

West Dorset, Weymouth and Portland Local Plan Examination

Consideration of amendments to Economy policies in relation to Portland Harbour Authority and a specific port related policy

Arising in Matter 5 & 10



West Dorset District Council and
Weymouth & Portland Borough Council

- 1.1 At the EIP session on Matter 5 – Economy Policy ECON1-10 on Wednesday 26 November, Portland Harbour Authority raised concerns over section 4.1 Introduction. Portland Harbour Authority also raised concerns in relation to Matter 10 – Portland at the EIP session on 3 December. The main issues were:
1. The plan should recognise opportunities for maritime development
 2. The plan should re-instate a port-specific policy for Portland Port (PORT1).
- 1.2 Following the hearing sessions, Portland Harbour Authority suggested two possible alterations/amendments to Matter 5 - Economy. Portland Harbour Authority sent a copy of these changes to the councils and Mr John Stobart of Natural England on 27th November 2014. Natural England's response (Appendix 1) was received by the councils on Wednesday 3rd December 2014 and was forwarded to the inspector on 5 December.
- 1.3 On the 15th December, the councils received a second iteration of changes suggested by Portland Harbour Authority in relation to Matter 4 - Economy as well further changes relating to Matter 10 – Portland. The councils forwarded these changes to Natural England for their views on 16th December. Natural England's response to the second iteration (Appendix 3) was received by the councils on 19 December 2014.

MATTER 5 (ECONOMY) – 1st Suggestion by Portland Harbour Authority

- 1.4 The first suggestion was to replace current paragraph 4.1.2 with the following two paragraphs:

“4.1.2 Economic development is a key priority for both Councils and of relevance, the Dorset Local Enterprise Partnership (LEP) has identified the creation of a global hub for international trade and business at Portland Harbour Authority as a priority to achieve their objectives and boost business in Dorset. This underpins the growth of the maritime services sector which is a primary industry for the local area and includes the shipping, ports and maritime business services industry and also supports other primary industries within Dorset. The Councils will work with Portland Harbour Authority and the Dorset LEP to meet this priority objective.

4.1.3 The Dorset LEP has also identified nine sectors it is focusing on which are:

- *Financial & Business Services*
- *Tourism, leisure, hospitality & International Education*
- *Advanced Engineering & Manufacturing*
- *Food & Drink*
- *Health & Social Care*
- *Creative Industries*
- *Environmental Technology*
- *Retail*
- *Property & Construction*

- 1.5 After considering Natural England's response to the first iteration of changes, Portland Harbour Authority proposed alternative wording and submitted this to the councils on 15th December.

“4.1.2 Economic development is a key priority for both Councils and of relevance, the Dorset Local Enterprise Partnership (LEP) has identified the

creation of a global hub for international trade and business at Portland Harbour Authority as a priority to achieve their objectives and boost business in Dorset. This underpins the growth of the maritime services sector which is a primary industry for the local area and includes the shipping, ports and maritime business services industry and also supports other primary industries within Dorset. The Councils will work with Portland Harbour Authority and the Dorset LEP and the maritime services sector to meet this priority objective.

“4.1.3 The Dorset LEP has also identified a number of sectors it is focusing on. Accordingly, the Councils will work with the Dorset LEP to encourage and support the development of these sectors.”

- 1.6 The councils have considered the various suggestions and are concerned that the approach suggested by the Port puts undue emphasis on maritime related activities compared to other sectors which will be supported through the LEP. Indeed, the second revision would result in losing all references to other key sectors.
- 1.7 The councils do however recognise the importance of economic development and the role of the LEP and suggest the following amendments to paragraph 4.1.2 of the local plan to take account of priority areas identified in the LEP.

4.1.2 Economic development is a key priority for both Councils. The Dorset Local Enterprise Partnership (LEP) has identified the following priority areas where growth proposed through investment can make contributions:

- *Advanced manufacturing, including aerospace, automotive and life sciences.*
- *Knowledge intensive traded services, including professional and business services, the information economy and traded aspects of higher and further education.*
- *Enabling sectors, such as energy and construction.*

Accordingly, the Councils will work with the Local Enterprise Partnership to encourage and support the development of these priority areas.

MATTER 5 (ECONOMY) – 2nd Suggestion by Portland Harbour Authority – A Maritime Related Policy

- 1.8 Portland Harbour Authority’s second suggestion was to include a new policy that supports the maritime service sector. The Port Authority proposed the following text:

“Development proposals for the maritime services sector including shipping, ports and the maritime business services industry will be regarded favourably provided there are no unacceptable impacts on the environment.”

- 1.9 After considering Natural England’s response, Portland Harbour Authority proposed alternative wording and submitted this to the councils on 15th December.

“Development proposals for the maritime services sector including shipping, ports and the maritime business services industry will be supported.”

- 1.10 The councils consider that both iterations of the maritime policy as suggested by Portland Harbour Authority are more permissive and permit a wider range of development proposals than the councils would consider appropriate. The councils consider that it would be inappropriate to include a specific policy on maritime sector development as it believes that such an approach could weaken the policies in the plan relating to the environment and require wholesale amendments to the Local Plan in order to comply with the Habitats Directive. This is covered in more detail at paragraph 1.16.
- 1.11 The councils agree that further references to the maritime services sector in the supporting text to the local plan would be beneficial. The councils consider the beginning of paragraph 8.3.1 would be the most appropriate part of the plan for additional supporting text relating to maritime services as this section of the plan introduces Portland Port.
- 1.12 The councils suggest the following additional wording at the beginning of paragraph 8.3.1:

8.3.1 The maritime services sector is important for the local area and includes the shipping, ports and maritime business services industry and also supports other industries within Dorset.

MATTER 10 (PORTLAND) – Re-Instating a Port-Specific Policy

- 1.13 During the preparation of the Local Plan there have been ongoing discussions with Portland Harbour Authority regarding the merits of including a Port-related policy. The pre-submission draft of the Local Plan (June 2012) contained a policy (PORT 1) which simply safeguarded land within port jurisdiction for port uses only.
- 1.14 During the preparation of the plan, the councils considered that the growth needs of the Port could be dealt with under Submission Plan Policies ECON 1 Provision of Employment and ECON2 Protection of Key Employment sites. This approach provides greater flexibility to the Port Authority as a wider range of uses would be permitted under these policies and allows for future expansion subject to the Submission Plan Environmental Policies ENV 2, 4, 5 and 7. This policy was removed with agreement from Portland Harbour Authority and this deletion considered in the submission version of the plan and subject to public consultation. Portland Harbour Authority did not object to the deletion of the policy.
- 1.15 Notwithstanding this, further discussion took place during Matter 10 – Portland on Wednesday 3rd December 2014 on the merits of re-inserting a Port-specific policy for Portland Harbour Authority. Portland Harbour Authority confirmed their aspiration to have a site-specific policy for the Port in addition to the general maritime related policy.
- 1.16 On the 15th December Portland Harbour Authority suggested the following policy wording:
- “Portland Harbour Authority is a significant maritime asset and key employment site given its location on the English Channel, its existing deep water berths and its potential for further development. The development of marine related employment uses within the Port's jurisdiction will be supported”.*

- 1.17 The councils are concerned that a wide ranging generic policy relating to development at Portland Port such as that proposed by Portland Harbour Authority doesn't take account of the potential significant environmental effects upon European wildlife designations. Having regard to Article 6(3) of the 'Habitat's Directive' (92/43/EEC) and Regulation 61 of The

Conservation of Habitats and Species Regulations (2010), the councils may only adopt the Local Plan once it has been determined that the integrity of European Sites will not be compromised, taking into account the opinions of Natural England. The implications are therefore that the reintroduction of a Portland Harbour Authority policy may have consequences for the adoption of the Local Plan.

- 1.18 The Habitats Regulations Screening Report (CD/SA6) considered that pre-submission policy PORT1 would have a likely significant effect upon the Isle of Portland to Studland Cliffs Special Area of Conservation (SAC). As mitigation, the councils were required to alter the boundary of Portland Harbour Authority to exclude the European sites, and amend the policy wording to the following:

“Land within Port jurisdiction will be safeguarded for potential port operational and ancillary uses. Proposals for these areas must not have a significant adverse impact upon international wildlife designations”

- 1.19 The councils consider that it is very likely that wholesale amendments to the suggested policy would be required in order for this policy to achieve legal compliance with the Habitats Directive.
- 1.20 Rather than re-introduce policy PORT1, the councils consider it more appropriate to suggest changes to paragraph 8.3.3 to recognise the links between Portland Harbour Authority and the LEP’s Strategic Economic Plan. The councils suggest the following additional wording:

“Transforming Dorset”, the Strategic Economic Plan (SEP) produced by the Dorset Local Enterprise Partnership in March 2014, has identified Portland Port as an example of the type of opportunity that could achieve “transformational growth” subject to securing investment of the scale proposed by the document. The SEP proposes that the Port could achieve far reaching development of unique natural port-assets supporting industrial development, freight, exports and bringing radically larger sector of the cruise market to the Dorset tourist economy.

- 1.21 Having considered Portland Harbour Authority’s proposed changes and the responses by Natural England; the councils consider that the further changes set out in this paper (as shown in full in Appendix 2) deal appropriately with the concerns raised by the objector.

Appendix 1 – Natural England’s Response in Relation to the First Iteration of Changes.

“Natural England is concerned to ensure that the Plan recognises that the port is severely environmentally constrained with much of the wider Port Estate made up of international, national and local designated wildlife sites. Opportunities for improving road and rail access are also similarly constrained by international wildlife designations. In addition Portland Harbour supports substantive marine interests. Given these constraints we are concerned to ensure any additional plan policies / text ensure that the relevant Local Plan Environmental Policies are not weakened, or “balanced” by Port related policies. In other words any Port related proposals should be subject to the full weight of the local plan environmental policies and the provisions of the NPPF. This is particularly important for the national and international designated sites”.

“If [the Councils] are minded to include a Port policy then we would recommend the following:”

“The suggested text promoting the Port as a “global hub for international trade and business” is misleading as it can be interpreted to imply a level of importance to the Port (global) that cannot be justified. We would therefore recommend dropping the phrase “global” from the text.”

“Regarding the suggested policy text while we welcome the “no unacceptable impacts on the environment” in the suggested policy this does not reflect the full provisions of the NPPF (particularly para 109 and 118) which seek to ensure planning policy and decisions “conserve and enhance biodiversity” and sets out a series of strict tests in relation to harm to designated sites and irreplaceable habitats. In our view any new Port policy must be clear that the provisions of the NPPF will be applied fully to Port related proposals.”

“In addition, if it is deemed necessary to adopt a policy that favours the maritime service sector at the Port then the policy should also seek to protect the land that is available (and not subject to environmental constraints) to those uses. This would help minimise pressure from non maritime related uses on the environmentally sensitive land holding within the Port Estate.”

Appendix 2 – Suggested Changes.

4.1 INTRODUCTION

- 4.1.1 Employment should be focused in places where it will provide people with the opportunity to work locally, helping to reduce the need to travel and promote social inclusion. The type and scale of new employment development should also be appropriate to its location.
- 4.1.2 Economic development is a key priority for both councils. The Dorset Local Enterprise Partnership (LEP) has identified the following priority areas where growth proposed through investment can make contributions:
- Advanced manufacturing, including aerospace, automotive and life sciences.
 - Knowledge intensive traded services, including professional and business services, the information economy and traded aspects of higher and further education.
 - Enabling sectors, such as energy and construction.

Accordingly, the Councils will work with the Local Enterprise Partnership to encourage and support the development of these priority areas.

~~Economic development is a key priority for both Councils. The Dorset Local Enterprise Partnership (LEP) has identified sectors where there is the need and scope to improve the performance of already significant sectors, and/or the opportunity to enhance environmental performance. Accordingly, the Councils will work with the Local Enterprise Partnership to encourage and support the development of:~~

- ~~— Tourism, leisure, hospitality and international education~~
- ~~— Food and drink industry~~
- ~~— Environmental goods and services, including support for the renewable energy sector~~
- ~~— Precision engineering, including marine related business~~
- ~~— Creative industries~~
- ~~— Health and social work~~
- ~~Finance and banking.~~

- 4.1.3 The plan area has an outstanding natural and historic environment which makes an important contribution to the economy by making the area an attractive place to live, work and visit. The high quality of the coast and countryside, with its designated landscapes and heritage assets, is particularly valuable for tourism and attracting inward investment.

PORTLAND PORT

- 8.3.1 The maritime services sector is important for the local area and includes the shipping, ports and maritime business services industry and also supports other industries within Dorset. Portland Port is a port of national and international importance and is a vital part of the local economy and the south west region. The Port attracts employment and investment to the area and is a major asset to the local community. Port development is subject to special constraints given its need for access to deep water and the statutory obligations imposed on port authorities in terms of security.
- 8.3.2 Approximately 35 hectares of port land is consented for B1, B2 and B8 uses and statutory harbour undertaking and an additional 17 hectares of seabed has consent for marine works including reclamation to create dockside operational land. The port's statutory jurisdiction

includes Portland Inner Harbour and extends into Weymouth Bay covering a total waterspace area in excess of 2,400 hectares.

- 8.3.3 “Transforming Dorset”, the Strategic Economic Plan (SEP) produced by the Dorset Local Enterprise Partnership in March 2014, has identified Portland Port as an example of the type of opportunity that could achieve “transformational growth” subject to securing investment of the scale proposed by the document. The SEP proposes that the Port could achieve far reaching development of unique natural port-assets supporting industrial development, freight, exports and bringing radically larger sector of the cruise market to the Dorset tourist economy. The port is identified as a ‘Key Employment Site’ and associated policies in the plan include for its protection and the provision of employment (ECON 1 and ECON 2). These employment policies support the expansion of existing employment sites subject to other policies within the plan. Additional land may be required within the port for sustainable development and these policies cater for the port’s need for long term growth.
- 8.3.4 Parts of the Port estate are within candidate Special Area of Conservation (cSac) and designated as sites of special scientific interest (SSSI’s) and are therefore subject to the requirements of the relevant European Directives and corresponding national regulations. A number of existing buildings and structures are Grade II listed heritage assets. The area in the region of Grove Point is designated as World Heritage Sites and is also accessible to the general public. Local nature, heritage and landscape designations also exist and there are areas subject to land instability. Therefore any future development proposal will have to take account of the relevant environmental policies in the plan and, in considering the acceptability of proposals, their direct, indirect and cumulative impacts relative to the significance of the asset affected, balanced against other sustainable development objectives.
- 8.3.5 To guide future growth the port is supportive of developing proactive working arrangements with the council and other stakeholders to prepare and support the preparation of strategies, plans and programmes to deliver sustainable development and facilitate better understanding and management of the port estate. These could include the identification of specific areas with greater potential for development and areas where there are opportunities for positive management and enhancement of nature conservation and heritage assets.

Appendix 3 – Natural England’s Response in Relation to the Second Iteration of Changes.

Date: 19 December 2014
Our ref: 140123
Your ref: Matter 4 & 10



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Dear Andrew

West Dorset, Weymouth and Portland Local Plan Examination

Consideration of amendments to economy policies in relation to Portland Harbour Authority and a specific port related policy

Arising in Matter 4 & 10

Thank you for consulting Natural England on the aforementioned proposed amendments to the West Dorset, Weymouth and Portland Local Plan. Your email was received by this office on 16 December 2014.

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.

Consultation Process

Natural England is concerned that such significant changes to the Local Plan have been submitted for consideration so late in the consultation process. The Portland Harbour Authority (PHA) were given the opportunity to raise issues relating to a specific Portland Port policy at a joint meeting held by the local planning authority and attended by Natural England, where representatives of the Harbour Authority agreed the deletion of the PORT 1 policy from the Local Plan pre-submission draft. As a consequence the policy was removed from the consultation draft of the Local Plan. The Portland Harbour Authority did not object to this omission and failed to raise any concerns until the submission of their written statement to the Examination in Public (EIP). As a result we have not had the opportunity to raise any concerns we would have to the proposed amendments at the EIP, and importantly nor will have other interested parties. In the 2004 Weymouth & Portland Local Plan Inquiry, both England Nature (Natural England's predecessor) and the Dorset Wildlife Trust objected to a proposal from the PHA for the inclusion within the development boundary of the entirety of the Portland Port Estate. Following the Inquiry this proposal was rejected by the Inspector. The lack of comment on the current PHA proposed amendments, which again would result in a presumption for development within the entirety of the Portland Port Estate, is a consequence of the lateness of the submissions which has prevented the effective engagement of key interested parties.



MATTER 5 (ECONOMY) – 1st Suggestion by Portland Harbour Authority (PHA)

The description of Portland Port as a “global hub for international trade and business” in the suggested supporting text is misleading, as it can be interpreted to imply a level of importance to the Port (global) that cannot be justified.

Natural England, however, has no concerns relating to the proposed wording amendments to paragraph 4.1.2 of the draft local plan as suggested by the councils in their response to the submissions from the PHA.

MATTER 5 (ECONOMY) – 2nd Suggestion by Portland Harbour Authority – A Maritime Related Policy

Natural England considers that the proposed Maritime Related Policy suggested by the PHA would render the plan unsound. The vast majority of the coast and marine environment within the plan area are covered by international and national environmental designations, namely;

- The Dorset and East Devon Coast World Heritage Site (WHS).
- Studland to Portland Marine Special Area of Conservation (SAC).
- Lyme Bay and Torbay Marine SAC
- Chesil Beach and the Fleet Special Protection Area (SPA).
- Chesil and the Fleet SAC.
- Chesil Beach and the Fleet Ramsar Site
- Sidmouth to West Bat SAC
- Isle of Portland to Studland Cliffs SAC
- Chesil Beach and the Fleet Site of Scientific Interest (SSSI)
- Isle of Portland SSSI
- Portland Harbour Shore SSSI
- South Dorset Coast SSSI
- West Dorset Coast SSSI
- Dorset Area of Outstanding Natural Beauty (AONB)
- The West Dorset Heritage Coast
- Purbeck Heritage Coast

This impressive list of international and national designations underlines the importance of the Dorset coast, a key environmental and economic asset for Dorset as a whole. The proposed PHA maritime related policy would provide a presumption for permitting a wide range of unspecified development proposals without regard to the legal protection afforded to these sites, or the requirements of the National Planning Policy Framework (NPPF).

Assessment of Implications for European sites

In our view it is highly unlikely that the Maritime Related Policy sought by the PHA in the Local Plan, would be able to demonstrate through a Habitat Regulations Assessment (HRA) that it would not adversely affect the integrity of the aforementioned European Sites (SAC, SPA and Ramsar). This test embraces the precautionary principle, so the planning authority would need to be reasonably certain that it will be able to ascertain no adverse effect on integrity of internationally designated sites in respect of the adopted policies of the local plan. Given the wide unspecified nature of the proposals that would be covered by the suggested PHA policy it is our advice that this level of certainty would not be possible. The suggested policy could not therefore meet the legal requirements of regulation 61 of The Conservation of Habitats and Species Regulations (2010).

Considerations under the National Planning Policy Framework (NPPF)

In our view the proposed PHA Maritime Related Policy would be inconsistent with the following policies of the NPPF:

- Paragraph 14 – states the presumption in favour of sustainable development does not apply where other NPPF specific policies indicate development should be restricted, including sites affecting European sites, SSSIs, AONBs and Heritage Coasts.

In contrast the policy proposed by PHA would provide a presumption in favour of for all maritime services sector development, including shipping, ports and the maritime business services industry, irrespective of locality and consequences to the protected sites.

- Paragraph 105 – 108 Coastal Change Management Areas

The proposed PHA maritime related policy would undermine the weight given to these key coastal policies.

- Paragraph 113 – Outlines the designated site hierarchy so that protection is commensurate with their status and gives appropriate weight to their importance and the contribution that they make to wider ecological networks.

The proposed PHA maritime related policy would not make this important distinction.

- Paragraph 114 – States local planning authorities should maintain the character of the undeveloped coast, protecting and enhancing its distinctive landscapes, particularly in areas defined as Heritage Coast, and improve public access to and enjoyment of the coast.

The proposed PHA maritime related policy would undermine the weight given to the need to protect the undeveloped coast, including the West Dorset and Purbeck Heritage Coasts.

- Paragraph 115 – Provides the highest status of protection for AONBs.

The proposed PHA maritime related policy would provide a presumption for development within the Dorset AONB and in doing so does not give any weight to the statutory purpose of AONBs to conserve and enhance the natural beauty of the area (Section 85 Countryside and Rights of Way Act, 2000).

- Paragraph 118 – Sets out the principles by which the planning authority should be seeking to conserve and enhance biodiversity.

The proposed PHA maritime related policy would undermine the high level environment protection afforded to the designated wildlife sites on the Dorset Coast.

- Paragraph 157 – States that “Crucially, Local Plans should identify land where development would be inappropriate e.g. because of its environmental significance”.

In contrast the proposed PHA maritime related policy would provide a presumption for development irrespective of locality.

Given the sensitivity and importance of the Dorset coast to landscape, geological, biodiversity and economic interests it is important that all maritime related development that require planning permission are subject to the full weight of the provisions of draft Local Plan Env Policy 1 & 2. In our view the proposed PHA maritime related policy is inconsistent with the other development plan policies, the provisions of the NPPF, as well as the strategic objectives of the plan. In particular, it would

undermine the a key objective of the plan led system of reducing the number of misconceived planning applications and appeals.

Natural England, however, has no concerns relating to the proposed wording amendments to paragraph 8.3.1 of the draft local plan as suggested by the councils in their response to the submissions from the PHA.

MATTER 10 (PORTLAND) – Re-Instating a Port-Specific Policy

Natural England considers that the proposed Port specific Policy suggested by the PHA would render the plan unsound. The Port Estate includes significant parts of the following designated sites;

- Isle of Portland to Studland Cliffs SAC
- Isle of Portland SSSI
- Nicodemus Heights SSSI

In addition the Port Estate includes a number of Sites of Nature Conservation Interest (County Wildlife Sites).

Assessment of Implications for European sites

In our view it is highly unlikely that the Port Specific Policy sought by the PHA in the Local Plan, would be able to demonstrate through a Habitat Regulations Assessment (HRA) that it would not adversely affect the integrity of the Isle of Portland to Studland Cliffs SAC. This test embraces the precautionary principle, so the planning authority would need to be reasonably certain that it will be able to ascertain no adverse effect on integrity of internationally designated sites in respect of the adopted policies of the local plan. Given the suggested PHA Port Specific Policy would cover a wide spectrum of development proposals on land within, and immediately adjacent to the European designated site, it is our advice that this level of certainty would not be possible. The suggested policy could not therefore meet the legal requirements of regulation 61 of The Conservation of Habitats and Species Regulations (2010).

Considerations under the National Planning Policy Framework (NPPF)

In our view the proposed PHA Port Specific Policy would be inconsistent with the following policies of the NPPF:

- Paragraph 14 – states the presumption in favour of sustainable development does not apply where other NPPF specific policies indicate development should be restricted, including sites affecting European sites and SSSIs.

In contrast the Port Specific policy proposed by PHA would provide a presumption in favour of development within European and nationally protected sites.

- Paragraph 113 – Outlines the designated site hierarchy so that protection is commensurate with their status and gives appropriate weight to their importance and the contribution that they make to wider ecological networks.

The proposed PHA Port Specific policy would not make this important distinction.

- Paragraph 114 – States local planning authorities should maintain the character of the undeveloped coast, protecting and enhancing its distinctive landscapes, particularly in areas defined as Heritage Coast, and improve public access to and enjoyment of the coast.

The proposed PHA Port Specific policy would undermine the weight given to the need to protect the undeveloped coastal areas within the Port Estate.

- Paragraph 118 – Sets out the principles by which the planning authority should be seeking to conserve and enhance biodiversity.

The proposed PHA Port Specific policy would undermine the high level environment protection afforded to the designated wildlife sites, as well as the protection afforded undesignated wildlife sites (ie County Wildlife Sites) and the need to conserve and enhance the wider biodiversity interests within the Port Estate.

- Paragraph 157 – States that “Crucially, Local Plans should identify land where development would be inappropriate e.g. because of its environmental significance”.

In contrast the proposed PHA Port Specific policy would provide a presumption for development within European and nationally protected sites (SAC and SSSI).

Natural England can also see no justification for the proposed PHA Port-Specific policy. Land within the Port Jurisdiction is controlled by the Port and so not under threat from other development and does not therefore require further safeguarding by the policies in the Local Plan. Furthermore, given that significant parts of the Port Estate are protected by international and national nature conservation designations these areas are unsuitable for any Port activities and other development uses that would harm the special interests. Bearing in mind the importance of the designated wildlife sites within the Port Estate, there is also no evidence to suggest that the Port has been unnecessarily constrained by the environment policies of the previous plan, nor evidence to suggest that the important environment safeguards inherent in draft Local Plan Policies need not be applied in full to the Port Estate.

The policy is, therefore, in our view not only unnecessary, but also contradictory to draft Local Plan Policy ENV 2, the provisions of the NPPF, as well as the strategic objectives of the plan. In particular, it would undermine the a key objective of the plan led system of reducing the number of misconceived planning applications and appeals.

Natural England has no concerns relating to the proposed wording amendments to paragraph 8.3.3 of the draft local plan as suggested by the councils in their response to the submissions from the PHA.

For clarification of any points in this letter, please contact John Stobart on 07825 844475. For any new consultations or issues, please contact consultations@naturalengland.org.uk

Yours sincerely

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