreements to be taken forward where mitigation measures are needed.	Developer contributions are an important opportunity to contribute to achievement of cons objectives.	Yes	“... and enhance the environment” could be added to the end of this objective – a general objective with a general avoidance measure.

	Preferred option	Potential impact	Effects on site features	Effects on COs	LSE?	Avoidance measures to take forward to Submission
	The following Core elements add specificity and detail to the strategic objectives, outlining how the strategic priorities will be taken forward, and in many cases where they will be taken forward. It is within these Core Element policies that the potential for effects upon European sites will become more apparent and more specific direction and clear avoidance measures may need to be applied.					
Core elements	2 Delivering sub-regional priorities	<p>Supporting text refers to the high sensitivity of habitats in the area (i.e the Dorset Heathlands), which will focus development on the urban areas. This is very positive, demonstrates that location of sites will influence where development can go. However, Poole Harbour is within the urban area, in the centre of Poole.</p> <p>Whilst the policy is general and wide ranging, its main emphasis is the delivery of sub-regional priorities, which are listed within the policy. This includes the provision of water supply and water treatment and Infrastructure development. These are potential sources of impact, but are not location specific.</p>	Whilst priority is given to avoiding impacts on the heaths, Poole Harbour SPA/Ramsar is not referred to.	Possibly.	Yes	Protection wording must refer to Poole Harbour SPA/Ramsar as well as Dorset Heathlands

	Preferred option	Potential impact	Effects on site features	Effects on COs	LSE?	Avoidance measures to take forward to Submission
	3 Meeting housing needs	The volume of new housing allocated for the borough is 500+ per year to 2026. Option refers to a variety of housing to prevent over dominance of small flats. Reference to a permanent traveller site at Mannings Heath is also made within the option.	The need to accommodate such volume of housing may indirectly affect sites. In addition land is also still needed for economic regeneration, which further increases pressure on the sites in and around Poole.	Yes, development may result in increase in recreational pressure to both heaths and Harbour.	Yes	Policy wording needs to state that housing numbers and phasing can only be accommodated if it can be demonstrated that there will not be any adverse effect on any European or Ramsar site. This avoidance measure cannot be applied if it cannot be ensured that the policy can be implemented with such a requirement, in which case the housing numbers must be revisited. This element of the plan requires further assessment and should be taken forward to AA stage.
	4 Nurturing economic prosperity	Supporting text refers to the need for considerable land for economic development. Can the regionally directed need for housing and economic development be accommodated in Poole without harming sites? Policy wording refers to economic prosperity of the port, tourism and university expansion in addition to economic development generally. Depending upon locations, these could also have significant effects.	The main employment areas within Poole are located around the port and Holes Bay, and are directly adjacent to Poor Harbour SPA/Ramsar. Likely to include considerable reuse, which therefore includes demolition and/or land reclamation as well as new development.	Possibly.	Yes	Although the policy is not locationally specific, its reference to employment areas is likely to be focused at least in part on the Holes Bay area of Poole. Reference to the presence of European and Ramsar designations alongside areas of economic and tourism focus, and the need to ensure that these are not adversely affected in the pursuit of these opportunities is probably best placed in the supporting text for this policy because of the general nature of the policy option as a list of economic priorities, and without any other precautions or restrictions noted within the policy wording itself.

	Preferred option	Potential impact	Effects on site features	Effects on COs	LSE?	Avoidance measures to take forward to Submission
	5 Transforming the central area of Poole	Second harbour crossing, Waterfront regeneration between 2 bridges, high density development – all adjacent to Poole Harbour SPA/Ramsar	The focus of high density and major infrastructure development immediately adjacent to Holes Bay where feeding, roosting (and breeding) habitat is present is likely to have multiple impacts on the SPA/Ramsar site.	Yes.	Yes	The policy requires clear guidance to lower tier plans and projects, to ensure that the transformation of the central area of Poole is progressed in a way that ensures that European sites are not affected. There is a likelihood of a significant effect, and avoidance wording must be robust enough to remove the likelihood of a significant effect. Further assessment is certainly needed in terms of the FSA regeneration area. Avoidance wording is not applicable at this stage, because there is such a clear likelihood of effects with the close proximity of sites and scale of development proposed. Avoidance wording without further assessment may render the policy incapable of implementation. Tale forward to AA stage.
	6 Delivering a high quality urban environment	Neutral – does not promote development	No perceivable potential effects on any site.	None.	No	No further measures required.
	Alternative option to 15 urban character areas	Retention of existing flat character areas, which set out density and height limits for development. Density does not automatically dictate overall housing numbers, but does influence.	Information on the 'Flat Character Areas' was not made available. This prevented further consideration of this option. Note however that this is not taken forward to the Submission draft	-	-	-
	7 Investing in older and vulnerable people	General and wide ranging, references to housing are non site specific. Specific developments in policy wording are care related.	No perceivable potential effects on any site.	None.	No	No further measures required.

	Preferred option	Potential impact	Effects on site features	Effects on COs	LSE?	Avoidance measures to take forward to Submission
	8 Protecting our natural and built environment	Protection of natural environment and reference to requirement to contribute to preparation of joint heathland mitigation DPD. Policy needs updating to include most appropriate wording in relation avoiding impacts on the heaths, and also to include Poole Harbour SPA/Ramsar.	Positive wording and supporting text, but not fully up to date and there isn't any reference to Poole Harbour in the policy, which therefore leaves Poole Harbour with inadequate policy protection.	Achievement of cons objectives hindered by current policy wording, which requires updating.	Yes	Policy and supporting text require updating to reflect current position on mitigation strategy for both Dorset Heathlands and Poole Harbour, and to include Poole Harbour in the actual policy wording.
	9 Reducing impact on, and susceptibility to climate change	Sets out energy saving and renewal best practice. In relation to flooding and climate change the policy does not provide for the facilitation of habitat movement. Does not promote natural features for flood defence.	Potential for damage to sites as a result of new or improved flood defences. Also policy needs to acknowledge the potential for habitats to be lost as a result of climate change and sea level rise. Habitat creep needs to be facilitated to prevent significant losses.	Yes, as maintenance of habitats in favourable condition could be compromised.		Change the "flood defences" wording within the policy option to "flood prevention and alleviation measures, including use of natural flood sinks, which will protect, people, properties and vulnerable habitats from flooding..." Policy wording also needs to include a commitment to facilitating the movement of habitats and species in order to minimise the impact of climate change upon the natural environment, with particular emphasis on European and Ramsar sites.
	Alternative option to renewable energy target	A variation on the renewable energy target – does not directly promote development.	No perceivable potential effects on any site.	None	No	No further measures required.
	10 Improving accessibility and promoting sustainable travel	Putting development in the best location to reduce travel may direct development towards the Holes Bay area. Road infrastructure improvements are proposed, but refer to the need to avoid putting pressure on heathlands.	Policy offers protection to heathlands but Poole Harbour remains unprotected with a lack of policy reference. Also there is the potential for effects from road infrastructure within 200m of any site, as flagged by the regional assessment.	Achievement of cons objectives hindered by current policy wording, which requires updating.	Yes	Add in reference to avoiding development that has an adverse effect upon Poole Harbour as well as Dorset Heathlands. Specific road improvements that may have an adverse effect are not promoted in the Core Strategy.

	Preferred option	Potential impact	Effects on site features	Effects on COs	LSE?	Avoidance measures to take forward to Submission
	11 Meeting community needs	Local centres highlighted as Key Areas of Change are Canford Heath and Creekmoor, Wallisdown and Hamworthy. Policy refers to need to address heathland mitigation issues. Access to harbour promoted.	Potential recreational pressure on heathland pockets around the Borough as a result of the focus on community improvements. Improvements to recreation sites within SPA/Ramsar, or supporting roost sites may affect interest features.	Increased access levels may result in difficult maintaining favourable condition for both Harbour and Heathland sites.	Yes	Add the following to the end of the policy as the last bullet point: <i>“To address heathland issues, ensuring that community enhancements do not adversely affect the Dorset Heathlands SPA/Sac/Ramsar and contribute to its enhancement wherever possible.”</i>
	12 Establishing a framework for developer contributions	Opportunity for contributions to enhancement of N2k sites. Reference to heathland mitigation measures is incorrectly included under ‘compensation.’	Use of ‘compensation’ and ‘offsetting’ incorrect, and may suggest the Core Strategy supports development causing harm as long as compensation can be provided.	Developer contributions are an important opportunity to contribute to achievement of cons objectives.	Yes	Alter wording to remove compensation and offsetting. Refer to avoidance and mitigation measures instead. Include Poole Harbour SPA/Ramsar as well as Dorset Heathlands
	13 Economic growth	Council aims to secure up to 36,000 square metres of business floorspace in the Full Sail Ahead Regeneration Area.	Economic development directed to the Holes Bay area will bring light, noise disturbance, water quality issues and physical presence of tall buildings/	Yes, as maintenance of habitats in favourable condition could be compromised	Yes	The option requires guidance to lower tier plans/projects, and should not be taken to submission without amendment to clearly state that unless it can be demonstrated that the regeneration can be accommodated without adverse effects, the locations for the economic objectives of the LDF must be revisited and amended accordingly, possibly requiring consideration of other parts of the Borough or region. For the FSA regeneration area further assessment is certainly needed. Avoidance wording is not applicable at this stage, because there is such a clear likelihood of effects with the close proximity of sites. Avoidance wording without further assessment may render the policy incapable of implementation. Tale forward to AA stage.

	Preferred option	Potential impact	Effects on site features	Effects on COs	LSE?	Avoidance measures to take forward to Submission
	14 Retail growth and the town Centre	General and wide ranging, but does direct development to Poole town centre, which is close to Poole Harbour SPA/Ramsar.	No perceivable potential effects on any site because the improvements listed are behind the immediate façade of development looking out over Holes Bay. Therefore it is considered that there would not be any adverse effects.	None	No	No further measures required.
	15 Housing numbers	Sets out housing figures taken from RSS, and directs the majority of housing to the Full Sail Ahead Regeneration Area.	New housing leads to an increase in recreation on designated sites. Development around Holes Bay will bring light, noise disturbance, water quality issues and the physical presence of tall buildings.	Yes, as maintenance of habitats in favourable condition could be compromised	Yes	Without further investigation, it cannot be ensured that the housing numbers proposed can be accommodated, in the locations specified, without the occurrence of adverse effects on European sites. Further assessment is needed before this option can be taken forward, and this option must therefore proceed to AA stage. Avoidance wording with regard to water quality is needed. The policy should specifically state that any new development should not be occupied until adequate water treatment capacity has been provided that ensures that discharges into Holes Bay are not causing an adverse effect upon the European site.
	16 Health and an aging population	Policy option commits to care accommodation and the need for new health sites.	No perceivable potential effects on any site	None	No	No further measures required.

	Preferred option	Potential impact	Effects on site features	Effects on COs	LSE?	Avoidance measures to take forward to Submission
	Alternative approach 3 – Economic growth	The option presents the alternative of not focusing economic development on the FSA regeneration initiative, but rather concentrates upon us of existing employment areas across the Borough for regeneration, and the possibility of Bournemouth Airport as a focus of economic development.	There is the potential for recreational impacts upon the heaths, in-combination with all other sources of recreational pressure because Bournemouth Airport is adjacent to parts of the Dorset Heathlands..	Possible	Yes in combination	Careful design of new economic development at the airport necessary. The option needs to be taken forward with the requirement for a specific Habitats Regulations Assessment or full adherence to the IPF, and subsequent DPD
	Alternative Approach 4 – Housing as a driver for regeneration	A focus on new housing for the FSA Regeneration Area, with limited employment space.	Impacts from construction, and post construction disturbance on Poole Harbour, due to immediate proximity, including water quality issues, and recreational impacts on wider heathland sites from increased residents.	Yes, as maintenance of habitats in favourable condition could be compromised	Yes	As with the preferred option for housing, without further investigation, it cannot be ensured that the housing numbers proposed can be accommodated, either within the FSA area of in the wider Borough without the occurrence of adverse effects on European sites. Further assessment is needed before this option can be taken forward, and this option must therefore proceed to AA stage.
	Alternative approach 5 – Modest retail growth in the town centre	General and wide ranging, but does direct development to Poole town centre, which is close to Poole Harbour SPA/Ramsar.	No perceivable potential effects on any site because the improvements listed are behind the immediate façade of development looking out over Holes Bay. Therefore it is considered that there would not be any adverse effects.	None	No	No further measures required.

	Preferred option	Potential impact	Effects on site features	Effects on COs	LSE?	Avoidance measures to take forward to Submission
	Alternative approach 6 – meeting social needs – health and an aging population	Provision of some elderly care accommodation within the FSA Regeneration Area	Nursing home accommodation means that recreational impacts are unlikely, but still potential for effects from construction, physical presence of building, lighting etc, and water infrastructure needs.	Yes, disturbance to birds could hinder achievement of cons objectives.	Yes	<p>The policy option requires clear guidance to lower tier plans and projects, to ensure that the economic development around Holes Bay is progressed in a way that ensures that European and Ramsar sites are not affected. The policy must give such direction because there is a likelihood of a significant effect, and the development of the regeneration initiative as a whole and each individual project must integrate appropriate measures from the concept. It is possible that individual developments will need to work collectively to ensure adverse effects are prevented, and this will require strategic direction.</p> <p>The policy should not be taken to submission without such amendments and should clearly state that unless it can be demonstrated that the elderly care development can be accommodated without adverse effects, the regeneration objectives of the LDF must be revisited and amended accordingly.</p>

Annex 2 - Tabular Illustration of the Check of the Unpublished Working Draft of Submission Stage (4/10/07), for Likely Significant Effect

	Strategy/policy approach	Potential impact	Effects on site features	Effects on COs	LSE ?	Avoidance measures to take forward to Submission
Vision	The developing vision takes issues and themes from the Sustainable Communities Strategy, and it is from this starting point that the Core Strategy develops, as a mechanism for addressing those issues and priorities in the Sustainable Communities Strategy.	The longer list of options for the overall vision have now been refined and the vision is much shorter, giving brief but clear messages as to the overall aspirations of the Core Strategy. Specific details such as reference to the FSA regeneration area have been removed.	The vision is now very strategic and overarching, without specific references to particular development aspirations. No LSE with current wording due to the very strategic and general nature of the vision.	General, no specific effects	No	The Vision has developed from the Preferred Options and now incorporates reference to sustainable development and environmental protection at the top of the list of visionary priorities. The sustainable development point could be further enhanced with the addition of words such as 'nurtured' or 'protected' for example. At the 'dynamic economy point the word 'sustainable' could be added after effective and before transport.
	The following strategic objectives are high level and overarching. Without specific reference to locations or a quantum of development, the strategic objectives tend to be a list of overall priorities. Measures to avoid and potential effects can also therefore reflect this overarching and strategic approach, and do not need to be very detailed or specific, rather the measure serves to highlight a potential effect and demonstrate that the objectives must be achieved whilst ensuring no adverse effects on European or Ramsar sites.					
Strategic objectives	1 Transform the central area of Poole	Regeneration of central area no longer makes specific reference to the FSA regeneration initiative	Disturbance from people, lights, noise may disrupt roosting and feeding (and breeding?). Water quality of the bay requires consideration – including drainage and dredging proposals. Physical presence of buildings may alter site use by birds, and may also represent physical barriers to movement.	Yes, as maintenance of habitats in favourable condition could be compromised.	Yes	Whilst this is a general objective there is a specific focus on the central area and port. The objective is no longer so spatially specific and wording directing the development can be added. Add "public spaces and a protected internationally important environment" to the end of the point.

	Strategy/policy approach	Potential impact	Effects on site features	Effects on COs	LSE ?	Avoidance measures to take forward to Submission
	2 Nurture economic prosperity	Focus of economic development to the Central Area and Port, close to Poole Harbour.	Development immediately adjacent to feeding, roosting (and breeding) habitat is likely to have multiple impacts on the SPA/Ramsar site.	Yes	Yes	Whilst this is a general objective there is a specific focus on the central area and port. Add "in a sustainable and appropriate way" after and grow and before both in the Central.
Strategic objectives	3 Meet people's housing needs	General and wide ranging, but with reference to meeting housing needs, which is guided by the RSS.	Levels of housing set out within the RSS for the borough of Poole, and for Poole as a growth point, may increase numbers of new residents to the extent that recreational pressure on the Dorset Heathlands and Poole Harbour is significant. Some housing may be directed close to designated sites, which may result in more significant direct effects.	Yes, disturbance and other impacts may mean favourable condition cannot be achieved	Yes	"In a sustainable way" should be added after Poole residents and before including those unable. Meeting housing needs is an objective that is directing development that is likely to have a significant effect on sites. The general and wide ranging nature of the objective requires the application of a similar general and wide ranging avoidance measure. However, it must be ensured that the policy option can be implemented. Uncertainties regarding the impacts of new housing is being taken forward to AA stage from the Housing Core Element below.
Strategic objectives	4 Deliver sub-regional priorities	A general and wide ranging objective. Also promotes the heathland mitigation strategy as a sub-regional priority.	No perceivable potential effects on any site.	No	No	The objective continues to give priority to the heathland mitigation strategy as a sub-regional priority, which is very positive. The general and wide ranging nature of the objective does not warrant any further specific measures.

	Strategy/policy approach	Potential impact	Effects on site features	Effects on COs	LSE ?	Avoidance measures to take forward to Submission
	5 Build Homes in the Right Places	New homes in many places in the Borough could have an adverse effect on European sites	Numerous effects on the Borough's European sites including recreation, pollution, trampling, disturbance, lighting, noise etc	Yes, as maintenance of habitats in favourable condition could be compromised.	Yes	The introduction of this objective at this stage provides a good way of including simple avoidance wording. Add "and the natural environment" to the end of the point after local communities.
	6 Promote safe, sustainable, convenient access	General and wide ranging, but does indirectly focus development to central area of Poole.	Putting development close to transport links will focus development on the centre of Poole, and therefore Poole Harbour.	Yes, as maintenance of habitats in favourable condition could be compromised.	Yes	Add "in the most sustainable locations" to the end of point after public transport.
	7 Support the role of local centres	General and wide ranging.	No perceivable potential effects on any site.	None	No	No further measures required.
	8 Tackle inequalities in Poole	General and wide ranging.	No perceivable potential effects on any site. Includes a reference to quality of environment, which is positive.	No	No	Refers to specific types of development, but a type not likely to result in significant effects.
	9 Deliver a high quality urban environment	May potentially refer to new development but very general and wide ranging.	No perceivable potential effects on any site.	No	No	No further measures required.
	10 Protect our natural environment	Very positive.	A strong protecting objective with specific reference to Poole Harbour and Dorset Heathlands.	No	No	The objective now specifically refers to the natural environment, with the protection of built assets moved to an urban environment objective. This is an important and very positive objective.

	Strategy/policy approach	Potential impact	Effects on site features	Effects on COs	LSE ?	Avoidance measures to take forward to Submission
	11 Address climate change	Positive objective	Reference to defences now removed, but policy should incorporate the protection and facilitating adaptation of the natural environment, particularly designated sites.	Favourable condition of sites, especially within the Harbour, may be compromised.	Yes	Add " <i>natural environment</i> " after visitors. The Core Strategy and subsequent plan documents need to put measures in place to facilitate species migration and habitat creep. This may include land allocation for habitats to colonise. Adding natural environment to the list incorporates this concept, which can be developed further in more specific policy.
The Spatial Strategy	Housing	The option sets out specific housing figures for the period up to 2026, and describes a faster rate of delivery in the first 10 years.	The heaths within and close to the borough of Poole are already suffering from the effects of recreational pressure, and existing effects on Poole Harbour cannot be ruled out, with current research being undertaken. As a key regional growth point, Poole is taking forward a considerable number of new houses, with a fast development rate in comparison to past numbers and phasing. Additional pressure on the European sites is therefore highly likely.	Yes, increased recreational pressure to many of the sites could compromise ability for favourable condition status to be achieved or maintained.	Yes	As concluded at the preferred options assessment, and in agreement with the regional HRA, an adverse effect on site integrity for both Dorset Heathlands and Poole Harbour cannot be ruled out in terms of recreational pressure and disturbance. With more exact housing figures a more detailed assessment can be undertaken. Issue to proceed to Appropriate Assessment stage.
	Employment	Directs new employment development to the FSA regeneration area, immediately adjacent to Poole Harbour. Also includes leisure related employment.	Construction phase disturbance, pollution etc and then post construction disturbance, physical presence of buildings, people, machinery movement etc. Potential pollution impacts from run off, dredging, accidents, increased traffic?	Yes	Yes	Whilst this policy is wide ranging, the majority includes developments likely to have a significant effect when in close proximity to Poole Harbour. The FSA regeneration objectives certainly require more detailed analysis. This aspect of the policy should proceed to Appropriate Assessment.

	Strategy/policy approach	Potential impact	Effects on site features	Effects on COs	LSE ?	Avoidance measures to take forward to Submission
	Change taking place	Policy option just lists areas of change without further indication of what change is, therefore a general policy that does not describe development types, density etc. Reference to priority areas includes environmental enhancements.	For the main part of the policy there isn't a perceivable potential effect on any site because of the very general nature of the policy wording. For the priority areas and environmental improvements, it is possible that improvements to open spaces may affect European sites.	Unclear	Yes	Add in 'protection of the natural environment' to the lists of priority areas in brackets for the two priority areas bullet points.
	Change carefully managed	Positive policy which includes measure to protect heathlands.	No perceivable potential effects on any site. Positive protection from policy wording for heathlands.	No	No	No further measures required.
	Key principles					
Climate change	Introductory text	General objectives for subsequent policies, includes reference to heathland mitigation	Refer to heaths but not Poole Harbour. Does not provide means of taking forward the facilitation of adaptation to climate change in the natural environment.	Yes, as potential to compromise ability for favourable condition status to be achieved or maintained	Yes	Add Poole Harbour to last sentence of introductory text. Add further point on the need to facilitate the adaptation of the natural environment to climate change.
	EN1 Sustainable homes	Positive policy, lacking in reference to water resource and treatment	Heathlands – there is evidence for a reduction in the area of wet heath and mire habitats (Rose <i>et al.</i> , 2000) but the mechanisms for this are not fully understood.	Yes, as potential to compromise ability for favourable condition status to be achieved or maintained	Yes	Natural England have now confirmed that water extraction will not impact upon the mire habitats, because although the aquifer is found below the heaths it quite separate, with Oxford Clay lying between the chalk aquifer and the Reading Bed on which the heaths lie.
	EN2 Renewable energy	Promotes renewable energy development in general terms, not location specific.	Renewable energy development could harm sites in certain locations.	Unlikely, but cannot be ascertained without specific details	Yes	General policy so only requires a general caveat. Add "and where such a proposal accords with policy requirements" to the end of the policy option after 'opportunity exists.'

	Strategy/policy approach	Potential impact	Effects on site features	Effects on COs	LSE ?	Avoidance measures to take forward to Submission
	EN3 Resilience to climate change	The policy makes reference to the potential need for strategic flood defence measures in the regeneration area	Potential effects on Poole Harbour from the introduction of particular flood defence measures.	Yes, flood defence work may impact habitat area and quality.	Yes	Add " <i>which should not adversely affect Poole Harbour SPA/Ramsar</i> " to the end of the policy option after 'strategic flood defence measures.' There is a specific effect so suggested wording is equally specific. Would also benefit from more positive wording in relation to flood management – working with the natural environment, flood water storage capacity and biodiversity benefits etc
Add A New Climate Change Policy to the Strategy.	EN4 Climate change and the natural environment	Suggested new policy wording: <i>"The Council will work with a range of partners to promote the need for, and where ever possible actively facilitate, adaptation of the natural environment to climate change, to minimise effects on biodiversity in the Borough and wider region. The Council will be mindful of this commitment in the consideration of development proposals, and will work with Natural England to develop and implement a climate change monitoring strategy to assess the impacts of recreational pressure on designated wildlife sites in light of changes to those sites and recreational behaviour as a result of climate change. Where monitoring highlights changes that may result in adverse effects on the designated sites, the Council and partners will implement new, or refine existing recreational management strategies to prevent adverse</i>	Adding in a positive policy which promotes the protection of European sites and wider biodiversity from the impacts of climate change, and specifically encourages action to reduce any adverse effect. Requires the Council to work with Natural England and other relevant partners to implement early warning monitoring to ensure that adverse effects continue to be prevented even if climatic changes alter the scale of impacts from increased residential development.	Positive	No	It is considered that, with a changing environmental baseline as a result of climate change, there is the potential for increased effects upon Poole Harbour, and also the Dorset Heathlands and New Forest. This is unknown and cannot be adequately estimated, therefore early warning monitoring will be necessary, and with measures in place for implementation should adverse effects be predicted. This is also a positive policy to add to the Core Strategy, being in accordance with new PPS1 supplement on climate change.

	Strategy/policy approach	Potential impact	Effects on site features	Effects on COs	LSE ?	Avoidance measures to take forward to Submission
		<i>effects on the integrity of designated sites, which may include education, wardening and restricted recreational use"</i>				
Meeting housing needs	HN1 Residential character and flat development	Whilst the policy refers to high density development, it is informed by the overall housing numbers, so policy essentially relates more to character not driving volume of development	High density housing close to sites is a potential effect, but the policy option does not drive development, it is reacting to the overall housing figures proposed, and allocations for the regeneration area, central area etc set out in other policies.	Yes	Yes	If further assessment of housing figures is unable to demonstrate that the current housing figures for the borough cannot be accommodated without adverse effects, there may need to be a revision of housing numbers, which would in turn affect this policy and require revisiting and amendment.
	HN2 Affordable housing	Relates to proportions of affordable housing, not actual volume of housing.	No perceivable potential effects on any site.	No	No	No further measures required.
	HN3 Gypsy and traveller accommodation needs	Refers to the need for a number of new gypsy and traveller pitches within the Borough	Potential impacts from direct loss of habitat, or from recreational pressure and disturbance, depending upon site locations.	Cannot be ascertained without specific details.	Yes	Policy is not site specific so a general caveat is suitable. Add additional point to the end of the policy option "v) sites should not result in a detrimental impact on the natural environment of the borough"
Economic growth	EP1 Locations for investment	Directs economic development to the FSA regeneration area, immediately adjacent to Poole Harbour. Also reserves the port for port related development.	Construction phase disturbance, pollution etc and then post construction disturbance, physical presence of buildings, people, machinery movement etc. Potential pollution impacts from run off, dredging, accidents, increased traffic?	Yes	Yes	The focus of economic development and investment is Holes Bay within Poole Harbour. The FSA regeneration initiative requires more detailed analysis. This aspect of the policy should proceed to Appropriate Assessment.
Access and movement	POLICY NOT YET DEVELOPED					

	Strategy/policy approach	Potential impact	Effects on site features	Effects on COs	LSE ?	Avoidance measures to take forward to Submission
Community priorities	POLICY NOT YET DEVELOPED					
Delivering the strategy	DF1 Joint working	A general and wide ranging overarching policy. Reference to delivery of joint heathland mitigation DPD as a priority.	No perceivable potential effects on any site. Positive protection provided by priority given to heathlands DPD.	Positive	No	No further measures required.
	DF2 Shaping places	A general policy with positive reference to avoiding or mitigating impacts on the heaths and other habitats. Uses the word 'compensation.'	Whilst generally positive, the use of the word 'compensation' gives the impression that harm is acceptable as long as compensated for.	No	Yes	Remove the word 'compensation' at point iv. Replace with 'minimisation.'
Central area	CA1 Central area - general	Sets out high density development for housing, employment transport and leisure, all in close proximity to Poole Harbour, and within travel distance of Dorset Heathlands	Wide range of direct and indirect effects on Poole Harbour from immediate proximity of development. Increases in new dwellings, in high numbers are also likely to increase recreational pressure on the local Dorset Heathland patches.	Yes	Yes	The high density and concentration of development proposed is highly likely to have a significant effect on Poole Harbour and also the Dorset Heathlands in terms of recreational disturbance. It is not possible to add avoidance wording and still be confident that the regeneration and levels of development stated in the policy could still go ahead. This leaves the option of writing the policy in a way that clearly states levels are indicative only, and will be revised in light of further HRA at lower level plan or project stage. Alternatively, an appropriate assessment could be undertaken at this stage, to determine whether the development proposed can be taken forward without any adverse effect on site integrity.

	Strategy/policy approach	Potential impact	Effects on site features	Effects on COs	LSE ?	Avoidance measures to take forward to Submission
	CA2 FSA regeneration area	Sets out high density development for housing, employment transport and leisure, All immediately next to Poole Harbour, and within travel distance of Dorset Heathlands	<p>Wide range of direct and indirect effects on Poole Harbour from immediate proximity of development. Increases in new dwellings, in high numbers are also likely to increase recreational pressure on the local Dorset Heathland patches.</p> <p>Water quality within Holes Bay is likely to be further compromised by additional housing, contributing to further adverse effects.</p>	Yes, as maintenance of habitats in favourable condition could be compromised.	Yes	<p>It is not possible to add avoidance wording and still be confident that the regeneration and levels of development stated in the policy could still go ahead. This leaves the option of writing the policy in a way that clearly states levels are indicative only, and will be revised in light of further HRA at lower level plan or project stage. Alternatively, an appropriate assessment could be undertaken at this stage, to determine whether the development proposed can be taken forward without any adverse effect on site integrity.</p> <p>The Core Strategy needs to specifically state within policy wording that an adequate upgrade of water treatment works to prevent adverse effects on Poole Harbour European site arising from water discharges into Holes Bay will need to be in place prior to the occupation of any new dwellings in the regeneration area.</p> <p>The prevention of occupation can be ensured through 'Grampian' conditions, and the upgrade work will be controlled by the Environment Agency and discharge consents.</p>

	Strategy/policy approach	Potential impact	Effects on site features	Effects on COs	LSE ?	Avoidance measures to take forward to Submission
	CA3 Town centre north	Policy sets out considerable leisure and retail space, and refurbishment and extension to shopping centres.	Location is too far away from European Sites for any impacts apart from an increase in recreational pressure resulting from an increase in housing / student accommodation.	No	No	No further measures required.
	CA4 the lower high street	Directs a mix of retail and creative industry development to the lower part of Poole high Street	Location is too far away from European Sites for any impacts.	No	No	No further measures required.
East-west corridor	Introductory text	Set out the need for traffic management measures along the A35 corridor.	No perceivable potential effects on any site.	No	No	No further measures required.
	PTC1 East-west corridor	Set out greater detail for specific traffic management measures along the A35 corridor.	No perceivable potential effects on any site.	No	No	No further measures required.
Other corridors and routes	Introductory text and A3049 corridor text	Sets out the general issues associated with the A3049. Includes reference to the close proximity of heathland sites.	Whilst the text and policy do not refer to residential development, both refer to the need to ensure the heaths are not adversely affected by recreational pressure. Corridor improvements may make it easier for people to access the heaths. Also potential effects from road improvements in close proximity to the heaths.	Possibly, through increased recreational pressure	Yes	Add sentence to end of introductory text <i>"and road improvement schemes within 200 metres of any part of the Dorset Heathlands will not be allowed to proceed if the heaths cannot be protected from adverse effects."</i>
	PTC2 corridor policy	Sets out the general issues associated with the A3049. Includes reference to the close proximity of heathland sites.	Whilst the text and policy do not refer to residential development, both refer to the need to ensure the heaths are not adversely affected by recreational pressure. Corridor improvements may make it easier for people to access the heaths. Also potential effects from road improvements in close proximity to the heaths.	Possibly, through increased recreational pressure	Yes	Add sentence to end of policy: <i>"Any road improvement scheme within 200 metres of any part of the Dorset Heathlands will require prior assessment under the provisions of the Habitats Regulations, and alternative solutions may need to be sought if the heaths cannot be protected from adverse effects."</i>

	Strategy/policy approach	Potential impact	Effects on site features	Effects on COs	LSE ?	Avoidance measures to take forward to Submission
	A31 Poole link text and PTC3 A31 Poole link policy	A31 road improvements stated as a priority for Poole.	Road improvements may improve access to heathland sites, such as Canford Heath, Ferndown and Parley, making these more accessible to Poole residents.	Possibly, through increased recreational pressure	Yes	a sentence to be added to the corridors and routes section of the Core Strategy, stating that <i>“where road improvements are likely to result in an increase in access levels to particular sites, application of the IPF and subsequent Heathlands DPD, to the development will be necessary”</i>
	B3368 Blandford Rd text	B3368 improvements set out to ensure adequate road access to FSA regeneration area.	This route could potentially facilitate access to Upton Heath.	Possibly, through increased recreational pressure	Yes	As above, a sentence to be added to the corridors and routes section of the Core Strategy, stating that <i>“where road improvements are likely to result in an increase in access levels to particular sites, application of the IPF and subsequent Heathlands DPD, to the development will be necessary”</i>
	PTC4 other corridors and routes	A general and wide ranging policy.	No perceivable potential effects on any site.	No	No	No further measures required.

	Strategy/policy approach	Potential impact	Effects on site features	Effects on COs	LSE ?	Avoidance measures to take forward to Submission
Existing employment areas	Supporting text	Some general and some location specific priorities for employment. Reference to port improvements include safeguarding port areas for port-related activities.	Potential impacts on Poole Harbour from port related development, but policy remains general in nature.	Cannot be ascertained without specific details.	Yes	Improved access to the port is worded so that the Core Strategy does not directly support it. However, it is considered necessary to provide clear guidance regarding the protection of Poole Harbour SPA and Ramsar site within the wording relating to the port. Add the following wording to the paragraphs relating to the port: "The Council will ensure that any port related development is able to ensure that the integrity of Poole Harbour SPA and Ramsar site is not adversely affected. Port related development will be expected to contribute to the enhancement of the SPA and Ramsar site wherever possible and appropriate."
	EA1 existing employment areas	Reiterates the use classes for existing employment sites. Does not promote new employment development, but rather places certain requirements on it.	No perceivable potential effects on any site.	No	No	No further measures required.
	EA2 Marginal employment sites and areas	A general and wide ranging policy.	No perceivable potential effects on any site.	No	No	No further measures required.
Priority areas in need of investment	Supporting text	Set out the investment and improvement priorities for local centres in terms of facilities, vitality and quality of the centre,	No perceivable potential effects on any site.	No	No	Although area specific, the text is general in nature and does not promote specific development.
	PA1 Local centres	Set out the investment and improvement priorities in specific locations with reference to public areas, retail areas and cycle links.	No perceivable potential effects on any site.	No	No	Although area specific, the policy is general in nature and does not promote specific development.

	Strategy/policy approach	Potential impact	Effects on site features	Effects on COs	LSE ?	Avoidance measures to take forward to Submission
Poole distinctive areas	POLICY NOT YET DEVELOPED					
Carefully managed change	Supporting text	Text is very positive in relation to the Dorset Heathlands, but should also include Poole Harbour	No	No	Possibly	Add in sentence at end of first paragraph: "Areas adjacent to Poole Harbour will require adequate mitigation and suitable restrictions such as management of access to the shoreline and limited building heights, to prevent any adverse effects upon the European site."
	MC1 avoiding and mitigating the impact of development	A very positive policy that specifically protects European sites.	No impacts as a positive and protective policy, which will be important in demonstrating the submission draft will not have an adverse effect on any European site. Some minor amendments will strengthen wording further.	None	No	The following minor amendments are to strengthen policy and ensure it is fully in keeping with Habitats Regulations wording: 1 st sentence – change 'significant adverse impact' to 'adverse effect on site integrity.' 2 nd sentence – add SAC designation to heaths. 1 st bullet – add 'can demonstrate that' in between 'which' and 'would be unlikely.' Other additions may be come apparent as the Habitats Regulations Assessment of the strategy as a whole develops further.

Annex 3 – Iterative process of consultations and comments during the development of the Habitats Regulations Assessment of the Core Strategy for Poole.

19th September 2007

Assessment team undertook site visits of key development areas and European sites, guided by Sam Fox-Adams of Poole borough Council and joined by Nick Squirrell from Natural England.

20th September 2007

Assessment team met with Mike Garrity and Sam fox-Adams from Poole Borough Council and Nick Squirrell from Natural England, to discuss the scope of the assessment and issues already identified.

17th October 2007

Current draft of Core Strategy assessment sent to Poole Borough Council

25th October 2007

Amended current draft of Core Strategy assessment sent to Poole Borough Council, along with a query as to whether the document could be sent to Natural England.

14th November 2007

Poole Borough Council confirmed that the draft assessment could be sent to Natural England for comment. Current draft therefore sent to Natural England.

Poole Borough Council provided comments on the 17th October draft of the assessment via email with track changes undertaken on the word document. All these changes have subsequently been incorporated.

19th November 2007

Poole Borough Council provided the assessment team with a letter setting out all comments and concerns with regard to the assessment to date, which included four key issues.

1. Concerns over the proposed climate change wording – some amendments have been made, but Poole Borough Council and the assessment team will need to discuss this before final wording is agreed. The wording proposed may still not alleviate Poole Borough Council concerns.

2. Concern over the recommendation to reduce caravan units at Rockley Park – this mitigation proposal has been revisited and it is now suggested that visitor monitoring should be undertaken in the first instance at Ham Common, adjacent to Rockley Park. This would then give the required information to judge what measures are necessary to prevent further adverse effects on Ham Common. This may include reducing caravan units, but may be a combination of a number of other management and restriction measures.

3. Suggestion for greater emphasis on existing greenspace modification – this has now been added to the policy wording recommended.

4. Suggestions that some recommendations for policy wording are resulting in an environmental bias to the overarching vision and objectives – Colour coding of recommendations should enable Poole Borough Council to determine where proposals provide strength to the overall strategy in terms of its protection of European sites, and where specific measures are needed to avoid significant effects.

10th January 2007

Revised draft of the Habitats Regulations Assessment of the Core Strategy sent to Poole Borough Council to inform final drafting of the Submission document.

Natural England were unable to comment on the draft version of this Record in time for the completion date of 19th January. Natural England will be consulted upon this final version by Poole Borough Council in due course. Those comments will be helpful to Poole Borough Council in the finalisation of their Submission draft, and the final check of that Submission draft to ensure compliance with the Habitats Regulations with the inclusion of all recommendations proposed within this Record.