

Wareham Neighbourhood Plan

Strategic Environmental Assessment (SEA) Determination Statement

This determination statement has been produced to comply with Regulation 9 of the Environmental Assessment of Plans and Programmes Regulations 2004.

The Regulations implement European Directive 2001/42/EC. This requires that the effect on the environment of certain plans and programmes should be assessed, including plans prepared for town and country planning or land use. An exception is made for plans that determine the use of a small area at a local level, if the responsible authority has determined that the plan is unlikely to have significant environmental effects. This determination statement sets out the reasons why Dorset Council (the responsible authority) considers that a Strategic Environmental Assessment (SEA) is required with respect to the Wareham Neighbourhood Plan.

A Strategic Environmental Assessment Screening Report for the Wareham Neighbourhood Plan was submitted to Purbeck District Council January 2017. The Screening Report takes into account the criteria specified in Schedule 1 of the Regulations. On 24 January 2017 this report was made available to the statutory consultation bodies (Historic England, Natural England and Environment Agency), as required by Regulation 9(2)(b).

The Council received responses from all of the statutory consultation bodies by 25th April 2017 (see Appendix). Having considered these responses, and taken into account the criteria specified in Schedule 1 to the regulations, as required by Regulation 9(2)(a), the Council considers that an SEA of the Wareham Neighbourhood Plan is required for the following reasons:

- The Wareham Neighbourhood Plan will be in general conformity with the Purbeck Local Plan Part 1 which was subject to full Sustainability Appraisal (incorporating SEA) prior to adoption in 2012. However, the Neighbourhood Plan goes beyond the Purbeck Local Plan Part 1 requirements in relation to proposed development for housing. Site options and policies that were not previously subject to SEA through the PLP1 process may have environmental effects that have not been assessed, particularly given the level of international environmental protection afforded to areas of the Parish and adjoining parishes. It is therefore sensible that such policies are given full consideration through

December 2020

an SA/SEA. In conclusion, an SEA is required in accordance with this screening determination.

NOTE: The statement is based on the information provided. If the contents of the plan are revised and/or there is a material change in the environmental characteristics in the locality (e.g. the designation of any additional nature conservation or other environmental sites), then the comments contained in this statement would need to be reconsidered in order to take account of the changes.

December 2020

Habitats Regulations Assessment

Schedule 2, paragraph 1 of the Neighbourhood Planning (General) Regulations 2012 sets out the prescribed basic condition that the making of a neighbourhood plan is not likely to have a significant effect on a European site (as defined in the Conservation of Habitats and Species Regulations 2012) or a European offshore marine site (as defined in the Offshore Marine Conservation (Natural Habitats, &c.) Regulations 2007) (either alone or in combination with other plans or projects).

The Council has consulted Natural England as to the requirement for a habitats regulation assessment.

Natural England's response (dated 13th July 2018 and set out in the Appendix) on this matter includes the following comment:

“Natural England advise that as a result of a recent ruling by the European Court of Justice, People against Wind, it is apparent that as the provision of additional housing will, in the absence of mitigation, have a Likely Significant Effect on the Dorset Heathlands SPA and Ramsar and Dorset Heaths SAC, Dorset Heaths (Purbeck & Wareham) & Studland Dunes as well as the Poole Harbour SPA and Ramsar the competent authority (Purbeck District Council or its successor) will need to carry out an Appropriate Assessment under The Conservation of Habitats and Species Regulations 2017.”

Given the scale of the development proposed, and in light of the comments made by Natural England, the Council considers that an HRA of the Wareham Neighbourhood Plan is required.

December 2020

APPENDIX

SEA Statutory Consultation Bodies Responses

Historic England response 01/03/2017

Environment Agency response 01/03/2017

Natural England response 25/04/2017

HRA Consultation Response

Natural England response 13/07/2018

December 2020

Historic England response

Dear Jo

Thank you for your consultation on the SEA Screening and Scoping for the emerging Wareham Neighbourhood Plan.

We are happy with the view that the Plan will require an SEA based on its intention to allocate sites for development and the likely potential for these to generate significant environmental effects. We note that at this point the specific nature of those effects has not been identified in the SEA Screening and that while an initial list of possible sites exists these do not appear to have been assessed in any detail.

In our letter of introduction to Purbeck District and Wareham Town Councils dated 10th September 2015 we highlighted that the Plan area was particularly rich in designated heritage assets and we are pleased to see that this impressive schedule is referred to in the Scoping Report. We note that a number of heritage issues have been identified deriving from those listed in the Conservation Area Appraisal and wonder whether there are others which it may be worth trying to capture and use to inform the Plan's objectives and SEA process.

Our recently published Advice Note No 8 on Sustainability Appraisals and SEAs sets out in more detail how an approach might be taken to investigate such matters and this can be found at <https://historicengland.org.uk/images-books/publications/sustainability-appraisal-and-strategic-environmental-assessment-advice-note-8/>

From the map showing the location of the possible sites it looks likely that any impact on heritage assets will relate to their Settings – individually or collectively. It will be important when assessing those sites which lie on the fringes of the settlement to take account of the heritage significance which may be associated with its strategic setting, particularly the landscape context and integrity of the town and the spatial separation between its two discrete built up areas.

Consideration of Settings will therefore need to be mindful of the setting of the conservation area and that of the historic defences which form an extensive Scheduled Ancient Monument. The Gasworks site, for example, though within the settlement boundary, provides a useful illustration of this need.

Guidance on Setting can be found in our Good Practice Advice Note 3 - <https://content.historicengland.org.uk/images-books/publications/gpa3-setting-of-heritage-assets/gpa3.pdf/>

December 2020

You may also want to bear in mind that we are currently reviewing our guidance on Views in relation to the definition of Setting and updated guidance may be issued during the course of the SEA work and general Plan preparation. We would therefore suggest monitoring of our website from time to time so that any changes in our guidance can be noted.

Kind regards

David

David Stuart | Historic Places Adviser South West

Direct Line: [REDACTED] | Mobile: [REDACTED]

Historic England | [REDACTED]

We have launched four new, paid-for Enhanced Advisory Services, providing enhancements to our existing free planning and listing services. For more information on the new Enhanced Advisory Services as well as our free services go to our website: HistoricEngland.org.uk/EAS



Historic England

December 2020

Environment Agency response

Ms Jo Witherden
Dorset Planning Consultant

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Our ref: WX/2006/000006/OR-
03/IS2-L01

Your ref: Wareham NP

Date: 01 March 2017

Dear Ms Witherden

**WAREHAM NEIGHBOURHOOD PLAN
SEA SCREENING AND SCOPING OPINION**

Thank you for consulting the Environment Agency on the above mentioned document we have the following comments.

The document has identified the relevant topic areas. However, we would suggest that under the flood risk section that this should be amended to include tidal flood risk, as refer to fluvial flood risk. The tidal flood risk has potential to affect current areas but also increases through climate change. The extent and impact should be established from the Purbeck Strategic Flood Risk Assessment (SFRA).

We consider that you have identified the relevant plans and programmes to this area.

The SEA objectives would be considered appropriate, you must ensure that when checking flood zones that these include the climate change outputs from the LPAs SFRA.

Please contact us if you have any queries.

Yours sincerely

**MICHAEL HOLM
Planning Advisor - Sustainable Places**

Direct dial [REDACTED]

Direct e-mail [REDACTED]

December 2020

Natural England Response

From: Alexander, Ian (NE) [REDACTED]
Sent: 24 April 2017 16:51 **To:** Jo Witherden; Nicholson, Andrew (NE)
Cc: Squirrell, Nick (NE) **Subject:** RE: SEA Screening and Scoping for the Wareham Neighbourhood Plan

Jo

Nick is on leave and Andrew is tied up supporting EDDC at public enquiry, so I've had a look.

NRRs locally include Sunnyside Farm and Hartland Moor.

P11 – not sure this is grammatically correct: and a strategy to for mitigate the impact of additional nitrogen from development on Poole Harbour is nearly finalised.

P12 - Check proximity to (and potential for harm to) existing nature conservation site designation, and assess whether development would potentially harm these assets or could include ecological benefits. Ecology surveys and appropriate mitigation / compensation to be required for sites proposed for inclusion in the plan.

P12 - Consider impact on landscape designations (AONB and Green Belt), and extent development would fit within established character of existing developments. The green belt is NOT a landscape designation (and shouldn't be touted as such). It is a planning designation / tool – which is something quite different.

P15 & 16 – The maps don't seem to show the Poole Harbour SPA? The 400m zone wouldn't extend across the river Piddle (at Bestwall) now that the bridge has been removed (we would accept the river at that point as being an effective barrier.

So, on a very quick look nothing critical / substantive but a few bits that probably need tidying up.

Ian Alexander Natural England Mobile [REDACTED]
Teleconference No.:- Landline [REDACTED] Mobile [REDACTED]
Conference code: [REDACTED]

December 2020



If you need to communicate with me hard copy then please use this address:

Natural England Mail Hub, Worcester County Hall, Spetchley Road,
Worcester, WR5 2NP

December 2020

HRA Consultation Response
Natural England Response 13th July 2018

Date: 13 July 2018

Our ref: [Click here to enter text.](#)

Your ref: [Click here to enter text.](#)

BY EMAIL ONLY

Customer Services
Hornbeam House
Crewe Business Park
Electra Way
Crewe
Cheshire CW1 6GJ

T 

Dear Sir/madam,

Planning consultation: Wareham Neighbourhood Plan Pre-submission May 2018 Location: Wareham, Dorset

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

The Conservation of Habitats and Species Regulations 2017 Natural England does not appear to have received a formal consultation for the Town Council however following our meeting earlier this week I am writing to provide Natural England's advice.

Natural England note the intention (3.1.2) to make provision through allocated sites for housing development of around 200 homes (H1) in the period up to 2033 with additional windfall in the region of 120 units. These figures are somewhat contradicted at Table 1 and should be adjusted appropriately.

H4. and H5, Westminster Road, the area proposed comprises both brown and greenfield land, the local topography, nearby woodland and Rights of Way are likely to allow for the development of an effective SANG for avoidance/mitigation of impacts on the heathlands. Natural England advise however that the Town Council will need to demonstrate that the landowner is prepared to facilitate the

December 2020

level of development proposed in order for Natural England to be able to advise the competent authority that a Likely Significant effect can be avoided. Natural England note that the indicative SANG area identified would provide Natural England with a high level of certainty the adverse effects on the integrity of the heathlands as well as nutrient neutrality can be secured for the allocated sites in Northmoor Park.

Northmoor Park, Natural England have already considered promoted housing north of the Bere Road and advise that the omission of any development in this area accords with our views about significantly increased risk of additional access to Wareham Forest and the specially protected heathlands which are in easy access. Natural England advise that this aspect of the plan avoids the risk of harm to these areas.

H6. Natural England advise that the provision of SANG land as set out at H4 and H5 will also serve residents in this location.

H7, Natural England advise that the River Piddle adjacent to the site forms part of Poole Harbour SSSI and Ramsar and so the site will need to demonstrate a high level design detail to avoid harm, particularly from aquatic pollution. The potential to launch canoes into this area is also a concern in relation to disturbance issues in Poole Harbour SPA/Ramsar which is readily accessible downstream. It would be appropriate to mention this in the supporting paragraphs and this will need to be considered in the Appropriate Assessment. The policy may require some rewording to indicate the need for mitigation of the canoe launching site.

H8, GS2 Natural England advise that opportunities for a SANG which is effectively located for this allocation are very limited. Natural England advise that the reference to SANG be replaced by Heathland Infrastructure Project, a more general term which includes SANG. This would allow the applicant to explore a range of measures aimed at improving existing public access and facilities in the nearby areas of the Piddle valley.

3.12.1, The site at Sandford Lane has been found to have ecologically important grassland biodiversity. Natural England is in discussions with the Dorset County Council and Wessex Water. Natural England advise that the following text be inserted into this paragraph: "The site exceeds the threshold at which a Biodiversity Mitigation Plan will be required and where necessary the Dorset Compensation Framework will be applied to ensure no net loss to biodiversity."

5.1.4, PC3,PC4. Natural England advise that the location referred to on the north side of the station supports a population of European Protected Species, Sand Lizards. If the proposal is to be realised this issue should be noted in the plan

December 2020

with additional reference to a strategy to secure and enhance the area prior to any proposals coming forward.

6.1.1, Natural England advise the paragraph should be expanded to include reference to new greenspaces coming forward in the plan being incorporated into the list of valued Green Spaces. The Dorset Heathlands SPD should be referenced at the back of the plan. The existing open access land which is at Wareham Common should be identified in Fig 28 and on the Inset map.

Page 13, Natural England advise that there should also be a paragraph on Local biodiversity and protected species, these are a distinctive and important feature of Wareham. I would advise a paragraph along the following lines:

“Wareham is located amongst a great diversity of designated biodiversity sites which provide a rich backdrop. Within the plan area there are locally important areas for biodiversity as well as protected species. At an application level these will be protected through the Dorset County Council Biodiversity Mitigation Protocol and Dorset Biodiversity Compensation Framework. The Council will manage its own land holdings to maximise opportunities for biodiversity.”

Poole Harbour Nutrient Neutrality, Natural England advise that the adopted SPD should be referenced at the back of the Plan. The plan should make it clear that where achievable eg Northport allocations, then the applicants will be required to provide mitigation directly as part of their application. Small scale developments are likely to take advantage of the enabling functions of the SPD.

Natural England advise that as a result of a recent ruling by the European Court of Justice, People against Wind, it is apparent that as the provision of additional housing will, in the absence of mitigation, have a Likely Significant Effect on the Dorset Heathlands SPA and Ramsar and Dorset Heaths SAC, Dorset Heaths (Purbeck & Wareham) & Studland Dunes as well as the Poole Harbour SPA and Ramsar the competent authority (Purbeck District Council or its successor) will need to carry out an Appropriate Assessment under The Conservation of Habitats and Species Regulations 2017.

I trust these comments will be of assistance to you.

Yours sincerely

Nick Squirrell Conservation and Planning Lead Advisor Dorset and Hampshire Team Dorset, Hampshire and Isle of Wight Area Team

Natural England Mob: [REDACTED] Email [REDACTED]