

Weymouth Neighbourhood Plan

Strategic Environmental Assessment (SEA) - Determination Statement

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

The Regulations implement European Directive 2001/42/EC. This requires that the effect on the environment of certain plans and programmes should be assessed, including plans prepared for town and country planning or land use. An exception is made for plans that determine the use of a small area at a local level, if the responsible authority has determined that the plan is unlikely to have significant environmental effects.

This determination statement sets out the reasons why Dorset Council (the responsible authority) currently considers that a Strategic Environmental Assessment (SEA) is required with respect to the Weymouth Neighbourhood Plan.

At the request of Weymouth Town Council, Dorset Council prepared a draft determination statement which was circulated to the statutory consultation bodies (Historic England, Natural England and Environment Agency), as required by Regulation 9(2)(b). The draft determination statement was accompanied by Weymouth Town Council's Vision, Mission and Objectives which reflect the scope of their emerging Neighbourhood Plan. The statutory bodies were asked to supply any response they may have by 28 February 2022. All three statutory bodies responded (see Appendix) within this timescale prescribed and clearly indicated, that based on the information provided, they concurred with Dorset Council that an SEA would be required.

Having reviewed these responses, and taken into account the criteria specified in Schedule 1 to the regulations, as required by Regulation 9(2)(a), Dorset Council considers that an SEA of the Weymouth Neighbourhood Plan is required for the following reasons:

- The plan is likely to propose housing growth and allocate sites.
- The plan area is ecologically sensitive, largely due to areas subject to nature conservation designations (this includes European Sites such as Chesil and the Fleet and Isle of Portland to Studland Cliffs, Sites of Special Scientific Interest (SSSIs) including Lodmoor, Lorton, Radipole Lake, Portland Harbour Shore and South Dorset Coast,).

- The plan area includes, or is close to, a large number of heritage assets including the Dorset and East Devon Coast UNESCO World Heritage Site, numerous conservation areas and a large number of listed buildings especially in Weymouth town centre.
- Parts of the plan area are located within, or in close proximity to, the Dorset Area of Outstanding Natural Beauty (AONB).
- Significant parts of the plan area, including parts of Weymouth town centre, are at risk of flooding. There is a risk from both fluvial and coastal flooding in the plan area.

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

Habitats Regulations Assessment (HRA) – Determination Statement

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

Given the areas of land subject to European designations within or in close proximity to the plan area, and the fact the plan is likely to propose housing growth (including allocating sites), the Council's initial view was that it is likely that the plan will need to be subject to a HRA. Dorset Council consulted Natural England who concurred with the Council's initial assessment. Based on the initial assessment and the Natural England response, Dorset Council has concluded that the emerging Weymouth Neighbourhood Plan should be subject to a HRA.

APPENDIX

SEA Statutory Consultation Bodies Responses

1. Environment Agency – received 28/2/22
2. Natural England – received 15/2/22
2. Historic England – received 27/2/22

1. Environment Agency response

Mr Nick Cardnell
Senior Planning Officer
Dorset Council - Weymouth
Forward Planning
South Walks House South Walks Road
Dorchester
DT1 1UZ

Our ref: WX/2021/135039/OR-02/IS1-L01
Your ref: SEA Determination
Date: 28 February 2022

Dear Mr Cardnell

WEYMOUTH NEIGHBOURHOOD PLAN STRATEGIC ENVIRONMENTAL ASSESSMENT (SEA) AND HABITATS REGULATIONS ASSESSMENT (HRA) DRAFT DETERMINATION STATEMENTS

Thank you for consulting the Environment Agency on the potential requirements for Strategic Environmental Assessment (SEA) and Habitats Regulations Assessment (HRA) for the Weymouth Neighbourhood Plan.

In response to the three questions asked in your email dated 7 February 2002, we provide the following comments.

1) Whether you agree that, at this stage, it should be concluded that the Regulations would require that a Strategic Environmental Assessment is undertaken for the Weymouth Neighbourhood Plan.

Yes we agree with Dorset Council's determination that an SEA is required for the Weymouth Neighbourhood Plan.

2) Given the location of European sites, within or in close proximity to the plan area, whether the Weymouth Neighbourhood Plan will require a separate Habitats Regulation Assessment.

We have no comments on whether an HRA is required for the Weymouth Neighbourhood Plan. We would defer this to Natural England, as they have the statutory role for this matter.

3) Whether any issues have been missed at this stage.

We note the issues given in Dorset Council's SEA Draft Determination Statement, which include flood risk and ecology. We do not believe any other issues have been missed at this stage in terms of determining whether an SEA would be required. However, we may wish to raise other matters and discuss further detail as the Weymouth Neighbourhood Plan progresses and as more information becomes available.

I hope this is useful, but please contact me if you have any queries.

Yours sincerely

**Miss Katherine Burt
Sustainable Places - Planning Specialist**

2. Natural England response

Direct e-mail [REDACTED]
From: Appleby, Alison [REDACTED]
Sent: 15 February 2022 11:12
To: Nick Cardnell [REDACTED]
Subject: 382793 Weymouth Neighbourhood Plan - SEA & HRA Screening (Dorset)

Dear Nick,

Thanks for sharing the screening report and supporting information.

We can confirm that we concur with your conclusion that an SEA/HRA are required for this Neighbourhood Plan.

Kind regards,

Alison

3. Historic England response

From: Stuart, David [REDACTED]
Sent: 27 February 2022 14:46
To: Nick Cardnell [REDACTED]
Cc: James Weir [REDACTED]
Subject: Weymouth Neighbourhood Plan SEA HRA

Dear Nick

Thank you for your consultation on the SEA Screening for the emerging Weymouth Neighbourhood Plan.

While the Plan preparation process hasn't got as far as drafting specific policies yet, the scoping document provides a clear indication of intent, which includes allocating sites for development.

On that basis, and given the extensive internationally and nationally significant estate of heritage assets in the Plan area, we agree with the view that a full SEA is likely to be required.

To assist with the SEA's preparation, and to help ensure that the Plan possesses an adequate heritage evidence base to inform its policies, we would strongly recommend the use of our guidance on, respectively, SEAs, Setting, Site Assessments, and Neighbourhood Plans generally. These can be found at:

- <https://historicengland.org.uk/images-books/publications/sustainability-appraisal-and-strategic-environmental-assessment-advice-note-8/>
- <https://historicengland.org.uk/images-books/publications/gpa3-setting-of-heritage-assets/>
- <https://historicengland.org.uk/images-books/publications/historic-environment-and-site-allocations-in-local-plans/>
- <https://historicengland.org.uk/images-books/publications/neighbourhood-planning-and-the-historic-environment/>

Kind regards

David

David Stuart | Historic Places Adviser

Historic England | South West

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<https://historicengland.org.uk/southwest>



Historic England