



## Purbeck Local Plan Examination:

Memorandum of understanding between Dorset  
Council and Dorset Wildlife Trust

September 2021

## Contents

<b><u>Introduction</u></b> .....	<b>3</b>
<b><u>Proposed interim mitigation measure</u></b> .....	<b>4</b>
<u>Location and description of the proposed interim mitigation measure</u> .....	4
<u>Delivery</u> .....	5
<u>Matters agreed</u> .....	5
<u>Matters to be agreed</u> .....	5
<b><u>Declaration</u></b> .....	<b>7</b>

## Appendices

<u>Appendix 1 – Map to show proposed SANG Court Farm</u> .....	8
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## Introduction

1. This Memorandum of Understanding (MoU) has been jointly prepared by Dorset Council (DC) and Dorset Wildlife Trust (DWT). Hereafter referred to as the parties.
2. This MoU relates to the examination of the Purbeck Local Plan (2018-2034). The local plan was submitted for examination in January 2019. Hearing sessions were held as part of the examination between July and October 2019. The Planning Inspector examining the local plan published a Post Hearing Note in March 2020. The Planning Inspector stated in her note that:

‘I am reasonably satisfied at this stage that with Main Modifications the Plan is likely to be capable of being found legally compliant and sound, my advice given and the comments made now are without prejudice to my final conclusions on the Plan.’
3. The Inspector’s note sets out a series of changes that she considered needed to be made to the local plan, and schedule of suggested Main Modifications (SD14), to make the local plan sound and legally compliant. After considering the Inspector’s note, representations made on the local plan and the matters raised during the hearing sessions the council prepared a schedule of proposed Main Modifications for consultation. The council also published updated assessments (including a Sustainability Appraisal and Habitats Regulations Assessment) and other supporting evidence (including an updated 5 year housing land supply and infrastructure delivery plan) with the proposed Main Modifications.
4. The consultation was held between November 2020 and January 2021. The council published copies of the responses made on the proposed Main Modifications and a consultation response document in May 2021. The council found merit in the representations relating to proposed Main Modifications to ‘Policy V2: Green Belt’ and its supporting text (proposed Main Modifications 6 and 7) and to ‘Policy I5: Morden Park strategic suitable alternative natural green space (SANG) and holiday park’ and its supporting text (proposed Main Modifications 76 and 77). In response to these matters the council has invited the Planning Inspector examining the local plan to consider further Main Modifications to these policies which would delete reference to release of Green Belt at Morden for a holiday park.
5. The council and Charborough Estate intended that the Morden holiday park would act as enabling development to support delivery of the strategic SANG. The council continues to support delivery of a strategic SANG at Morden independently of the proposed holiday park. It has started, but not concluded, discussions with the Charborough Estate on this matter. Given the uncertainty around the delivery of a strategic SANG at Morden the council has sought to investigate interim measures to mitigate the impacts of residential development on Dorset Heaths Special Area of Conservation (SAC), Dorset Heathland Special Protection Area and Ramsar and Dorset Heaths (Purbeck & Wareham) & Studland Dunes SAC (here after collectively referred to as Dorset heaths habitat sites).

6. This MoU relates to one of the interim measures which the parties will seek to deliver to mitigate the impacts of residential development during an interim period between April 2018 and March 2024.

## Proposed interim mitigation measure

### Location and description of the proposed interim mitigation measure

7. The site of the proposed interim mitigation measures is positioned in north western Purbeck close to the eastern edge of Bere Regis and the A35. The western edge of the site is adjacent to part of the Bere Regis Conservation Area and the 'manorial settlement' of Court Farm which is designated as a Scheduled Monument (list entry number: 1015352 listed in October 1971) and Court Farm House which is listed as a grade II listed building. There are several habitat sites<sup>1</sup> positioned close to the site including Black Hill Heath (designated as a Special Protection Area (SPA), Special Area of Conservation (SAC), Ramsar and Site of Special Scientific Interest (SSSI)) to the west and Morden Bog and Hyde Heath to the east (designated as a SPA, SAC, Ramsar and SSSI).
8. The proposed interim mitigation measure comprises a heathland infrastructure project. Specifically, the parties will work together to enhance public access to existing agricultural land by creating a Suitable Alternative Natural Greenspace (SANG). The SANG will include permissive walking routes, a car parking area for visitors and supporting infrastructure. There is potential to deliver a SANG in two phases, this MoU relates to the first phase.
9. The plan in Appendix 1 identifies the proposed SANG (Phase 1) at Court Farm. (Referred to as 'the site' elsewhere in this MoU). The proposed SANG covers an area of approximately 11.5 hectares. Part of the site is already accessible via a public right of way, footpath SE6/28. The footpath runs from adjacent agricultural buildings at Court Farm along the south western edge of the proposed SANG. The site for the proposed SANG is:
- positioned adjacent to a scheduled monument, listed building and a conservation area;
  - not subject to any local or national nature conservation designations; and
  - not subject to significant flood risk from the adjacent Bere Stream or surface water flooding.
10. The parties consider that there is potential to change the use and character of the land so that it is more attractive to visitors who might otherwise visit Dorset heaths habitat sites in a manner which takes account of the constraints outlined above.

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<sup>1</sup> Habitat sites are defined in the National Planning Policy Framework as: 'Any site which would be included within the definition at regulation 8 of the Conservation of Habitats and Species Regulations 2017 for the purpose of those regulations, including candidate Special Areas of Conservation, Sites of Community Importance, Special Areas of Conservation, Special Protection Areas and any relevant Marine Sites.'

11. The SANG specification and detailed design is yet to be established, but as a matter of principle the council is satisfied that there is potential for the site to act strategically in mitigating the impacts from residential development within the Purbeck area. The parties are satisfied that there is potential:
- a) for the site to be accessible on foot from Bere Regis;
  - b) for a visitor car park to be delivered on the site;
  - c) for a circular walk to be formed within the site which begins and finishes at a visitor car park (the length of the walk will be subject to detailed discussions around the design of the proposed SANG);
  - d) to achieve links between the site with adjacent rights of way which will provide opportunities for extended circular walks;
  - e) to manage the proposed SANG to give it a 'wild/natural character' which is likely to be attractive to visitors.

## **Delivery**

12. DWT own the site identified in Appendix 1. There are existing tenants on the land who have an interest in it. Existing tenancies are due to end shortly. DWT expect to be able to deliver a SANG on the site by 31 March 2023.

## **Matters agreed**

13. The following matters have been agreed between the parties:
- a) The site at Court Farm, identified in Appendix 1, is a suitable location for a SANG.
  - b) DWT own the land identified in Appendix 1 and there are no legal restrictions that would prevent the SANG from being delivered by 31 March 2023.
  - c) The parties have agreed to work together to deliver, subject to contract, a SANG at Court Farm.
  - d) That planning permission is required for use of the land as SANG.
  - e) That there is potential to extend the SANG into a further area of the site as a second phase, and for further Heathland Infrastructure Projects linked to the SANG area. These would be subject to future agreement.
  - f) This Memorandum imposes no legal obligation on Dorset Wildlife Trust to deliver the SANG and it is signed without prejudice and subject to contract.
  - g) Dorset Wildlife Trust retains the right to investigate and develop other uses of the wider site in parallel to the development of the SANG.

## **Establishing the SANG Specification**

14. Prior to any legal agreement to establish the SANG the following matters need to be investigated and defined by the parties and will form the SANG specification:

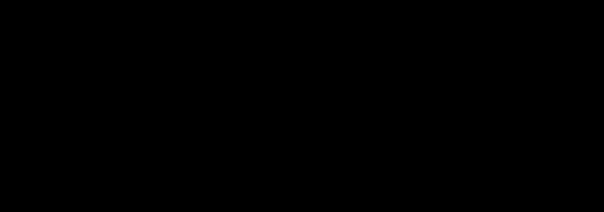
- a) The nature conservation value of the land at Court Farm<sup>2</sup>.
- b) The detailed timescale for the establishment of the SANG.
- c) The design of the proposed SANG including:
  - i. The position and size of the proposed car parking area.
  - ii. The design, route, and length of the permissive paths across the proposed SANG.
- d) The detailed measures required to manage, monitor and maintain the proposed SANG.
- e) The cost of delivering, managing, monitoring and maintaining the proposed SANG in perpetuity.
- f) The financial contribution provided by the council to fund delivery, management, monitoring and maintenance of the proposed SANG in perpetuity.
- g) The terms of any contract between Dorset Council and Dorset Wildlife Trust.

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<sup>2</sup> An ecological survey will need to be conducted on the site of the proposed SANG to determine its nature conservation value.

## Declaration

Signed on behalf of: Dorset Wildlife Trust

Brian Bleese	Chief Executive		9 Sep 2021
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Name, Position, Signature, Date

Signed on behalf of: Dorset Council

Michael Garrity	Head of Planning		09/11/2021
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Name, Position, Signature, Date

## Appendix 1 – Map to show proposed SANG Court Farm



# Memorandum of Understanding relating to the Purbeck Local Plan (2018-2034) between: Dorset Council and Dorset Wildlife Trust

