

CABINET MEMBER DECISION RECORD TEMPLATE

This form should be used to record Executive decisions taken by Cabinet Members

Decision Ref. No:

Responsible Officer: Mark Axford, Principal Planning Policy Officer

Subject: Extending the Dorset Heathlands Planning Framework Supplementary Planning Document (SPD) 2014 until replaced by the revised Dorset Heathland Supplementary Planning Document 2015.

Decision taken: To extend the Dorset Heathlands Planning Framework Supplementary Planning Document (SPD) 2014 until replaced by the revised Dorset Heathland Supplementary Planning Document 2015.

Reasons for the decision: The current SPD was adopted in 2012 with an end date of April 2014, it was subsequently rolled on by way of cabinet member decision until the end of 2014. A revised SPD is presently being consulted upon that will align with the Community Infrastructure Levy legislation. Prior to the adoption of the revised Heathland SPD, and to enable developers to continue to satisfy the requirements of the Habitats Regulations, there is a need to roll forward existing SPD.

Call-in and Urgency: the decision is subject to the Council's call-in procedure

Background: The Dorset Heathlands Planning Framework Supplementary Planning Document (SPD) was adopted by all of the South East Dorset Authorities in 2012 (by Bournemouth Borough Council in September 2012) with an end date of April 2014. It was subsequently rolled on by way of cabinet member decision until December 2014. The SPD superseded its forerunner, the Dorset Heathlands Interim Planning Framework of 2007 and subsequent revisions.

The SPD provides the overall approach to avoiding and/or mitigating the adverse effects of urban pressure on the Dorset Heathlands International Sites that result from the grant of planning permission, including setting a regime for taking contributions from development. The SPD supplements the adopted Core Strategy Policy CS 33 'Heathland'.

The Local Authorities are currently consulting on a replacement SPD which will align with CIL requirements. It is planned to adopt this by April 2015. Rather than create a guidance vacuum there is a need to roll forward the existing SPD to provide a consistent approach to heathland matters across the sub region. Rolling forward the SPD places no other obligations on the Council or development industry than has otherwise already been agreed and operated for the last 7 years.

Options - and reasons for rejection: Two options are available, either extend the SPD or do not. It is considered that not extending the SPD is not a realistic option for the Council as the 'competent authority' needs to have in place a procedure to mitigate the impacts on the Dorset Heathlands International Sites

Consultations undertaken: Extensive public consultation has taken place on the various iterations of the SPD over the last 7 years. The current version was subject to public consultation for 6 weeks prior to reporting back the comments received and adoption by Council in September 2012.

Finance/Resource Implications: If no SPD is in place each planning application for residential development would have to be subject to an Appropriate Assessment to ascertain its impact on the heathlands and satisfy the requirements of the Habitats Regulations. This will incur costs on the applicant, including the Council as an applicant, through consultancy fees. The uncertainties, time and cost involved in this process could deter development proposals coming forward and lead to a loss of planning fee income.

Failure to extend the SPD may result in the Council not being able to grant planning permission for any net increase in housing within the Borough.

Name:  **Signature: (of Chief Finance Officer)**
Date: 23.2.15

Legal implications: Failure to have in place a workable solution to mitigating the impact of development upon the European designated heathland sites has no direct legal implications unless the Council was minded to approve planning applications without such a mechanism. In this circumstance the Council would be in breach of the Habitat Regulations and could open itself to significant financial costs.

Name: Council  **Signature: (of Monitoring Officer)**
Date: 23/02/15

Risk assessment: No risk assessment has been carried out because this portfolio decision will not result in a change to council policy. However should the SPD not be extended risks will be apparent as set out above in respect of legal/finance implications.

Name: Mark Axford **Signature: (of Officer completing assessment)**
Date: 23.02.15 

Impact Assessments: No EINA or environmental assessment has been carried out because this portfolio decision will not result in a change to council policy. Such assessments were however carried out on the current SPD.

Information for/not for publication: Information is for publication.

Background papers: The Dorset Heathlands Planning Framework 2012-14
Supplementary Planning Document

Any conflict of interest declared by a Cabinet Member who is consulted by the Member taking the decision	Name of Cabinet Member	Nature of interest	Details of any dispensation granted by the Monitoring Officer
No			

* Delete as appropriate

Decision taken by:

Councillor David Smith

Cabinet Portfolio for Planning and Environment

Signed:



Date of decision:.....5/3/15.....

Date of publication of record of decision: (to be inserted by Democratic Services)

13 March 2015

Date decision effective – that is 5 working days after the date of publication of the record of decision unless the decision is called-in for consideration by the relevant Overview and Scrutiny Panel:

20 March 2015
-insert date- -

