



Dorset
Council

Habitats Regulations Assessment

Fontmell Magna Neighbourhood Plan Review

November 2024

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1 Introduction

- 1.0.1 This document provides a Habitats Regulations Assessment (HRA) of the Fontmell Magna Neighbourhood Plan Review.
- 1.0.2 The main purpose of the HRA process is to prevent a plan or project from adversely affecting the integrity of a European Site, which are areas of exceptional importance for rare, endangered or vulnerable natural habitats or species. Extensive areas of Dorset and surrounding areas are occupied by European sites, reflecting the importance of the region for wildlife and habitats.
- 1.0.3 The HRA process involves several distinct stages of assessment which must be undertaken in order to meet the requirements of the Conservation of Habitats and Species Regulations (2017). This is explained in more detail in Chapter 3.
- 1.0.4 The first of these stages is the HRA screening stage. The main purpose of the HRA screening is to assess whether a plan is likely to have a significant negative effect on a European Site, and hence whether the subsequent steps of the HRA process are required.
- 1.0.5 If the HRA screening concludes that there would be no likely significant effect on a European Site, then the plan may proceed without further assessment.
- 1.0.6 However, if it is found that the plan would have a likely significant effect on a European Site then further assessment is required through the subsequent stages of the HRA process, to ensure that the plan does not result in adverse effects upon the integrity of a European site.
- 1.0.7 The HRA screening report firstly explains the legal basis for HRA (Chapter 2) and explains the HRA process (Chapter 3), before setting out the scope of the Fontmell Magna Neighbourhood Plan Review (Chapter 4). Following this, consideration is given to whether the Fontmell Magna Neighbourhood Plan Review is likely to have a significant effect upon a European site in the HRA screening exercise (Chapter 5).

2 Legislative background to Habitats Regulations Assessment

2.0.1 EU Directive (92/43/EEC) on the Conservation of Habitats and of Wild Fauna and Flora ('the Habitats Directive') led to the establishment of a network of 'European sites', collectively known as Natura 2000, which are areas of exceptional importance with respect to rare, endangered or vulnerable natural habitats or species. European Sites consist of the following ecological designations:

- Special Protection Areas (SPAs): Classified under the EU Directive (79/409/EEC) on the Conservation of Wild Birds ('the Birds Directive'), with the objective of protecting and managing areas which are important for rare and vulnerable birds as they are important grounds for breeding, feeding, wintering or migration; and
- Special Areas of Conservation (SACs): Classified under the Habitats Directive, these areas provide rare and vulnerable animals, plants and habitats with increased protection and management.

2.0.2 The National Planning Policy Framework (paragraph 181) states that the following sites should be afforded the same protection as European Sites:

- Potential Special Protection Areas (pSPA): Potential Special Protection Areas, are sites on which the Government has initiated public consultation on the scientific case for designation as a Special Protection Area;
- Possible Special Areas of Conservation (pSAC): Possible Special Areas of Conservation are sites on which Government has initiated public consultation on the scientific case for designation as a candidate Special Area of Conservation;
- Ramsar sites (and listed/proposed Ramsar sites): Wetlands of international importance designated under the 1971 Ramsar Convention, and proposed Ramsar sites are sites on which Government has initiated public consultation on the scientific case for a Ramsar site; and
- Sites identified, or required, as compensatory measures for adverse effects on European sites and Ramsar sites: Sites which are included as compensation in schemes to mitigate adverse impacts upon European and Ramsar sites.

2.0.3 The requirement to undertake an assessment of plans or projects that are likely to have an effect upon European sites is given in Article 6(3) of the Habitats Directive.

2.0.4 The Habitats Directive is transposed into UK law through the Conservation of Habitats and Species Regulations 2017. Regulation 63 of the Habitats Regulations implements Article 6(3) of the Habitats Directive and requires the competent authority to complete an appropriate assessment of the implications of the plan or project for the European site in view of the site's conservation objectives before deciding to undertake a plan or project which is likely to have a significant effect on a European site. Regulation 105 applies to land use plans, with Regulation 106 pertaining to Neighbourhood Development Plans specifically.

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- 2.0.5 The Neighbourhood Planning (General) Regulations 2012, state that submitted neighbourhood plans need to be accompanied by a statement explaining how the proposed neighbourhood plan meets a series of 'basic conditions', which are set out in Schedule 4B of the 1990 Town and Country Planning Act. These basic conditions include a requirement to demonstrate how the plan is compatible with EU obligations, which includes the need to undertake a Habitats Regulations Assessment to satisfy the Habitats Directive.

3 The Habitats Regulations Assessment Process

- 3.0.1 The UK Government's Planning Practice Guidance on Appropriate Assessment explains that there are several distinct stages of assessment which must be undertaken in order to achieve compliance with the Habitats Regulations.

3.1. TASK 1: HRA SCREENING

- 3.1.1 The HRA screening stage involves consideration of whether the plan or project is likely to have a significant effect on a European Site, either alone and in combination with other plans or projects.
- 3.1.2 A 'likely significant effect' may be defined as a 'possible significant effect; one whose occurrence cannot be excluded on the basis of objective information'.
- 3.1.3 The HRA screening stage firstly involves gathering information on the European sites that may be affected, through geographical proximity or a potential impact pathway which links the plan to an effect on a European Site.
- 3.1.4 Following this, the HRA considers whether the plan is likely to result in a significant effect upon these European sites, either alone or in combination with other projects and plans, through the test of likely significant effect.
- 3.1.5 Measures which have been specifically added to achieve the purpose of avoiding or reducing the harmful effects of a plan upon a European site, known as mitigation measures, should not be considered at the screening stage.
- 3.1.6 If the HRA screening concludes that there is no likely significant effect on a European site, then further assessment is deemed unnecessary.
- 3.1.7 However, if it is found that the plan would have a likely significant effect on a European site then the next stage of assessment, known as the Appropriate Assessment stage, is required.

3.2. TASK 2: APPROPRIATE ASSESSMENT

- 3.2.1 If a proposed plan or project is considered likely to have a significant effect on a European Site, either individually or in combination with other plans or projects, then an appropriate assessment of the implications for the site, in view of the site's conservation objectives, must be undertaken.
- 3.2.2 The scope and content of an appropriate assessment will depend on the nature, location, duration and scale of the proposed plan and the European sites which may be affected. However, the assessment needs to be proportionate and sufficient to support the task of determining whether the plan will adversely affect the integrity of a European site.

3.3. TASK 3: MITIGATION

- 3.3.1 The competent authority may agree to the plan or project only after having ruled out adverse effects on the integrity of the European site.

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- 3.3.2 Where it cannot be concluded that there will be no adverse effects on a site's integrity, there is a need to consider potential mitigation.
- 3.3.3 Mitigation measures are protective measures forming part of a project and are intended to avoid or reduce any direct adverse effects that may be caused by a plan or project, to ensure that it does not have an adverse effect on the integrity of a European site.
- 3.3.4 Any measures used to inform the decision about the effects on the integrity need to be sufficiently secured and likely to work in practice.

4 The Fontmell Magna Neighbourhood Plan and Review

- 4.0.1 The Fontmell Magna Neighbourhood Plan was ‘made’ (adopted) by North Dorset District Council, a predecessor council to Dorset Council, in November 2018.
- 4.0.2 Fontmell Magna Parish Council, as the neighbourhood planning group, are currently reviewing the adopted Fontmell Magna Neighbourhood Plan.
- 4.0.3 The proposed changes to the plan which, other than minor changes such as grammatical changes and updates since the neighbourhood plan was made, are presented in Figure 4.1. Please note that the plan period (2017 – 2031), vision and objectives remain unchanged.

Figure 4.1: The proposed changes to the Fontmell Magna Neighbourhood Plan through the neighbourhood plan review process.

| Policy in Fontmell Magna Neighbourhood Plan | Proposed change |
|---|---|
| FM2: Local Wildlife Corridors and Protected Species | Simplification of the policy and updates to the supporting text to reflect the latest changes on biodiversity net gain and mitigation being introduced through the Levelling Up Act and subsequent updating of the Dorset Biodiversity Protocol, including reference to incorporating wildlife-friendly features into the design and layout of new buildings and landscaping schemes. |
| FM4: The setting of the AONB | Amended policy title and text to reference new name (Cranborne Chase National Landscape) |
| FM5: Local Landscape Features | Amendment of ‘footpaths at the side of the road’ to ‘footways’ for clarity. |
| FM6: Dark Skies | Additional detail added to policy with reference to Dark Sky Reserve status of the Cranborne Chase National Landscape, including reference to correlated colour temperature max (2700K Lux) and requirement to ensure any light spillage is directed downwards. |
| FM8: Development Layout | Additional text to reference the orientation of buildings to provide roof slopes within 30degrees of south in order to maximise opportunities for solar energy through roof-mounted photovoltaics. |
| FM9: Building Design | Insertion of reference to Table 3b within the policy that includes examples of diagrams / illustrations of vernacular designs (that the design of development should have regard to). Additional wording added with reference to energy-efficient measures and rainwater recycling. Deletion of detailed reference to photovoltaics (moved to supporting text to including in balanced consideration of design) |

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| | |
|---|--|
| FM10: Creating safer roads and pedestrian route | Detail added regarding consideration of West Street and Mill Street which are shared spaces and the consideration of pedestrian / cyclist needs / impacts from development along these routes, including access to local facilities and links onto Fontmell Down. Removal of duplication within policy. |
| FM11: Sustainable drainage | Additional detail added in relation to requiring flood risk modelling/calculation and details of maintenance and control measures to ensure these work effectively. Location of infiltration measures to avoid flooding to the highway or built development. |
| FM12: Development impacting on the sewage treatment works | Policy updated to ensure that the timing of further development beyond the current capacity in the wastewater recycling centre is phased to connect after the necessary upgrades are made. |
| FM13: Important community facilities | Update to recognize that the Blackmore Vale Partnership is not currently operating from the Fontmell Surgery and Clinic (but the building should still be treated as an important community facility in considering any future use). |
| FM14: Social Infrastructure | Additional infrastructure requirement added: Parish-wide upgrades to footpaths to ensure all-weather, all-year-round access as part of a Footpaths for All project – which will include the completion of the West Street to South Street all weather footpath link. |
| FM16: Housing Types | Updated to recognize Dorset Local Housing Needs Assessment (November 2021) and latest Census data reinforcing the need for 1 and 2 bedroom homes as part of the housing mix (given the ageing population and reduction in 2 bedroom homes in the parish and significant increase in 4+ bedroom homes). Additional large (4+bedroom) properties are resisted unless there is evidence to support the need for their construction. |
| FM18: Settlement boundary | Additional wording to clarify the consideration of policies outside of the settlement boundary (as per the Local Plan spatial strategy for development in the countryside). |
| FM19: Land South of Home Farm (Site 20) | <i>No change – however the site is now largely complete, and therefore this allocation may be removed once fully built out.</i> |
| FM20: Land at Blandfords Farm Barn (Site 22) | Amendments in relation to access arrangements taking into account the partial provision of the access road from Site 20 (Spring Meadows) and importance of delivering that option to reduce unnecessary traffic along West Street. |

5 Habitats Regulations Assessment: Screening

- 5.0.1 The first stage of the HRA process is the screening stage, the purpose of which is to determine whether the plan is likely to result in a significant effect upon a European Site.
- 5.0.2 In order to determine whether the Fontmell Magna Neighbourhood Plan Review is likely to result in a significant effect upon a European Site, it is first necessary to identify those European Sites which may be affected by the plan. This involves gathering information about the European Sites within the neighbourhood plan area and its vicinity.
- 5.0.3 The European Sites within the plan area and the surrounding 20km are shown in Figure 5.1. Further details of these European Sites are presented in Appendix A.

Figure 5.1: European sites within 20km of the Fontmell Magna Neighbourhood Plan Review

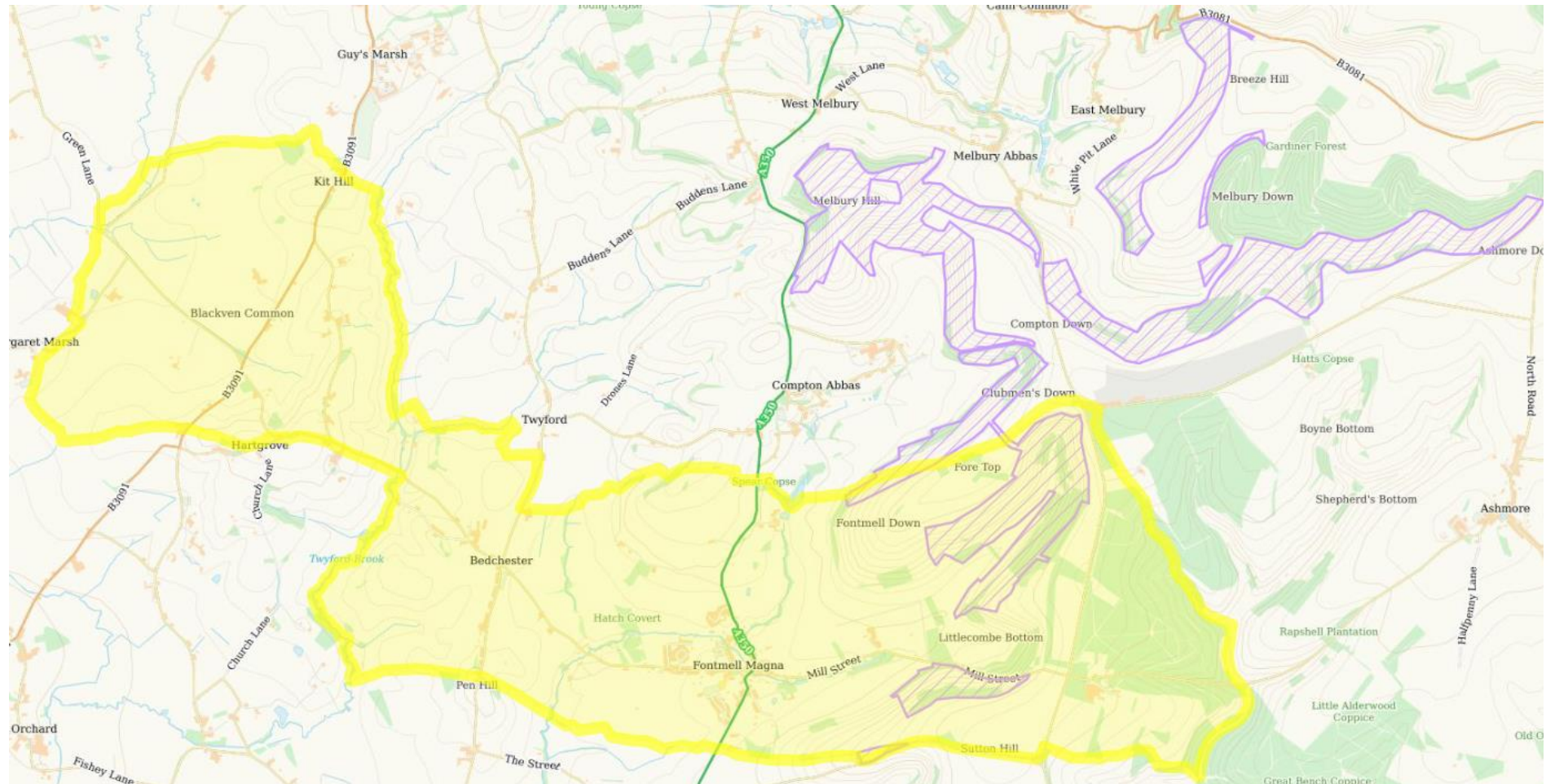
| European Site | Designation | Approx. Distance/orientation from Neighbourhood Plan area |
|--------------------------|------------------|---|
| Fontmell & Melbury Downs | SAC | Within plan area |
| Prescombe Down | SAC | 11.4km to the northeast |
| River Avon | SAC | 13.5km to the northeast |
| Chilmark Quarries | SAC | 13.8km to the northeast |
| Dorset Heaths | SAC, SPA, Ramsar | 18.6km to the southeast |
| Rooksmoor | SAC | 9.4km to the southwest |
| Holnest | SAC | 17.2km to the southwest |

- 5.0.4 A map showing the location and extent of the parcel of the Fontmell and Melbury Downs SAC, which is situated on the eastern part of the plan area, is shown in Figure 5.2.

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Figure 5.2: The location of the Fontmell and Melbury Downs SAC (in purple hatching) within the Fontmell Magna Neighbourhood Plan area (highlighted in yellow)



- 5.0.5 Having identified the characteristics of the European sites within approximately 20km of the Fontmell Magna Neighbourhood Plan Review boundary, it is now possible to identify those European Sites which may be linked to the plan through a known 'pathway'.
- 5.0.6 A 'pathway' may be defined as the means by which a change in activity leads to an effect. In this instance, a pathway may be defined as the means by which a change in activity due to the Fontmell Magna Neighbourhood Plan Review leads to an effect on a European Site.
- 5.0.7 At the initial stage of the screening, all of the potential pathways were identified by considering the potential threats, pressures and activities to the European Sites provided in the official citation which are relevant given the scope of the Fontmell Magna Neighbourhood Plan Review (Figure 5.3). Those potential threats, pressures and activities that were not considered to be linked to the Fontmell Magna Neighbourhood Plan Review through a pathway were discounted from further consideration.

Figure 5.3: The potential threats, pressures and activities to European sites within 20km of the Fontmell Magna Neighbourhood Plan area

| Potential threat, pressure or activity | European Site |
|--|---|
| Water pollution | Dorset Heathlands Ramsar River Avon SAC |
| Air pollution | Chilmark Quarries SAC Dorset Heathlands SAC, SPA and Ramsar Fontmell & Melbury Downs SAC Rooksmoor SAC Prescombe Down SAC |
| Public access, disturbance and other human intrusion | Dorset Heathlands SPA |
| Sport, leisure and recreational activities | Chilmark Quarries SAC Dorset Heaths SAC Fontmell & Melbury Downs SAC Rooksmoor SAC |
| Habitat Fragmentation | Dorset Heathlands SPA |

- 5.0.8 Following the identification of all of the possible pathways, the habitats regulations assessment screening then considered these possible pathways in more detail to determine whether or not they represent a credible or plausible pathway.
- 5.0.9 The following sections of this chapter explores each of the potential pathways which have been identified according to the threat, pressure or activity.

5.1. WATER POLLUTION

DORSET HEATHLANDS RAMSAR

- 5.1.1 The Dorset Heathlands Ramsar occupies an extensive but fragmented area in the southeast of the Dorset.

- 5.1.2 The Dorset Heathlands Ramsar is amongst the best examples of wet heaths and acid mires in lowland Britain, and supports a large assemblage of nationally rare and scarce wetland plant species and invertebrates.
- 5.1.3 Urban development in close proximity to the Dorset Heathlands may result in:
- Changes in pH, nutrient status, turbidity of water supplies to heathland;
 - Enrichment and pollutants from urban run-off;
 - Pollutants from mis-connections, storm overflows, spills, accidents;
 - Diversion of pre-existing natural water sources away from heathland catchments; and
 - Changes in heathland hydrology and leakage in underground pipes and sewers as a result of service infrastructure.
- 5.1.4 The Dorset Heathlands Planning Framework 2020-25 is an adopted Supplementary Planning Document (SPD) by Dorset Council. The main purpose of the SPD is to provide a mechanism for mitigating the impacts upon the Dorset heaths from new development.
- 5.1.5 The SPD ensures that residential development within 400m of the Dorset Heaths European Site is not permitted due to impacts upon the designation. Residential development within the area between 400m and 5km from the Dorset Heaths will result in a likely significant effect which must be adequately mitigated against in order to avoid an adverse effect upon integrity of the designation. Therefore, the impacts of residential development are largely a consideration within 5km of the Dorset Heaths.
- 5.1.6 Given that the Fontmell Magna Neighbourhood Plan area is approx. 18.6km to the northwest of the Dorset Heaths, which is significantly more than 5km, there is no viable pathway with the Dorset Heaths and therefore no likely significant effect.

RIVER AVON SAC

- 5.1.7 The Avon and its tributaries comprise a large, lowland river system running through chalk, greensand and clay, with transitions between them. The River Avon SAC supports floating vegetation which is dominated by water crowfoot, and supports a diverse fish community.
- 5.1.8 Elevated concentrations of phosphorus a river system can speed up the growth of certain plants and algae, disrupt natural processes and impact wildlife through the 'eutrophication' process.
- 5.1.9 In March 2022, Natural England informed Dorset Council that the River Avon SAC was in unfavourable condition and advised the council to carefully consider the impacts of additional phosphorus from development proposals that have the potential to affect water quality in the River Avon SAC. The predominant source of the phosphorus in the River Avon catchment is believed to be domestic sewage and agricultural fertilizers.
- 5.1.10 Dorset Council were advised by Natural England that development which results in a net increase in overnight accommodation, and therefore an increase in local population served by the wastewater system which discharges into the River Avon, should be considered to

have a likely significant effect upon the River Avon SAC and require an Appropriate Assessment.

- 5.1.11 The Fontmell Magna Neighbourhood Plan area is not situated within the River Avon hydrological catchment, which is the area within which water drains into the River Avon. The plan area is within the River Stour catchment. Therefore, development within the plan area will not result in a likely significant effect upon the River Avon SAC.

5.2. AIR POLLUTION

- 5.2.1 Atmospheric nitrogen resulting from emissions to air from road traffic may result in the deposition of atmospheric nitrogen into the soil. This causes the enrichment of soils, affecting those habitats which are necessarily naturally low in nutrients. The sensitive habitats within 20km of the neighbourhood plan area include the chalk grasslands at the Fontmell and Melbury Downs SAC within the plan area and Prescombe Down, the neutral and acid grassland meadows at the Rooksmoor SAC, Chilmark Quarries SAC, and the Dorset Heathlands SAC, SPA and Ramsar.
- 5.2.2 Natural England's guidance note on the assessment of road traffic emissions under the habitats regulations advises a series of steps at the HRA screening stage to determine whether a proposal will result in a likely significant effect. These steps are set out below.
- 5.2.3 **Step 1** of the Natural England methodology asks the following question: Does the proposal give rise to emissions which are likely to reach a European site?
- 5.2.4 This initial screening step for air pollution assessment considers the distance between an emission source and the receptor, and factors including the scale of the proposal and source of emissions to determine whether emissions are likely to reach the European site.
- 5.2.5 Considering the distance of the plan area from these European Sites alongside the scale of the proposed development which is likely to come forward through the Fontmell Down Neighbourhood Plan Review, which is approximately 40 dwellings over the period to 2031, it is considered unlikely that the plan will give rise to emissions at the Prescombe Down SAC 11.4km, Chilmark Quarries SAC 13.8km, Dorset Heaths SAC, SPA and Ramsar 18.6km, and Rooksmoor 9.4km from the plan area. The effects of air quality of the Neighbourhood Plan upon these European sites therefore doesn't require further consideration.
- 5.2.6 Given that the Fontmell and Melbury Downs SAC is located within the plan area, it is possible that emissions resulting from additional traffic associated with the 40 dwellings coming forward through Review may result in emissions which are likely to reach this European Site given that both have roads within 200m of the European Site.
- 5.2.7 **Step 2** of the guidance asks: Are the qualifying features within 200m of a road sensitive to air pollution?
- 5.2.8 The qualifying features of the Fontmell and Melbury Down SAC, which are semi-natural dry grasslands and scrubland facies on calcareous substrates (*Festuco-Brometalia*) and the plant species Early gentian *Gentianella anglica*, are sensitive to air pollution.

- 5.2.9 **Step 3** of the guidance asks: Could the sensitive qualifying features of the site be exposed to emissions?
- 5.2.10 Small sections of the SAC are adjacent to the A350 and Spread Eagle Hill, and therefore the qualifying features are present within 200m of the road and may be exposed to emissions.
- 5.2.11 **Step 4** involves the application of thresholds to consider the risk of road traffic emissions. Depending on the information available, the thresholds can be expressed in annual average daily traffic flow (AADT) or the predicted emissions.
- 5.2.12 Steps 4a and 4b apply the threshold alone and in combination with other development, with the threshold being 1000 AADT or less than 1% of the critical load of each qualifying feature.
- 5.2.13 The provision of 40 dwellings in the period up until 2031 is considered unlikely to result in an additional 1000 trips per day on average at the sections of European site which are adjacent to a road. Therefore, the thresholds in step 4 are not exceeded.
- 5.2.14 Following the steps set out in the Natural England guidance, it is concluded that the Fontmell Magna Neighbourhood Plan Review is not likely to result in a significant effect upon a European Site.

5.3. SPORT, LEISURE AND RECREATIONAL ACTIVITIES

- 5.3.1 Many European Sites offer an attractive natural environment for sport, leisure and recreation.
- 5.3.2 Visitor numbers to the countryside in England are increasing¹. This may be due to the rising population, an increase in the amount of available leisure time as a result in the change to social conditions (such as greater leave entitlement) and greater accessibility as a result of more private vehicle ownership and improved transport infrastructure.

FONTMELL & MELBURY DOWNS SAC

- 5.3.3 The Fontmell and Melbury Downs SAC, located within the plan area, is characterised predominantly by semi-natural dry grassland with some scrub and heathland on the chalk valley slopes of north Dorset.
- 5.3.4 The chalk grassland habitats are sensitive to recreational pressure. New development in the areas surrounding these European Sites may increase the local population and the number of visits to these sites, increasing the recreational pressure.
- 5.3.5 Considering the scale of the development which may come forward through the review of the plan, which is 40 dwellings in the period up to 2031, it is considered unlikely that the Plan Review would result in an increase in local population that would significantly increase the number of visitors to the Fontmell and Melbury Downs SAC.
- 5.3.6 However, the following amendments to policy FM10 have been made through the review:

¹ Monitor of Engagement with the Natural Environment Survey (MENE) (Natural England, 2015)

“In addition to safeguarding the important pedestrian routes, the design of new development should improve or, where feasible, create new footpath and cycle connections to access local facilities such as the school, the shop, the village hall and playground, the public amenity woodland and links onto Fontmell Down.”

- 5.3.7 The policy amendment will encourage new footpaths and cycle connections to Fontmell Down, allowing current residents to access the SAC and potentially resulting in a significant increase in recreational pressure.

ROOKSMOOR SAC

- 5.3.8 The Rooksmoor SAC is approximately 9.4km from the site. In addition to the distance of the SAC from the plan area, there is wealth of accessible countryside in the area between the SAC and plan area which could be used for recreational purposes.
- 5.3.9 Therefore, the use of the Rooksmoor SAC for sport, leisure and recreational purposes is therefore considered to be minimal and the provision of 40 dwellings in the period up to 2031 within the plan area is unlikely to result in a likely significant effect upon the Rooksmoor SAC.

DORSET HEATHS SAC

- 5.3.10 Evidence shows that the Dorset Heaths are under significant pressure from an increasing number of people living nearby. As population grows, the impacts from human pressures and damage caused by domestic pets have the potential to cause adverse effects upon the protected habitats and species.
- 5.3.11 The main effects upon the Dorset Heaths as a result of development in close proximity to the Dorset Heaths include the following:
- Loss of supporting habitats: decrease in the semi-natural habitat adjoining heaths which provide functional support;
 - Predation: Fox, cat/rat predation on ground nesting birds and reptiles;
 - Enrichment: results in vegetation changes particularly alongside paths due to dog excrement and from rubbish and garden waste dumping by roads and from gardens. Also as a result of vehicles in transport corridor;
 - Roads: Increased fire risk from car thrown cigarettes, roads forming barriers to species mobility, road kills increasing mortality rates, and noise and light pollution from traffic;
 - Service infrastructures, both over and under heathland, causing disturbance and providing poles which act as look-out posts for bird predators;
 - Disturbance: May cause changes in breeding bird and animal distributions within and across sites, reduction in breeding success of birds/animals, and delayed breeding in SPA birds;

- Trampling: Results in changes to vegetation, creation of bare areas and subsequent soil erosion, damage to bare ground reptile and invertebrate habitats and populations, increases in path and track networks;
 - Fire: May increase frequency of fires particularly in spring and summer, causing long term vegetation changes, increased mortality of heathland animals/birds, fragmentation/reduction of habitat on heaths; and
 - Difficulties in heathland management: vandalism of signs and fences, opposition to management techniques such as tree felling, fencing and grazing, increased cost of heathland management.
- 5.3.12 The Dorset Heathlands Planning Framework 2020-25, which sets out a strategy for the avoidance and mitigation of impacts of new residential development upon the Dorset Heaths, shows that these impacts are most marked for developments within 400m of heathland sites. Any residential development in this area would result in a negative effect upon the Dorset designated site.
- 5.3.13 In the area between 400m and up to 5km from a heathland site ('5km buffer zone'), the effect of development is less marked but still likely to be significant if mitigation is not delivered.
- 5.3.14 The neighbourhood plan area is approx. 18.4km from the Dorset Heaths SAC, and therefore considerably beyond the 5km buffer zone within which residential development is likely to result in significant effect upon the Dorset Heaths SAC. Therefore, it is considered unlikely that the Fontmell Magna Neighbourhood Plan Review will result in a likely significant effect upon the Dorset Heaths from recreational pressure.

CHILMARK QUARRIES SAC

- 5.3.15 The Chilmark Quarries SAC is a complex of abandoned mines approximately 13.8km to the north of the Plan Area which is a hibernation site for a range of bat species.
- 5.3.16 Unprotected mine entrances on the site and damage to or the removal of bat grilles on entrances to follies at Fonthill Grottoes are enabling unauthorised access which has the potential to cause direct and indirect harm to bats.
- 5.3.17 Considering the distance of this site from the Dorset plan area, it is unlikely that development through the Fontmell Magna Neighbourhood Plan Review will result in a substantial increase in visitors to the quarries.

5.4. PUBLIC ACCESS, DISTURBANCE AND OTHER HUMAN INTRUSION

- 5.4.1 Disturbance occurs where human activity influences a habitat or the population of species which it supports.
- 5.4.2 Disturbance can result in a physical effect upon a habitat, for example by causing damage through erosion or trampling, or indirect effects through changes in management due to human intrusion.

- 5.4.3 In terms of the effects upon species, disturbance may affect an animal's behaviour, affecting its distribution, breeding success and health, and ultimately its survival.

DORSET HEATHLANDS SPA

- 5.4.4 The Dorset Heathlands SPA supports populations of Dartford Warbler *Sylvia undata*, Nightjar *Caprimulgus europaeus* and Woodlark *Lullula arborea* during the breeding season and Hen Harrier *Circus cyaneus* and Merlin *Falco columbarius* over winter.
- 5.4.5 Public access and disturbance to breeding SPA birds, mostly by dogs, can affect their breeding success. This may have implications upon the populations of nightjar and woodlark in particular.
- 5.4.6 Other effects as a result of access and disturbance include predation by domestic cats and urban foxes and the illicit use of heaths for motorcycle scrambling. However motorcycle use on heathlands has generally declined relative to previous levels in response to site wardening and alternative facilities being made available.
- 5.4.7 Further residential development in those areas surrounding the Dorset Heaths would result in an increase in population, leading to an increase in disturbance to birds. This is likely to result in a significant effect on the Dorset Heaths SPA.
- 5.4.8 As previously discussed, the Dorset Heathlands Planning Framework 2020-25 addressed the potential impacts of new development upon the Dorset Heaths by not permitting residential development within 400m of the Dorset Heaths and providing the appropriate mitigation within the area between 400m and 5km from the Dorset Heaths. Therefore, the impacts of residential development are largely a consideration within 5km of the Dorset Heaths.
- 5.4.9 Given that the Fontmell Magna Neighbourhood Plan area is approx. 18.6km to the northwest of the Dorset Heaths, there is unlikely to be a significant effect upon the Dorset Heaths.

5.5. HABITAT FRAGMENTATION

DORSET HEATHS SAC

- 5.5.1 Habitat fragmentation occurs when a large area of habitat is split into smaller areas, resulting in populations becoming isolated and the overall area of the habitat being reduced.
- 5.5.2 Habitat fragmentation may occur as a result of development, for example housing or infrastructure such as roads, dividing a habitat into smaller parcels of land in addition to resulting in habitat loss.
- 5.5.3 In the mid-18th century, the Dorset Heathlands occupied an area of approximately 36,000ha in Southeast Dorset.
- 5.5.4 Over time the extent of the Dorset Heathlands reduced, largely as a result of agriculture, forestry and urban development. In 1996, the coverage of the Dorset Heathlands had dramatically reduced to approximately 7,373ha, and by 2019, the coverage of the Dorset

Heathlands had fallen to approximately 6,199ha, representing a loss of around 83% of heathland habitat.

- 5.5.5 In addition to the loss of habitat, the Dorset Heathlands has become fragmented. In 1979, the Dorset Heathland existed in 768 separate parcels, 88% of which were less than 10ha (Webb & Haskins 1980).
- 5.5.6 Fragmentation of the Dorset Heathlands may reduce the suitability of the remaining habitat and cause them to be more susceptible to recreational pressure and the effects of wildfires and arson.
- 5.5.7 Studies have recorded negative responses to fragmentation for the species including the Dartford Warbler *Sylvia undata*, a qualifying feature for the Dorset Heathlands SPA. It is suggested that Dartford warblers avoid smaller and more isolated heath patches.
- 5.5.8 In recent years, the loss and fragmentation of the Dorset Heaths has almost halted through changes in national and local policy, including the Dorset Heathlands Planning Framework which has been in place since 2007 and prevents further habitat fragmentation.
- 5.5.9 The Fontmell Magna Neighbourhood Plan area does not include any Dorset Heaths, indeed the heaths are approx. 18.6km to the southeast of the plan area. Therefore, development through the Plan will not result in further habitat fragmentation at the Dorset Heaths.

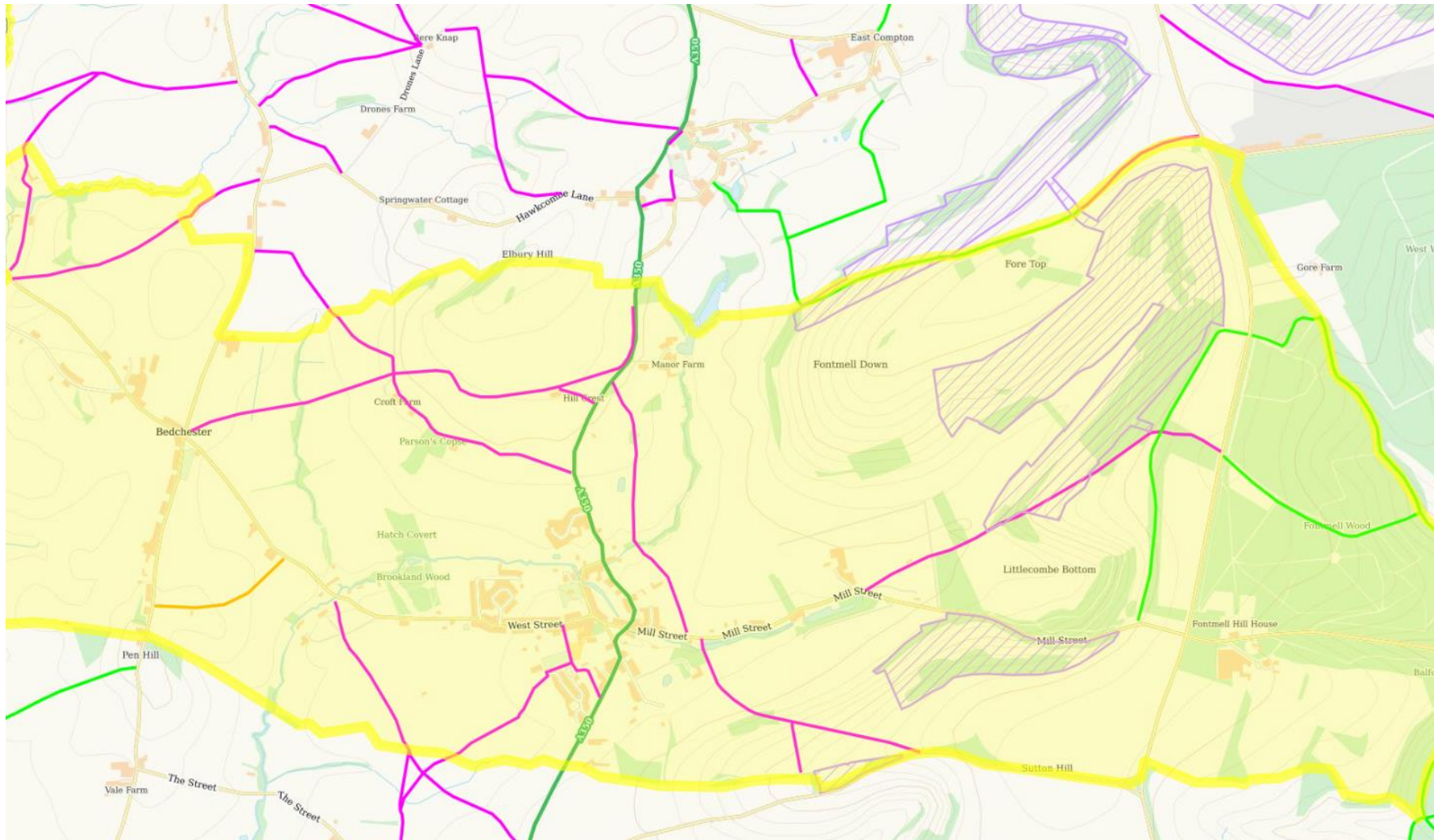
6 Appropriate Assessment

- 6.0.1 The HRA screening identified a likely significant effect upon the Fontmell and Melbury Downs SAC as a result of recreational pressure.
- 6.0.2 Therefore, the Appropriate Assessment set out in the following chapter is required to determine whether the Fontmell Magna Neighbourhood Plan Review would result in an adverse effect upon the integrity of the European Site. The following chapter presents the appropriate assessment.

6.1. FONTMELL AND MELBURY DOWNS SAC: RECREATIONAL PRESSURE

- 6.1.1 The HRA screening identified a likely significant effect from recreational pressure upon the Fontmell and Melbury Downs SAC as a result of a change in policy FM10, which encourages new development to establish footpath and cycle connections with Fontmell Down. Therefore, whilst the scale of development coming forward through the plan is unlikely to result in a growth in local population which would give rise to substantial recreational pressure alone, the increased access to Fontmell Down may lead to a significant recreational pressure.
- 6.1.2 The current public rights of way network at Fontmell Magna largely consists of footpaths which extend to the north approximately parallel with the A350 before joining the highway, to the west across open countryside to Bedchester and to the south to Sutton Waldron. There is a single footpath which runs in an easterly direction, from Mill Street to the east of Fontmell Magna. However, this footpath avoids Fontmell Down and only crosses a small section of the SAC before providing access to Fontmell Wood beyond the down. There is no cycle access to Fontmell Down from bridleways within the plan area.
- The establishment of additional footpaths and cycle routes which provide direct access to Fontmell Down through amended policy FM10 would result in an increase in people visiting the down for walking, cycling and other recreational purposes. Those which use the current footpath network to access the countryside to the north, south and west of Fontmell Magna, and that use the bridleway network for cycling, may choose to access Fontmell Down instead.
- 6.1.3 The chalk grassland habitat at Fontmell Down is sensitive to recreational pressure. Walking or cycling may result in trampling, compaction and erosion resulting in denuded paths and bare ground, braided footpaths and the modification of flora. Those areas that are steep and with thin soils, or near to access points where pressures are more concentrated, are particularly vulnerable.
- 6.1.4 The addition of nutrients from dog faeces and urine is also a threat, as this results in an input of nutrients into the soil, whereas chalk grassland habitats are necessarily naturally low in nutrients.

Figure 6.1: A map showing the public rights of way network at the Fontmell and Melbury Downs SAC (footpaths in purple, bridleways in green, plan area in yellow, Fontmell and Melbury Downs SAC in purple hatching)



- 6.1.5 In order to ensure that additional rights of way are not established which would result in harm to the chalkland habitat, it is proposed that the changes to the wording of policy FM10 are made.
- 6.1.6 Currently, policy FM10 is written as:
“In addition to safeguarding the important pedestrian routes, the design of new development should improve or, where feasible, create new footpath and cycle connections to access local facilities such as the school, the shop, the village hall and playground, the public amenity woodland and links onto Fontmell Down.”
- 6.1.7 In order to avoid an adverse effect upon the integrity of the Fontmell and Melbury Down SAC, it is advised that either the phrase “and links to Fontmell Down” is deleted, or the following wording is added to the end of the policy: “...subject to a Habitats Regulations Assessment concluding that the proposal would not result in additional recreational pressure on the Fontmell and Melbury Downs SAC that would result in an adverse effect upon the integrity of the European Site.”

7 Conclusion

- 7.0.1 The HRA screening exercise considered the potential threats, pressures and activities which may affect the European sites within 20km of the Fontmell Magna Neighbourhood Plan area, including the Fontmell and Melbury Down SAC which occupies the eastern part of the plan area.
- 7.0.2 The HRA screening identified a likely significant effect upon the Fontmell and Melbury Down SAC as a result of the amendments to policy FM10 which encourage new cycle and footpath links to Fontmell Down. The resulting increase in recreational pressure may affect the chalkland habitat particularly from trampling, erosion and contamination.
- 7.0.3 The Appropriate Assessment concluded that a change to the wording of policy FM10 was required to avoid an adverse effect upon the integrity of the Fontmell and Melbury Down SAC. It recommended that either the phrase “and links to Fontmell Down” in FM10 is deleted, or the following wording is added to the end of policy FM10: “...subject to a Habitats Regulations Assessment concluding that the proposal would not result in additional recreational pressure on the Fontmell and Melbury Downs SAC that would result in an adverse effect upon the integrity of the European Site.”
- 7.0.4 Providing that this mitigation is provided and FM10 is amended, then it can be concluded that the Fontmell Magna Neighbourhood Plan Review does not result in an adverse effect upon the integrity of a European site.

Appendix A: Details of European Sites within 20km of the Fontmell Down Neighbourhood Plan Review

| European Site | Qualifying Features | Conservation Objectives | Potential threats, pressures and activities with impacts |
|--------------------------|---|---|--|
| Chilmark Quarries SAC | <p>Annex 2 species: greater horseshoe bat <i>Rhinolophus ferrumequinum</i>; Barbastelle <i>Barbastella barbastellus</i>; Bechstein's bat <i>Myotis bechsteinii</i>.</p> <p>Annex 2 habitats (present as a qualifying feature but not a primary reason for selection of this site): Lesser horseshoe bat <i>Rhinolophus hipposideros</i></p> | <p>Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the Favourable Conservation Status of its Qualifying Features, by maintaining or restoring;</p> <ul style="list-style-type: none"> • The extent and distribution of habitats of qualifying species • The structure and function of the habitats of qualifying species • The supporting processes on which the habitats of qualifying species rely • The populations of qualifying species, and, • The distribution of qualifying species within the site. | <p>Air pollution, air-borne pollutants; Changes in biotic conditions; Outdoor sports and leisure activities, recreational activities; Other urbanisation, industrial and similar activities; Abiotic (slow) natural processes.</p> |
| Dorset Heathlands Ramsar | <p>Ramsar criterion 1: Contains particularly good examples of (i) northern Atlantic wet heaths with cross-leaved heath <i>Erica tetralix</i> and (ii) acid mire with Rhynchosporion.</p> <p>Ramsar criterion 2: Supports 1 nationally rare and 13 nationally scarce wetland plant species, and at least 28 nationally rare wetland invertebrate species.</p> <p>Ramsar criterion 3: Has a high species richness and high ecological diversity of wetland habitat</p> | <p>Natural England considers the Conservation Advice packages for the overlapping European Sites to be sufficient to support the management of the Ramsar interests at this site.</p> | <p>Acid rain; pollution.</p> |

Habitats Regulations Assessment

Fontmell Magna Neighbourhood Plan Review

| European Site | Qualifying Features | Conservation Objectives | Potential threats, pressures and activities with impacts |
|-----------------------|---|--|--|
| | types and transitions, and lies in one of the most biologically-rich wetland areas of lowland Britain, being continuous with three other Ramsar sites: Poole Harbour, Avon Valley and The New Forest. | | |
| Dorset Heathlands SPA | <p>During the breeding season; Dartford Warbler <i>Sylvia undata</i>; Nightjar <i>Caprimulgus europaeus</i>; Woodlark <i>Lullula arborea</i></p> <p>Over winter; Hen Harrier <i>Circus cyaneus</i> Merlin <i>Falco columbarius</i></p> | <p>Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the aims of the Wild Birds Directive, by maintaining or restoring;</p> <ul style="list-style-type: none"> • The extent and distribution of the habitats of the qualifying features • The structure and function of the habitats of the qualifying features • The supporting processes on which the habitats of the qualifying features rely • The population of each of the qualifying features, and, • The distribution of the qualifying features within the site. | <p>Inappropriate scrub control; Public access/disturbance; Undergrazing; Forestry and woodland management ; Drainage; Water pollution; Invasive species; Habitat fragmentation; Wildfire/arson; Air pollution (atmospheric deposition); Deer</p> |
| Dorset Heaths SAC | <p>Annex 1 habitats: Northern Atlantic wet heaths with <i>Erica tetralix</i> European Dry Heaths; Depressions on peat substrates of the Rhynchosporion</p> | <p>Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the Favourable Conservation Status of its Qualifying Features, by maintaining or restoring;</p> | <p>Grazing; Invasive non-native species; Outdoor sports and leisure activities, recreational activities</p> |

Habitats Regulations Assessment

Fontmell Magna Neighbourhood Plan Review

| European Site | Qualifying Features | Conservation Objectives | Potential threats, pressures and activities with impacts |
|---------------------------------------|---|--|---|
| | <p>Annex 1 habitats (present as a qualifying feature but not a primary reason for selection of this site): Molinia meadows on calcareous, peaty or clayey-silt-laden soils (<i>Molinion caeruleae</i>); Calcareous fens with <i>Cladium mariscus</i> and species of the Caricion davallianae; Alkaline fens; Old acidophilous oak woods with <i>Quercus robur</i> on sandy plains</p> <p>Annex 2 species: Southern damselfly <i>Coenagrion mercuriale</i></p> <p>Annex 2 species (present as a qualifying feature but not a primary reason for selection of this site): Great crested Newt <i>Triturus cristatus</i></p> | <ul style="list-style-type: none"> • The extent and distribution of qualifying natural habitats and habitats of qualifying species • The structure and function (including typical species) of qualifying natural habitats • The structure and function of the habitats of qualifying species • The supporting processes on which qualifying natural habitats and the habitats of qualifying species rely • The populations of qualifying species • The distribution of qualifying species within the site | <p>Bionetic evolution; succession; Human induced changes in hydraulic conditions.</p> |
| <p>Fontmell and Melbury Downs SAC</p> | <p>Annex 1 habitats (present as a qualifying feature but not a primary reason for selection of this site): Semi-natural dry grasslands and scrubland facies on calcareous substrates (Festuco-Brometalia) (* important orchid sites)</p> <p>Annex 2 species: Early gentian <i>Gentianella anglica</i></p> | <p>Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the Favourable Conservation Status of its Qualifying Features, by maintaining or restoring;</p> <ul style="list-style-type: none"> • The extent and distribution of qualifying natural habitats and habitats of qualifying species | <p>Cultivation; Modification of cultivation practices; Air pollution; Biocenotic evolution, succession</p> |

Habitats Regulations Assessment

Fontmell Magna Neighbourhood Plan Review

| European Site | Qualifying Features | Conservation Objectives | Potential threats, pressures and activities with impacts |
|---------------|---|--|--|
| | | <ul style="list-style-type: none"> • The structure and function (including typical species) of qualifying natural habitats • The structure and function of the habitats of qualifying species • The supporting processes on which qualifying natural habitats and habitats of qualifying species rely • The populations of qualifying species, and, • The distribution of qualifying species within the site. | |
| Holnest SAC | Annex 2 species: Great crested newt <i>Triturus cristatus</i> | Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the Favourable Conservation Status of its Qualifying Features, by maintaining or restoring; <ul style="list-style-type: none"> • The extent and distribution of the habitats of qualifying species • The structure and function of the habitats of qualifying species • The supporting processes on which the habitats of qualifying species rely | None given |

Habitats Regulations Assessment

Fontmell Magna Neighbourhood Plan Review

| European Site | Qualifying Features | Conservation Objectives | Potential threats, pressures and activities with impacts |
|--------------------|---|--|--|
| | | <ul style="list-style-type: none"> The populations of qualifying species, and, The distribution of qualifying species within the site. | |
| Prescombe Down SAC | <p>Annex 1 habitats (present as a qualifying feature but not a primary reason for selection of this site): Semi-natural dry grasslands and scrubland facies on calcareous substrates (Festuco-Brometalia)</p> <p>Annex 2 species: Early gentian <i>Gentianella anglica</i></p> <p>Annex 2 species (present as a qualifying feature but not a primary reason for selection of this site): Marsh fritillary butterfly <i>Euphydryas (Eurodryas, Hypodryas) aurinia</i></p> | <p>Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the Favourable Conservation Status of its Qualifying Features, by maintaining or restoring;</p> <ul style="list-style-type: none"> The extent and distribution of qualifying natural habitats and habitats of qualifying species The structure and function (including typical species) of qualifying natural habitats The structure and function of the habitats of qualifying species The supporting processes on which qualifying natural habitats and habitats of qualifying species rely The populations of qualifying species, and, <p>The distribution of qualifying species within the site.</p> | Air pollution, air-borne pollutants; Changes in biotic conditions |

Habitats Regulations Assessment

Fontmell Magna Neighbourhood Plan Review

| European Site | Qualifying Features | Conservation Objectives | Potential threats, pressures and activities with impacts |
|----------------|--|--|--|
| River Avon SAC | <p>Annex 1 habitats: Water courses of plain to montane levels with the Ranunculion fluitantis and Callitricho-Batrachion vegetation</p> <p>Annex 2 species: Desmoulin's whorl snail <i>Vertigo moulinsiana</i>; Sea lamprey <i>Petromyzon marinus</i>; Brook lamprey <i>Lampetra planeri</i>; Atlantic salmon <i>Salmo salar</i>; Bullhead <i>Cottus gobio</i></p> | <p>Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the Favourable Conservation Status of its Qualifying Features, by maintaining or restoring;</p> <ul style="list-style-type: none"> • The extent and distribution of qualifying natural habitats and habitats of qualifying species • The structure and function (including typical species) of qualifying natural habitats • The structure and function of the habitats of qualifying species • The supporting processes on which qualifying natural habitats and the habitats of qualifying species rely • The populations of qualifying species, and, <p>The distribution of qualifying species within the site.</p> | <p>Pollution to groundwater (point sources and diffuse sources); Human induced changes in hydraulic conditions; Changes in biotic conditions</p> |
| Rooksmoor SAC | <p>Annex 1 habitats (present as a qualifying feature but not a primary reason for selection of this site): Molinia meadows on calcareous, peaty or clayey-silt-laden soils (<i>Molinion caeruleae</i>)</p> <p>Annex 2 species:</p> | <p>Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the Favourable Conservation Status of its Qualifying Features, by maintaining or restoring;</p> | <p>Mowing / cutting of grassland; Grazing; Air pollution; Biocenotic evolution, succession</p> |

Habitats Regulations Assessment

Fontmell Magna Neighbourhood Plan Review

| European Site | Qualifying Features | Conservation Objectives | Potential threats, pressures and activities with impacts |
|---------------|---|---|--|
| | Marsh fritillary butterfly <i>Euphydryas (Eurodryas, Hypodryas) aurinia</i> | <ul style="list-style-type: none"> • The extent and distribution of qualifying natural habitats and habitats of qualifying species • The structure and function (including typical species) of qualifying natural habitats • The structure and function of the habitats of qualifying species • The supporting processes on which qualifying natural habitats and the habitats of qualifying species rely • The populations of qualifying species, and, • The distribution of qualifying species within the site. | |