

# **West Dorset, Weymouth and Portland Local Plan Examination**

**Consideration of amendments to  
ENV2 – Wildlife and Habitats and ENV4 – Heritage  
Assets by Portland Harbour Authority Ltd**

Arising in Matter 6



West Dorset District Council and  
Weymouth & Portland Borough Council

At the EIP session on Matter 6 – Environment Policy ENV1-16 on Thursday 27 November, an objector Portland Harbour Authority Ltd raised concerns over Policy ENV4 HERITAGE ASSETS as drafted in SOCG1.

During the hearing session the Inspector asked that Portland Harbour Authority's proposed changes be circulated to the councils and English Heritage for consideration. Ms Sandie Wilson of Portland Port emailed a copy of the changes to the councils on 28<sup>th</sup> November 2014 and the councils forwarded the suggested alternative wording by email to Mr Rohan Torkildsen of English Heritage on Monday 1<sup>st</sup> December 2014.

On the 15<sup>th</sup> December 2014, Portland Harbour Authority submitted further correspondence relating to a wide range of policy matters in the local plan including policy ENV2 WILDLIFE AND HABITATS as drafted in SOCG2.

The main issues therefore are:

1. Policy ENV4 should provide a more positive approach to the heritage strategy.
2. Minor wording changes to Policy ENV2 criterion iv) as drafted in SOCG2

**1. Portland Harbour Authority's suggested alternative wording to policy ENV4 is as follows:**

**ENV4. HERITAGE ASSETS**

*i) Proposals that better reveal the significance of a designated or undesignated heritage asset and/or preserve those elements of the setting that make a positive contribution should be treated favourably;*

*(ii) Applicants should provide in support of development proposals that may impact on a designated or undesignated heritage asset, details of the particular significance of the designated or undesignated heritage asset and an assessment of impact taking into account available and appropriate evidence including Conservation Area Character Appraisals and Heritage Plans;*

*(iii) Applicants are encouraged to include measures that conserve the asset and enhance its significance in support of development proposals;*

*(iv) Development proposals will be weighed against importance of the heritage asset, the scale of any harm or loss including the impact to the significance of the asset, and the public benefits of the proposal. The benefits for enabling development which would secure the future conservation of the asset, and putting them to viable uses consistent with their conservation will be taken into account;*

*(v) Where the proposal will lead to substantial harm to or the total loss of significance of a designated heritage asset, development will be refused, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh the harm or loss, or the all of the criteria in paragraph 133 of NPPF will apply (MAY NEED TO LIST CRITERIA from NPPF 133 HERE??);*

***vi) Where harm can be justified, appropriate provision will be required to capture and record features, and where appropriate making findings publically available e.g. through the Dorset Heritage Environment Record.***

English Heritage have considered the suggested changes. Mr Torkildsen from English Heritage responded on Monday 1<sup>st</sup> December stating:

*“After careful consideration [English Heritage] need to be convinced that the Portland Ports suggested rewrite is justified and/or necessary as it does not appear to add or clarify matters”*

*“Without justification or explanation [English Heritage] can’t appreciate the rationale for the proposed ENV4 rewrite. As a consequence the merit of the alternative, which does not appear to add to ENV4 as set out in the SOCG, is not apparent”.*

The councils consider that the version of ENV4 as agreed with English Heritage through Statement of Common Ground (SOCG1) addresses concerns regarding the local plans approach to heritage conservation which were raised by English Heritage during consultation on the submission plan.

The councils consider that the agreed changes provide an effective strategic policy consistent with national policy that delivers the conservation and enhancement of the historic environment.

The councils agree with English Heritage and consider that the changes proposed by Portland Port does not add or clarify matters, the councils propose no further changes to the version of policy ENV4 as agreed through SOCG1.

## **2. The suggested alternative wording to policy ENV2 is as follows:**

### ***ENV2. WILDLIFE AND HABITATS***

***iv) 'other locations, including locally identified wildlife sites.....'; '.....will not be permitted' is amended to read 'should not be permitted'.***

The councils propose not to accept the wording change suggested by Portland Harbour Authority. This suggested change was not raised by Portland Harbour Authority during the EIP and their correspondence does not provide any justification or explanation as to why the change is necessary. The council has already agreed the wording of policy ENV2 through a Statement of Common Ground with Natural England and Dorset County Council.