



Basic Conditions Statement

Portland Town Council
June 2019

Basic Condition Statement - Portland Neighbourhood Plan

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Introduction

The Portland Neighbourhood Plan has been produced by Portland Town Council, as the ‘qualifying body’ with overall responsibility for the preparation, consultation and submission of the Neighbourhood Plan. The development of the Plan was undertaken by a Neighbourhood Plan Steering Group comprised of members of our community with Town Councillors. Its preparation was overseen by a Management Group that was established as a sub-committee of the Town Council.

What are the Basic Conditions and why do we need this Statement?

The ‘Basic Conditions’ are a set of conditions that a Neighbourhood Plan must pass, in order for it to proceed to referendum. In relation to neighbourhood plans, a plan will pass the basic conditions if:

- A. having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the plan
- B. the making of the plan contributes to the achievement of sustainable development
- C. the making of the plan is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area)
- D. the making of the plan does not breach, and is otherwise compatible with, EU obligations
- E. prescribed conditions are met in relation to the plan order and prescribed matters have been complied with in connection with the proposal for the plan

These requirements (and those for neighbourhood development orders) are formally set out in of paragraph 8(2) of Schedule 4B to the Town and Country Planning Act 1990 Act (as amended by the Localism Act 2011)¹.

This Basic Conditions Statement for Portland is submitted alongside our draft Neighbourhood Plan. In submitting the Statement and, through its content, demonstrate how our Plan meets the Basic Conditions, we have satisfied requirement (d) of Regulation 15(1) of the Neighbourhood Planning (General) Regulations 2012. Regulation 15(1) sets out what the Town Council, as the “qualifying body” responsible for producing the Plan, must submit as part of the neighbourhood plan proposal. Regulation 15(1) states² that:

- “(1) Where a qualifying body submits a plan proposal to the local planning authority, it must include:
- a) a map or statement which identifies the area to which the proposed neighbourhood development plan relates;
 - b) a consultation statement;
 - c) the proposed neighbourhood development plan; and
 - d) *a statement explaining how the proposed neighbourhood development plan meets the requirements of paragraph 8 of Schedule 4B to the 1990 Act.*” (i.e. this Statement).

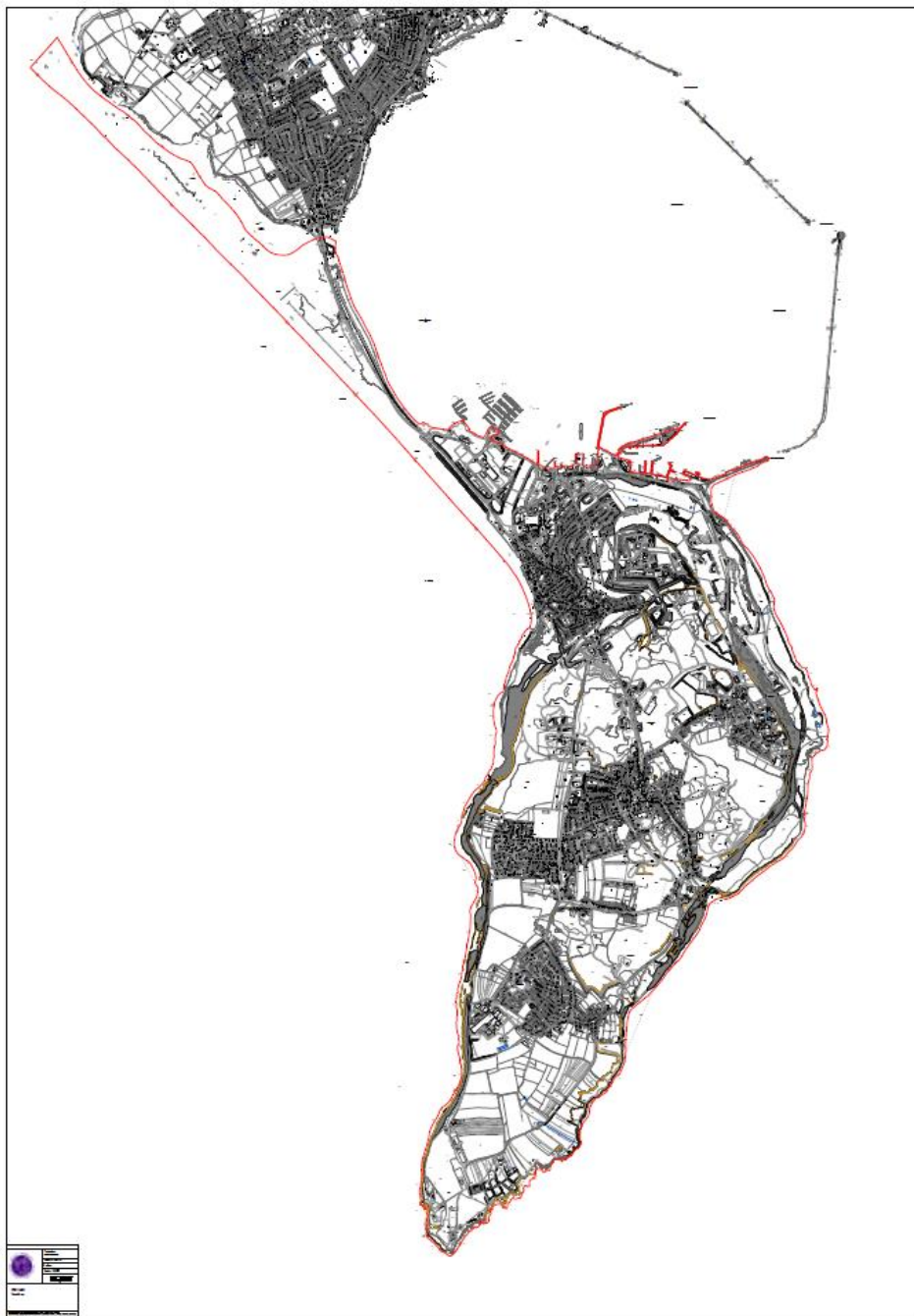
¹ See <http://www.legislation.gov.uk/ukpga/2011/20/schedule/10/enacted> They are also set out in the National Planning Practice Guidance at <http://planningguidance.planningportal.gov.uk/blog/guidance/neighbourhood-planning/the-basic-conditions-that-a-draft-neighbourhood-plan-or-order-must-meet-if-it-is-to-proceed-to-referendum/>

² See <http://www.legislation.gov.uk/uksi/2012/637/regulation/15/made>

Our Neighbourhood Area

The first formal part of the process of developing our Neighbourhood Plan was the confirmation of our Neighbourhood Area, or the area for which the Town Council, as the 'qualifying body' for neighbourhood planning, has the right to produce a plan for. Our application to designate the whole of the Parish of Portland as a Neighbourhood Area was submitted, as required by Regulation 5 of the Neighbourhood Planning (General) Regulations 2012, to Weymouth and Portland Borough Council as the local planning authority on 18th February 2013. Our application is reproduced in Appendix 1 to this Statement. Following a six-week public consultation, the Portland Neighbourhood Area was formally approved by Weymouth and Portland Borough Council on 18th July 2013. The minute of Weymouth and Portland Borough Council approving neighbourhood area designation is reproduced as Appendix 2 to this Statement. The approved Neighbourhood Area is the same as the parish boundary for Portland and is indicated by the red boundary below in Figure 1.

Figure 1 – Approved Portland Neighbourhood Area



Why do we need a Neighbourhood Plan?

Portland is an island parish that has a distinct and unique combination of circumstances regarding land use, including housing need and design, business development and employment needs, potential tourism developments and the protection of highly valuable and vulnerable sites of geological and/or ecological importance.

Our reason for producing the Portland Neighbourhood Plan are:

- our community wants to develop its own local planning policies so that we can have an influence over the type, scale, design and form of development which is expected to come forward between now and 2031;
- we want to have some control over local planning matters and decisions;
- we want to encourage employment on Portland, particularly those growth areas which can fit well within the natural environment
- we want to provide policies which recognise the vulnerability of Portland to climate change, but also the opportunities in alleviating global warming; and
- we want to ensure that new development will respect the natural resources and assets of Portland and have an overall positive effect.

It was felt that the development of a Neighbourhood Plan involving the community could have wider benefits by creating greater awareness of issues and encouraging shared solutions. The Neighbourhood Plan has been developed with the full participation of local people either as members of task and working groups or through participation in one or more of the regular community consultations. This process is summarised in the introductory sections of the Neighbourhood Plan and set out in detail in the Consultation Statement that also accompanies the Plan.

Having explored the issues through consultation and identified the key messages and things of importance to the community, our Plan has been framed around a set of aims and objectives (see next page).

Portland Neighbourhood Development Plan – Aims and Objectives

Environment - protect the special and unique character of Portland's natural and built environment and use its natural resources carefully
<ul style="list-style-type: none"> • Support measures that improve our resilience to climate change • Make responsible use of the Island's natural resources • Identify opportunities to increase renewable and sustainable energy production • Identify, protect and enhance the Island's biodiversity • Support Portland Quarry Nature Park development plan where appropriate • Support of the re-use of redundant mines and quarries in benign and sustainable ways • Recognise and protect heritage buildings, spaces and structures and enable the appropriate use of heritage assets • Protect and enhance the distinct character of settlements • Support public realm improvements in identified areas such as Sea Wall/West Weares
Business and Employment - strengthen the Island's business function, building growth and prosperity
<ul style="list-style-type: none"> • Protect existing employment spaces • Facilitate appropriate conversions and extensions of local business space • Enable business hub development in local building if justified • Set criteria for developing land for business development • Set criteria for new business development to priority and growth industries • Establish policy that supports conversion of redundant buildings for business purposes • Encourage creation of business start-up units • Encourage and facilitate Northern Arc masterplan-approach • Support development that provides for local education and training opportunities • Encourage development to bring about better connectivity for all
Housing – encourage a balanced mix of housing in appropriate places that people need and want
<ul style="list-style-type: none"> • Focus development on brownfield sites • Recognise exception site development to meet affordable housing needs provided by approved providers including a Community Land Trust • Relate housing development to local housing need • Establish a second home policy • Set criteria for new housing development including standards and infrastructure requirements
Transport - support non-car travel options and accommodate the car in an unobtrusive manner
<ul style="list-style-type: none"> • Support development which helps facilitate improvements to the public transport network • Support development which helps facilitate a more effective transport network • Support provision of off-street parking including public car parks • Support improvements to existing footpath, bridleway and cycle routes and extension to the networks
Shopping and Services - support the shopping areas and service functions
<ul style="list-style-type: none"> • Retain existing retail spaces • Support new shops in appropriate locations • Define and protect shopping centres
Community Recreation - realise the leisure and recreation potential of the Island
<ul style="list-style-type: none"> • Support development of leisure and recreation facilities • Protect and enhance local parks • Support development of new community buildings and spaces • Support new facilities for young people • Support use of buildings or land for events and festivals
Sustainable Tourism – accommodate responsible and sustainable tourism development
<ul style="list-style-type: none"> • Support sustainable tourism-related development in appropriate locations • Support the creation of individual, or a network of, tourist trails • Facilitate appropriate new marine developments

Summary of Compliance with Legislation

This section sets out how the Portland Neighbourhood Plan and process has complied with the requirements set out in the Neighbourhood Plan Regulations.

Qualifying Body

A 'qualifying body' is defined by Section 38A(12) of the Town and Country Planning Act 1990 as amended by Schedule 9 of the Localism Act³ as "*..... a Town Council, or an organisation or body designated as a neighbourhood forum, authorised for the purposes of a neighbourhood development plan to act in relation to a neighbourhood area...*".

Section 38A(1) of the Town and Country Planning Act 1990 as amended by Schedule 9 of the Localism Act⁴ sets out the qualifying body's entitlement to prepare a Neighbourhood Plan. It states that:

"(1) Any qualifying body is entitled to initiate a process for the purpose of requiring a local planning authority in England to make a neighbourhood development plan."

We confirm that the Neighbourhood Plan has been prepared by Portland Town Council as the 'qualifying body' for the purposes of Neighbourhood Planning.

Neighbourhood Area

The Neighbourhood Area (as shown on page 3) was applied for and approved through the process set out in the Neighbourhood Planning (General) Regulations 2012 (Regulations 5 to 7)⁵. Both the application and the approval/decision letter are appended to this Statement (Appendices 1 and 2).

What a Neighbourhood Plan is and the Content of the Neighbourhood Plan

Section 38A(2) of the Town and Country Planning Act 1990 as amended by Schedule 9 of the Localism Act⁶ sets out the meaning of 'neighbourhood development plan'. It states that:

"(2) A "neighbourhood development plan" is a plan which sets out policies (however expressed) in relation to the development and use of land in the whole or any part of a particular neighbourhood area specified in the plan."

Section 38B(1) of the Town and Country Planning Act 1990 as amended by Schedule 9 of the Localism Act⁷ sets out what the Plan may include. It states that:

"(1) A neighbourhood development plan—
(a) must specify the period for which it is to have effect,
(b) may not include provision about development that is excluded development, and
(c) may not relate to more than one neighbourhood area."

'Excluded development' is defined in Section 68K of the Town and Country Planning Act 1990 as amended by Schedule 9 of the Localism Act⁸ as:

"(a) development that consists of a county matter within paragraph 1(1)(a) to (h) of Schedule 1,
(b) development that consists of the carrying out of any operation, or class of operation, prescribed under paragraph 1(j) of that Schedule (waste development) but that does not consist of development of a prescribed description,
(c) development that falls within Annex 1 to Council Directive [85/337/EEC](#) on the assessment of the effects of certain public and private projects on the environment (as amended from time to time),

³ See <http://www.legislation.gov.uk/ukpga/2011/20/schedule/9/enacted>

⁴ See <http://www.legislation.gov.uk/ukpga/2011/20/schedule/9/enacted>

⁵ See <http://www.legislation.gov.uk/uksi/2012/637/regulation/5/made>

⁶ See <http://www.legislation.gov.uk/ukpga/2011/20/schedule/9/enacted>

⁷ See <http://www.legislation.gov.uk/ukpga/2011/20/schedule/9/enacted>

⁸ See <http://www.legislation.gov.uk/ukpga/2011/20/schedule/9/enacted>

(d) development that consists (whether wholly or partly) of a nationally significant infrastructure project (within the meaning of the Planning Act 2008),

(e) prescribed development or development of a prescribed description, and

(f) development in a prescribed area or an area of a prescribed description.”

Section 38B(2)⁹ states that:

“(2) Only one neighbourhood development plan may be made for each neighbourhood area.”

In response to these requirements, we confirm that:

- **Our Neighbourhood Plan covers the period up until 2031, aligning with the plan period of the West Dorset, Weymouth & Portland Local Plan 2015**
- **Our Neighbourhood Plan is the only Neighbourhood Plan for the parish area of Portland**
- **Our Neighbourhood Plan does not contain policies relating to ‘excluded development’¹⁰**
- **Our Neighbourhood Plan relates only to the defined Neighbourhood Area set out in figure 1 of this report**
- **Our Neighbourhood Plan sets out policies in relation to the development and use of land**

Submission Documents

As referred to earlier in this Statement, all the documents required for submission by Regulation 15(1) of the Neighbourhood Planning (General) Regulations are included in the submission package for the Neighbourhood Plan.

Basic Conditions

As referred to earlier in this Statement, we consider that all of the Basic Conditions (set out in of paragraph 8(2) of Schedule 4B to the 1990 Act (as amended) by the Localism Act 2011.¹¹) have been met, as demonstrated in this Statement.

Content of Our Neighbourhood Plan Proposal

To comply with the requirements of Regulation 15 (1) of the Neighbourhood Planning (General) Regulations 2012¹², and to provide sufficient material to help demonstrate that the Basic Conditions have been met, the following documents have been submitted to the local authority:

- The Neighbourhood Plan (which includes a map and statement which identifies the area to which the Plan relates)
- Supporting Evidence Base Documents
- A Consultation Statement
- A Basic Conditions Statement (this document)

⁹ See <http://www.legislation.gov.uk/ukpga/2011/20/schedule/9/enacted>

¹⁰ No policy in the Neighbourhood Plan relates to county matters (mineral extraction and waste development) or to any Nationally Significant Infrastructure Projects

¹¹ See <http://www.legislation.gov.uk/ukpga/2011/20/schedule/10/enacted> They are also set out in the National Planning Practice Guidance at <http://planningguidance.planningportal.gov.uk/blog/guidance/neighbourhood-planning/the-basic-conditions-that-a-draft-neighbourhood-plan-or-order-must-meet-if-it-is-to-proceed-to-referendum/>

¹² See <http://www.legislation.gov.uk/uksi/2012/637/regulation/15/made>

How our Neighbourhood Plan meets the Basic Conditions

A. Having Regard to National Policies and Advice Contained in Guidance Issued by the Secretary of State

The following table sets out how the Portland Neighbourhood Plan has regard to national policies and advice contained in guidance issued by the Secretary of State:

Neighbourhood Plan Policies	National Planning Policy Framework and National Planning Practice Guidance	How has the Neighbourhood Plan had regard to national policies and advice?
Policy No. Port/EN1 Prevention of Flooding and Erosion	NPPF para. 149 <i>Policies should support appropriate measures to ensure the future resilience of communities and infrastructure to climate change impacts, such as providing space for physical protection measures</i>	The policy supports development measures that facilitate the current Shoreline Management Plan, which addresses the long-term risks associated with coastal processes and flood risk.
Policy No. Port/EN2 Renewable Energy Development	NPPF para. 148 <i>The planning system should.... help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure</i>	The policy supports development that takes advantage, in a responsible manner, of the Island's natural assets and resources to extend the local use of low carbon energy.
Policy No. Port/EN3 The Portland Quarries Nature Park	NPPF para. 204 <i>Planning policies should... ensure that worked land is reclaimed at the earliest opportunity</i>	The policy supports development that brings redundant quarry areas back into positive use for the benefit of the local economy.
Policy No. Port/EN4 Local Heritage Assets	NPPF para. 185 <i>Plans should set out a positive strategy for the conservation and enjoyment of the historic environment, including heritage assets most at risk through neglect, decay or other threats</i>	The policy recognises that there are many heritage assets on the Island and ensures they are safeguarded and/or enhanced in a manner and to an extent commensurate with their significance.
Policy No. Port/EN5 Historic Piers	NPPF para. 197 <i>The effect of an application on the significance of a non-designated heritage asset should be taken into account</i>	The policy recognises a particular genre of local assets and encourages their re-use whilst putting safeguards in place.
Policy No. Port/EN6 Defined Development Boundaries	NPPF para. 118 <i>Planning policies and decisions should... give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs</i>	The policy defines the built-up areas of Portland so as to establish the most appropriate and sustainable location for development; focussing future development on brownfield land within the settlement areas
Policy No. Port/EN7 Design and Character	NPPF para. 127 <i>Planning policies and decisions should ensure that developments..... are sympathetic to local character and history, including the surrounding built environment and</i>	The policy emphasises the value of good quality design, which is sympathetic and complimentary to local situations and character.

Neighbourhood Plan Policies	National Planning Policy Framework and National Planning Practice Guidance	How has the Neighbourhood Plan had regard to national policies and advice?
	<i>landscape setting, while not preventing or discouraging appropriate innovation or change</i>	It refers developers to the, recently produced, Portland Heritage and Character Assessment.
Policy No. Port/EN8 The Verne	NPPF para. 184 <i>These assets are an irreplaceable resource, and should be conserved in a manner appropriate to their significance</i>	The policy seeks to facilitate the positive and sensitive redevelopment of a heritage asset.
Policy No. Port/EN9 Public Realm Improvements	NPPF para. 127 <i>Planning policies and decisions should ensure that developments..... establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit</i>	The policy supports the revitalisation of the Island's public realm in a manner that is sympathetic and complimentary to local situations and character, including public arts installations, to create a stronger and distinct sense of place.
Policy No. Port/BE1 Protecting Existing Employment Sites and Premises	NPPF para. 80 <i>Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development</i>	The policy seeks to ensure that existing business space on the Island is protected from change of use, unless it is clear that the space is no longer wanted for employment-related activities.
Policy No. Port/BE2 Up-grading of Existing Employment Sites and Premises	NPPF para. 80 <i>Planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt</i>	The policy supports improvements to existing business space and premises as long as they do not cause unacceptable harm to the environment or nearby uses.
Policy No. Port/BE3 New Employment Premises	NPPF para. 81 <i>Planning policies should..... be flexible enough to accommodate needs not anticipated in the plan, allow for new and flexible working practices (such as live-work accommodation), and to enable a rapid response to changes in economic circumstances</i>	The policy supports the development of new employment premises as long as they do not cause unacceptable harm to the environment or nearby uses.
Policy No. Port/BE4 New Business Centres	NPPF para. 82 <i>Planning policies and decisions should recognise and address the specific locational requirements of different sectors. This includes making provision for clusters or networks of knowledge and data-driven, creative or high technology industries</i>	The policy is supportive of the creation of business clusters through the positive re-use of redundant buildings.
Policy No. Port/BE5 Working from Home	NPPF para. 81 <i>Planning policies should..... be flexible enough to accommodate needs not anticipated in the plan, allow for new and flexible working practices (such as live-work accommodation), and to enable a rapid response to changes in economic circumstances</i>	The policy supports small-scale development of residential properties to facilitate home-working.

Neighbourhood Plan Policies	National Planning Policy Framework and National Planning Practice Guidance	How has the Neighbourhood Plan had regard to national policies and advice?
Policy No. Port/BE6 The Northern Arc	NPPF para. 80 <i>Planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. The approach taken should allow each area to build on its strengths, counter any weaknesses and address the challenges of the future.</i>	The policy supports a strategic planning approach to realise the economic potential of a key area of the Island.
Policy No. Port/HS1 Housing Mix	NPPF para. 61 <i>the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies</i>	The policy emphasises the need for small dwellings based on an up-to-date understanding of local needs which currently include a notable demand for smaller dwellings for young households and those wanting to downsize.
Policy No. Port/HS2 Community Housing Assets	NPPF para. 71 <i>support the development of entry-level exception sites, suitable for first time buyers (or those looking to rent their first home).... These sites should be on land which is not already allocated for housing and should... be adjacent to existing settlements, proportionate in size to them and not compromise the protection given to areas or assets of particular importance</i>	The policy facilitates exception site development to deliver more affordable housing for local people.
Policy No. Port/HS3 Second Homes	NPPF para. 29 <i>Neighbourhood plans can shape, direct and help to deliver sustainable development, by influencing local planning decisions as part of the statutory development plan.</i>	The policy emphasises the need for the decision-making process to consider whether a principal residency restriction should be put in place to ensure local needs and sustainability are addressed.
Policy No. Port/HS4 Hardy Block	NPPF para. 127 <i>Planning policies and decisions should ensure that developments..... are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change</i>	The policy is supportive of measures that would help improve the overall appearance and enhance the character of an historic settlement area.
Policy No. Port/TR1 Improving Public Transport Links	NPPF para. 104 <i>Planning policies should:... identify and protect, where there is robust evidence, sites and routes which could be critical in developing infrastructure to widen transport choice and realise opportunities for large scale development</i>	The policy recognises the potential value in improved public transport links between local settlements and with the mainland.

Neighbourhood Plan Policies	National Planning Policy Framework and National Planning Practice Guidance	How has the Neighbourhood Plan had regard to national policies and advice?
Policy No. Port/TR2 Improving the Transport Infrastructure	NPPF para. 104 <i>Planning policies should:... be prepared with the active involvement of local highways authorities, other transport infrastructure providers and operators and neighbouring councils, so that strategies and investments for supporting sustainable transport and development patterns are aligned</i>	The policy support development measures to improve transport infrastructure in the interests of greater sustainability and safety.
Policy No. Port/TR3 Reducing Parking Problems	NPPF para. 106 <i>In town centres, local authorities should seek to improve the quality of parking so that it is convenient, safe and secure, alongside measures to promote accessibility for pedestrians and cyclists</i>	The policy emphasises the need to ensure parking provision for new development is adequate. It protects existing public car parks and supports the development of additional public parking areas in appropriate locations.
Policy No. Port/TR4 Increasing Travel Links	NPPF para. 98 <i>Planning policies and decisions should protect and enhance public rights of way and access, including taking opportunities to provide better facilities for users, for example by adding links to existing rights of way networks including National Trails</i>	The policy supports improvements and enhancements to public rights of way in the interests of improving accessibility and encouraging sustainable local travel and healthy exercise.
Policy No. Port/SS1 Reinforcing Local and Neighbourhood Centres	NPPF para. 92 <i>To provide the social, recreational and cultural facilities and services the community needs, planning policies and decisions should..... guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day-to-day needs and ensure that established shops, facilities and services are able to develop and modernise, and are retained for the benefit of the community</i>	The policy identifies the value of local centres and supports development that adds to their appeal and viability The loss of business premises within local centres through redevelopment or change of use is resisted.
Policy No. Port/CR1 Protecting Recreation Spaces	NPPF para. 97 <i>Existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless...</i> <i>a) an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or</i> <i>b) the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or</i> <i>c) the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use.</i>	The policy identifies and safeguards locally important sports and recreational facilities.
Policy No. Port/CR2 Local Green Space	NPPF para. 99 <i>The designation of land as Local Green Space through local and neighbourhood plans allows communities to identify and protect</i>	The policy identifies designated local green space which is to be safeguarded

Neighbourhood Plan Policies	National Planning Policy Framework and National Planning Practice Guidance	How has the Neighbourhood Plan had regard to national policies and advice?
	<i>green areas of particular importance to them. Designating land as Local Green Space should be consistent with the local planning of sustainable development and complement investment in sufficient homes, jobs and other essential services</i>	from loss or damage by development.
Policy No. Port/CR3 Allotments	NPPF para. 91 Planning policies and decisions should aim to achieve healthy, inclusive and safe places which... enable and support healthy lifestyles, especially where this would address identified local health and well-being needs – for example through the provision of safe and accessible green infrastructure, sports facilities, local shops, access to healthier food, allotments and layouts that encourage walking and cycling	The policy identifies and safeguards locally important allotment sites and supports the development of land for allotment-use in response to an identified community demand.
Policy No. Port/CR4 Sites of Open Space Value	NPPF para. 97 <i>Existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless....</i>	The policy protects incidental open space within residential areas that contribute to local amenity, character and/or green infrastructure.
Policy No. Port/CR5 New Community Facilities	NPPF para. 92 <i>To provide the social, recreational and cultural facilities and services the community needs, planning policies and decisions should... plan positively for the provision and use of shared spaces, community facilities (such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship) and other local services to enhance the sustainability of communities and residential environments;</i>	The policy supports the development of community, social or recreation facilities for the direct benefit of young people that meets an identified local need.
Policy No. Port/CR6 Community and Visitor Events	NPPF para. 83 <i>Planning policies and decisions should enable.... sustainable rural tourism and leisure developments which respect the character of the countryside</i>	The policy supports the temporary use of buildings and open spaces for organised events in the interests of boosting tourism and the local economy, as long as it does not cause unacceptable harm to the environment or nearby uses.
Policy No. Port/ST1 Sustainable Tourism Development	NPPF para. 83 <i>Planning policies and decisions should enable.... sustainable rural tourism and leisure developments which respect the character of the countryside</i>	The policy supports sustainable tourism development with safeguards in place.
Policy No. Port/ST2 Beach Huts	NPPF para. 197 <i>The effect of an application on the significance of a non-designated heritage asset should be taken into account</i>	The policy seeks to safeguard a unique heritage area of the Island.
Policy No. Port/ST3 Tourist Trails	NPPF para. 98 <i>Planning policies and decisions should protect and enhance public rights of way and access, including taking opportunities to</i>	The policy supports the extension and improvement of a network of tourist and leisure trails.

Neighbourhood Plan Policies	National Planning Policy Framework and National Planning Practice Guidance	How has the Neighbourhood Plan had regard to national policies and advice?
	<i>provide better facilities for users, for example by adding links to existing rights of way networks including National Trails</i>	
Policy No. Port/ST4 Marine Berths for Tourists	NPPF para. 185 <i>Plans should set out a positive strategy for the conservation and enjoyment of the historic environment, including heritage assets most at risk through neglect, decay or other threats</i>	The policy supports the provision of new and additional marine berths and facilities to reinforce the character and maritime use of the area.

B. The Making of the Plan Contributes to the Achievement of Sustainable Development

The Portland Neighbourhood Plan has been developed within the context of the definition of sustainable development in the National Planning Policy Framework together with that in the West Dorset, Weymouth and Portland Local Plan.

The table below sets out how we feel that our Neighbourhood Plan has dealt with the achievement of sustainable development against the key relevant parts of the NPPF.

National Planning Policy Framework Paragraph	How our Plan contributes towards this
<p>NPPF para. 8 <i>Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):</i></p> <p>a) <i>an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;</i></p> <p>b) <i>a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities’ health, social and cultural well-being; and</i></p> <p>c) <i>an environmental objective – to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.</i></p>	<p>The Neighbourhood Plan has embraced all three dimensions to sustainable development. The following policies of our Plan address the economic dimension of sustainable development by supporting employment development in the appropriate locations: Port/BE3 – new employment premises Port/BE4 – new business centre Port/BE5 – working from home Port/BE6 – the Northern Arc Port/ST1 – sustainable tourism</p> <p>The following policies of our Plan address the social dimension of sustainable development: Port/EN6 - focuses development where it will be most sustainable Port/SS1 - reinforces local centre Port/CR5 - supports new community facilities Port/CR3 – protects allotments Port/CR1 - protects and improves recreation spaces Port/TR1 supports improvements and extensions to walking and cycling routes</p> <p>The following policies of our Plan address the environmental dimension of sustainable development: Port/EN1 - supports flood defence work Port/EN2 – encourages use of renewable energy Port/EN3 – supports re-use of redundant land Port EN4 – protects heritage assets Port EN5 - protects heritage assets</p>
NPPF para. 11	The Portland Neighbourhood Plan has been mindful of the need to promote sustainable

National Planning Policy Framework Paragraph	How our Plan contributes towards this
<p><i>Plans and decisions should apply a presumption in favour of sustainable development.</i></p> <p><i>For plan-making this means that:</i></p> <p><i>a) plans should positively seek opportunities to meet the development needs of their area, and be sufficiently flexible to adapt to rapid change;</i></p> <p><i>b) strategic policies should, as a minimum, provide for objectively assessed needs for housing and other uses, as well as any needs that cannot be met within neighbouring areas, unless:</i></p> <p><i>i. the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for restricting the overall scale, type or distribution of development in the plan area; or</i></p> <p><i>ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.</i></p>	<p>development within the context of a unique and particularly sensitive natural environment, which includes some important sites and resources.</p> <p>Plan-making has attempted to achieve a balance between achieving the strategic requirements and targets of the Local Plan whilst ensuring local interests are taken fully into account.</p>
<p>NPPF para. 29</p> <p><i>Neighbourhood planning gives communities the power to develop a shared vision for their area. Neighbourhood plans can shape, direct and help to deliver sustainable development, by influencing local planning decisions as part of the statutory development plan. Neighbourhood plans should not promote less development than set out in the strategic policies for the area, or undermine those strategic policies</i></p>	<p>The neighbourhood planning process has brought the community closer together and enabled a positive dialogue to take place about what development is required and how it can be best accommodated and facilitated. Part of the process has been to agree what is important to us and how this can be protected and enhanced by development to realise our vision for the future.</p>
<p>NPPF para.72</p> <p><i>identify suitable locations for such development where this can help to meet identified needs in a sustainable way</i></p>	<p>The Neighbourhood Plan promotes sustainable development in locations where it will help maintain or enhance the vitality of local communities.</p> <p>Policies in the Plan identify preferred locations when appropriate to do so:</p> <p>Port/EN6 - defines development boundaries</p> <p>Port/HS2 – supports community housing initiatives</p> <p>Port/BE4 – encourages re-use of redundant buildings</p> <p>Port/SS1 – reinforces the role of local centre</p>
<p>NPPF para. 81</p> <p><i>Planning policies should:</i></p> <p><i>a) set out a clear economic vision and strategy which positively and proactively encourages sustainable economic growth, having regard to Local Industrial Strategies and other local policies for economic development and regeneration</i></p>	<p>The Neighbourhood Plan recognises the need for local economic growth and includes policies in support of the local economic strategy:</p> <p>Port/BE1 – protects existing business premises</p> <p>Port/BE2 – supports up-grading of business locations</p> <p>Port/BE3 – supports new business development</p> <p>Port/BE4 – supports new business hubs</p> <p>Port/BE5 – supports home-working</p>
<p>NPPF para. 103</p> <p><i>Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes</i></p>	<p>The following policies in our Plan are relevant to encouraging the greater use of sustainable transport modes as outlined in this NPPF paragraph:</p> <p>Port/TR1 - improves public transport links</p> <p>Port/TR2 - Improves transport infrastructure</p> <p>Port/TR4 - increases travel links</p>

National Planning Policy Framework Paragraph	How our Plan contributes towards this
NPPF para. 124 <i>Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities</i>	Port/ST3 – extends the network of trails Port/EN7 - places emphasis on well-designed development that enhances and complements the character of the built environment of Portland Port/EN9 - supports public realm improvements Port/HS4 – recognises the positive impact of good design
NPPF para. 192 <i>take account of...</i> <i>b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality</i>	The following policies in our Plan are relevant to meeting the delivery of sustainable development as outlined in this NPPF paragraph that identifies the positive contribution that the safeguarding of heritage assets can have: Port/EN4 – recognises local heritage assets Port/EN5 – supports the conservation and re-use of the historic piers Port/EN8 – encourages imaginative re-use of a local heritage asset Port/HS4 – recognises potential impact of a redevelopment scheme on a historic environment Port/ST3 – seeks to make good use of ancient trails

The West Dorset, Weymouth and Portland Local Plan 2015 does not identify which of its policies are ‘strategic’ and which are not. A recent briefing note produced by the local planning authority states:

“.....be aware however that neighbourhood plan examiners may take different views on which policies are strategic. Recent case law has confirmed that the identification of ‘strategic policies’ is not precise but a matter of judgement, and the fact that a local planning authority has identified a policy as strategic does not necessarily mean that it is. Changes in national policy or other circumstances may affect this judgement, and officers in commenting on draft neighbourhood plans, or advising neighbourhood plan groups, will comment if they consider this may be the case.

Rather than specifying whether or not individual policies are strategic, the plan includes strategic objectives and a summary of the ‘strategic approach’ for each theme of the plan. These ‘strategic approaches’ are set out on pages 12-14 of the plan, in the introductory chapter, and are also repeated at the beginning of each chapter of the plan. Paragraph 1.3.2 of the introduction states that ‘Communities preparing neighbourhood development plans will need to show how their proposals: positively contribute to the vision and strategic priorities; reflect the strategic approach; and are in general conformity with strategic policies of the local plan review’.

Policy SUS4 [of the Local Plan] on Neighbourhood Development Plans also states that neighbourhood development plans should be prepared ‘to positively contribute to the local plan review’s vision and strategic priorities; to reflect its strategic approach; and be in general conformity with its strategic policies’

The ‘strategic approach’ sections therefore form the local planning authority’s view, in its local plan, of what aspects of policy should be regarded as strategic. This does however mean that part of a policy may be strategic and part not.”¹³

In view of this, plus the fact that the Local Plan is currently under-going a review that may result in several different policies, the table below sets out how the Portland Neighbourhood Plan has addressed the

¹³ Strategic Policies of the Local Plan Briefing Note, Dorset Councils Partnership, August 2018

attainment of sustainable development in the context of the strategic objectives of the adopted West Dorset, Weymouth & Portland Local Plan.

WD, W&P Local Plan 2015 Strategic Objectives	How our Plan contributes towards this
<i>Support the local economy to provide opportunities for high quality, better paid jobs</i>	<p>The Portland Neighbourhood Plan has been prepared in parallel and close association with an Economic Plan for Portland. Several of the policies within the Plan have been informed by and are aimed at facilitating aspects of the economic strategy.</p> <p>The following policies are all aimed at supporting local economic growth:</p> <p>Policy No. Port/BE1 – protects existing employment sites and premises</p> <p>Policy No. Port/BE2 – supports up-grading of employment sites and premises</p> <p>Policy No. Port/BE3 – supports the development of new employment sites and premises</p> <p>Policy No. Port/BE4 – supports business hubs</p> <p>Policy No. Port/BE5 – helps facilitate home-working</p> <p>Policy No. Port/BE6 – endorses a strategic development approach to the main economic growth area on the Island</p> <p>Several other policies have an economic dimension for instance:</p> <p>Policy No. Port/EN3 – supports the restoration and re-use of redundant quarries which includes tourism and economic activity</p> <p>Policy No. Port/EN5 – supports the restoration and re-use of historic piers</p> <p>Policy No. Port/SS1 – aims to protect and enhance the vitality of local neighbourhood centre</p> <p>Policy No. Port/CR6 – facilitate events to attract visitors to the Island</p> <p>Policy No. Port/ST1 – is supportive of sustainable tourism development</p>
<i>Meet local housing needs for all as far as is possible</i>	<p>The Neighbourhood Plan’s housing policies have been formulated to ensure that local housing needs are recognised and addressed by new development:</p> <p>Policy No. Port/HS1 – requires a housing mix that reflect local needs</p> <p>Policy No. Port/HS2 – supports community housing initiatives</p> <p>Policy No. Port/HS3 give priority when necessary to those that want permanent residency on Portland</p>
<i>Regenerate key areas including Weymouth and Dorchester town centres, to improve the area’s retail, arts, cultural and leisure offer; and increase employment opportunities</i>	<p>The Neighbourhood Plan includes policies that seek to aid the regeneration of key areas of the Island.</p> <p>Policy No. Port/EN8 – facilitates the redevelopment of a significant heritage area</p> <p>Policy No. Port/EN9 – supports high quality public realm improvements including arts installations</p> <p>Policy No. Port/HS4 – seeks to encourage the enhancement of the character of a historic port area in the interests of its overall revitalisation</p> <p>Policy No. Port/SS1 – seeks to revitalise the neighbourhood centres in a way that recognises their individual characteristics and role</p>
<i>Support sustainable, safe and healthy communities with accessibility to a range of services and facilities</i>	<p>Several policies in the Neighbourhood Plan focus on safeguarding and enhancing the Island’s services and facilities:</p>

WD, W&P Local Plan 2015 Strategic Objectives	How our Plan contributes towards this
	<p>Policy No. Port/SS1 – protects and seeks to revitalise the neighbourhood centres to continue to serve local needs</p> <p>Policy No. Port/CR5 – supports the provision of new community facilities</p> <p>Policy No. Port/CR1 – protects important sports and recreational facilities</p> <p>Policy No. Port/CR3 – protects existing allotments and support the provision of more community horticulture opportunities</p>
<p><i>Protect and enhance the outstanding natural and built environment, including its landscape, biodiversity and geodiversity, and the local distinctiveness of places within the area – this will be the over-riding objective in those areas of the plan which are particularly sensitive to change</i></p>	<p>The Neighbourhood Plan includes ten policies under the ‘environment’ heading and many other policies have criteria that safeguard the local natural or built environment. To complement the policies in the Local Plan the major policies are:</p> <p>Policy No. Port/EN3 – protects and enhances areas of worked out quarry</p> <p>Policy No. Port/EN4 – recognises the value of local heritage assets and puts in place appropriate safeguards</p> <p>Policy No. Port/EN7 – introduces locally specific design criteria</p>
<p><i>Reduce vulnerability to the impacts of climate change, both by minimising the potential impacts and by adapting to those that are inevitable– this will be the over-riding objective in those areas of the plan which are at highest risk</i></p>	<p>Two policies focus on addressing the impacts of climate change:</p> <p>Policy No. Port/EN1 – aids the prevention of flooding and erosion</p> <p>Policy No. Port/EN2 – supports appropriate renewable energy development</p>
<p><i>Provide greater opportunities to reduce car use; improve safety; ensure convenient and appropriate public transport services; and seek greater network efficiency for pedestrians, cyclists and equestrians</i></p>	<p>The Neighbourhood Plan includes several transport-focused policies:</p> <p>Policy No. Port/TR1 – supports improved transport links</p> <p>Policy No. Port/TR2 – facilitates improved transport infrastructure especially, to improve safety</p> <p>Policy No. Port/TR4 – supports extensions and improvements to the footpath and cycle network</p> <p>Policy No. Port/ST3 – encourages the re-use of ancient trails and routes across the Island</p>
<p><i>Achieve high quality and sustainability in design, reflecting local character and distinctiveness of the area</i></p>	<p>Design and character matters are addressed primarily by Policy No. Port/EN7. This adds a local dimension to the Local plan’s policy by reflecting the guidance in the Portland Heritage and Character Assessment of 2017</p>
<p><i>Port 1 Osprey Quay Land at Osprey Quay as shown on the policies map is allocated for primarily employment, leisure and ancillary retail uses and residential as part of a mixed-use scheme. Any development should be in accordance with the most recent Osprey Quay masterplan agreed by Weymouth & Portland BC.</i></p>	<p>Policy No. Port/BE6 focusses on the economic growth and development potential of the area adjacent to Osprey Quay with the intention of reflecting and replicating the success of the masterplan approach of Local Plan Policy Port 1</p>
<p><i>Port 2 Former Hardy Complex The Former Hardy Complex as shown on the policies map is allocated for housing development.</i></p>	<p>Policy No. Port/HS4 - recognises the redevelopment and conversion potential of the Hardy Block and encourage sit to be carried out in a manner that will have a positive impact on the nearby historic area of Castletown</p>
<p><i>Port 3 Portland Quarries Nature Park i) Land at Kingbarrow Quarry, Tout Quarry, Verne Yeates, Inmosthay Quarry and Perryfield Quarry Butterfly Conservation Nature Reserves as shown on the policies map is allocated as part</i></p>	<p>Policy No. Port/EN3 – endorses the potential of former quarry areas identified in Local Plan policy Port 3 to provide a nature park that will conserve the natural assets whilst facilitating public access and tourism</p>

WD, W&P Local Plan 2015 Strategic Objectives	How our Plan contributes towards this
<p><i>of the Portland Quarries Nature Park to promote sustainable tourism, management of conservation and heritage interest, enhancement of public access and open spaces and opportunities for volunteer and community involvement.</i></p> <p><i>ii) As opportunities arise additional land shown on the policies map may be included in the Portland Quarries Nature Park.</i></p>	

The Portland Neighbourhood Plan has required a Strategic Environmental Assessment (SEA) and Habitats Regulations Assessment (HRA). The reasons why are set out in greater detail in Section D of this Report.

C. The Making of the Plan is in General Conformity with the Strategic Policies Contained in the Development Plan for the Area of the Authority (Or Any Part of That Area)

For reasons explained in section B above, the policies of the Portland Neighbourhood Plan have been considered in the context of the strategic approach of the adopted Local Plan, “*which provides the strategic policy direction for the plan and any related development plan documents*”. The Local Plan states “*communities preparing Neighbourhood Development Plans will need to show how their proposals are in general conformity with this strategic approach*”.

The Strategic approach of the Local Plan is set out under five headings as follows:

Environment and Climate Change

Development should protect and enhance the natural environment - its landscape, seascapes and geological conservation interests, its wildlife and habitats and important local green spaces - by directing development away from sensitive areas that cannot accommodate change. Where development is needed and harm cannot be avoided, appropriate mitigation to off-set any adverse impact to the landscape, wildlife and green infrastructure network will be required.

High priority will be given to protecting and enhancing the area’s heritage assets – including its Listed Buildings and Conservation Areas, and other features with local historic or cultural associations, particularly where they contribute to the area’s local distinctiveness.

Development will be directed away from areas where there is likely to be significant risk to human health or the wider environment, through flooding, coastal erosion and land instability, air and water pollution.

Development should be of high-quality design to help achieve sustainable, safe and inclusive communities, enhancing quality of life for residents and visitors, and designed in keeping with or to positively contribute towards the local identity of the area.

Achieving a Sustainable Pattern of Development

In the period 2011-2031 development should help deliver a steady supply of employment and housing land to meet projected needs (about 60ha of employment land and 15,500 new homes across the plan area). The distribution of development is influenced by:

- *the needs, size, and roles of the area’s settlements, taking into account any current imbalances of housing or jobs,*
- *the benefits of concentrating most development in locations where homes, jobs and facilities will be easily accessible to each other and there is a choice of transport modes,*
- *the availability of land, and whether it has been previously developed (brownfield); and*
- *the environmental constraints of the plan area.*

The strategic allocations provide the main development opportunities and are fundamental to delivering sufficient development. These are located at Beaminster, Bridport, Chickerell, Crossways, Dorchester, Lyme Regis, Portland, Sherborne and Weymouth (including an area north of Littlemoor that lies partly within West Dorset), and are indicated in Table 3.7. The main towns and smaller settlements with defined development boundaries also provide a considerable supply of smaller sites through redevelopment and infill opportunities that will contribute towards meeting the requirements.

Development opportunities in the more rural areas will be focused primarily at the larger villages and should take place at an appropriate scale to the size of the village (unless identified as a strategic allocation). It is expected that neighbourhood development plans and other appropriate planning tools will be used to help bring forward new development, and may allocate additional sites, or extend an existing (or add a new) development boundary to help deliver this growth.

Away from existing settlements, development opportunities will be more limited to those activities that will help continue to support the rural economy or help in the long-term management of the countryside and its unique character.

Economy

A continuing supply of land and premises suitable for employment uses is needed, of a type and scale appropriate to the characteristics of the local area, to provide sufficient opportunities for employment needs to be met locally, to reduce the need to travel and promote economic growth and social inclusion. This will be delivered through the allocation and provision of new sites (with the greater proportion of development at the towns), the suitable protection of existing employment sites (taking into account their significance), and flexible policies to allow development to come forward on other suitable sites.

The development of new retail and town centre uses will be directed to the town centres of Weymouth, Dorchester, Bridport, Sherborne and Lyme Regis. Outside the town centres, smaller scale development of shops, financial and professional services, food and drink, office, leisure and community uses will be directed towards local centres. Development should not undermine the functioning of any centre, or adversely affect its vitality or viability.

Housing

A continuing supply of housing land is needed to help meet the changing demographic and social needs of the area, and to help reduce the need to travel and promote economic growth and social inclusion. The type, size and mix of housing will be expected to reflect local needs as far as possible and result in balanced communities.

Although the total projected need for affordable housing is not expected to be met in the plan period, opportunities will be taken to secure affordable homes to meet local needs. This will include ensuring all new open market housing sites make a contribution (through providing new affordable homes or, where this is not possible, making a financial contribution), and through a range of flexible policies that encourage affordable housing to come forward where there are suitable opportunities.

Community Needs and Infrastructure

Community facilities that help promote social interaction as well as minimise the need to travel by car should be provided within local communities. Where possible and practicable (for example on larger developments), new local community facilities will be provided as part of the development, creating attractive and vibrant places to live. Existing local facilities will be protected through a flexible approach which recognises the changing needs in society.

Providing a safe transport route network for all types of travel and providing choices for “greener” travel options where practicable, are also a key part of the strategy.

Some community facilities or infrastructure play a much wider, strategic role in our communities, such as flood defences, the strategic road and rail network and communications technologies. The Infrastructure Delivery Plan will be used to plan for these, with development contributing towards their delivery through either planning obligations or the Community Infrastructure Levy.

Neighbourhood Plan Paragraphs and/or Policies	WD, W&P Local Plan Strategic Approach	How does the Neighbourhood Plan demonstrate that it is in general conformity with the “<i>strategic approach</i>” of the adopted Local Plan?
Policy No. Port/EN1 Prevention of Flooding and Erosion	Environment and Climate Change	This policy supports development to help minimise the impact of flood risk and coastal erosion.
Policy No. Port/EN2 Renewable Energy Development	Environment and Climate Change	This policy encourages the responsible use of the Island’s natural assets and resources.
Policy No. Port/EN3 The Portland Quarries Nature Park	Economy	This policy supports the sensitive re-use of worked-out quarries to stimulate tourism, create jobs and contribute to economic growth.
Policy No. Port/EN4 Local Heritage Assets	Environment and Climate Change	This policy seeks to protect and enhance the Island’s heritage assets.
Policy No. Port/EN5 Historic Piers	Environment and Climate Change	This policy identifies unique heritage assets and encourages their conservation and positive re-use.
Policy No. Port/EN6 Defined Development Boundaries	Achieving a Sustainable Pattern of Development	This policy redefines the development boundaries in the interest of delivering the sustainable growth required by the Local Plan.
Policy No. Port/EN7 Design and Character	Environment and Climate Change	This policy stresses the importance of high-quality design and its impact on character and local identity.
Policy No. Port/EN8 The Verne	Environment and Climate Change	This policy promotes the positive re-use of a heritage asset to increase the attraction of a distinct and unique area.
Policy No. Port/EN9 Public Realm Improvements	Environment and Climate Change	This policy advocates high quality design and improvements to the public realm to enhance quality of life and reinforce local identity.
Policy No. Port/BE1 Protecting Existing Employment Sites and Premises	Economy	This policy protects existing employment sites in the interest of local economic growth.
Policy No. Port/BE2 Up-grading of Existing Employment Sites and Premises	Economy	This policy supports improvements to and up-grading of existing employment sites in the interest of local economic growth.
Policy No. Port/BE3 New Employment Premises	Economy	This policy supports the development of new employment premises and sites in the interest of local economic growth and reducing the need to travel for work.
Policy No. Port/BE4 New Business Centres	Economy	This policy supports the creation of business hubs in the interest of stimulating local economic growth.
Policy No. Port/BE5 Working from Home	Economy	This policy supports those that wish to work from home and not travel to work.
Policy No. Port/BE6 The Northern Arc	Economy	This policy promotes a strategic approach to an important area to increase the opportunities for employment needs to be met locally, to reduce the need to travel and promote economic growth and social inclusion.
Policy No. Port/HS1 Housing Mix	Housing	This policy aims to ensure that housing development reflects local needs as far as possible and results in more balanced communities.

Policy No. Port/HS2 Community Housing Assets	Housing	This policy recognises the issue of affordability and supports community initiative to provide more suitable and affordable homes.
Policy No. Port/HS3 Second Homes	Housing	This policy aims to ensure that housing development meets local needs and results in sustainable communities and greater social inclusion.
Policy No. Port/HS4 Hardy Block	Environment and Climate Change	This policy promotes good design in the interests of enhancing the character of a historic port area.
Policy No. Port/TR1 Improving Public Transport Links	Community Needs and Infrastructure	This policy seeks to reduce the need to travel by car.
Policy No. Port/TR2 Improving the Transport Infrastructure	Community Needs and Infrastructure	This policy encourages the provision of a safer transport route network.
Policy No. Port/TR3 Reducing Parking Problems	Community Needs and Infrastructure	This policy seeks to reduce the impact of the motor vehicle.
Policy No. Port/TR4 Increasing Travel Links	Community Needs and Infrastructure	This policy seeks to provide a safe transport route network and increasing choices for 'greener' travel options.
Policy No. Port/SS1 Reinforcing Local and Neighbourhood Centres	Economy	This policy is aimed at improving the vitality and viability of local centres, providing sufficient opportunities for employment needs to be met locally, to reduce the need to travel and promote economic growth and social inclusion.
Policy No. Port/CR1 Protecting Recreation Spaces	Community Needs and Infrastructure	This policy protects important community facilities and helps ensure they can respond to the changing needs in society.
Policy No. Port/CR2 Local Green Space	Environment and Climate Change	This policy protects important local green spaces.
Policy No. Port/CR3 Allotments	Community Needs and Infrastructure	This policy protects important community facilities and encourages the provision of more facilities when needed.
Policy No. Port/CR4 Sites of Open Space Value	Environment and Climate Change	This policy protects an important element of the Island's green infrastructure.
Policy No. Port/CR5 New Community Facilities	Community Needs and Infrastructure	This policy encourages the provision of new facilities in support of a more vibrant and inclusive community.
Policy No. Port/CR6 Community and Visitor Events	Community Needs and Infrastructure	This policy supports community initiatives in the interest of making the Island an attractive and more vibrant place to live, work and visit.
Policy No. Port/ST1 Sustainable Tourism Development	Economy	This policy encourages sustainable tourism development as part of the economic growth strategy.
Policy No. Port/ST2 Beach Huts	Environment and Climate Change	This policy safeguards a unique local heritage area that contributes to the Island's distinctiveness.
Policy No. Port/ST3 Tourist Trails	Economy	This policy supports provision of a better network of trails that will stimulate tourism and therefore contribute to economic growth.
Policy No. Port/ST4 Marine Berths for Tourists	Economy	This policy will encourage better facilities to stimulate tourism and therefore contribute to economic growth.

D. The Making of the Plan Does Not Breach, and is Otherwise Compatible with, EU Obligations

Strategic Environmental Assessment (SEA)

Given the special character of the Island and significant environmental constraints within the Neighbourhood Plan area (including biodiversity, landscape and historic environmental consideration), and the potential for the Neighbourhood Plan to set the framework for development in sensitive areas, it has always been assumed that it would be necessary to produce a Strategic Environmental Assessment (SEA) in accordance with the European Directive 2001/42/EC and associated Environmental Assessment of Plans and Programmes Regulations 2004; and there may be a requirement for a Habitats Regulation Assessment (HRA) in accordance with Article 6(3) of the EU Habitats Directive and with Regulation 61 of the Conservation of Habitats and Species Regulations 2010 (as amended). Because of Portland's unique environment, a decision was undertaken to proceed with the SEA process without waiting for a formal screening consultation.

A scoping report was produced first which was shared with the local planning authority, Natural England the Environment Agency and Historic England. The purpose of scoping was to outline the 'scope' of the SEA through setting out:

- A context review of the key environmental and sustainability objectives of national, regional and local plans and strategies relevant to the Neighbourhood Plan;
- Baseline data against which the Neighbourhood Plan can be assessed;
- The key sustainability issues for the Neighbourhood Plan; and
- An 'SEA Framework' of objectives against which the Neighbourhood Plan can be assessed.

A first Environmental Report was produced to accompany the Regulation 14 consultation on the Pre-submission Version of the Neighbourhood Plan. Following this consultation and several amendments to the plan and its policy contents, the Environmental Report was updated to reflect the changes made to the Plan as well as representations received.

Utilising the SEA Framework of objectives and assessment questions developed during the earlier scoping stage of the SEA, the SEA process has assessed the policies put forward through the current version of the Portland Neighbourhood Plan. The Environmental Report¹⁴ has presented the findings of the assessment under the following SEA Themes:

- Air Quality
- Biodiversity and Geodiversity;
- Climate Change;
- Landscape and Historic Environment;
- Land, Soil and Water Resources
- Population and Community;
- Health and Wellbeing; and
- Transportation

The SEA concluded that the Submission Version of the Portland Neighbourhood Plan *is likely to lead to significant positive effects in relation to the 'Population and Community' and 'Health and Wellbeing' SEA Themes. These benefits largely relate to the Neighbourhood Plan's focus on delivering housing which meets local needs, supporting sustainable economic growth, enhancing green infrastructure networks and recreational and leisure opportunities, and improving the quality of the public realm.*

The Neighbourhood Plan is also likely to lead to significant positive effects in relation to the 'Biodiversity', 'Landscape and Historic Environment' SEA Themes. This relates to the plan's focus on enhancing ecological networks and protecting internationally and nationally designated biodiversity sites and conserving and

¹⁴ https://www.portlandplan.org.uk/wp-content/uploads/2019/05/Portland-NP-Submission-SEA-Environmental-Report_V2.0_090519.pdf

enhancing the distinctive landscapes and heritage assets which are central to the Isle's character. The plan also has a strong focus on rejuvenating areas of historic environment and geodiversity interest, including within the World Heritage Site.

The Neighbourhood Plan will also initiate a number of beneficial approaches regarding the 'Climate Change', 'Land, Soil and Water Resources' and 'Transportation' SEA themes. However, these are not considered to be significant in the context of the SEA process given the scope of the Neighbourhood Plan, existing Local Plan provisions and the scale of proposals.

In summary, the level of future development proposed through the Local Plan has the potential to lead to increased pressures on the sensitive environmental context of the Neighbourhood Plan area. In this regard, the policies of the Neighbourhood Plan have a close focus on protecting and enhancing the special qualities of Portland and facilitating inclusive growth which will help ensure the integrity of its sensitive environmental designations are maintained and enhanced".

Habitat Regulations Assessment (HRA)

The HRA followed current guidelines and included in the scope of its assessment:

- All European sites within the Neighbourhood Plan area boundary; and
- Other European sites shown to be linked to development within the Neighbourhood Plan boundary through a known "pathway", i.e. routes by which a change in activity within the plan area can lead to an effect upon a European site.

The sites that were subject of the HRA¹⁵ were:

Within the Plan area:

- Chesil and the Fleet SAC and Chesil Beach and the Fleet Ramsar and Marine SPA
- Isle of Portland to Studland Cliffs SAC

Outside the Plan area:

- Studland to Portland SAC (Marine), adjacent to the Plan area
- Crookhills Brick Pit SAC, 1.9 km away at its closest located
- Lyme Bay and Torbay SAC (Marine), 9.2 km away at its closest located

The HRA concluded that the Portland Neighbourhood Plan will not affect the integrity of European sites in relation to direct land take or to recreational pressure due to the overarching provisions in the West Dorset, Weymouth and Portland Adopted Local Plan (2015) and the Local Plan Review (Preferred Options Stage, 2018). However, it did recommend that "a policy (as above) is provided within the Neighbourhood Plan which supports the overarching Local Plan European sites protection policy ENV2". This has been addressed by including policy Port/ENO, in the Submission Version of the Portland Neighbourhood Plan.

In terms of construction activities such as dust and pollution from surface run off, the HRA recommended that policies EN5, EN8 and BE6 are amended to ensure that the development is carefully designed and planned to ensure that no adverse effects on the integrity of European sites occurs as a result of water pollution stemming from site runoff or dust emissions during construction or the operational stage of each of the developments. Policies in the Portland Neighbourhood Plan were amended as a result of recommendations made by the HRA. An additional policy Port/ENO was added, in response to the recommendations, that confirmed the Neighbourhood Plan's conformity with Local Plan Policy ENV2, to help ensure that all internationally designated wildlife sites, will be safeguarded from development.

¹⁵ <https://www.portlandplan.org.uk/wp-content/uploads/2019/05/Portland-Neighbourhood-Plan-HRA-Final.pdf>

European Human Rights

Neighbourhood Plans are also required to take account of European Human Rights requirements. The Portland Neighbourhood Plan has regard to the fundamental rights and freedoms guaranteed under the European Convention on Human Rights and comply with the Human Rights Act 1998.

The principal parts of the European Convention on Human Rights that can be relevant to neighbourhood plans are: Article 8 (privacy); Article 14 (discrimination); and Article 1 of the first Protocol (property). In preparing the draft Neighbourhood Plan, Portland Town Council, through its Steering Group, has acted in an open way, but always respecting the privacy of those participating. The interests of all sectors of the community have been taken into account, especially in ensuring that the Plan would take account of the needs and aspirations of the more vulnerable members of our community including the elderly and disabled, and younger people – thus ensuring no unfair discrimination.

The consultation process included all locally resident people in these groups as well as some organisations outside the plan area but with responsibilities or interests extending over some or all of the area of the draft Plan. The Town Council also believes that its policies will not affect property rights beyond the legitimate role of the town and country planning system in operation where policies are properly explained and justified.

E. The Prescribed Conditions Are Met in Relation to the Plan and Prescribed Matters Complied with in Connection with the Proposal for the Plan

Section 38A(12) of the Town and Country Planning Act 1990 as amended by Schedule 9 of the Localism Act¹⁶ sets out the definition of “prescribed”. It means conditions prescribed by regulations made by the Secretary of State.

Regulations 32 and 33 of the Neighbourhood Planning (General) Regulations 2012 (as amended) set out one basic condition in addition to those set out in the primary legislation. This is:

- *the making of the 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)*

23% of Portland is designated as a Special Area of Conservation, which is an international designation. The following European Designated Sites are within 10km of Portland:

- Chesil Beach and The Fleet, Ramsar Site and Special Area of Conservation (SAC)
- the Isle of Portland to Studland Cliffs (SAC)
- the Studland to Portland Marine SAC
- West Weares (SAC)
- East Weares (part) (SAC)

The European designated sites, considered within the Appropriate Assessment for impact pathways that could not be screened out at the screening stage of the assessment process were:

- Isle of Portland to Studland Cliffs SAC
- Chesil and the Fleet SAC
- Chesil Beach and the Fleet Ramsar and Marine SPA
- Lyme Bay and Torbay Marine SAC

The Habitat Regulations Assessment of the Portland Neighbourhood Plan carried out on behalf of Portland Town Council “concluded that the Portland Neighbourhood Plan will not affect the integrity of European sites in relation to direct land take due to the overarching provisions in the West Dorset, Weymouth and Portland Adopted Local Plan (2015) and the Local Plan Review (Preferred Options Stage, 2018) with which all new housing in the Neighbourhood Plan will need to comply. However, it is recommended that a policy is included within the Neighbourhood Plan which supports the Local Plan policies for the protection of European sites such as “Any development brought forward regarding enhancement of the piers for social or economic use must ensure that it can be implemented without any adverse effect upon the integrity of the European sites. Proposals that will adversely affect the integrity of European sites will not be supported. Similarly, it is recommended that Policy ST1 (Sustainable Tourism Development) is expanded slightly to include the specific qualification that support will not be given to any tourism development that will adversely affect European sites.

It has also been concluded that the Portland Neighbourhood Plan will not affect the integrity of European sites in relation to recreational pressure for the same reasons.... As with the impact pathway direct land take, it is recommended that a policy (as above) is provided within the Neighbourhood Plan which supports the overarching Local Plan European sites protection policy ENV2.”¹⁷

In terms of construction activities such as dust and pollution from surface run off, the Plan has the potential to cause a likely significant effect at the screening stage, however, it is not possible to undertake any further assessment of these impacts stemming from these development sites at the Neighbourhood Plan level, as this would require the provision of detailed design and construction details. As such this will be deferred to the individual planning application level and is not appropriate to assess at the Neighbourhood Plan level.

¹⁶ See <http://www.legislation.gov.uk/ukpga/2011/20/schedule/9/enacted>

¹⁷ <https://www.portlandplan.org.uk/wp-content/uploads/2019/05/Portland-Neighbourhood-Plan-HRA-Final.pdf>

This will not provide any deliverability issues as careful planning of the development could potentially ensure that the developments do not affect water quality from runoff or from dust emissions. It is, however, recommended that Policies EN5, EN8 and BE6 are amended to ensure that the development is carefully designed and planned to ensure that no adverse effects on the integrity of European sites occurs as a result of water pollution stemming from site runoff or dust emissions during construction or the operational stage of each of the developments.

With regards to water quality, as the quantum of development to be provided by the Portland Neighbourhood Plan is in conformity with the overarching West Dorset, Weymouth and Portland Adopted Local Plan (2015) (which has been subject to HRA that concluded no adverse effects on integrity), impact pathways relating to increase water demand and water treatment provided by the additional business/housing, that could result in an increase in water abstraction and increased effluent has been addressed at a higher tier level within the West Dorset, Weymouth and Portland Adopted Local Plan (2015) and is also addressed at a wider level within the Draft Final Water Resources Management Plan (2018) by Wessex Water who supply and treat water in the Portland area. It can therefore be concluded that the Portland Neighbourhood Plan will have no significant adverse effects upon European sites.

Policy EN2 (Renewable Energy Development) can be screened out as posing no likely significant effect because a) the Neighbourhood Plan Group does not have the authority to permit renewable energy proposals and b) the policy explicitly states that such development will only be supported if there are no unacceptable effects on sites of ecological importance. However, it is recommended that this wording is strengthened to include: "Development proposals will be supported provided the proposals do not affect the integrity of European sites of conservation importance in line with the Local Plan Policy ENV2 and the Conservation of Habitats and Species Regulations 2017 (as amended)."

Finally, with regard to air quality, the Adopted Local Plan was concluded not to cause a significant adverse effect upon the integrity of European sites for the planned 15,880 dwellings within West Dorset. As the 383-416 dwellings allocated in Portland, within the Local Plan and supported by the Neighbourhood Plan are a very small fraction of 15,880 allocated for West Dorset as a whole, and (most significantly) since the Neighbourhood Plan is not allocating further housing it can also be concluded that the potential increase in journeys to work through an increase in housing on the island will not contribute to a significant adverse effect on the integrity of these two SACs in combination with other plans and projects.

Provided the above recommendations are included within the Neighbourhood Plan it can be concluded that the Plan document will not result in an adverse effect on the integrity of any European sites either alone or in combination.

Natural England was consulted as part of the SEA and HRA process. On the recommendation of Natural England additional text was added to the Portland Neighbourhood Plan to address the potential impacts from direct land take of the European sites of policy Port/BE6 and to ensure that Natural England is consulted on significant policy proposals at the appropriate time.

Appendix 1.

Neighbourhood Area Application

Ms Hilary Jordan
Weymouth & Portland Borough Council
Council Offices
North Quay
WEYMOUTH
Dorset
DT4 8TA

4th October 2012

Dear Ms Jordan

PORTLAND NEIGHBOURHOOD PLAN

I write to confirm that the Town Council wishes to proceed with formulating a Neighbourhood Plan. Portland Town Council is a relevant body for the purposes of Section 61G of the amended Town & Country Planning Act 1990.

The Plan will relate to the whole of Portland. Enclosed is a ward map of the Island denoting the whole area over which the Town Council has jurisdiction, including a section of Chesil Beach.

The Weymouth & Portland Local Plan has recognised the possible creation of a Neighbourhood Plan for Portland. As an island it has a distinct geographic boundary and the parish boundary to the north which abuts the mainland is legally and traditionally recognised through the “Beating of the Bounds” ceremony.

The Island has a distinct and unique combination of circumstances covering land use, including housing need and design, employment needs, potential tourism developments and protection of vulnerable sites. The development of a Neighbourhood Plan involving the community could have wide benefits by creating greater awareness of issues and encouraging shared solutions.

Information obtained from the development of the Neighbourhood Plan could also augment and inform planning decisions concerning those areas currently designated as of strategic value within the Local Plan, thereby potentially increasing involvement and support.

Local Portland people who are interested in being involved in preparing the Plan should contact myself, the Town Clerk at Portland Town Council Offices. The precise addresses and phone number are listed above.

Yours sincerely

Ian Looker
Town Clerk

Appendix 2.

Neighbourhood Area Designation – Extract of Minutes

WEYMOUTH AND PORTLAND BOROUGH COUNCIL - MANAGEMENT COMMITTEE

MINUTES OF THE MEETING HELD ON 5 NOVEMBER 2013

Neighbourhood Planning

281 The Environment & Sustainability Brief-holder presented the report and outlined the recommendations.

Decision

282 That:

- i. The entire parished area of Portland is designated as a neighbourhood area.
- ii. As a minimum, applications for neighbourhood forums and neighbourhood areas that accord with the requirements of the relevant regulations are publicised for 8 weeks, by the display of relevant information on dorsetforyou.com and on local notice boards / local community venues where possible. Key service providers (such as the county council) will be informed, and a press release issued to all local newspapers / radio / TV stations.
- iii. The decision on neighbourhood area and forum applications should in all cases be brought to the next available Management Committee for decision once the consultation responses have been analysed.
- iv. Appropriate support is offered to develop a representative community forum in areas where none exists.
- v. The support to be offered to those responsible for preparing neighbourhood plans or development orders will be in the form of a link officer from within the Spatial Policy and Implementation team to advise and attend working group meetings and to call upon expert advice from other services within the council, as appropriate.
- vi. Up to 50% of the first stage payment from central government be offered to the relevant body preparing the neighbourhood plan, on application and subject to evidence of at least 50% match funding from local sources (of which up to 50% may be in the form of payment in-kind), and why the additional funding is necessary.

The financial and officer support for neighbourhood planning is reviewed as soon as is practical following the government funding announcement on neighbourhood planning for April 2015 onwards.