

Financial contributions of planning applications to prevention of heathland fires in Dorset, UK ^[1]

Dorset is a county in South West England on the English Channel Coast. The Dorset heathlands cover an extensive area of South East Dorset, fragmented by urban development and other land uses. These heathlands once covered over 50,000 hectares, stretching as far as Dorchester and Poole. Changes in agricultural practice, conifer planting, scrub encroachment, urban expansion and road building have all contributed to a reduction in area. Dorset's fragmented heaths total approximately 7,000-8,000 hectares today. Heathlands are an important habitat and are protected by European-level designations. They are prone to fires, and this risk is likely to increase with climate change, due to higher temperatures and more frequent dry conditions. Moreover, development nearby protected sites significantly increases the risk of fires and other negative impacts on the heath such as loss of biodiversity. The Dorset Heathland Planning Framework Supplementary Planning Document (SPD) seeks to secure developer contributions toward funding the implementation of a package of alleviation measures to offset the adverse effects of additional residential development on the heathlands, including fire risk. The framework applies to all new housing that results in a net gain in dwelling units within a zone between 400m and 5km of designated European wildlife sites, and no development is permitted within a 400m buffer around heathland sites. This framework can also contribute in reducing heathlands sensitivity to climate change effects.

Case Study Description

Challenges:

The Dorset heathlands are areas of open landscape dominated by low growing dwarf shrubs (mainly Heather family, *Ericaceae*), and also include areas of acidic grassland, scrub, scattered trees, bog and open water. Heather is highly flammable and climate change poses a real threat in terms of increasing the incidence of heathland fires in Dorset. Climate change scenarios indicate that by 2080, average summer temperatures will have increased by between 1°C and 5°C, and rainfall will have decreased by 20-50%. Warmer and drier summers suggest a potentially significant increase in the number of outdoor fires. For a 1°C increase in future temperatures, a 17-28% increase in the number of outdoor fires in England and Wales is predicted, and for a 2°C increase between 34-56% more fires are predicted to occur annually.

Fires are easily started accidentally by poorly extinguished campfires and other causes; deliberate arson is also common. Heaths in the vicinity of urban development tend to catch fire more frequently than in the more rural locations. Around 30% of Dorset heathlands are situated within and around the urban areas, with nearly half a million people living nearby. Moreover, their use for recreation further exposes a large proportion of heathlands to fires and other negative impacts such as trampling or dog disturbance.

Objectives:

The Interim Planning Framework – replaced by the SPD in 2012 - developed by a number of local authorities, following the guidance of Natural England, sets out an approach to the mitigation of the harmful effects of residential development on Dorset's lowland heaths, including increased risk of fire. The approach aims to ensure that the integrity of the heathlands is not further diminished by a steady increase in urban pressures. A range of measures have been identified jointly by the local authorities and Natural England; some of them being also relevant in terms of increased resilience to higher fire risk due to the combined effect of climate change and urban development. The mitigation measures are to be financed by developer contributions coming from new developments located in a distance between 400m and 5km away from the protected heathland. This will help to

reconcile the pressures of further residential development with the conservation of the designated heathland sites.

Solutions:

The Dorset Heathland Planning Framework Supplementary Planning Document (SPD) was adopted in June 2012 and was in place until end of 2014. It replaced the Interim Planning Framework (in place between 2007 and 2012). The SPD document sets out an approach to the alleviation of the harmful effects of residential development on Dorset's lowland heaths. According to the SPD document, developers who receive planning permission for residential buildings within the zone between 400m and 5km from protected heathland sites pay contribution fees. In general, no additional residential development is permitted within 400m straight distance from protected heathland sites, with the exception of purpose built schemes for the elderly or the disabled.

The due obligation is applied to every residential development where there is a net increase in dwellings. The financial contribution is based upon a standard charge, with adjustment for the different occupancy rate for houses and flats. To provide certainty to those making applications for residential development and to ensure transparency and accountability, a mechanism for the calculation of the planning obligation has been adopted, based on the forecast 2-year average population increase by type of dwelling in 2012-2026. The factors that are taken into account for calculating the developers' contribution consider:

- Forecast 2 year average population increase in south east Dorset 2012-2026 = 4871 people;
- Local Authority housing trajectory forecasts 2012-2014 = 2934 housing;
- Relative proportion of households (houses/flats) = 73% houses; 27% flats;
- Projected net population increase per dwelling (persons/dwelling) = houses: 1.81; flats: 1.13;
- Cost of the mitigation measures (as of November 2011) = £4.1 million.

Large-scale developments will be expected to explore ways of avoiding or mitigating their adverse impacts through on-site or more likely off site measures to facilitate the implementation of alternative natural greenspace. Recourse to financial payments in line with the SPD should be the fall-back position only after exploration and agreement with Natural England and the relevant local planning authority of potential avoidance or alleviation measures.

The cost of alleviation divided by the forecast population growth i.e. £4.10 million divided by 4871 gives a charge per person of £842. However, an adjustment to the charge to allow for the net population increase per dwelling type results in a charge per dwelling of a cost per house (£842.00 x 1.81) of £1,524.00 and a cost per flat (£842.00 x 1.13) of £952.00.

These fees are applied to fund a number of measures to mitigate the impact of urban development on heathlands, that can contribute in reducing heathlands sensitivity to climate change induced effects, as in particular to increased fire risk. Mitigation measures include: (i) improvement of existing recreational sites and development of new recreational infrastructure to divert the recreational pressure from the most valuable and sensitive heathlands; (ii) land purchased as alternative open space; (iii) provision of more rangers and wardens; (iv) purchasing monitoring equipment; (v) land management to reduce fire load and risk of fires; and (vi) purchasing firefighting equipment.

In 2008, the project collected £1.75 million, and a number of alleviation projects have been implemented across South east Dorset. The system of calculating the financial contribution is clear, robust and easy to operate. In addition, the legal basis in nature conservation regulations provides a clear reference point for considering appeals to planning permission decisions.

Consultation on the draft updated SPD (2015-2020) commenced on January 2015 and closed on middle February 2015. Representations and changes that are necessary are being considered. It is likely that a revised version will be available during 2015. In this document, an approach to enabling development through the implementation of measures to avoid likely significant effects on the Dorset Heathlands in South East Dorset was set out. Residential development that cannot avoid or mitigate its own adverse effects upon the Dorset Heaths

Natura 2000 sites is required to contribute towards the overall Avoidance and Mitigation Strategy. This strategy has two elements, Heathlands Infrastructure Projects (HIPs) that provide facilities to attract people away from protected heathland sites, and Strategic Access Management and Monitoring (SAMM), which is non-infrastructure provision such as wardening, education and monitoring.

The Borough of Poole is implementing one aspect of the draft SPD ahead of the document as a whole, and this relates to the introduction of a charge for SAMM. Any new dwelling that comes forward by whatever course will pay a direct contribution toward mitigating the adverse effects of its impact upon the Dorset Heaths. The charge will be £355 for a house and £242 for a flat.

Importance and relevance of the adaptation:

Case mainly developed and implemented because of other policy objectives, but with significant consideration of CCA aspects.

Additional Details

Stakeholder engagement:

The heathlands in urbanised Dorset have a history of protection through partnership approaches. Dorset Heathland Forum was first established in 1989. Then Urban Heaths Partnership was then established with the focus on the conservation and maintenance of heathland located close to human settlements, with a particular focus on management of access. The partnership includes: local authorities, Dorset County Council (partnership leader), Dorset Wildlife Trust, Dorset Fire & Rescue Service, Dorset Police, Natural England (then called English Nature), The Herpetological Conservation Trust, Forestry Commission, Royal Society for the Protection of Birds and the National Trust.

The Urban Heaths Partnership successfully applied for £1.2 million funding from the European Union LIFE-Nature fund. The four-year Urban Heaths LIFE Project, launched in July 2001, addressed urban pressures on the heaths by providing extra wardens, new firefighting equipment for Dorset Fire and Rescue Service, a Heathland and Wildlife Protection Officer in Dorset Police and delivering an education programme within the local community and its schools.

In 2007, a joint Dorset Heathland Executive Group was established to oversee the implementation of the Interim Planning Framework (in place between 2007 and 2012). This group consists of a Councillor from each of the 6 local authorities (Borough of Poole, Bournemouth Borough Council, Christchurch Borough Council, East Dorset District Council, and Purbeck District Council) together with representatives from Natural England, Home Builders Federation and the Royal Society for the Protection of Birds. The Executive considers schemes recommended by the Heathland Planning Framework Officer Group (HPFOG) to mitigate the impact of additional urban pressures.

The SPD document also underwent public consultation. Ninety-six individuals and organisations made 1,001 representations to various parts of the leaflet outlining the SPD. 119 objections were received, 199 representations of support, 96 representations of support with conditions, as well as 595 'observations' and 'other' comments. The geographical area of the SPD, the use of greenspace as an alternative to heathland for users and the tariff system were the themes that gathered the highest amount of comments.

Success and limiting factors:

Main success factors can be identified in the following points:

- A previously existing partnership was used as a basis for development of the Interim Planning Framework. Also, the participation in the LIFE-Nature project allowed for collection of necessary evidence and development of experience in application of various alleviation measures.
- The collaborative approach is preferable to local authorities applying alleviation measures individually. Focus on the entire area where heathland is concentrated, consistency of approach, pooling of developers' contributions and collective prioritisation of the alleviation projects are the main advantages of the collaborative approach.

- Development of statutory policies in the Local Development Frameworks of the planning authorities in the near future will be an additional benefit helping to drive forward the implementation of associated alleviation projects.
- The use of Section 106 agreements based on biodiversity protection requirements for developers to contribute to is an innovative funding mechanism for alleviation of urban pressure on heathland across the south east Dorset area.
- The measures applied are not only physical. Engagement with the local community is emphasised to increase the awareness of fire danger and other negative impacts on heathland.

As limiting factor, it was observed by the UK Government that there is a limited potential to protect the heathland by establishment of buffer zones. This is due to the proximity of existing infrastructure to these zones, and the potentially very costly and extensive demolition and relocation programmes that would need to take place.

Budget, funding and additional benefits:

The measure itself requires only marginal costs for administrative work. The cost of measures to mitigate the impact of urban development on heathland in south east Dorset was estimated at £4.1 million (November 2011 prices) and these should be brought up by the charges on house owners as a result of the measure. The benefits are the assurance that the integrity of the heathlands is not further eroded or diminished by a steady increase in urban pressures due to additional development, the reduced risk of fires, the preservation of the biodiversity, and the contribution to the reduction of heathlands sensitivity to climate change.

Legal aspects:

The Dorset heathlands qualify for three European designations:

- Special Protection Areas (SPAs) under the EU Birds Directive;
- Candidate Special Areas of Nature Conservation (SACs) under the EU Habitats Directive.
- Ramsar sites (an international designation) by virtue of supporting certain wetland bird habitats and species.

The international nature conservation designations cover 96% of the Dorset heathland, and 97% is covered by the Sites of Special Scientific Interest (SSSIs) UK designation. Following these designations, regulation 48 of the UK Conservation requires that any application for development or strategic plan which is likely to significantly affect a European site is subject to an appropriate assessment of the implications of the proposal for the site's conservation objectives. The planning authority must ascertain that the plan or project will not have an adverse effect on the integrity of the site, alone or in combination with other plans or projects, either directly or indirectly, taking account of any conditions or restrictions that would help ensure no adverse effect, before granting permission or adopting a plan or policy.

The advantage and purpose of converting the IPF to a SPD is that it brings it within the current planning system and it will become part of each of the participating local authorities Local Development Frameworks. SPD is to be delivered on the basis of Section 106 (S106) of the Town and Country Planning Act 1990, which allows a local planning authority to enter into a legally-binding agreement or planning obligation with a landowner in association with the granting of planning permission. The obligation is termed a Section 106 Agreement. These agreements are a way of delivering or addressing matters that are necessary to make a development acceptable in planning terms. They are increasingly used to support the provision of services and infrastructure, such as highways, recreational facilities, education, health and affordable housing.

Implementation time:

The SPD was in place until December 2014; the updated SPD will cover the period 2015-2020.

Reference Information

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Websites:

<https://www.bournemouth.gov.uk/planningbuilding/PlanningPolicy/Other-Pla...> [5]

Sources:

Green and Blue Space Adaptation for Urban Areas and Eco Towns (GRaBS)

Source URL: <https://www.adaptecca.es/en/financial-contributions-planning-applications-prevention-heathland-fires-dorset-uk>

Links

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- [4] <mailto:forward.planning@eastdorset.gov.uk>
- [5] <https://www.bournemouth.gov.uk/planningbuilding/PlanningPolicy/Other-Planning-Documents/dorset-heathlands-planning-framework.aspx>