

Portland Neighbourhood Plan

Environmental Legislation and Policy Issues Update

Purpose

Information document to provide updated details around the need for a Habitats Regulation Assessment and any actions arising therefrom. It has been compiled on a non professional basis.

Background

The Portland Neighbourhood Plan area includes two land areas designated as subject to European legislative conservation protection. These are

- Isle of Portland to Studland Special Area of Conservation (SAC)
- Chesil Beach and The Fleet, RAMSAR and SAC

Map A attached refers

In addition there are two designated Marine Special Areas of Conservation

The UK Government are currently establishing a legislative framework which may impact upon the nature of these designations but also potentially widen the scope of these. The relevant main objectives for our Neighbourhood Plan are

- Embedding an 'environmental net gain' principle for development, including housing and infrastructure
- Tackle environmental and restoration issues at a 'landscape' scale.

Additionally the Governments Industrial Strategy which sits alongside this Environmental Legislation establishes 'Clean Growth' as one of the four grand challenges to put the United Kingdom at the forefront of the industries of the future, directing the focus of government and engaging the private sector to ensure we take advantage of major global trends, and improve people's lives and the country's productivity.

Dorset Ecological Networks

The Dorset Local Nature Partnership updated their guidance concerning these networks in August 2018 previously Natural England as a statutory consultee to the Strategic Environmental Scoping Report had made a belated reference to these and requested that these developments inform the current baseline for the Biodiversity and Geodiversity Section of the report. See Map B.

Strategic Environmental Assessment

As reported in the Draft Strategic Environmental Assessment (Para 5.6) a Habitats Regulation Assessment screening process was undertaken to inform the development of the current Local Plan and this indicated that there would be no likely significant impact upon any of the European Wildlife Sites within the plan area.

The SEA also indicates in paras 5.6 to 5.10 that overall the plan provides a solid basis for the protection and enhancement of habitats and ecological networks alongside other management plans would provide protection for the natural environment.

Local Planning Authorities (LPA) Current Position

The LPA has indicated that they would wish to see a HRA scoping and assessment report to ensure that the Plan meets the requirement that it does not breach, and is otherwise compatible with, EU obligations.

We are currently in discussion with the local planning authority to determine what is required and the best to expedite such an assessment, which will require expert technical support. In particular to address:

- 1 What potential development pressures would influence the LPA's updated position ?
2. Does any assessment solely focus on the European sites or given the recent white paper do we now need also to consider the wider ecological network established ?

Selecting European sites that should be considered in the HRA screening and basis to any screening report

The decision about which European Sites should be considered in the Appraisal is based upon the checklist below (*adapted from Figure 2 of HRA of Plans, David Tyldesley and Associates, 2012*).

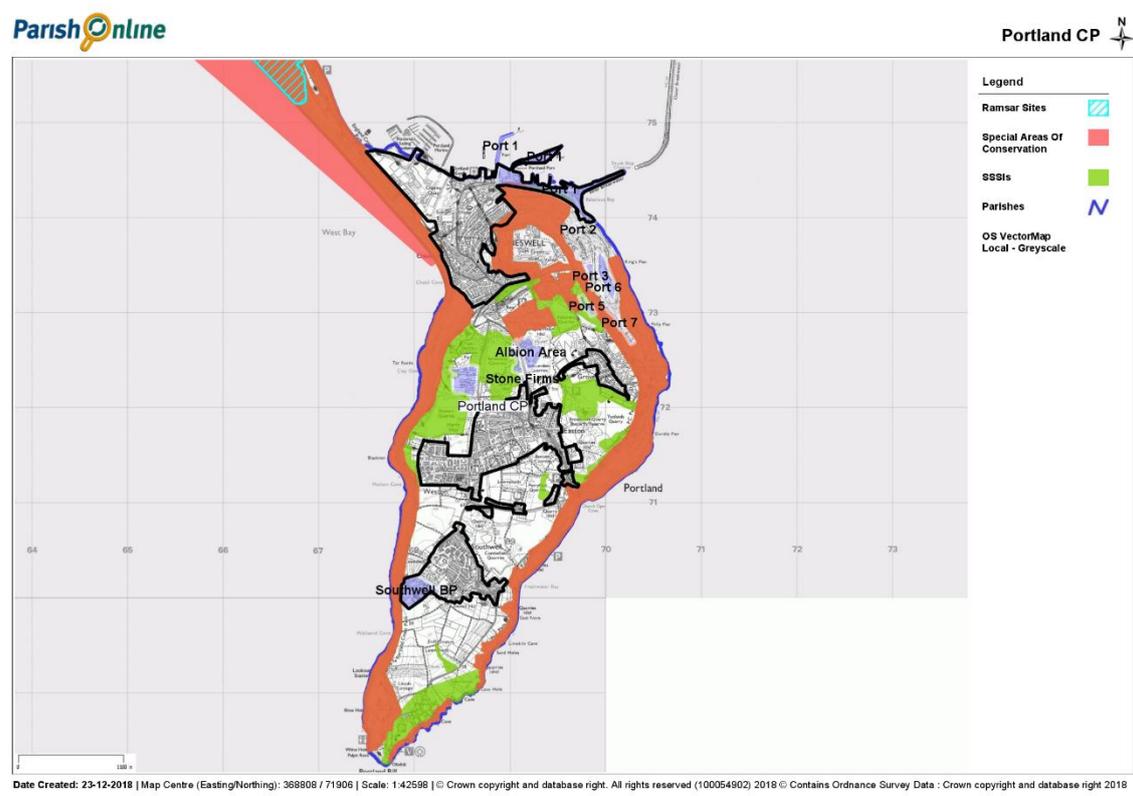
- Sites within the plan area
- Sites upstream or downstream of the plan area in the case of river or estuary
- Wetland sites with relevant hydrological links to land within the plan area
- Sites which have significant ecological links with land in the plan area (e.g. migratory birds/mobile species)
- Sites which may receive increased recreational pressure from the plan
- Sites that may be used for water abstraction
- Sites that could be affected by discharge of effluent from waste water treatment
- Sites that could be affected by significant increases in emissions from traffic

(More likely impacts for our area shown in red)

Sites and policies are then appraised against a series of criteria from No negative effect to Likely significant effect in combination. Mitigation and offsetting arrangements are then proposed.

Map A - Map showing European Special Areas of Conservation and Development Boundaries and Key Employment Sites

Please note current SSIs which are a national designation have been included as a reference.



Map B Current Ecological Network

