



Statement of Common Ground between BCP Council and Natural England (0040)

BCP Local Plan Examination

19 December 2024
Version 4 -FINAL

1. General

- 1.1 The Council has prepared this Statement of Common Ground (SOCG) to assist the Inspector at the BCP Local Plan Examination.
- 1.2 Natural England's response to the public consultation on the Draft BCP Local Plan (March 2024) identified some issues with the Draft Local Plan. The purpose of this SOCG is to set out the agreed position between BCP Council and Natural England (representor id 0040).

2. Declaration

Name	Organisation	Signature	Date
Steve Dring Planning Policy Manager	BCP Council		19/12/2024
Nick Squirrell	Natural England		19/12/2024

3. Agreed position

- 1.3 The summarised comments, officer response and agreed position is set out in the table below.
- 1.4 Boxes highlighted green are agreed positions, orange boxes are not yet agreed. Red text denotes possible modifications to text.

Plan ref	Full comment	Officer summarised comment	Support/Object	Officer Response and action	Natural England response
Habitats Regulations Assessment	Natural England advise that the Draft Local Plan is generally of a high standard and sets out policy approaches which are consistent with national policy and legal requirements for the natural environment. Policy areas which provide multiple benefits such as health, biodiversity and environmental improvements are well embedded and mutually supportive within the Plan increasing the likelihood of successful deliver in accordance with the overall aim.	The Plan is generally of a high standard and sets out policy approaches consistent with national policy and legal requirements for the natural environment. Multiple benefits such as health, biodiversity and environmental improvements are well embedded increasing the likelihood of successful delivery.	Support	Support noted. No action required.	Agreed
Habitats Regulations Assessment	The conclusions reached in the HRA documents are agreed in principle subject to the specific additional information sought in this advice.	The conclusions reached in the HRA documents are agreed in principle subject to the specific additional information sought in this advice.	Support	Support noted. We are addressing the points raised by Natural England to improve the HRA.	Noted
Habitats Regulations Assessment - Recreation	SD6b Habitats Regulations Assessment Draft Local Plan Recreational pressure : Dorset heathlands Natural England concur with the conclusion that policy NE2 provides a break on allocated developments coming forward with out adequate HIPs. However Natural England advises that at this stage there are a number of significant allocations which either alone or in-combination merit further consideration in order to be certain that a suitable mitigation HIP may be delivered in principle. These are identified above. In some cases the Council may provide confirmation of details around the proposals but in other locations promoters will need to consider delivery options. Allocations close to the New Forest without suitable HIP mitigation for the Dorset heathlands face an increased risk of adverse effects. At this time Natural England cannot agree that adverse effects may be ruled out. Poole Harbour SPA/Ramsar Natural England agree with the conclusion reached in the HRA. New Forest Natural England agree with the overarching conclusion reached in the HRA.	Concur with the conclusion that policy NE2 provides a break on allocated developments coming forward without adequate HIPs. However there are allocations meriting further consideration to be certain that a suitable mitigation may be delivered. Allocations close to the New Forest without suitable HIP mitigation for the Dorset heathlands face an increased risk of adverse effects. Agree with the conclusions on Poole Harbour SPA/Ramsar and the New Forest.	Support with changes	Support noted. Suggested changes to policy wording in accordance with NE advice, if agreed, can be reflected in a revised HRA prior to adoption.	Agreed
Habitats Regulations Assessment - Water Quality	SD6c Habitats Regulations Assessment Draft Local Plan Water quality Natural England observe that whilst the focus of the HRA is on WRC catchments, particularly in the east of the area there are a small number of developments coming forward which are within the river catchment and where waste water is discharged to ground through a PTP system. The current nutrient calculators provide a mechanism for calculating appropriate offsetting requirements. Natural England note that at the time of writing there was uncertainty about the WRC discharge levels which would be required under the LURA 2023. The April 2024 communication is now delayed. Following the confirmation of the WRC discharge concentration and time table for delivery this report should be revised accordingly. Natural England would seek some points of clarification regarding the calculation of pre and post upgrade requirements. Natural England would support the conclusions reached in principle for nutrient neutrality in both catchments subject to a reconsideration of the figures when further details are	Note that some developments may use a PTP system and the nutrient calculators provide a mechanism for calculating appropriate offsetting requirements. Support the HRA conclusions in principle but uncertainty remains about the LURA 2023 requirements for WRC discharge levels, and the HRA will need updating accordingly. Consider alternative mitigation by reducing waste water through higher water efficiency.	Support with changes	Support noted. The Plan and HRA will be updated following LURA announcements. Water efficiency in the Plan and will need reference in future updates to the HRA.	See comments at C3 on water resources. Updating the HRA in relation to Water quality and quantity is required.

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	released. There are a number of factors which the Councils advisors may not have considered. One example is the opportunity to increase nutrient reduction levels by reducing waste water through higher water efficiency which also addresses water stress.				
Habitats Regulations Assessment - Air Quality	SD6d Habitats Regulations Assessment Draft Local Plan Air-quality : Natural England concur with the conclusions reached relating to additional air pollution impacts on habitats and International sites from greater vehicle activity related to increased housing.	Concur with the conclusions reached relating to additional air pollution impacts on habitats and international sites from greater vehicle activity related to increased housing.	Support	Support noted. No action required.	Agreed
Vision and Objectives	Natural England welcome the objective: • conserve and enhance our outstanding natural environment Natural England welcome the support and priority afforded across other objectives such as Carbon neutrality and in the delivery of high quality places, to : • protect and enhance our existing green infrastructure network • ensure a net gain in biodiversity • embed green infrastructure in new development Natural England support the objectives for sustainable transport and a modal shift towards less combustion based transport which will increase the quality of air by reducing pollutants harmful to both people and biodiversity.	Welcome the objectives to conserve and enhance our outstanding natural environment and sustainable transport.	Support	Support noted. No action required.	Noted
Evidence base	Natural England note that a number of the existing strategic mitigation approaches set out in adopted SPD are scheduled to end in 2025. The authority will need to provide a level of certainty for the examiner to demonstrate that these mitigation and avoidance measures will be secured to facilitate ongoing development over the Local plan period to 2039	Certainty needed that the existing strategic mitigation approaches will be updated to facilitate ongoing development over the local plan period.	Support with changes	These mitigation strategies will be updated in 2025.	Noted
S1	Strategic Policy S1: Natural England support the policy and specifically sections b, c, e, m.	Strategic Policy S1: Natural England support the policy and specifically sections b, c, e, m.	Support	Support noted. No action required.	Agreed
4.16	Paragraph 4.16: Natural England support and welcome the scope.	Paragraph 4.16: Natural England support and welcome the scope.	Support	Support noted. No action required.	Agreed
S2	Strategic policy S2 Natural England has no objection to the policy but is concerned that the use of the term Habitat under 1.a) is unclear. Habitats sites has a specific meaning under the NPPF referring to SAC and SPA sites, it appears from the context that the policy is broader than simply these two designations and Ramsar sites as a matter of Government policy. Natural England advise that the policy should be reworded to: “Habitats sites, SSSIs and public open...” It is clear in NPPF para 186 that strict tests must be applied to SSSIs as well as habitats/internationally protected sites.	No objection but term 'Habitats sites' has a specific meaning under the NPPF for SAC and SPA sites and should be reworded.	Support with changes	Agree although prefer to use language consistent with Policy NE2. Action: Amend Policy S2 1.a 'Habitat sites, national and local wildlife sites and public open spaces will be protected;'	Agreed

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S3	Strategic Policy S3: Natural England support the policy sections a,b,d and e which are prioritising modal transport shift, green infrastructure and reduced light and air pollution.	Natural England support the objectives for sustainable transport and a modal shift towards less combustion based transport which will increase the quality of air by reducing pollutants harmful to both people and biodiversity.	Support	Support noted. No action required.	Agreed
C1	Strategic Policy C1: Natural England supports the policy, specifically sections a(i),b(11), (iv) and c(i) which seek to encourage modal transport shifts, sustainable drainage schemes, water efficiency and biodiversity conservation and enhancement.	Supports the policy, specifically sections a(i), b(11), (iv) and c(i) which seek to encourage modal transport shifts, sustainable drainage schemes, water efficiency and biodiversity conservation and enhancement.	Support	Support noted. No action required.	Agreed
C3	Strategic Policy C3: Water efficiency: Natural England is concerned that parts of the Local Plan area are identified as seriously water stressed eg Bournemouth. In the absence of an approved Water Resources Management Plan for the water suppliers there is uncertainty about the supply of water for public consumption given increasing demand. In particular there is a concern that water abstracted from the River Avon SAC is already leading to the site failing to meet its water flow objectives. Natural England advise that Wiltshire Councils draft Local Plan proposes a water use standard of 85 litres per person for the River Avon catchment which has been supported and should be considered by BCP. The Council should also consider acknowledging the need to regularly review water usage restrictions as a result both of increasing demand but also to avoid harm to habitats sites and SSSIs as Climate Change impacts increase.	In the absence of an approved Water Resources Management Plan for the water suppliers there is uncertainty about the supply of water for public consumption. Abstraction is already leading to the River Avon SAC failing to meet its water flow objectives so propose a local plan standard of 85 litres per person. Plan should acknowledge need to regularly review water usage restrictions to avoid harm to habitats sites and SSSIs.	Support with changes	<p>Agree. Actions: Amend policy C3b. to read: for new homes achieve, as a minimum:</p> <p>(i) water efficiency of 85 litres per person per day in the River Avon catchment as shown on the policies map; and</p> <p>(ii) elsewhere, the optional requirement set through the Building Regulations Requirement G2: Water Efficiency of no more than 110 litres per person per day, evidenced using a recognised methodology for calculating water efficiency;</p> <p>Amend para 5.17: 'The Environment Agency's updated report on Water Stressed Areas (2021) includes South West Water (Bournemouth) as an area which is seriously water stressed. This is based on where water resources are being, or are likely to be, exploited to a point which may result in pressure on the environment or water supplies now and in the future. In the absence of an approved Water Resources Management Plan for the water suppliers there is uncertainty about the supply of water for public consumption given increasing demand. As the area is classed as seriously water stressed, we can restrict water usage of 110 litres per person per day on new homes, going beyond The Building Regulations. We will need to monitor water usage restrictions as a result both of increasing demand but also to avoid harm to habitats sites and SSSIs as climate change impacts increase.</p> <p>Natural England has advised that there is a particular concern that water abstracted from the River Avon SAC is already leading to the habitat site failing to meet its water flow objectives and a water use standard of 85 litres per person should be adopted.'</p> <p>For HRA source SW Water map of Knapp Mill to understand the % of all planned housing, phasing and implications for longer term infrastructure including possible piping of water from Poole Harbour to River Stour from 2035.</p>	<p>Natural England agree with to the changes proposed and also provide two supplementary pieces of information.</p> <p>Firstly Natural England correspondence dated 18 September 2024 concerning the South West Water draft Water Resources Management Plan (appendix 1).</p> <p>Secondly an extract of the SoCG between Wiltshire Council and Natural England (Nov 2024) as it relates to water resources in the River Avon, a number of actions are set out which have given Natural England a level of certainty concerning water flows in the River Avon SAC (appendix 2).</p> <p>The Council is advised to review these two documents to consider a suitable additional paragraph in the Local Plan which emphasises the key points in para 3.42.</p>
C4	Strategic Policy C4: Natural England support sections b and f	Support sections b and f	Support	Support noted. No action required.	Agreed
C5	Strategic Policy C5: Natural England welcome sections 1 b. Natural England are concerned that particularly at Rockley Park the mobile units are increasingly being occupied on a residential basis. The Council, as land owner,	Supports 1 b, 2 b and e. Council as landowner should ensure Rockley Park adheres to policy as units are increasingly being occupied on a residential basis.	Support	Support noted. No action required.	Agreed

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	should take a more proactive approach with the tenant to ensure that the policy can be complied with. Natural England welcomes section 2 b and e.				
C7	Strategic Policy C7: SuDs Natural England welcome this policy. Natural England advise that in some locations eg Poole Harbour and the River Avon catchments SuDs may also be designed to reduce nutrient loads from new developments. The authority is advised to insert suitable wording about this function into the policy.	Support. Add that SuDs in Poole Harbour and the River Avon catchments may also be designed to reduce nutrient loads from new developments.	Support with changes	Agree for River Avon only as there isnt a catchment for Poole Harbour in the BCP area. Actions: Add new para 5.50 'Policy NE2 covers the adverse harm of phosphates upon the River Avon SAC. Therefore, any SuDS within the River Avon catchment should also be designed to prevent phosphates from entering the river.' Add to Policy C7: 'River Avon catchment SuDs within the River Avon catchment as shown on the Policies Map should also be designed to reduce phosphate loading.'	Agreed
NE1	Strategic Policy NE1: Natural England welcome this policy.	Support.	Support	Support noted. No action required.	Agreed
Para 6.15	Para 6.15 the first sentence should be reworded replacing will with may, as not all applicants will need such an assessment. It may be advisable to provide an indicative threshold?	Change will be made in first sentence as not all applicants will need such an assessment. Could add an indicative threshold.	Support with changes	Agree. Action: Amend paras 6.14 and 6.15 'To assess the impact of additional vehicle trips upon the integrity of the Dorset Heathlands at a strategic local plan level we can use transport modelling data to forecast where there will be cumulative increases in vehicle trips past heathland sites. From this data we can assess the impact upon integrity of the Dorset Heathlands. We will publish this evidence when our transport model is updated in 2024. Applicants seeking planning permission will may need to prepare a project level assessment to assess the changes to air quality at Dorset Heathland sites caused by vehicle trips from the proposed development. To inform this assessment applicants of significant trip generating developments can input data into the Council's air quality model to assess the impacts. With an understanding of the heathland sites affected by the proposed development, aApplicants can then consider the mitigation measures we have identified in the Dorset Heathlands Interim Air Quality Strategy (2021), or subsequent revision , prepared jointly with Dorset Council. This Strategy includes measures that new development can incorporate such as electric charging points and reduced car ownership. Mitigation measures can be agreed with the Council on a case-by-case basis as part of the appropriate assessment.'	Agreed
Para 6.18	Natural England advise that subject to an anticipated Government announcement the nutrient neutrality requirements may alter.	Update after anticipated Government announcement on nutrient neutrality requirements.	Support with changes	Amend 6.19 'The Levelling Up and Regeneration Act (November 2023) introduced a legal requirement for certain wastewater treatment works to be upgraded to achieve the nutrient pollution standard. Secondary legislation in January May 2024 will named the specific wastewater treatment works. It is expected that Natural England subsequently confirmed that sufficient wastewater treatment works within the Poole Harbour catchment will be named undergo the necessary works to achieve a threshold level, thereby removing the need for development specific phosphorus mitigation from 2030. Once this is agree Natural England has advised that we do not need to consider phosphorous measures in the period to 2030, as the adverse effect will be insignificant.'	Agreed

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Para 6.29	Natural England advise that subject to an anticipated Government announcement the nutrient neutrality requirements may alter.	Update after anticipated Government announcement on nutrient neutrality requirements.	Support with changes	Action: Amend para 6.29 'Applicants will need to demonstrate evidence at validation stage that the scheme will provide phosphorous mitigation or secure phosphorous credits to mitigate the impact of the development as described above for Poole Harbour by calculating the phosphate loading using the River Avon nutrient neutrality calculator. A difference to the Poole Harbour approach is that phosphorous mitigation measures will be required from development in the River Avon before and after the 2030 legal duty upon wastewater treatment works. If the Christchurch wastewater treatment works was is named in the secondary legislation in May January 2024 to require works to reduce the technically achievable limit for phosphorous to 0.25mg/l from 2030. Natural England has confirmed that for the period to 2030 the technically achievable limit is 5.1mg/l and must be mitigated by development. The Council is working with a number of suppliers to bring forward affordable phosphorous credits. the cost of mitigation is expected to be significantly less from 2030 onwards.	Agreed
NE2	Strategic Policy NE2: Habitats sites, Natural England warmly welcomes this policy. Section 4 needs to be reworded to include reference to the New Forest SAC. Natural England note that a number of the existing strategic mitigation approaches set out in adopted SPD are scheduled to end in 2025. The authority will need to provide a level of certainty for the examiner to demonstrate that these mitigation and avoidance measures will be secured to facilitate ongoing development over the Local plan period to 2039	Support, subject to reference to New Forest SAC and certainty provided that current mitigation strategies will be updated.	Support with changes	Support noted. New Forest SAC is covered in detail in the policy. We are committed to updating the SPDs during 2025 once the local plan examination work is reduced. We include text to this effect in paras 6.7, 6.16, 6.21 and 6.23. No action required.	Agreed
NE3	Strategic Policy NE3: Biodiversity : Natural England welcome this policy.	Support	Support	Support noted. No action required.	Agreed
NE4	Strategic Policy NE4: Green infrastructure : Natural England welcome the policy.	Support	Support	Support noted. No action required.	Agreed
Para 6.63	Para 6.63 Natural England advise that the Council should make reference to the priority to plant native locally sourced species which are appropriate to the local conditions and in particular the Right Tree in the Right Place approach to maximise effectiveness of the policy.	Refer to the priority to plant native locally sourced species which are appropriate to the local conditions and in particular the Right Tree in the Right Place approach.	Support with changes	Agree. Action: Add to end of para 6.65 ' Priority should be given to planting native, locally sourced species which are appropriate to the local conditions and in particular taking the Right Tree in the Right Place approach. '	Agreed
NE5	Strategic Policy NE5: Coastline, this policy or its supporting text should make reference to the National Coast Path which is an important facility linking BCP with both the marine and terrestrial aspects of the coast but also to neighbouring authorities. Insertion of a reference at section 1 to confirm development which facilitate or do not prevent use of the Coastal Path will be acceptable should be considered.	Refer to need to protect National Coast Path.	Support with changes	Agree. Amend Policy NE5 d to read ' proposals would not prejudice coastal protection works, the National Coast Path or result in unacceptable harm to coastal heritage including designated heritage assets, archaeology, or buried peat deposits.	Agreed
NE6	Strategic Policy NE6: Countryside, this policy is supported by Natural England.	Support	Support	Support noted. No action required.	Agreed
12	Strategic Policy NE7: Open space, Natural England welcome this policy.	Support	Support	Support noted. No action required.	Agreed
BE1	Strategic Policy BE1: Natural England support points vii and viii of the policy.	Support vii and viii	Support	Support noted. No action required.	Agreed
BE2	Strategic Policy BE2: Townscape: Natural England support section 3 of the policy.	Support section 3	Support	Support noted. No action required.	Agreed

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H8	Strategic Policy H8: Houses in Multiple Occupation: the Council should consider a reference to the Dorset Heathlands Planning Framework (2020 – 2025) SPD which also provides guidance on the need for appropriate levels of mitigation for new HMOs.	The Council should consider a reference to the Dorset Heathlands SPD which also provides guidance on the need for appropriate levels of mitigation for new HMOs.	Support with changes	Agree. Add new para after 8.62 'Proposals for HMOs within the 400 metre Dorset Heathland consultation area will not be allowed in accordance with the Dorset Heathlands SPD as it would lead to increased visitor pressure on nearby heathland.' Add new criterion 3 to Policy H8 'Proposals for HMOs within the 400 metre Dorset Heathland consultation area will not be allowed in accordance with the Dorset Heathlands SPD as it would lead to increased visitor pressure on nearby heathland'	Agreed
Em4	This is a substantially sized site close to Canford Heath. The policy need to ensure that there is no worker access southwards directly onto Canford Heath. Section 3. D) iii) should be amended to specify the need for impervious fencing suitable for the business park use.	The policy needs to ensure that there is no worker access southwards directly onto Canford Heath, by amending Section 3. D) iii) to specify the need for impervious fencing suitable for the business park use.	Support with changes	Agree, this is a requirement of Policy P2 3.d.ii. No action required.	Agreed
	Para 9.18 Natural England is concerned that current water quality impacts on the Moors River SSSI need to be referenced in this paragraph. At current levels of use there are existing adverse impacts, planned business and airport expansion need to be tied into securing waste water management at the nearby Wessex Water STW rather than allowing the private STW to continue to be used.	Reference water quality impacts on the Moors River SSSI as current levels of use are have existing adverse impacts. Business and airport expansion need to be tied into securing waste water management at the nearby Wessex Water sewage treatment works (STW) rather than allowing the private STW to continue to be used.	Support with changes	Support noted. Agree to Moors River reference. Amend para 9.18 '...Positive improvements will be sought on the extent and quality of priority habitats, the populations of priority species and to conserve ecological network connections. For example, water quality in the Moors River SSSI would be improved if water is sent to Palmers Ford Waste Water Treatment Work rather than the current private waste water treatment works...'	Agreed
E3	Natural England support section 2. iv) of the policy which will reduce air pollution impacts.	Support section 2. iv) of the policy which will reduce air pollution impacts.		Support noted. No action required.	Agreed
E4	Natural England support 1. a), 2. e)	Support 1. a), 2. e)	Support	Support noted. No action required.	Agreed
Para 9.24	Para 9.24 refers to residential use in the Innovation Quarter, this area is all within 400m of the designated sites and therefore the wording needs to be removed.	Reference to residential use should be removed as it is within 400m of the designated site.	Objection	Agree, amend 9.24 and 9.24 'The council will continue to support the growth of the universities by supporting the creation of around 27,000 sqm of additional academic floor space, 150 student bed spaces and a cultural hub in area TV1, as well as around 40 homes located outside of the heathland consultation area. The..' 'A new innovation quarter will provide up to 12,500 sqm of office uses, health care facilities and university-related uses in area TV2 (including supporting uses such as a A new innovation quarter will provide up to 12,500 sqm of office uses, health care facilities and university-related uses in area TV2 (including supporting uses such as a coffee shop, and some residential development). These uses would be alongside a heathland support area in area TV3, see figure 9.3.'	Agreed
E4 2 d	Policy E4 2 d, also refers to residential outside of the 400m but does not specify which area, it should specify T1 as T2 is within the 400m area.	Refers to residential but should specify T1, as T2 is within the 400m area.	Objection	Agree. Amend Policy E4 2 d 'in the region of 40 new homes (Use Class C3) in TV1, outside of the 400 metre heathland consultation area, with heights that are predominantly between 2 – 5 storey (6 – 18 metres) in height, reducing in height adjacent to the rear of Dulsie Road; and'	Agreed
T1	Natural England support the general thrust of the policy and specifically T1 b, c and h.	Support the general thrust of the policy and specifically T1 b, c and h.	Support	Support noted. No action required.	Agreed
T4	Policy T4: Transport Infrastructure Natural England support the policy and its encouragement for modal shifts from combustion based transport, particularly section T4 2).	Support the policy and its encouragement for modal shifts from combustion based transport, particularly section T4 2).	Support	Support noted. No action required.	Agreed

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T6	Policy T6: Air quality, Natural England support the policy approach set out which complements the need to seek air quality improvements for habitats sites in BCP and nearby.	Support the policy approach set out which complements the need to seek air quality improvements for habitats sites in BCP and nearby.	Support	Support noted. No action required.	Agreed
P7	Strategic Policy P7: Burton and Grange. Natural England support P7 Section 4 a) vi) relating to Allocation BG1 which requires a footpath link to Roeshot SANG. Natural England advises that the wording either supporting or in the policy as it relates to the Avon Valley Path should be modified to reflect the need to adjust the route as Climate Change is resulting in greater levels and frequency of flooding in the valley. The path should avoid areas where new habitats and wetlands are establishing.	Support P7 4 a) vi) requiring a footpath link from site BG1 to Roeshot SANG. For Avon Valley footpath mention need to adjust the route as climate change is resulting in greater levels and frequency of flooding in the valley, with the path avoiding areas where new habitats and wetlands are establishing.	Support with changes	Support noted. Agree to addition. Amend Policy P7 1.d 'Avon Valley Path, exploring opportunities to enhance wayfinding and accessibility to improve its function as a strategic greenway, with the route adjusted to avoid future flooding and new wetland habitat '	Agreed
P9	Strategic Policy P9: Canford Heath: section 4. b) is correct to reference the 400m restriction on residential developments.	4. b) is correct to reference the 400m restriction on residential developments.	Support	Support noted. No action required.	Agreed
P10	Strategic Policy P10: Christchurch Town: Proposals CT 4 and 5 are allocating in the region of 540 dwellings. CT3 is already the subject of an application with provision for a SANG. Natural England advise that the scale of the development proposed and the proximity to heathland sites at Town Common lead to a conclusion that there is insufficient identified and secured SANG capacity for these two allocations. The absence of such avoidance/mitigation measures raises serious concerns about the deliverability/soundness of both the plan and the allocations.	There is insufficient SANG planned for sites CT4&5 (540 dwellings) at Town Common.	Objection	<p>Heathland Infrastructure Projects (HIPs) is preferred term rather than SANGs and is used in Draft Local Plan. Delivery of HIP is difficult as these are brownfield sites in multiple ownership with potential HIP on third party land. It would be better for the Council to deliver the HIP as it has done effectively across the BCP area.</p> <p>Action:</p> <p>Add to supporting text: Heathland mitigation Sites CT.3, CT.4 and CT.5 will be required to provide a HIP to mitigate the impact upon the Dorset Heathlands. A HIP has already been secured through the planning permission at CT.3, but further HIPs are required to mitigate the additional homes. Delivery will be the responsibility of the Council or a developer.</p> <p>Amend these sections of Policy P10: c. Former Magistrates Court and surrounds (CT.3) This site is allocated for in the region for 200 homes. Development proposals must: i. Provide 40% affordable housing; ii. Address Barrack Road; iii. Incorporate retail, commercial and/or community uses (Use Classes E and F1) fronting onto Fountain Roundabout and part of Barrack Road; iv. Create a new vehicular, pedestrian and cycle access from Barrack Road; v. Provide a good quality pedestrian and cycle connection between Barrack Road and Bargates; vi. Incorporate footway widening to provide a shared pavement of a minimum of 4 metres along Barrack Road and linking around into Bargates; vii. Preserve and enhance heritage assets and their settings, including Christchurch Central Conservation Area; viii. Be predominantly between two and four storeys (approximately 6-12 metres) in height . ix. Within the areas of flood risk be defended such that the area fronting Barrack Road does not flood during its lifetime; and</p>	Agreed

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				<p>x Provide a SANG to mitigate the harm on the Dorset Heathlands that is open prior to the occupation of any homes.</p> <p>d. Stony Lane South (south of Bridge Street) (CT.4): Development proposals must: i. Together provide a minimum of 240 homes including in the region of 150 homes on the former gas works site and in the region of 25 homes on the Two Riversmeet car park to the west of the leisure centre; ii. Retain the Two Riversmeet Leisure Centre with sufficient parking to support its operation; iii. Be predominantly between two and four storeys (approximately 6-15 metres) in height; iv. Preserve or enhance heritage assets and their settings including the Christchurch Central Conservation Area, Purewell Conservation Area, the listed buildings on Bridge Street and Purewell, and the locally listed gas works building fronting Bridge Street; v. Provide an active frontage to Bridge Street; vi. Provide permeable site layouts with pedestrian and cycle links between Bridge Street and Two Riversmeet Leisure Centre; and vii. Include relocation of the existing Bridge Street signalised pedestrian crossing further west towards the River Avon bridge; and vii Provide a SANG to mitigate the harm on the Dorset Heathlands that is open prior to the occupation of any homes.</p> <p>e. Stony Lane (north of Bridge Street) (CT.5) Development proposals must: i. Together provide a minimum of 300 homes including in the region of 85 homes on the Beagle site; ii. Be predominantly between two and four storeys (approximately 6-15 metres) in height; iii. Preserve or enhance heritage assets and their settings including the Christchurch Central Conservation Area, Purewell Conservation Area and the listed buildings on Bridge Street and Purewell; and iv. Provide active frontages to Bridge Street and Stony Lane; and v Provide a SANG to mitigate the harm on the Dorset Heathlands that is open prior to the occupation of any homes.</p>	
P12	Strategic Policy P12: Creekmoor: Natural England notes that the policy allocates two sites with 150 dwellings in total. Natural England would seek further confirmation from BCP about the delivery of additional SANG capacity through expanding Upton SANG to confirm deliverability and suitability/scale of provision in order to confirm adverse impacts on Upton Heath may be avoided.	Confirmation needed about expanding Upton SANG to avoid adverse impacts on Upton Heath from 150 dwellings on these 2 sites.	Objection	<p>Agree. Amend Policy P12 c to '...which should include the exploration of a bridge over the A350. Proposals should consider the expansion of Upton Country Park SANG to mitigate the recreational impact of housing upon the Dorset Heathlands..'</p> <p>Add to supporting text 'Proposals could also consider the expansion of Upton Country Park SANG to mitigation recreational impact of housing upon the Dorset Heathlands.'</p>	Agreed

Plan ref	Full comment	Officer summarised comment	Support/Object	Officer Response and action	Natural England response
P15	Strategic Policy P15: Hamworthy: Site H.1 policies are generally at a high level and appear to be consistent with previous advice eg ix). Natural England note that because of the scale and complexity of the site and its ecological sensitivities some sections appear to conflict, the council should consider minor rewording eg vii) insert "along the Backwater Channel". The same might be applied to H.2 v) and H4. V).	Due to scale and complexity of the site and its ecological sensitivities some sections appear to conflict, so consider minor rewording to insert "along the Backwater Channel" to a) (vii). The same might be applied to sites H.2 v) and H.4. v).	Support with changes	Agree. Amend Policy P15 a vii, H.2 v and H.4v to be consistent 'Create a continuous public quayside along the Backwater Channel , with an overall width of approximately 12 metres, that incorporates a five-metre-wide pedestrian and cycle route at least five metres wide ;	Agreed
H.3	Allocation H.3 Natural England has previously advised the authority about a number of avoidance and mitigation measures eg infrastructure and SANG to be considered. Natural England is concerned that with out confirmation of a mitigation approach it will not be possible to conclude no Likely Significant Effect on the Dorset Heathlands SPA/Ramsar and Dorset Heaths SAC as well as Poole Harbour SPA and Ramsar. This allocation and the supporting policy detail are insufficient at this time.	Previous Natural England advice about avoidance and mitigation measures are not included and the policy is therefore insufficient at this time.	Objection	<p>Agree that the policies can be improved as set out below. Actions:</p> <p>Add to supporting text: Development of sites H.1 and H.3 will need to pay particular care to the sensitivity of the adjacent Poole Harbour to avoid harm. Natural England has been involved in detailed discussions on the sites with the Council to inform future planning applications. Issues include disturbance and predation of protected birds in the harbour.</p> <p>Amend Policy H3 c 'Turlin Moor (H.3) Development proposals should support the overall estate regeneration. Development proposals must:</p> <ul style="list-style-type: none"> i. Be informed by an estate regeneration masterplan or design code; ii. Provide in the region of 400 homes; iii. Ensure buildings overlook streets and spaces; vi. Be predominantly between two and four storeys (approximately 6-15 metres) in height; vii. Incorporate community benefits such as a community centre and all-weather games area; viii. Enhance the public realm with improved pedestrian and cycle routes to Hamworthy Train Station and Upton Country Park; ix. Mitigate any impact on wildlife in the harbour; Protect the wildlife within Poole Harbour from disturbance through the management of public access, including ditches along the harbour edge and provision of public viewing areas. x Improve access to Upton Country Park SANG; xi Provide a strategic flood defence, which secures access and egress to the site, to a specification agreed by the council; and xii. Sequentially locate development, including building footprints, access and parking, so that it is outside areas at surface water flood risk, while reducing flood risk on site and not increasing flood risk elsewhere. This may require re-profiling of the site. It must be demonstrated that any surface water storage and flow paths are safely managed through use of SuDS. <p>Any proposals on the recreation ground must secure a suitable location to replace the existing playing pitches to an equal or better standard and deliver 40% of homes as affordable housing with homes suitable for families.'</p>	Agreed

Plan ref	Full comment	Officer summarised comment	Support/Object	Officer Response and action	Natural England response
P17	Strategic Policy P17: Kinson Natural England note the restrictions highlighted in the policy for allocations K1 and K2 which are welcomed.	Welcome the policy restrictions for allocations K.1 & K.2.	Support	Support noted. No action required.	Agreed
P20	Strategic Policy P20: Mudeford, Stanpit and West Highcliffe Natural England advise that allocation MSWH.3 for 80 units should provide suitable heathland mitigation in the form of SANG, this site should be considered in-combination with MSWH.2 which is making provision for an unspecified number of dwellings at a tourist facility.	MSWH.3 (80 units) should provide SANG, and considered in-combination with MSWH.2 which is making provision for an unspecified number of dwellings.	Objection	<p>Agree. Actions:</p> <p>Add new para to supporting text of P20 'Site BG.2 will provide a new strategic SANG for Christchurch to mitigate the recreational impact of housing upon the Dorset Heathlands. Site Hoburne Farm Estate (MSWH.3) is also required to provide heathland mitigation and sites Roeshot Nursery (MSWH.1) and Hoburne Park (MSWH.2) may also be required to provide HIPs subject to the scale and type of development proposed.'</p> <p>Amend Policy P20: 'c. Hoburne Park (MSWH.2) Proposals which enhance the tourist offer at Hoburne Park will be supported. The use of a limited number of park homes for permanent residential use will be supported where it does not undermine the overall viability and operation of the park as a tourist destination. Development must avoid surface water flow path running along southeastern boundary, ensure existing on site storage is maintained through reprofiling or use of SuDS, and ensure finished floor levels consider the impact of exceedance and of climate change on surface water flood risk. Subject to the scale of residential use a HIP may be required.</p> <p>d. Hoburne Farm Estate (MSWH.3) The site is allocated for residential development to deliver in the region of 80 homes. Development proposals must: i. Deliver at least 40% affordable housing; ii. Provide a mix of housing types with a focus on housing suitable for families; iii. Preserve Conserve or enhance heritage assets and their settings, including the listed building at Little Thatch and the Verno Lane Conservation Area in which trees make an important contribution to character; iv. Enhance permeability, providing pedestrian and cycle links into the surrounding network; v. Provide a green corridor/accessible green space linking to woodland north of the A35 and to green spaces south and west of the site, including the provision of a play space and enhancements to the ecological corridor; and vi. Provide a HIP to mitigate the recreational impact of housing upon the Dorset Heathlands; and vii. Consider potential impacts on the safeguard minerals and waste site at Roeshot Quarry and, where necessary, provide mitigation measures to ensure the ongoing operation of the site. '</p>	Agreed
P29	Strategic Policy P29: Talbot and Branksome Woods Natural England does not object to the allocation of TBW.3 on the basis that the SNCI can be avoided and the	Do not object on the basis that the SNCI can be avoided and the population of sand lizards secured through appropriate fencing and habitat/predator management.	Support	Noted. No action required.	Agreed

Plan ref	Full comment	Officer summarised comment	Support/Object	Officer Response and action	Natural England response
	population of sand lizards secured through appropriate fencing and habitat/predator management.				
TBW.4/Em.2	The note relating to TBW.4/Em.2 is welcome clarification of the agreed position.	The note relating to TBW.4/Em.2 is welcome clarification of the agreed position.	Support	Support noted. No action required.	Agreed

Appendices

Appendix 1: Natural England letter (18 September 2024) concerning the South West Water draft Water Resources Management Plan.

Date: 18 September 2024
Our ref: 487554
Your ref: SWW Consultation: Water Resources Management Plan



Ayo Awi
Environment Agency

Customer Services
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Crewe Business Park
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BY EMAIL ONLY [REDACTED]

T 0300 060 3900

Dear Ayo

South West Water draft Water Resources Management Plan (dWRMP)

Natural England received a draft Water Resources Management Plan (dWRMP) consultation from South West Water (SWW) on 01 July 2024. We have considered the draft plan as best as possible within the limited time provided. Our response is given in full, below, with an initial summary of our response for ease of reference.

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. More information on our role in advice to the water sector can be found in Annex 3 to this letter.

Summary of Natural England's comments

In our review of SWW's dWRMP, Natural England has primarily reviewed the Habitat Regulations Assessment (HRA), and in previous response considered more fully how the company has addressed its environmental obligations as set out in The Water Industry Strategic Environmental Requirements (WISER) and how the dWRMP supports the ambitions in Government's recently published Environmental Improvement Plan (previously the 25 Year Plan).

Natural England therefore requests that our advice below be read and considered in conjunction with our previous advice, sent to the Secretary of State and South West Water on 05 May 2023, and 08 December 2023 following the revised dWRMP.

Whilst we recognise the considerable effort that has been made in producing this version of the dWRMP, Natural England are still **minded to object** to the South West Water draft revised WRMP24 if it is not improved in line with our representation before it is published. In our letter of 8 December 2023 to the Secretary of State we identified several substantial failings in the plan concerning designated sites where SWW had not adequately addressed matters following consultation on their previous plan. There was also insufficient information to determine the impacts of the revised draft plan on several designated sites. From reviewing the revised submission we are concerned to find that while considerable revised documentation has been provided, overall the situation in relation to matters raised in our previous letter has not moved greatly forward. Our major concerns with this version of the revised dWRMP is that it:

- does not provide a clear and timely path to remove the ongoing adverse effect on integrity of the River Avon Special Area of Conservation (SAC) from continued abstraction,
- is unsound in the evidence provided that there would be an avoidance of additional impact on the integrity of the River Avon SAC from demands of new development and growth

through the proposed cap on existing licences,

- will have a likely significant effect on the Avon Valley SPA/Ramsar site through a new water supply proposal at Ibsley Lake and does not remove uncertainty on whether the proposal can be implemented.
- introduces clarifications on the new water supply proposal at Ibsley Lake that, while greatly reducing implications for the River Avon SAC, involves pipeline infrastructure that may have a likely significant effect adjacent designated sites.
- may exacerbate the adverse condition of the River Camel SAC,
- may have an adverse effect on the integrity of Dartmoor SAC,
- is unclear whether it will have an adverse effect on the integrity of the Isles of Scilly Complex SAC, Isles of Scilly SPA and Isles of Scilly Ramsar sites.

Furthermore, the revised HRA fails to assess the WRMP24 overall, as it does not assess the proposals described in the new plan in conjunction with, or taking into account existing and continued implementation of water resource management activities, such as use of existing abstraction licences.

Natural England's uncertainty in the efficacy and accuracy in the plan has been reinforced by South West Water's release of the HRA four days before the end of the consultation period on 02 September 2024. This, in our view, is inadequate.

Habitat Regulations Assessment:

We have given specific regard to the approach and clarity of the HRA, and NE believes that further clarification and revision is required, in order to provide:

- **an assessment of the WRMP24 overall** and how, under the Habitats Regulations, SWW will address situations where, from implementation of the Plan, negative implications for Habitats Sites in relation to their conservation objectives cannot be delivered in AMP8 (by 2030).
- clear definition of new projects and therefore transparency on what is being assessed and the context within the Plan in which adverse effects are avoided.
- transparency in the conclusion of any Appropriate Assessment for projects within Habitats sites where uncertainty remains as to the potential impacts to the notified features
- Appropriate Assessment of alternative water supply options in the Adaptive Plan.
- a clear and thorough assessment of how the new options interact with current activities, as these may increase their magnitude to an extent where there is a likely significant effect or even adverse effect.

The revised HRA remains inadequate, particularly in defining the scope of the projects being assessed. There is considerable ambiguity, both in following the defined HRA process, and in clarifying which options are being assessed within that process. As such, the conclusions reached on some projects may be unsound.

For example, the assessment of the new water supply proposal BNW14 Ibsley Lake involves aspects that are not specified in defining the project (e.g. the storage and abstraction regime and associated infrastructure), lacks evidence to assess the impact on the lake ecology (e.g. from

change in water level regime and water chemistry), and is geographically inconsistent (e.g. multiple pipeline routes are proposed but only one route is assessed for impacts to designated sites). Similarly, the assessment of BNW8 Poole Harbour Final Effluent - reuse may be unsound as it relies on an HRA submitted at Gate 2 of the RAPID process. This HRA has not been subject to full scrutiny, and the WRMP24 HRA needs to be presented in this context.

We accept there can be uncertainties in defining the project or a current lack of information and evidence to meaningfully assess elements that raise a likely significant effect. In these cases, this should be clearly stated and reflected by the conclusion of the assessment. It is not appropriate, as presented in this HRA, to provide an assessment that does not address key elements of likely effect and then concludes no impact on the integrity of the Habitats Site(s).

The HRA also needs to be further revised to provide clarity in assessing alternative water supply options in the Adaptive Plan. This will remove uncertainty as to whether these options, if required, could be implemented with the certainty of avoiding adverse effects on the integrity of Habitats Sites and thus whether the Adaptive Plan is credible in this respect. For example, there appears to be no separate assessment of a transfer of Cheddar 2 as a new water supply scheme from the Wimbleball WRZ to the Bournemouth WRZ.

Maps:

We reiterate our previous comments in relation to the provision of maps for the HRA. Maps should be provided within the HRA, demonstrating the location of the assessed options in relation to Habitats Sites. These maps should be clear and easy to interpret; therefore we recommend confining these to individual options, or at largest, WRZ scale. Without maps it is difficult to understand whether certain options, particularly ones which propose the construction of new pipelines will have any impact on designated sites as we would need to visually assess the routes.

Options assessments which have been deferred to external reports outside of the dWRMP submission and in combination effects:

Whilst we are pleased to see that all the options from the constrained list have been accounted for in the HRA, South West Water note that six of the new supply and drought options have been required through the revised draft planning process to undergo Environmental Assessment Reports (EARs) and thus a HRA has been done separately. NE would require to see these assessments in order to concur with the conclusions that have been referred to in this plan, particularly in the case of the five which are on the constrained list for the Colliford WRZ that have concluded no LSE. This creates the issue that NE cannot understand how they may interact with other options or other plans and projects to result in a potential in-combination or cumulative effect on a Habitat site. There is also no assessment of how existing licences may experience material change to form an in-combination effect with other options. Please read further comments in relation to this for the Colliford WRZ.

There is a similar matter with the six SROs discussed in this dWRMP. Although we understand the SROs are currently being assessed separately through the RAPID gated process, this HRA assumes no adverse effect on integrity of any Habitat sites with their implementation in the plan. NE disagrees with this conclusion as the Gated process has not gone through a thorough assessment at this stage and the SROs are still in the early stages of development.

In the case of Cheddar 2, NE is aware that the pipeline route is still at the concept stage, and multiple routes are discussed in the HRA "three of the SRO options, ROA19, WIM13 and WIM18, have not been fully assessed at the time of writing and so a full HRA has not been completed; these options are variations on the Cheddar 2 reservoir and transfer (BNW17) and have been summarised at a high level based on the limited available information on the respective transfer

pipeline routes.” BNW17 has been assessed to have No LSE - as for Ibsley Lake (above, BNW14) the assessment of all options is necessary to give confidence in the plan.

Details on specific Water Resource Zones

Bournemouth Water Resource Zone

New water supply schemes

In our previous response to the revised draft WRMP (08 December 2023) we identified concerns on bringing forward Ibsley Lake as a new water supply scheme without appropriate evidence to show that it would avoid a likely significant effect on the Avon Valley SPA/Ramsar site, and can be shown to avoid affecting the ecology of the lake to the detriment of the designated sites both through construction and operation. This issue, especially on operation, has not been addressed with appropriate evidence in the revised submission. In NE's view there remains considerable uncertainty on whether this scheme meets the test of the Habitats Regulations. Therefore, its inclusion in the Best Value Plan seems inappropriate without identifying, in parallel, further new supply schemes.

To some extent the Adaptive Plan seeks to address the uncertainty of new supply schemes, identifying a transfer of Cheddar 2 as a new water supply scheme from the Wimbleball WRZ to the Bournemouth WRZ if two of the five new supply schemes in the Bournemouth WRZ cannot be implemented. The Adaptive Plan does not consider a possibility that only one of the new supply schemes in the Bournemouth WRZ cannot be implemented - this scenario has a likely consequence of not adequately addressing the scale of abstraction reduction required on the River Avon SAC, especially during periods of drought when there are exceptionally low flows.

Proposed licence capping and licence reduction on the River Avon

The revised submission sets out a case that proposed licence capping and licence reduction from AMP8 (2025) (Technical Report 5.4.3) and for water available for use assumed to be in place by AMP9 (2030) (Technical Report 5.4.5). This timescale discrepancy requires clarification. The Plan must avoid development growth adding to abstraction pressure on the River Avon and reduce existing pressure (Technical Report e.g. p81-84). From information provided to us locally by EA on these proposed changes, we consider the case made in the revised submission is incorrect and misleading.

The proposed licence cap to 121.5 ML/d as an annual average at Matchams and Knapp Mill combined is derived from the highest annual total abstraction from these two sites in recent years. This total is from year 2022, identified by EA to be a drought year in the Bournemouth WRZ with a very dry and hot summer period driving up water demand.

The cap will necessarily act to bring forward drought measures if average daily water abstraction per annum from the River Avon is on a trajectory that could exceed that in the drought year of 2022. In this context the revised submission identifies a need to impose Temporary Use Bans from 2030 until the completion of the Mendip Quarries scheme in 2042 (Technical Report p177). Clarity is required on why this measure is not required before 2030 to protect the River Avon, especially with ongoing development growth.

The proposed licence cap and licence reduction should not be relied upon to show that development growth would have no additional impact on the River Avon SAC.

A major concern to NE is that the cap retains licence headroom for additional abstraction to serve development growth in years of drought and water demand less severe than the 1 in 20 to 1 in 40 year drought event of 2022, and in more normal years. This would allow increases in the severity and duration of non-compliance with the site's conservation objectives (Common Standards Monitoring) on flow. In addition, applying an annual daily average cap to the Matchams and Knapp

Mill licences combined enables more water to be taken higher up the Avon at Matchams.

With regard to the proposed reduction of 6.65ML/d in the licenced daily maximum abstraction at Knapp Mill, we understand this equates to abstracted water that is returned to the River Avon from raw water and process losses at Knapp Mill but would not be when a new water treatment works becomes operational in 2026/2027 (Technical Report, p86-87). On this basis, the proposed licence reduction would maintain a status quo on net take of water from the River Avon with operation of the new water treatment works. It would not, as identified in the revised submission, provide a reduction in abstraction pressure on the River Avon alongside the proposed cap that would ensure 'abstraction does not grow to service the demands of new development and growth in the Bournemouth WRZ' (Technical Report, p81).

We also understand that the proposal to revise and combine the two licences has not been subject to a Habitats Regulations Assessment. This should be explicit in the revised WRMP.

It may be that measures to reduce demand pressures, or increases in water efficiency on the supply side, can offset the increase in demand from development growth and an assumed loss of licence of 12.5 ML/d on the River Stour in 2028 (however, this could also act to increase abstraction from the River Avon) as well as enable further reductions in abstraction from the River Avon before 2035 under the Best Value Plan or under the Adaptive Plan.

However, the revised submission makes a flawed case based on licence capping and daily licence reduction alone. Either the licensing proposals need to be modified in a way that is sensitive to river flow, and/or the revised WRMP24 submission is improved, bringing together a plan of measures that demonstrates adequate demand and supply side reductions in relation to development growth water demand forecasts, with reduction targets over AMP periods and additional measures under an adaptive approach if these targets are not met.

Colliford Water Resource Zone

We welcome the removal of option COL2 (River Camel - Colliford PS stage 2 raw water abstraction) from the constrained list. We also welcome the fact the SoR says it will not be progressed during AMP7, however, the language here is a bit confusing as it states "Option COL2 is not being progressed during AMP7. Options which have been accelerated to AMP7 are not included within the WRMP24 v2 and therefore are not relevant to this HRA. The WRMP24 only considers the period from AMP8 onwards." If it is not being progressed in AMP7 but it is still on the feasible list, then that means it could be accelerated in AMP8. It would be helpful to have a better understanding of what is meant here, as this option has the potential to exacerbate the adverse effect of integrity on the River Camel SAC.

We are also encouraged to see that SWW are planning to reduce abstractions on the De Lank of the River Camel SAC by 4ML/D in 2028 to aid restoring the site to Favourable condition. However, we note that licence capping will not be implemented in this WRZ until AMP9, which is when the water company suggests they will begin monitoring the condition of the site to assess whether the reductions have had any benefit to the SAC features. This does not give NE confidence that the site will be closer to achieving it's targets for flow and water availability by then, considering the material change the existing licence may face due to population growth in the catchment as well as the effect climate change may have on river flow.

There are seven drought options in the constrained list for this WRZ, five of which have not been assessed in this HRA as the document explains they were required to have a separate EAR where a HRA was carried out. They all passed the Stage 1 screening as having no likely significant effect. We advise these assessments should be included within this dWRMP as the HRA suggests that due to this assessment there is no potential for in-combination or cumulative effects with other plans and projects, including options within this dWRMP. NE are doubtful of this conclusion, particularly with option dC2 (Stannon Lake Licence). This lake feeds the River Camel SAC via functionally linked habitat and if implemented, will have an impact on the overall river flow.

We advise that an assessment be carried out to assess this against material change the existing De Lank licence may experience especially as the drought permit is applying for summer abstraction up to 6ML/D.

Wimbleball Water Resource Zone

There are no options currently within the constrained list for this WRZ which pose an obvious impact to any Habitat sites. However, due to the lack of maps for these options, this highlights further ambiguity in the Plan. It is therefore difficult to confirm SWWs conclusion of no adverse effect on integrity to Habitat sites.

For example, option 2.1.28 WIM15 Northcombe WTW to Allers WTW, consists of 74km pipeline connecting Wimbleball and Roadford WRZs. Without viewing the route on a map, we cannot assess where this pipeline might enter the boundaries of Habitat sites or their functionally linked habitat as well as other designated sites and/or hydrologically linked waterbodies.

Although we appreciate the thoroughness of the Stage 1 screening and Appropriate Assessment for these options, we would be grateful that these assessments are supported with visual interpretations of these plans so we can review the assessments ourselves. We would like to reiterate this comment here for all of the WRZs.

Roadford Water Resource Zone

Option dR5 Lee Moor Unused Quarries is a drought option which specifies using the unused water from the quarries during drought periods. The HRA identified an LSE for Dartmoor SAC due to the drawdown effect having an impact on the water table that controls the flow of hydrologically functionally linked habitat used for Atlantic Salmon migration. The appropriate assessment suggests this can be mitigated by withholding abstraction during low flows, which is confusing as this is a drought option. Furthermore, the appropriate assessment states "According to the Tamar area ALS, surface water abstraction is restricted at Q95 (the lowest flows), but available at other times of the year. This indicates that water may not be available for abstraction during typical drought periods. It is possible that this period overlaps with the sensitive migration of Atlantic salmon upstream to the SAC, as this period is not known." This does not allow the conclusions within the HRA to be beyond scientific doubt.

This uncertainty and ambiguity is a consistent theme throughout the HRA, and where this doubt remains it must be acknowledged in the conclusions.

Isles of Scilly Water Resource Zone

South West Water have been responsible for the water supply on the Isles of Scilly since 2020. In response to water quality improvement notices issued by the Drinking Water Inspectorate (DWI) in 2023, SWW confirmed their intention to install new desalination modules on 5 islands (St Mary's, Tresco, Bryher, St Agnes and St Martins).

On page 35 of the main technical report, it states "The Isles of Scilly WRZ will have desalination on all islands from 2025 and will therefore be resilient to drought. The peak seasonal demands driven by tourism in the summer will be fully supplied by our desalination schemes." However, in the options assessment these schemes have been discounted from the feasible list.

The main technical report continuously emphasises the need for desalination on these islands for drought resilience even though they are currently in a supply-demand surplus. Our marine and planning officers have been in an ongoing dialogue with SWW about the commissioning of desalination plants, yet there has been no HRA received. It is unclear whether SWW intend to go ahead with the plans suggested in the main technical report when the options assessment and environmental assessments contradict it.

Our response to the revised draft WRMP on 08 December 2023 was explicit in highlighting the lack of assessment of impacts to designated sites on the Isles of Scilly. If SWW intend to install these desalination plants we will require them to undergo a full HRA as there is potential for them to have

an adverse effect on integrity of the Isles of Scilly Complex SAC, Isles of Scilly SPA and Isles of Scilly Ramsar as well as their underpinning SSSIs.
As the dWRMP currently stands, we do not have sufficient information to conclude no adverse effect on these sites.

Further clarifications

There remains considerable contradictory and ambiguous components to the submitted dWRMP. For instance, the main technical report proposes supply options which are clearly mentioned to be essential for securing water resources but are then screened out of the feasible and constrained lists, i.e. the delivery of desalination plants on the five inhabited Isles of Scilly by 2025.

Defining and assessing the proposals within the Plan, and clarity on timelines for implementing proposals that will reduce and ultimately remove the impact on Habitats Sites (including Ramsar sites) are not consistently explored in the Plan i.e. the assumption that the Cheddar 2 SRO will be online by 2030 and which WRZ it will supply.

Some of the options in the Best Value Plan (BVP) rely on other options in the constrained list which have been discounted from the BVP, i.e. COL15 Restormel WTW- increase treatment capacity to 110MI/d (which is selected in the BVP) relies on raw water from options COL22, COL23, COL24, COL25, COL26, or COL28 (which have all been discounted).

All of this does not provide us with confidence that the Best Value Plan has been shown to be able to avoid adverse implications for Habitats Sites in relation to their conservation objectives, and nor does it appropriately addresses current situations where there are adverse implications. In addition, the HRA fails to address water resource options in the Adaptive Plan and thus does not establish whether this plan is able to avoid adverse implications on Habitats Sites if proposals in the Best Value Plan cannot be implemented or are delayed into much later AMP periods.

The technical report improves clarity on use of an Adaptive Plan to give more certainty in reducing abstraction, i.e. from the River Avon. However, the revised WRMP24 submission carries forward information from the previous plan that is incorrect and does not address the current and, with development growth and climate change, a potentially increasing abstraction pressure on this SAC during critical periods. This is compounded by a lack of clarity on timescales.

We consider these issues concerning the designated sites undermine the soundness of the WRMP24 to meet water supply demand requirements and meaningfully contribute, in an adequate and timely manner, to nature recovery under Government legislation and policy.

We would be happy to comment further should the need arise but if in the meantime you have any queries please do not hesitate to contact us.

Yours sincerely



Fergus Mitchell

Senior Officer, Freshwater
Devon, Cornwall and Isles of Scilly

Appendix 2: Extract of SoCG between Wiltshire Council and Natural England (Nov 2024) as it relates to water resources in the River Avon

Wiltshire Local Plan Review

Statement of Common Ground

As agreed between:

Wiltshire Council

And

Natural England

concerning

Wiltshire Local Plan Review

Date: November 2024

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- 3.33. This strategy, in part, established a Council-led scheme of phosphorus credits for planned development with other development expected to make its own arrangements. The Council-led scheme is one option that development can potentially use to achieve phosphorus neutrality, forming part of the solution to achieving phosphorus neutral development in the catchment. Other options can also be progressed by developers.
- 3.34. This strategy is, in part, a result of joint working between several organisations that form part of the Hampshire Avon Working Group. Including both Wiltshire Council and Natural England, cooperation with the working group will continue to ensure that phosphorous neutral development can be delivered within the Hampshire Avon catchment.
- 3.35. Natural England supports the Council's approach to the delivery of the necessary phosphorus neutrality mitigation measures within the River Avon catchment. Natural England is also satisfied that the policy wording within the Local Plan provides sufficient safeguards to ensure an adverse effect on the River Avon SAC is avoided.

Solent Internationally Protected Sites / River Test

- 3.36. The water environment within the Solent region is of international importance and one of the most important for wildlife in the United Kingdom. The condition of this region is impacted by high levels of nitrogen and phosphorus input into the water environment with evidence indicating that these nutrients are causing eutrophication at designated sites. These nutrients mostly come either from agricultural sources or from wastewater from existing housing and other development.
- 3.37. A strategic nitrogen mitigation scheme is available to applications located in the River Test catchment in Wiltshire. Applicants can join the scheme by purchasing nitrogen 'credits'. Bespoke mitigation and alternative strategic mitigation schemes can also be used; these needing to be signed off by Natural England and the legal arrangements secured.
- 3.38. Natural England is satisfied that, in addition to supporting the Council's Roundbarrow Farm nitrogen mitigation strategy, sufficient nitrogen mitigation schemes are available within the catchment and supports that adverse effects on the integrity of the Solent European Sites will be avoided.

Water resources

- 3.39. Notwithstanding the position on the strategic plans and guidance documents with regards impacts upon internationally important habitat sites, at the Regulation 19 stage Natural England outlined uncertainty in the demonstration shown that sufficient water resources were available to accommodate planned levels of growth. It was highlighted how Wiltshire Council would need to be satisfied that it can rely upon Wessex Water's

Water Resource Management Plan to be able to demonstrate there to be sufficient water resources to deliver planned growth. Certainty being important in this regard to ensure the avoidance of harm to internationally important sites.



- 3.40. Having considered this uncertainty and following feedback from the Environment Agency at the Regulation 19 stage, JBA Consulting has prepared a Strategic Water Cycle Study (Stages 1 and 2). The Study essentially examines whether the level of planned and committed growth can be resourced with potable (drinking) water and serviced with sufficient wastewater treatment. It recommends that through working with water utility companies (exchanging data on committed/planned growth) and their Water Resource Management Plans (funding bids to OfWAT to support growth), there is either sufficient capacity within existing water treatment facilities, or the scope to influence investment in improvements.
- 3.41. Defra have also recently advised Wessex Water that they have permission to publish their 2024 Water Resource Management Plan subject to a number of amendments and conditions. With respect to the River Avon SAC, Defra made clear that Wessex Water should ensure that the water needs of new growth in the catchment are not met through increased abstraction. Furthermore, Wessex Water was instructed to monitor the situation to ensure that proposed demand management measures and leakage reduction actions are sufficient to prevent any increase, and that swift action should be taken, should any increase be detected. Defra also accepted Natural England's advice that licence headroom is removed from relevant abstraction permits to ensure compliance with Habitats Regulations requirements. Both the EA and the Company have confirmed with Natural England that this process will take place in 2025. Natural England has advised that this process should be implemented in such a way as to prevent any increase in flow target non-compliance across the SAC. In parallel, Natural England notes the JBA Consulting Wiltshire Water Cycle Study Stage 2 Report conclusion that 'given the evidence of pressures on the environment, particularly rare chalk streams, and on public water supply, it is recommended that the Council considers a domestic water efficiency target of 85l/p/d for all new homes and works with the water suppliers to incentivise even lower consumption.' Natural England supports this approach and considers it is justified in the context of the challenge for Wessex Water described above.
- 3.42. In respect of Wessex Water's revised draft WRMP24, Natural England advised during a meeting with council officers from the Strategic Planning and Ecology teams on 9th October 2024, that it is now acceptable to Natural England, in light of Defra's recent advice and the conditions that have been set to allow final publication, including the capping of existing water abstraction licenses. In order for the Council to rely on the WRMP, Natural England advises that confirmation should be sought from the Environment Agency that the necessary capping of the existing water abstraction licenses will take place to an appropriate timetable.

biodiversity net gain. The overarching aim is to ensure development leaves biodiversity in a measurably better state than before, in line with the intentions of the Environment Act 2021, alongside enhancing the provision of ecosystem services.

- 3.57. Whilst Natural England offered strong support for the policy at the Regulation 19 consultation stage, there have since been updates to legislation and guidance, alongside feedback through the regulation 19 consultation, that the Council feel could be reflected within the policy. Revisions to the Biodiversity Net Gain policy are suggested for consideration as part of the examination process at Appendix B.

4. Conclusion

- 4.1. Wiltshire Council and Natural England welcome the opportunity to continue engagement under the duty to cooperate considering matters of strategic interest. Both bodies are committed to ongoing communication and collaboration to ensure effective plan-making that delivers positive outcomes for our respective residents and the wider region. This statement serves as a foundation for continued cooperation and will be reviewed as the draft Wiltshire Local Plan progresses.


Signed:
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For and on behalf of Wiltshire Council
Date: 28.11.24

Signed: 28/11/2024
Name: John Stobart, Senior Advisor
For and on behalf of Natural England
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