

Section 3: The Environment and Climate Change

3. The Environment and Climate Change

3.1. Introduction

- 3.1.1. Dorset contains a high quality natural and built environment. A significant proportion of the area is designated as AONB with a significant proportion of the coastline being designated as Heritage Coast and part of the UNESCO World Heritage Site. There are many internationally and locally important habitats and protected species and a significant number of listed buildings, scheduled monuments and other heritage assets.
- 3.1.2. The Local Plan's Vision recognises the importance of this outstanding environment and seeks enhancement with a move towards a more sustainable future. The strategic policies in this chapter will help to deliver on the Strategic Priorities for the Plan related to the Environment and Climate Change. They are listed in Figure 3.1.

Figure 3.1: Strategic policies within the Environment and Climate Change section

Strategic Priority	The role of the Local Plan	Relevant Strategic Policies
Unique environment We will protect and enhance Dorset's unique environment by delivering sustainable development which respects the area's biodiversity and increases the natural capital value of these assets, in recognition of the benefits this will bring to the economy and to our wellbeing.	The Local Plan will enable development in the most appropriate locations whilst also minimising the impact of population growth and economic activity on Dorset's environment, and bringing about net gains in biodiversity.	ENV1: Green Infrastructure: strategic approach
		ENV2: Habitats and species
		ENV4: Landscapes
		ENV5: Heritage assets
		ENV6: Geodiversity
		ENV7: Achieving high quality design
		ENV8: The landscape and townscape context
Climate and ecological emergency We will take actions to minimise the impact of	Through managing where and how development takes place, the Local Plan can minimise the distance	ENV11: Amenity
		ENV3: Biodiversity and net gain
		ENV12: Pollution control

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<p>climate change including minimising flood risk and to reduce the impact on the climate by locating and designing developments to reduce distances travelled and minimise energy use. We will support renewable energy developments appropriate to Dorset. We will ensure that all new development incorporates biodiversity net gain to help deliver the aspiration to reverse the current decline in protected species and habitats.</p>	<p>travelled and focus travel onto active travel and public transport options. The impacts of climate change can be reduced by avoiding areas at risk of flooding and building green infrastructure into developments.</p>	ENV13: Flood risk
		ENV14: Sustainable drainage systems (SuDs)
		ENV15: Land instability
		ENV16: New built development in Coastal Change Management Areas
		ENV17: Replacement or relocation of existing development in Coastal Change Management Areas

3.2. Green infrastructure strategic approach

- 3.2.1. Green infrastructure incorporates a range of spaces and assets that provide environmental and wider benefits, from children’s playgrounds to informal green space and from sustainable drainage features to cycleways.
- 3.2.2. These benefits, known as ecosystem services, can include improved wellbeing, improved outdoor recreation and access through enhanced rights of way and cycle routes, enhancements to biodiversity and landscapes, food and energy production, and can address climate change through urban cooling, reduced air pollution and the management of flood risk.
- 3.2.3. Everyone benefits from the provision of green infrastructure with responsibility for different components resting with individuals, landowners and parish and town councils, Dorset Council, community and private organisations as well as nature conservation bodies. Maximising the benefits of a green infrastructure network will require partnership working across the council area and neighbouring areas.

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Figure 3.2: Types of green infrastructure and related policies

Type	Description	Primary Function
Outdoor recreation facilities, parks and gardens (policy COM4: Recreation, sports facilities, and open space)	Sports pitches and greens, playgrounds, urban parks, country parks, formal gardens	To provide opportunities for sport, play and informal recreation (for example Bridport Leisure Centre, Redlands Sports Hub, Dorchester Borough Gardens)
Amenity greenspace (policy ENV8: The landscape and townscape context)	Village greens, urban commons, informal recreation spaces, landscape planting, other incidental space	To make attractive and pleasant built environments and to provide spaces for informal recreation (for example the 'green' off Sprague Close, Weymouth, and the open space at Baggs Lane, Wareham).
Natural and semi-natural green spaces (policies ENV1: Green infrastructure: strategic approach; ENV2: Habitats and species; ENV3: Biodiversity and net gain ENV5: Heritage assets; ENV6: Geodiversity)	Designated wildlife sites, habitats of importance to biodiversity, the Dorset and East Devon Coast World Heritage Site, Regionally Important Geological Sites, Dorset's Ecological Networks, Suitable Alternative Natural Greenspace, Heathland Infrastructure Projects	To support biodiversity and/or geodiversity, its study and enjoyment (for example Radipole Lake in Weymouth, By-the-way Field in Wimborne, Jellyfields Nature Reserve in Bridport, Hod and Hambleton Hills SSSI near Blandford).
Green corridors (policies ENV1: Green infrastructure: strategic approach; ENV8: The landscape and townscape context; ENV13: Flood risk)	Rivers and floodplains, road and rail corridors, cycling routes, rights of way, paths, trees and hedgerows, dry stone walls	To provide corridors linking wildlife sites, as part of the existing and potential ecological network, and sustainable travel network (for example the North Dorset Trailway, the River Brit corridor).

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<p>Local character areas (policies ENV4: Landscape; ENV5: Heritage assets; ENV6: Geodiversity; ENV8: The landscape and townscape context; ENV16: New built development in Coastal Change Management Areas; ENV17: Replacement or relocation of existing development in Coastal Change Management Areas)</p>	<p>Coastline, local green spaces, historic landscape screening, treed areas</p>	<p>To contribute to the character of the landscape, settlements or buildings at the strategic or local scale (for example the undeveloped coastline of Portland, or historically important spaces such as Sherborne Abbey Close or the 'slopes' in Shaftesbury)</p>
<p>Other (policies COM1: Making sure new development makes suitable Provision for community infrastructure)</p>	<p>Community spaces: Allotments, community gardens, orchards, cemeteries and churchyards</p>	<p>To provide accessible community facilities to meet local needs (for example Poundbury Community Farm, St George's churchyard, Portland and Bestwall Allotments, Wareham).</p>

- 3.2.4. The green infrastructure network is not only made up of specific sites but also incorporates incidental spaces and features (such as hedgerows) that enhance the local environment, give an area its local character, support the functions of specific sites and offer multiple wider benefits.
- 3.2.5. The key to transforming individual green spaces and features into beneficial green infrastructure is to maximise their multi-functionality and deliver strong inter-site connectivity allowing them to act as a network. This approach enhances the benefits that each individual element of green infrastructure delivers. Examples include:
- cycle routes including wildlife corridors for enhanced biodiversity which in turn support mental and physical well-being. Further links can also be made to the wider public rights of way and cycle network;
 - tree planting around recreational and amenity open spaces not only has benefits for biodiversity but also provides shade and urban cooling;

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- additions to the existing ecological network and the creation of new wildlife corridors or stepping stones between individual ecological network sites.
- 3.2.6. There are a number of strategic projects where nearby developments can contribute to realising the benefits of multi-functional green infrastructure. These include:
- The Stour Valley Park: running from Sturminster Marshall to Hengistbury Head along the Stour Valley offering improved recreational opportunities as well as wildlife and landscape benefits;
 - Lodmoor Country Park: situated on the eastern edge of Weymouth, adjacent to the RSPB Lodmoor Nature Reserve and offering a network of walking and cycling routes through a mix of woodland, wetland and grassland habitats;
 - Lorton Valley Nature Park: between Littlemoor, Radipole and Weymouth, providing recreational opportunities and a key wildlife corridor between the coast and inland greenspace;
 - Portland Quarries Nature Park: involves the restoration of worked out stone quarries on Portland to create limestone grassland habitat of international importance emphasising the natural and cultural importance of quarrying on and offering recreational opportunities;
 - Durlston Country Park: on the edge of Swanage and including internationally important grassland, an award winning visitor centre and café with a strong community focus and health and wellbeing links;
 - Avon Heath Country Park: on the edge of the south-east Dorset conurbation with emphasis on conservation, wildlife and recreation;
 - Moors Valley Country Park: between Verwood and Ringwood with a strong focus on family friendly recreation and health and wellbeing.
- 3.2.7. Development should take any available opportunities to improve the way the green infrastructure network functions, including the delivery of multifunctional benefits and linkages between different green infrastructure elements. Any enhancements should complement, and not detract from, the primary function of any site that forms part of the network (for example new flood risk attenuation measures should not make an area whose primary function is for recreation unusable).
- 3.2.8. To protect and manage and maintain green infrastructure for the long term, developers will be expected to put appropriate arrangements in place to ensure the benefits are sustained over time. These arrangements may include a partnership with different agencies including potentially with parish councils, town councils or Dorset Council. The long-term management of green infrastructure provided through

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development will be secured through conditions or Section 106 or Conservation Covenant planning agreements with the developers.

ENV1: Green infrastructure: strategic approach

- I. The primary function of any element of the green infrastructure network will be protected from the adverse impacts of development and, where appropriate enhanced by relevant policies in the development plan.
- II. Developers will be expected to incorporate enhancements to any element of the green infrastructure network which performs, or could perform, other functions to deliver multifunctional green infrastructure benefits in accordance with relevant Local Plan Policies.
- III. Any strategic development site should include provision of sufficient green infrastructure to serve the site itself and, where suitable opportunities exist, strengthen the existing green infrastructure network for example by:
 - enhancing and connecting cycling and walking provision between local facilities, local open spaces and where appropriate, the countryside;
 - connecting together and enriching biodiversity and wildlife habitats; and
 - improving connections, green corridors and links between different components of the green infrastructure network.
- IV. Any new green infrastructure provided as part of a development scheme, or any new elements of green infrastructure identified in neighbourhood plans (including local green spaces), will form part of the green infrastructure network.
- V. Development proposals must make adequate provision for the long-term management and maintenance of the green infrastructure network.

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Q: Green infrastructure: strategic approach

- 1: Do you agree with the suggested approach and what it is trying to achieve?
- 2: What about the suggested policy wording?
- 3: Could any amendments improve the policy or its strategy?

3.3. Habitats and species

- 3.3.1. Legislation and National Policy¹ establishes that public authorities have a duty to have regard to conserving biodiversity as part of policy and decision making. This applies to all nature, and Dorset Council is committed to ensuring that rare and threatened habitats and species both within and outside designated sites are protected.
- 3.3.2. Careful stewardship of our environmental assets will ensure that development is complementary to Dorset's unique natural environment and does not erode the qualities that make Dorset attractive in the first place. This is particularly important in the context of the emerging Environment Bill² which integrates the principle of biodiversity net gain alongside local nature recovery strategies and nature recovery networks into all aspects of development.

¹ Including Natural Environment and Rural Communities Act, 2006 (Sect 40); the Countryside and Rights of Way Act, 2000; the NPPF, 2019 and the associated Planning Practice Guidance and Government Circular 06/2005.

² The Environment Bill, published in draft on 15th October 2019

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Figure 3.3: Definitions of habitats sites

<p>European Sites</p> <p>The network of sites designated as SAC/SPA (including proposed SACs/SPAs) under the Conservation of Habitats and Species Regulations, 2017 (as amended)</p> <p>International Sites</p> <p>The network of sites designated as Ramsar sites (including proposed Ramsar sites) under the Ramsar Convention, 1971</p> <p>National Site Network</p> <p>The network of European and International Sites in the UK, including those designated and proposed prior to 31st December 2020, and those designated after 31st December 2020</p> <p>Natura 2000 Network</p> <p>The network of European and International Sites across Europe</p> <p>Habitats Site</p> <p>A term used in NPPF, 2019, and which includes designated and proposed SACs, SPAs and Ramsar sites</p>
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Hierarchy of designated sites

- 3.3.3. The Dorset Council Local Plan area covers a varied and geodiverse landscape which is very important to the people and wildlife of Dorset, as is reflected in the value people place on their 'patch'. It is also shown by the large number of wildlife sites which are designated for their importance on an international, national and local level, and the large number of protected species which use these and other habitats. In addition, the majority of the Dorset Council coast is covered by the Dorset and East Devon Coast World Heritage Site and a significant proportion of the Plan area is covered by the Dorset AONB and part of the Cranborne Chase and West Wiltshire Downs AONB.

Figure 3.4: Hierarchy and explanation of designated sites

Site Designation		Explanation
European / International Sites	Special Areas of Conservation (SACs) Designated under the Conservation of Habitats	Sites (terrestrial and marine) designated to conserve habitats and species which are rare or threatened and of international importance. Together with

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	and Species Regulations (2017) (as amended).	SPAs and Ramsar sites, these form the National Site Network in the UK (see box at 1.3.1). There are 17 SACs in the Plan area, 15 terrestrial and 2 marine.
	Special Protection Areas (SPAs) Designated under the EC Council Directive on the Conservation of Wild Birds and incorporated into the Habitats Regulations.	Habitat (terrestrial and marine) of international importance for birds, designated to ensure the survival and reproduction of rare breeding and migratory species. Together with SACs and Ramsar sites, these form the National Site Network in the UK (see box at 1.3.1). There are 5 SPAs in the Plan area, 4 terrestrial and 1 marine.
	Ramsar Sites Designated under the Convention on Wetlands of International Importance especially as Waterfowl Habitat, held at Ramsar, Iran, 1971.	Sites of international importance as wetlands, particularly for their populations of migratory or wintering waterfowl. Together with SACs and SPAs, these form the National Site Network in the UK (see box at 1.3.1). There are 4 Ramsar Sites in the Plan area.
National Sites	Sites of Special Scientific Interest (SSSIs) Designated under the Wildlife and Countryside Act, 1981.	SSSIs are a nationally important series of sites, 'jewels in the crown' of UK wildlife and geology. They underpin the National Site Network of International and European sites in the UK. There are 134 SSSIs in the Plan area.
	National Nature Reserves (NNRs) Designated under the National Parks and Access to the Countryside Act, 1949,	These are sites of key national or international, biological or geological importance which are managed primarily for nature conservation, but also

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	subsequently strengthened by the Wildlife and Countryside Act, 1981.	designed to be accessible to the general public for research and recreation. There are 12 NNRs in the Plan area.
	Marine Conservation Zones (MCZs)	MCZs are our nationally important network of marine sites, designated under the Marine and Coastal Access Act, 2009. There are 9 MCZs off the Dorset Coast.
Local Sites	Sites of Nature Conservation Interest (SNCIs) Non-statutory wildlife sites of local importance designated by Dorset Wildlife Trust.	SNCIs are important in a county context and selected in accordance with guidelines published by the Dorset Wildlife Trust. SNCIs provide important protection for locally valuable habitats and species which would otherwise be unprotected. They also form a key part of the wider ecological network, helping to link International, European and National sites by functioning as stepping stones. There are 1,245 SNCIs in the Plan area.
	Local Nature Reserves (LNRs) Designated under the National Parks and Access to the Countryside Act, 1949.	LNRs are sites of local importance for nature conservation and recreation. They also form a key part of the wider ecological network, helping to link International, European and National sites by functioning as stepping stones. There are 28 LNRs in the Plan area.

3.3.4. The table does not provide an exhaustive list and other features of biodiversity which are also afforded protection at a national and local level include:

- Habitats and species of principal importance under the Natural Environment and Rural Communities Act 2006;

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- Dorset Biodiversity Strategy priority habitats and species;
- Ancient woodland and ancient and veteran trees;
- Important hedges (as identified under the Hedgerow Regulations, 1997);
- Non-statutory sites set aside for wildlife and/or recreation, such as nature reserves and Suitable Alternative Natural Greenspace (SANG) sites.

European and International sites

- 3.3.5. Figure 3.4 shows the 23 European and International Sites that form part of the National Sites Network and that lie wholly or partly in Dorset. The protection of these sites is given great weight in planning decisions with national policy³ clearly stating that that 'the presumption in favour of sustainable development does not apply where the plan or project is likely to have a significant effect on a habitats site (either alone or in combination with other plans or projects)'.
- 3.3.6. Any proposal that could impact on an International and / or European site is legally required to be subject to Appropriate Assessment⁴. In addition, several International and / or European sites in Dorset have been identified to be at risk. These particular risks are discussed below. As a result, they are subject to further guidance contained within Supplementary Planning Documents (SPD). The impacts of new development on the affected International and/or European sites will be monitored to continue to inform the evidence base against which the SPDs are reviewed

Heathland sites which form part of the National Site Network

- 3.3.7. Dorset is recognised for having some of the best lowland heath left in England, and is home to a wide range of specialised species. However, the Dorset Heaths SAC, Dorset Heaths (Purbeck and Wareham) and Studland Dunes SAC and Dorset Heathlands SPA/Ramsar sites are particularly sensitive to certain developments that give rise to recreational pressure. The Dorset Heathlands Planning Framework SPD has been adopted and applies to all development within a 5km buffer of International and European heathland sites. The following forms of development (including changes of use) are not permitted within a 400m buffer around protected heathland:
- Residential development that would involve a net increase in homes;

³ Paragraph 177 of the NPPF, 2019

⁴ As required under the Conservation of Habitats and Species Regulations (2017) (as amended)

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- Tourist accommodation including built tourist accommodation, caravan and camping sites;
 - Sites providing accommodation for Gypsies, Travellers and Travelling Show People (permanent and transit); and
 - Equestrian-related development that may directly or indirectly result in an increased adverse impact on the heathland.
- 3.3.8. Between 400m and 5 km from the designated heath, development will only be permitted where it avoids significant environmental effects upon the International and European sites. In the case of large scale development, significant adverse impacts may be avoided through a bespoke mitigation package agreed with Natural England. This may include the provision of areas of Suitable Alternative Natural Greenspace (SANG) provided in perpetuity and operational before the occupation of the new development. For smaller scale development, the mitigation will be delivered through financial contributions towards Heathland Infrastructure Projects (HIPs) and Strategic Access Management and Monitoring (SAMM).

Poole Harbour SPA/Ramsar – Impact of increased Nitrates and Recreation

- 3.3.9. Poole Harbour is designated as an SPA and Ramsar site. Research has shown that Poole Harbour is particularly sensitive to eutrophication from nitrates carried in from the catchment area. Recreation on the harbour also has an impact on birds, which are species interest features of the SPA. For this reason, the Nitrogen Reduction in Poole Harbour SPD and the Poole Harbour Recreation SPD have been produced.
- 3.3.10. The Nitrogen Reduction in Poole Harbour SPD addresses the issue of elevated concentrations of nitrogen in the harbour, which encourage the formation of algal mats on mudflats and affect the viability of the harbour's important bird populations. The SPD requires new development within the hydrological catchment of Poole Harbour to be 'nitrogen neutral' ensuring that new development does not contribute to further impacts within the designated area.
- 3.3.11. The Poole Harbour Recreation SPD addresses the need to avoid or mitigate harm arising from increased levels of leisure activities on Poole Harbour SPA and Ramsar sites, where it has been shown that disturbance from these activities leads to reduced feeding time, habitat avoidance and reduced fitness and breeding success in birds. Development within the identified zone of influence is required to deliver mitigation through financial contributions which will be used in Strategic Access, Management and Monitoring (SAMMs) and identified Poole Harbour Infrastructure Projects (PHIPs).

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Chesil and the Fleet SAC and Chesil Beach and the Fleet SPA/Ramsar

- 3.3.12. Recent research has shown that recreational pressure is significantly affecting the Chesil and the Fleet International and European sites. Mitigation is required to ensure that development can take place without leading to a significant effect on these sites. Dorset Council is working to produce the Chesil and the Fleet SPD to address the issue. The SPD will set out how development must contribute financially to the identified mitigation measures and may include a mix of Strategic Access, Management and Monitoring (SAMMs) as well as infrastructure projects such as provision of an alternative area for recreation in the vicinity of the International and European sites.
- 3.3.13. Interim measures have been put in place by Dorset Council to ensure development can take place without leading to significant effect on the International and European sites. These involve use of Community Infrastructure Levy (CIL) or Section 106 planning agreement contributions to be put towards the mitigation measures outlined above.

Other National Site Network sites where likely significant effect has been identified

- 3.3.14. Consultation with Natural England and neighbouring local authorities has established that there are a number of other International and European sites which are subject to pressures likely to lead to significant effect. These are:
- Rooksmoor SAC, Cerne and Sydling Downs SAC and Fontmell and Melbury Downs SAC.. These sites are designated for habitat interest features which are sensitive to aerial nutrient deposition, in addition to species interest features which would be affected by changes to the habitat interest feature. New development may need to address this issue where it leads to additional vehicle movements which result in an exceedance of threshold limits. The Council are working with Natural England and partner local authorities to develop an appropriate mitigation strategy.
 - Somerset Levels and Moors SPA / Ramsar, River Avon SAC, Avon Valley SPA / Ramsar and River Axe SAC. These sites have been identified as being vulnerable to increased levels of phosphate, including those arising from development and Dorset Council are working with Natural England and partner local authorities to determine an appropriate mitigation strategy.

National Sites

- 3.3.15. National sites such as SSSIs and NNRs represent the best sites nationally for habitats and species and are accorded the highest level of protection in law and policy after International and European sites. In Dorset these include sites such as Hod and

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Hambledon Hills SSSI, designated for its rare chalk grassland and associated species but also of huge cultural and landscape importance. Another example is the Frome River SSSI which is the most westerly example of a major chalk stream in Britain.

- 3.3.16. Dorset Council will not permit development that would adversely affect a SSSI or NNR, including development proposed on land outside these designated areas which would be likely to have an adverse effect on the site(s) either alone or in combination with other developments. In considering whether, exceptionally, the benefits of a development would clearly outweigh the likely impact on a national site, the council will consider the impacts on the biological or geological features of the site that make it of national designation quality, as well as any broader impacts on the national network of SSSIs and NNRs.

Local sites

- 3.3.17. Local sites include Sites of Nature Conservation Interest (SNCI) and Local Nature Reserves (LNR) as well as those areas of otherwise undesignated priority and Biodiversity Action Plan habitats. SNCIs are a non-statutory designation designated locally by Dorset Wildlife Trust, with the aim of protecting our most valuable local assets. LNRs are designated for their wildlife interest but also for their opportunities for education and the enjoyment of nature, themes which are of increasing importance as part of the council's health and wellbeing remit. There are 1245 SNCIs and 28 LNRs in Dorset, covering nearly 5% of the total plan area. The amount of habitat (and associated rare and threatened species) protected at a local level is therefore considerable.
- 3.3.18. Local sites such as SNCIs and LNRs form a key part of the existing ecological network in the plan area, and are afforded additional importance through their role as wildlife corridors and stepping stones. For this reason, they have a key role to play in protecting and enhancing our national and international sites. The opportunity they provide for enhancements and net gain, as well as the contribution to the wider ecological network (underpinning the emerging Nature Recovery Network) (see Policy ENV2) is also important in delivering the objectives of the Environment Bill.
- 3.3.19. For this reason, their protection is important. Development likely to affect a local site will be refused unless adequate mitigation can be provided or, as a last resort, compensation in the form of a suitable alternative site alongside funding towards its management. Dorset Council encourages and welcomes development which enhances and expands the network of local sites.

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Protected species

- 3.3.20. Many rare or threatened species are found in the plan area and are afforded different levels of protection through international and national legislation and policy. Dorset Council declared a Climate and Ecological Emergency in November 2019 and Local Plan policy is one of the ways in which the Council seeks to reverse the loss of habitats and species in the plan area.
- 3.3.21. European protected species (EPS) are those listed in the Conservation of Habitats and Species Regulations (2017) (as amended) and are afforded the highest level of protection. They are often listed as species interest features of International or European sites but also occur in the wider landscape where there is suitable breeding, resting and foraging habitat. They include all species of bat, great crested newt, sand lizard, smooth snake, otter and dormouse among others. All species protected under the Habitats Regulations are also protected under the Wildlife and Countryside Act, 1981, and badgers are given protection under the Protection of Badgers Act, 1992.
- 3.3.22. It is the developer's responsibility to take reasonable measures to ascertain whether there are protected species on a proposed development site. Where an EPS is found outside an International or European site, determination of impacts on the species is the responsibility of the competent authority and developers will, where appropriate, be required to provide adequate surveys (usually an Ecological Impact Assessment, EclA) to enable assessment of impacts. Case law has established that the competent authority must have sufficient information to decide whether development would be likely to lead to an offence under the Habitats Regulations and, if this were so, whether a licence from Natural England would be likely to be granted.
- 3.3.23. The exception to this is where EPS are a feature of International and European sites. In this situation then Natural England must decide whether the proposal can be allowed to happen.
- 3.3.24. Species (and habitats) listed in Section 41 of the Natural Environment and Rural Communities Act 2006 are a material consideration in planning. Where initial assessment and further survey shows that there will be impacts on these species, the developer must follow the mitigation hierarchy to avoid, mitigate and if necessary provide compensation, as well as providing net gain as stipulated in the emerging Environment Bill (see Policy ENV3).
- 3.3.25. In addition, there are many species of local importance where the mitigation hierarchy must also be applied to ensure they are given due consideration when impacted by

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development. This is covered more fully in Policy ENV2 and also in the emerging Biodiversity SPD which provides additional guidance.

- 3.3.26. Data collected from all surveys must be submitted to the Dorset Environmental Records Centre.

Ancient woodland, trees, and hedges

- 3.3.27. Ancient woodland is any wooded area that has been wooded continuously since at least 1600 AD. It includes:
- Ancient semi-natural woodland mainly made up of trees and shrubs native to the site, usually arising from natural regeneration
 - Plantations on ancient woodland sites are areas of ancient woodland where the former native tree cover has been felled and replaced by planted trees, usually of species not native to the site.
- 3.3.28. Ancient and veteran trees are trees which, because of their age, size or condition are of cultural, historical, landscape and nature conservation value. They can be found as individuals or groups within ancient wood pastures, historic parkland, hedgerows, orchards, parks or other areas.
- 3.3.29. The plan area is recognised for the exceptional quality and quantity of its woodland and hedgerows, which contribute to enjoyment of the landscape but also its outstanding biodiversity. Trees also play an important role in climate change mitigation and adaptation and the council is committed to supporting this through internal policy, through production of the 'Dorset Council Tree Planting Checklist' (April 2020) and as set out in the 'Dorset Council Tree Planting and the Climate Emergency' position statement.
- 3.3.30. National planning policy states that loss or deterioration of irreplaceable habitats should be refused unless there are wholly exceptional circumstances and a suitable compensation strategy exists. In Dorset this includes ancient woodland and ancient and veteran trees (whether within an ancient woodland or within the wider landscape) but also other habitats such as some types of sand dune, saltmarsh, reedbed and heathland. The council will seek Natural England's advice on whether a habitat affected by development should be considered to be irreplaceable by virtue of it being technically difficult or requiring significant timescales to replace.
- 3.3.31. Wholly exceptional reasons which may justify the loss or deterioration of irreplaceable habitats include infrastructure projects (including nationally significant infrastructure

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projects, orders under the Transport and Works Act 1992, and hybrid bills) where the public benefit would clearly outweigh the loss or deterioration of habitat.

Development of this type, which would be likely to result in the loss or deterioration of irreplaceable habitats must be accompanied by a suitable compensation strategy.

- 3.3.32. A countryside hedgerow is a boundary line of bushes which can include trees. A hedgerow is protected, meaning it cannot be removed without further consideration, if it meets certain criteria for length, location and importance, as defined under the Hedgerow Regulations, 1997. Development affecting hedgerows will be considered under the Dorset Biodiversity Appraisal Protocol (see Policy ENV2) to ensure adequate mitigation and, as a last resort, compensation is secured.

ENV2: Habitats and species

International and European sites

- I. Proposals for development must not adversely affect the integrity of International or European sites either alone or in-combination with other plans and projects, unless the tests set out under the Conservation of Habitats and Species Regulations (2017) (as amended) are met. Where adverse impacts are identified measures must be put in place to avoid, mitigate or compensate these impacts. Adverse impacts that cannot be avoided or adequately mitigated will not be permitted other than in exceptional circumstances. These circumstances only apply where:
 - there are no suitable alternatives;
 - there are Imperative Reasons of Overriding Public Interest; and
 - necessary compensatory provision can be secured to ensure that the overall coherence of the National Site Network of SACs, SPAs and Ramsars is protected.
- II. Where specific impacts have been identified in relation to particular sites, mitigation measures for these sites will include:

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- In relation to Dorset Heaths SAC, Dorset Heaths (Purbeck and Wareham) and Studland Dunes) SAC and Dorset Heathlands SPA/Ramsar, contributions from development within 5km of the heathland designations towards the sustainable management of the heathland sites or contributions towards the provision of suitable alternative natural greenspace (SANG).
- In relation to the Poole Harbour SPA/Ramsar,
 - contributions towards the effective management of the site to reduce eutrophication from additional nitrates arising from development,
 - contributions towards the effective management of the site to reduce recreational pressure
- In relation to Chesil and the Fleet SAC and Chesil Beach and the Fleet SPA/Ramsar, contributions towards the effective management of the site to reduce recreational pressure or contributions towards the provision of suitable alternative natural greenspace.
- In relation to Fontmell and Melbury Downs SAC, Cerne and Sydling Downs SAC and Rooksmoor SAC, contributions towards measures to reduce aerial nutrient deposition arising from increased traffic linked to new development.
- In relation to Somerset Levels and Moors SPA/Ramsar, River Avon SAC, Avon Valley SPA/Ramsar and the River Axe SAC, contributions towards measures to reduce increased levels of phosphate arising from development.

National sites (SSSI and NNR)

- III. Proposals for development which do not adversely affect the integrity of International or European sites or other internationally designated sites, but which are likely to have an adverse effect on a national site (whether the development is within or outside the site) will not normally be permitted. The only exception is where the benefits clearly outweigh both the impacts on the special features of the site and broader impacts on the national network of sites. In these circumstances, development will only be permitted where it can be shown that adverse impacts on biodiversity will be:
- Mitigated, or
 - Where adverse impacts cannot be adequately mitigated, compensation will result in the maintenance or enhancement of biodiversity.

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Local sites (SNCIs, LNRs)

- IV. Local sites will be safeguarded from development through use of the mitigation hierarchy with avoidance as the preferred approach. This is in recognition of their intrinsic value for rare and threatened habitats and species, and their role in the wider ecological network where they function as wildlife corridors and stepping stones. Where impact is unavoidable, developers must provide mitigation or, as a last resort, compensation in the form of replacement habitat in a suitable alternative location to ensure there is no net loss of biodiversity, as set out in Policy ENV2. Where this last option is used, funding will be secured to enable management of the replacement site for at least 30 years.

Protected species

- V. Adverse impacts on European Protected Species and UK protected species must be avoided wherever possible subject to the legal tests afforded to them and where applicable, unless the need for or benefits of development clearly outweigh the loss. In all cases the mitigation hierarchy must be applied.
- VI. Development that is likely to have an adverse effect on a European Protected Species will only be permitted if:
- there are reasons of overriding public interest why the development should proceed, and
 - there is no alternative acceptable solution, and
 - adequate provision can be made for the retention of the species or their safe relocation

Ancient woodland, ancient and veteran trees, and hedges

- VII. Development resulting in the loss or deterioration of ancient woodland, ancient or veteran trees (or other irreplaceable habitats) will be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists. Proposals that would result in the loss of individual ancient or veteran trees located outside ancient woodlands will be refused on the same grounds.
- VIII. The removal of large mature tree species and their replacement with smaller shorter lived species will be resisted.
- IX. Important hedgerows will be given consideration as set out in the Hedgerow Regulations, 1997, and development affecting an important hedge will be expected to avoid impacts in the first instance. If this is not possible then mitigation must be

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provided, or as a last resort compensation to include funding for management for at least 30 years.

Proposals where the primary purpose is to conserve or enhance biodiversity and deliver a net gain for such objectives will be supported in principle where this accords with other policies in the Local Plan.

Q: Habitats and species

- 1: Do you agree with the suggested approach and what it is trying to achieve?
- 2: What about the suggested policy wording?
- 3: Could any amendments improve the policy or its strategy?

3.4. Biodiversity and net gain

- 3.4.1. Dorset Council's Local Plan approach to avoiding significant harm and securing net benefits for biodiversity must be applied to all proposals which may affect biodiversity interests, whilst also having regard to the protection afforded to habitats and species by legislation and national and local planning policies.
- 3.4.2. Use of the mitigation hierarchy is fundamental to Dorset Council's approach to protecting biodiversity. Development must avoid adverse impact on biodiversity features as a first principle. Where impacts cannot be avoided through alternative location or design then mitigation measures must be put in place in order to reduce the impact to the point where it no longer has significant effect. Where this is not fully possible the applicant must address residual losses via off-site compensation measures. These must result in at least 'like for like' habitat creation either via direct

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habitat management measures or provision of funding through a legal agreement with the Council. Where a proposal identifies a need for mitigation and/or compensation, full details of these measures must be incorporated into the project design and will be secured via appropriate condition.

The Dorset Biodiversity Appraisal Protocol

- 3.4.3. In order to comply with existing government legislation and Natural England advice on biodiversity, Dorset Council operates the Dorset Biodiversity Appraisal Protocol (DBAP), incorporating the Dorset Biodiversity Compensation Framework, across the Plan area. The DBAP requires a Biodiversity Plan summarising all impacts on ecology to be submitted, assessed and approved by the Council's Natural Environment Team prior to validation. This standardised process is the Council's preferred approach to assessing impacts on biodiversity arising from development. It is based on the mitigation hierarchy and designed to set out and resolve ecological issues at the start of the application process. The scheme is being updated to include the measures set out in the Environment Bill and will be published as a Supplementary Planning Document. The aim is to provide clear advice to developers which will be updated as national guidance progresses.
- 3.4.4. To ensure that the planning authority has sufficient information to properly determine a planning application, applicants are expected to undertake an Ecological Impact Assessment. This assesses the potential effects of their development proposals on relevant species or habitats. The assessment must be appropriate to the nature and scale of the development, as set out in the DBAP and national guidance BS42020: Biodiversity Code of Practice for Planning and Development.
- 3.4.5. The Dorset Environmental Records Centre must be consulted to provide baseline data to inform ecological assessments and all data gathered for the purpose of ecological assessment should be submitted to DERC.

The Environment Bill

- 3.4.6. In addition to the legislative and policy framework set out in the supporting text of Policy ENV2, the government introduced the Environment Bill to parliament in 2019. This Bill, expected to become law within the drafting and consultation phases of the Dorset Council Local Plan, makes provision for targets, plans and policies for improving the natural environment. The Environment Bill legislates the measures contained in the government policy paper 'A Green Future: Our 25 Year Plan to Improve the Environment' (2018) and states that the 25 Year Plan forms the first of

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the 'Environment Improvement Plans' which the government will be required to produce periodically under the new Bill.

- 3.4.7. Measures included in the Environment Bill which form part of this plan include:
- Biodiversity net gain, incorporating use of biodiversity metrics and conservation covenants
 - a Nature Recovery Network
 - Local Nature Recovery Strategies

Net gain

- 3.4.8. Biodiversity net gain is an approach to development that leaves the natural environment in a measurably better state than beforehand. Developers will be required to produce a baseline assessment of the biodiversity currently present on site and then estimate how proposed designs will increase that biodiversity, either on or off-site. Calculation of pre- and post-construction biodiversity levels will be based on Defra's Biodiversity Metric (as set out in the Environment Bill) which creates an indicative biodiversity quality score pre- and post-construction. Developers must monitor and maintain habitat creation or other net gain measures for a minimum of 30 years, and this must be set out clearly as part of a planning application. Where long-term land use change is required as part of off-site net gain (and/or habitat compensation) provision, the use of conservation covenants is encouraged. These are voluntary but legally binding agreements which continue even after a landowner has parted with the land, to ensure that the conservation value of the land is protected.
- 3.4.9. In seeking to secure biodiversity net gain (or provision of compensatory habitat under the mitigation hierarchy) developers will be expected to consider the restoration and re-creation of priority and locally important habitats, the protection and recovery of priority species and measures to enhance the existing and potential Ecological Network.
- 3.4.10. Developers will be required to deliver a minimum 10% net gain from all relevant development. In addition, they will be expected to incorporate biodiversity enhancements in and around the built environment where there are suitable opportunities. These can include bird boxes, bat boxes, reptile hibernacula, bee houses, and other features which will contribute to the wider green infrastructure of the development.

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- 3.4.11. Guidance on achieving net gain and enhancements is set out in the Dorset Biodiversity Appraisal Protocol and will be incorporated into the Biodiversity Supplementary Planning Document to further guide and inform development.
- 3.4.12. Documents such as the National Design Guide (MHCLG, 2019), Biodiversity Net Gain Good Practice Principles for Development (CIEEM, IEMA, CIRIA, 2019) and the emerging BS8683 British Standard for Net Gain (in draft) should also be referred to.

Nature Recovery Network and Ecological Networks

- 3.4.13. Planning Practice Guidance states that “the Nature Recovery Network is an expanding and increasingly connected network of wildlife rich habitat across England”, and that “Local ecological networks can make a significant contribution to developing the Nature Recovery Network”. In Dorset, the Dorset Environmental Records Centre produce regularly updated Ecological Network Maps of the potential and existing ecological network for the Local Nature Partnership. These will be used to underpin Dorset’s emerging Nature Recovery Network and must be used to identify opportunities for habitat compensation (if required) and net gain. This will help ensure that the ecological network is capable of delivering a wide range of ‘ecosystem services’ such as improvements to health and wellbeing, flood risk management and climate change mitigation and adaptation.

Local Nature Recovery Strategy

- 3.4.14. The Environment Bill includes a requirement for the production of Local Nature Recovery Strategies (LNRS). LNRS should set out priorities and opportunities for protecting and restoring nature in the area. They will be a useful tool to guide development and associated provision of compensatory habitat and net gain. While the Dorset LNRS is in draft, developers should refer to the Dorset Ecological Network (existing and potential) Maps and the Dorset Biodiversity Strategy, 2010, as well as areas identified as strategic Green Infrastructure such as Stour Valley Park and the Portland Quarries Nature Park. Documents such as the Weymouth and Portland Urban Wildlife Corridors and Stepping Stones (DERC, 2020) report should also be used to identify local opportunities for compensatory habitat creation and net gain. Use of these sources will ensure that development contributes to the restoration and enhancement of biodiversity in Dorset.

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ENV₃: Biodiversity and net gain

- I. Proposals for development should avoid harm to biodiversity. If significant harm cannot be avoided proposals must incorporate adequate mitigation or (as a last resort) compensation. Where harm cannot be avoided and adequate mitigation or compensation is not proposed, permission will be refused.
- II. Development (other than that exempt under the terms of the Environment Bill) must deliver a minimum of 10% net gain in biodiversity through the restoration and re-creation of habitats forming part of the existing and proposed Ecological Network.
- III. Wildlife enhancements will be secured where appropriate within the built environment for all scales of development.
- IV. Developments will provide for the long-term monitoring and management of biodiversity features retained and enhanced within the site and for features created off-site to compensate for development impacts or to enable delivery of net gain.
- V. All new, enhanced and restored biodiversity provision should seek to be an exemplar of best practice and innovation in its design and on-going management.
- VI. Proposals where the primary purpose is to conserve or enhance biodiversity and deliver a net gain for such objectives will be supported in principle where this accords with other policies in the Local Plan.

Q: Biodiversity and net gain

- 1: Do you agree with the suggested approach and what it is trying to achieve?
- 2: What about the suggested policy wording?
- 3: Could any amendments improve the policy or its strategy?

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3.5. Landscape

Introduction and approach

- 3.5.1. Dorset's unique environment makes it a special place to live, work and visit and one of the council's priorities is to help to deliver sustainable development while protecting and enhancing the environment. Dorset includes two Areas of Outstanding Natural Beauty (AONBs), two Heritage Coasts and many other 'valued landscapes'. Outside these designated areas, landscapes (and seascapes) may still be attractive, may play an important role in the setting of settlements, and may be popular with local people.
- 3.5.2. As all landscapes in Dorset are important, our approach is to ensure that they are not harmed by development that would detract from their character and visual quality. In assessing harm to landscapes (and seascapes), the council will take account of any direct, indirect and cumulative impacts. Indirect impacts could be caused, for example, by changes to drainage which could affect the landscape downstream of a development. Cumulative impacts could be caused, for example, by the extension of an existing development which already causes harm due to its character or nature.
- 3.5.3. Special considerations also apply in AONBs, Heritage Coasts and other 'valued landscapes' in line with national policy.

Information requirements

- 3.5.4. Developers should demonstrate that they have fully considered the context of their proposals, which will require sufficient information to be supplied with any application so that the council can fully assess the likely impacts of the proposed development on the landscape.
- 3.5.5. All major development applications must be accompanied by a Landscape and Visual Impact Assessment (LVIA) carried out by a qualified professional in accordance with current guidelines published by the Landscape Institute. Applications for smaller developments may require an LVIA or landscape appraisal if the proposals are likely to impact on landscape character and / or be visually intrusive in the wider setting. Further guidance is provided in the council's validation checklist.
- 3.5.6. In order for the impacts of a development on the landscape to be assessed, all applicants should provide:

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- an assessment of the existing landscape / townscape character of the site and its intrinsic / visual qualities, including features such as trees, patterns of hedgerow, woodland, topography and watercourses;
 - an assessment of sensitivity of the landscape to the development proposed;
 - an assessment of the landscape and visual impact of a proposal (including the potential cumulative impacts), which should demonstrate how the landscape character, qualities, sensitivity and wider setting have informed the proposed application. This should include evidence of the sensitive incorporation of local character and important landscape features into the proposed scheme;
 - measures to mitigate the impacts on the landscape together with evidence of their effectiveness; and
 - evidence that opportunities to improve and enhance the character and quality of an area have been taken (including, where appropriate, measures to enhance the existing local green infrastructure network in accordance with Policy ENV1).
- 3.5.7. Landscape and seascape character assessments and townscape appraisals are available on the council's website and the AONBs' websites and should be used to guide the principles of the design and mitigation measures.

Designated landscapes

- 3.5.8. Dorset includes various designated landscapes of the highest quality, where special considerations in national policy apply.

Areas of Outstanding Natural Beauty

- 3.5.9. A large proportion of the county is covered by the two designated Areas of Outstanding Natural Beauty (AONB): the Dorset AONB; and the Cranborne Chase and West Wiltshire Downs AONB. AONB designation gives statutory recognition to the national importance of the landscape and the council will have regard to the conservation and enhancement of this natural beauty when making planning decisions. In considering how proposals may affect the landscape and scenic beauty of the AONBs, consideration will be given to impacts on: the distinctive character of the landscapes; local landscape features; and special qualities, such as tranquillity and remoteness.
- 3.5.10. Proposals should not conflict with the aims and objectives of the relevant AONB Management Plan and developers will be required to demonstrate how they have had regard to them.

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- 3.5.11. The council will seek to protect the AONBs from development which is outside the designated areas, but which would cause harm to its landscape character or adversely affect its natural beauty or harm the setting of the designated area (for example because of its visual prominence).

Heritage Coasts

- 3.5.12. Most of the Dorset coastline falls within either the West Dorset Heritage Coast or the Purbeck Heritage Coast. All areas of defined Heritage Coast, except a small area west of Chickerell, lie within and are subject to policies that protect the Dorset AONB. The small section of the West Dorset Heritage Coast that lies outside the Dorset AONB is protected by policy ENV5.

Other 'Valued Landscapes'

- 3.5.13. A non-designated area may be considered to be a valued landscape if it shows demonstrable physical attributes that make it special. The identified physical qualities of a landscape can be established through the use of the most recent landscape character assessments. The physical attributes that make a landscape valued include: landscape quality (condition); scenic quality; rarity; representativeness; conservation interests; recreation value; perceptual aspects and associations. The appraisal of these attributes will help to establish whether the landscape is 'valued' in national policy terms. If this is not possible, a full Landscape and Visual Impact Assessment (LVIA) may be required to make that judgement.
- 3.5.14. Neighbourhood Plans can have a role in identifying 'valued landscapes' based on their physical attributes.

ENVV4: Landscape

- I. All development should conserve and enhance the landscape and seascape. Development should respond positively to the local and wider context of the proposal site and should avoid adverse impacts on existing features.
- II. Where an adverse impact is unavoidable, mitigation measures should be incorporated into the development proposal in order to reduce this impact. Mitigation should result in no significant adverse impacts on the landscape or seascape.
- III. Mitigation measures must be appropriate to and make a positive contribution to the character of the landscape / seascape setting of the area. Measures should be adequate and proportionate to mitigate:

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- any adverse impacts on the existing landscape character and key landscape features; and
- any adverse impacts on visual amenity.

IV. Development which significantly harms the visual quality or landscape / seascape character and / or fails to take opportunities to conserve and enhance these qualities will be refused.

AONB

- V. Within an AONB, major development will be refused unless there are exceptional circumstances and it can be demonstrated to be in the public interest. Minor development within an AONB or affecting its setting, will only be permitted if:
- it does not harm the landscape and scenic beauty of the AONB and its setting; and
 - it does not conflict with and contributes towards the aims and objectives of the relevant AONB Management Plan.

Heritage Coast and the AONB

VI. Development within the section of the West Dorset Heritage Coast that lies outside the Dorset AONB will only be permitted if it does not harm the special character of the area. Major development will only be permitted if it is compatible with the special character of the Heritage Coast.

Other valued landscapes

VII. Where development is proposed in an area designated as a valued landscape in the development plan or that possesses the physical attributes that enable the area to qualify as valued landscape, the impacts of the development on that landscape will need to be weighed against the benefits of the proposal. Developments that have significant adverse impact on the identified qualities of the valued landscape will be refused.

Q: Landscape

- 1: Do you agree with the suggested approach and what it is trying to achieve?
- 2: What about the suggested policy wording?
- 3: Could any amendments improve the policy or its strategy?

3.6. Protecting and enhancing heritage assets

- 3.6.1. Dorset benefits from a rich and diverse range of heritage assets which contribute to local character, distinctiveness and a sense of place. In addition to a World Heritage Site, over 9,200 Listed Buildings, nearly 1,000 Scheduled Monuments, 174 Conservation Areas and 39 Registered Parks and Gardens, Dorset's historic environment includes a vast range of non-designated heritage assets, including buildings of local importance, non-registered historic parks and gardens, historic and cultural features of the landscape and non-scheduled archaeological sites. Dorset's Historic Environment Record (HER) provides information about many of these heritage assets.
- 3.6.2. The conservation of the historic environment contributes to sustainable development by bringing wider social, cultural, and economic benefits. This is achieved through the processes set out in the National Planning Policy Framework (NPPF) and associated Planning Practice Guidance (PPG). Further guidance, including technical guidance on specific conservation topics, is available from Historic England and other heritage bodies.
- 3.6.3. National policy aims to protect all designated and non-designated heritage assets in a manner that reflects their significance. Where a development proposal would affect a heritage asset (or assets), national policy requires an assessment of the significance of

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the relevant asset (or assets) and an evaluation of the harm to the significance that would result. Any harm to, or loss of, the significance of a designated heritage asset requires clear and convincing justification. The effect of a development proposal on the significance of a non-designated heritage asset should be taken into account in decision-making.

- 3.6.4. Dorset Council will apply national policy and guidance and have regard to guidance from Historic England and other heritage bodies when making decisions on development proposals affecting heritage assets.

Designated heritage assets

- 3.6.5. Designated heritage assets are designated (or listed) under statute. Some heritage assets, such as listed buildings, benefit from statutory protection, requiring specific statutory duties to be exercised or specific statutory tests to be applied in assessing the impact of a development upon them. They may also be subject to a separate specific heritage-related consent regime.
- 3.6.6. World Heritage Sites are sites, places, monuments or buildings of Outstanding Universal Value (OUV) to all humanity. Most of Dorset's coastline forms part of the Dorset and East Devon Coast World Heritage Site (also known as 'The Jurassic Coast'). It was designated by UNESCO in 2001 because of its natural, rather than cultural, significance. World Heritage site designation brings no additional statutory controls but protection is afforded through national planning policy and other designations that may cover the site. Much of the Dorset coast is also defined as Heritage Coast.
- 3.6.7. Scheduled Monument designation provides protection for nationally important monuments and archaeological remains. Works affecting a scheduled monument are likely to require prior written consent from the Secretary of State for Digital, Culture, Media and Sport (known as Scheduled Monument Consent) as well as planning permission.
- 3.6.8. Conservation Areas: local authorities have a duty to designate areas of special architectural or historic interest as conservation areas and to make sure their character and appearance is preserved or enhanced. In designating conservation areas, consideration is given not only to individual and groups of buildings but also to their surrounding townscape, landscape and setting. Many of the conservation areas in Dorset have appraisals that describe their character and identify special features.
- 3.6.9. Tighter planning controls exist in conservation areas with consent required for the demolition of buildings and for works to trees. The council may make Article 4

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directions to remove permitted development rights in all or part of a conservation area where important features are being degraded.

- 3.6.10. Listed Buildings: Buildings 'listed' as being of special architectural or historic interest are protected by law. Listing covers the whole property, inside and out, any object or structure fixed to it, and any object or structure within the building's curtilage that was built prior to 1 July 1948.
- 3.6.11. Proposed works to listed buildings may require listed building consent as well as planning permission. Listed building consent is required for any works which would affect its character as a building of special architectural or historic interest and so, depending on the nature of the works, this could include repairs when these are extensive or affect particularly significant elements of the building.
- 3.6.12. The register of Historic Parks and Gardens is intended to celebrate designed landscapes of note, and encourage appropriate protection. Parks and gardens of national significance are identified by Historic England and listed in its Register of Parks and Gardens of Special Historic Interest as either Grade I (international importance), Grade II* (exceptional historic interest), or Grade II (special historic interest). Entry on the register is a material consideration when determining a planning application.

Non-designated heritage assets

- 3.6.13. Non-designated heritage assets receive no statutory protection, but national policy establishes that the effect of development on the significance of a non-designated heritage asset should be taken into account when a planning application is determined.
- 3.6.14. Buildings, monuments, sites, places, areas or landscapes are considered to be non-designated heritage assets where they demonstrate architectural, artistic / aesthetic or historic interest; offer a cultural connection to the past; are locally significant through association with notable persons or events; or add significantly to the character or appearance of an area.
- 3.6.15. Non-designated heritage assets that have already been identified include locally listed heritage assets, non-registered parks and gardens and undesignated archaeological sites. Though many are identified in legacy 'Local Lists', Conservation Area Appraisals and Neighbourhood Plans, many more remain to be identified. Applicants are encouraged to consider the potential for non-designated heritage assets at the earliest stages of development proposals.

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- 3.6.16. Archaeological sites of regional or county importance are not legally protected. However, an undesignated archaeological site which is shown to be of equivalent importance to a Scheduled Monument will be given the same level of protection as a designated heritage asset in accordance with national policy.

A positive strategy for the historic environment

- 3.6.17. Heritage assets are an irreplaceable resource that can contribute significantly to the understanding of the heritage of a place and enhance the quality of life of existing and future residents and visitors. The best way to ensure the longevity of heritage assets is to ensure that they are regularly maintained and have viable uses consistent with their conservation. The council will work positively and strategically to achieve this aim including in relation to heritage on the 'at risk register'.
- 3.6.18. To enable the enjoyment of the historic environment, the council will work to explain and develop a better understanding of the importance of the historic environment by:
- producing and reviewing Conservation Area Appraisals and Management Plans and considering the possibilities for enhancements and additional protection, e.g. through Article 4 Directions;
 - working with communities to identify non-designated heritage assets through 'Local Lists', Conservation Area Appraisals and Neighbourhood Plans; and
 - maintaining a local 'buildings at risk' register of Grade II listed buildings.
- 3.6.19. To guide development in respecting the historic environment, the council will develop plans and strategies including:
- using site allocation policies, masterplans, design briefs, design codes and detailed design policies to avoid or minimise harm to the significance of affected heritage assets and their settings;
 - providing advice and guidance to neighbourhood plan groups in addressing the historic environment in Neighbourhood Plans;
 - producing topic-specific guidance notes and Supplementary Planning Documents on heritage-related themes as necessary;
 - helping to create successful places for businesses, for example by contributing to and supporting public realm strategies in town centres; and
 - supporting strategies to develop heritage-led tourism and heritage-led regeneration.
- 3.6.20. The Council will work with partner organisations and applicants to:

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- develop and implement management plans affecting historic landscape and natural features including the AONBs and the Jurassic Coast World Heritage Site;
- encourage the early use of pre-application advice service to ensure that heritage assets are considered from the outset of a development proposal and so that heritage assets are seen as an opportunity rather than a constraint to development;
- encourage appropriate energy efficiency improvements through a 'whole-house approach', informed by an understanding of the construction of the building to guide appropriate repair, maintenance and retrofit;
- encourage the sustainable reuse and adaptation of existing buildings in preference to demolition;
- explore opportunities to address heritage assets on the national and local Heritage at Risk registers (working with Historic England and other partners) to encourage the appropriate repair and reuse of these assets; and
- address unauthorised works or ongoing neglect and deterioration of heritage assets by utilising statutory enforcement powers, where necessary.

Assessing significance

- 3.6.21. When considering development proposals that may have a direct or indirect impact on one or more heritage asset, it is important to assess the significance of any assets concerned. This includes the contribution made by the setting of any assets affected.
- 3.6.22. Statements of heritage significance submitted in support of a planning application should be impartial and objective. The statement should demonstrate a thorough familiarity with the affected heritage assets. It should not simply justify a scheme that has already been designed. The scope and design of the proposal should be informed by the assessment of significance and not the other way around.
- 3.6.23. The information provided in any 'statement of heritage significance' should be proportionate to the significance of the asset and no more than is needed to understand the potential impact of a development proposal. However, the analysis to inform the statement should be as full as necessary to demonstrate that the significance of the heritage asset and the potential impacts of the development proposal have been understood. All heritage assets that may be affected by the proposal will need to be considered through the statement of heritage significance.
- 3.6.24. For buildings of Grade I and Grade II* listing, or those which show a complex evolution, applicants should provide a detailed appraisal (also referred to as a Conservation Statement) which both identifies and assesses significance and also

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identifies scope for change and areas for retention. This should consider cumulative impacts of change to the heritage asset and also the impact of the proposal on nearby heritage assets.

- 3.6.25. Dorset has a large number of nationally important heritage assets such as historic houses, castles, parks and gardens. These assets are often complex, with multiple layers and interests to consider and specific pressures on their management. Where development is proposed, Conservation Management Plans should be produced to draw together all that is significant about the asset, assessing why it matters and how it will be conserved and managed whilst balancing pressures and needs for change. These Conservation Management Plans should take a long-term view of the future of the heritage asset.
- 3.6.26. Where Conservation Statements and Conservation Management Plans are provided, they should incorporate the statement of heritage significance.
- 3.6.27. Applications affecting known sites of archaeological importance must be accompanied by the results of an archaeological assessment and where necessary, a field evaluation, in order that an informed decision can be made on the application. Where it is reasonable to assume that previously unrecorded archaeological remains exist on a site, the council will require a desk-based assessment and, if necessary, a more detailed assessment such as a field evaluation. Advice on the information required in any particular case is available from the council's archaeologists

Assessing harm

- 3.6.28. In determining planning applications the council will consider the impact that proposed development will have on the significance of a heritage asset, recognising that impacts can be positive, negative or neutral.
- 3.6.29. When considering the impact of proposals on heritage assets, the council's assessment will be guided by finding a solution that will avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal. The council will work proactively with applicants to determine whether such conflict is necessary or if proposals could be taken forward in a different way to sustain and, where possible, enhance the assets.
- 3.6.30. Recognising that impacts can be positive, the council will encourage development proposals which:

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- are sympathetic to their historic context in terms of form, scale, mass, materials, setting and any other aspects that contribute to the significance of affected heritage assets;
 - demonstrate high-quality design which contributes to local character and distinctiveness;
 - bring vacant or redundant heritage assets back into an appropriate and optimum viable use in a manner consistent with their conservation;
 - minimise the impact on visual or non-visual aspects of setting that contribute to the asset's significance; and
 - where appropriate, successfully integrates modern design approaches into historic settings.
- 3.6.31. Different considerations apply when considering the direct or indirect impacts development may have on different types of heritage assets. When assessing proposals affecting the Dorset and East Devon Coast **World Heritage Site**, the Council will have particular regard to the Jurassic Coast Partnership Plan, which aims to:
- protect the site's Outstanding Universal Value (OUV);
 - conserve its natural heritage; and
 - promote the sustainable use and enjoyment of the site.
- 3.6.32. Recognising that impacts can be positive, the council will encourage development proposals in **Conservation Areas**, which:
- preserve or enhance the characteristics which contribute to the significance of a Conservation Area, such as settlement pattern and the form and use of buildings; and
 - avoid adverse impacts on and loss of buildings, significant spaces, views, and any elements which make a positive contribution to the character or appearance of a Conservation Area.
- 3.6.33. Buildings within Conservation Areas are often characterised in terms of their contribution to its character or appearance (i.e. positive, neutral or negative). As designated areas of special architectural and historic interest, most buildings in Conservation Areas are usually considered to be positive contributors.
- 3.6.34. Buildings will typically only be considered to be negative contributors to Conservation Areas when they demonstrate incongruous or poor design, scale or inappropriate materials. Poor condition of historic buildings through lack of regular maintenance is

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not usually sufficient for a building to be considered negative unless in exceptional cases, such as sites or buildings of long-standing vacancy or dereliction where circumstances have prevented reasonable maintenance or use.

- 3.6.35. When assessing proposals that affect a **listed building**, the council will have particular regard to the impacts on the original plan form, roof, walls and openings as well as interior and exterior features. Recognising that impacts can be positive, the council will encourage development proposals affecting listed buildings, which:
- retain the legibility of historic plan-form, both the original form and that arising from subsequent alterations which reflect changes in occupancy, use or circulation (e.g. extensions or changes to openings and internal walls); and
 - maximise the retention of historic fabric, such as roof structures, masonry, structural timbers, historic floors, doors and windows, again including both original fabric and that associated with subsequent alterations.
- 3.6.36. In cases where the extent of the curtilage of a listed building is not clear, an assessment of the extent of the curtilage will be required, which should encompass considerations such as historical and current ownership and spatial / functional relationships.
- 3.6.37. The council will have a presumption against the demolition of listed buildings or a total loss of significance through other means and will encourage sustainable and innovative approaches to reuse and adaptation.
- 3.6.38. In assessing proposals that may impact upon **non-scheduled archaeology**, the council will have particular regard to:
- the intrinsic importance of the remains and their settings;
 - the need for development and the availability of alternative sites;
 - the opportunities for mitigating measures and whether the remains are preserved in situ; and
 - the potential benefits, particularly to education, recreation and tourism.

Weighing public benefits against harm

- 3.6.39. In decision-making, the council will weigh the 'public benefits' of a proposal against the 'harm' caused to the significance of a heritage asset. The greater the significance of a heritage asset and the greater any harm to such significance, the greater the amount of public benefit that will need to be demonstrated in order for a proposal to be acceptable. Conversely, the greater the positive contribution to conserving,

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revealing and enhancing the significance of a heritage asset or securing a use for the asset that is appropriate, viable and consistent with its conservation, the greater the likelihood of support for development.

- 3.6.40. **Public benefits** are those that would benefit the wider community and not just private individuals or organisations. However, benefits do not always have to be visible or publicly accessible. In the widest sense, a public benefit may help to fulfil the planning system's role in securing sustainable development. The scale of any expected public benefits will need to be established, and will be weighed against the harm through the decision making process.
- 3.6.41. Where there is evidence of deliberate neglect or damage to a heritage asset, measures to improve the deteriorated state of the heritage asset will not be regarded as a public benefit for the purposes of decision-making.
- 3.6.42. **Harm:** Where proposals would have an overall negative impact on a heritage asset, the council will seek to establish whether the scale of harm to its significance is: less than substantial; substantial; or total loss. Any level of harm to a designated heritage asset will require clear and convincing justification.
- 3.6.43. Developers will be expected to demonstrate that reasonable steps have been taken to avoid or minimise harm caused to the significance of a heritage asset and that the public benefits could not be achieved in an alternative and more appropriate or sustainable way. When considering these issues, the council will have regard to:
- whether public benefits can be delivered in an alternative or more sustainable way;
 - whether all reasonable efforts have been undertaken to mitigate the extent of harm to significance;
 - whether the works required are the minimum to secure the long-term future of the heritage asset;
 - whether the proposed use is the 'optimum viable use', taking into account that this might not be the same as the most economically viable use;
 - whether there is evidence of deliberate neglect or damage to a heritage asset; in these cases the deteriorated state of the heritage asset will not be regarded as a public benefit for the purposes of decision-making; and
 - whether proposals have a serious adverse impact on one or more key aspects of the significance of a heritage asset, in which case the harm is more likely to be substantial.

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- 3.6.44. Where development would result in significant change to the character of a heritage asset (e.g. farm building conversions) or in exceptional cases, where substantial harm or loss is permitted, the council will require a programme of historic building recording. The manner and method of recording should be proportionate to the nature of the loss and the importance of the asset. The council will also require that this record be made publicly accessible through local archives and appropriate online repositories.
- 3.6.45. The council may also impose measures to ensure that any approved replacement development proceeds and / or to secure the structural integrity of any remaining or adjoining structures / features.

Heritage assets at risk

- 3.6.46. Every year Historic England publishes a list of designated heritage assets (specifically Scheduled Monuments, Grade I and II*) most at risk of being lost as a result of neglect, decay or inappropriate development. The council also maintains a local 'buildings at risk' register of Grade II Listed Buildings.
- 3.6.47. In exceptional circumstances, where a heritage asset is at risk and no viable use can be established to bring the asset back into use or secure it in a manner compatible with its reason for designation, it may be appropriate to enable development that would not normally be permitted, to facilitate the conservation and enhancement of the asset. In such exceptional circumstances, the applicant would need to demonstrate that other uses of the asset which do not conflict with local planning policies have been fully and rigorously explored. This provision may apply unless there is evidence of deliberate neglect or damage to the heritage asset.

Hidden/unidentified heritage assets

- 3.6.48. Dorset has significant potential for undesignated archaeological remains and a great deal of archaeological material has yet to be discovered. Similarly, important features and fabric of listed buildings can often be hidden due to later phases of construction or alterations.
- 3.6.49. Applications for development on sites which have the potential for hidden or unidentified heritage assets should be accompanied by an assessment of the likelihood of the site containing previously unidentified remains of heritage interest. Where there is reasonable evidence indicating the likely presence of such features on

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site, further survey work or evaluation may be required, including where necessary a field evaluation.

- 3.6.50. The sheer amount of heritage in Dorset means that there is the possibility for previously unrecorded heritage assets to come to light during the planning process. In these cases, the council will establish if these interests are sufficient to merit consideration in planning decisions as non-designated heritage assets.

ENV5: Heritage Assets

The impact of development proposals affecting heritage assets will be assessed against the significance of the heritage assets being affected.

- I. Development proposals should avoid or minimise harm to the significance of heritage assets, taking into account the contribution of their setting, and ensure that they are conserved in a manner consistent with their significance.
- II. Where possible, opportunities to enhance or better reveal significance should be identified and these will be taken into account when assessing the impact of the development proposal.
- III. When considering applications for development that would harm the significance of a non-designated heritage asset regard will be given to the scale of any harm or loss and the significance of the asset. Development will only be permitted if the scale of harm or loss is not outweighed by the significance of the asset.
- IV. Direct harm to locally important archaeological remains will not be permitted unless the public benefits demonstrably outweigh their significance. In such cases, a programme of recording, analysis and publication will be required.
- V. Where harm to / loss of a heritage asset can be justified, any lost features should be recorded and their significance assessed and these findings should be made publically available. Appropriate steps will be taken to ensure the new development will proceed after any justified loss has occurred and to safeguard the structural integrity of any retained or adjoining structures / features.
- VI. In exceptional circumstances, a proposal for enabling development may be supported if it would secure the long-term conservation and enhancement of a heritage asset considered to be at risk. Such development will only be permitted if:
 - it can be demonstrated that it would not be possible to secure the long-term conservation and enhancement of the heritage asset in ways that are more consistent with relevant planning policies;

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- it can be demonstrated that the enabling development is the minimum necessary to secure the long-term conservation and enhancement of the heritage asset; and
- the benefits of the enabling development outweigh the dis-benefits of departing from relevant planning policies.

Q: Heritage assets

- 1: Do you agree with the suggested approach and what it is trying to achieve?
- 2: What about the suggested policy wording?
- 3: Could any amendments improve the policy or its strategy?

3.7. Geodiversity

- 3.7.1. The geology of Dorset is internationally, nationally and locally recognised. It is considered to be important for its scientific and educational value, whilst also underpinning the landscape character of the area, its agriculture, and its public amenity importance.

The Dorset and East Devon Coast World Heritage Site

- 3.7.2. The Jurassic Coast Partnership Plan 2020-2025 identifies the 'Outstanding Universal Value' (OUV) of the World Heritage coastline in Dorset and East Devon and as a strategic aim seeks the protection, conservation and enhancement of the World Heritage Site (WHS) and its setting through local planning policy. The document's OUV statement identifies the following OUV attributes:

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- Stratigraphy (the rock record) and structure
 - Palaeontological record
 - Geomorphological features and processes
 - Ongoing scientific investigation and educational use, and role in the history of science
 - Underlying geomorphological processes in the setting of the Site
- 3.7.3. The Partnership Plan highlights the geological value of the WHS, and identifies a significant opportunity to promote the role of geodiversity within the area's landscapes; with an emphasis on the presentation of the site and people's ability to use and enjoy it.
- 3.7.4. A key characteristic of the WHS is its high rate of erosion, creating a dynamic coastline which maintains rock exposures and the productivity of the coastline for fossil discoveries. Development requiring increased coastal defences would therefore be harmful to the OUV of the site.
- 3.7.5. Although of natural, rather than cultural significance, national and local policies relating to designated heritage assets (policy ENV5) will be applied where proposals may have the potential to affect its significance, including its setting.
- 3.7.6. When refusing the proposed Navitus Bay Wind Park, the Secretary of State accepted that the proposals would change how the WHS would be experienced or enjoyed in its surroundings, and so would have adverse implications for the site's significance and OUV. Consequently, how a development could adversely affect the use and enjoyment of the World Heritage Site will be a consideration when determining planning applications.

Regionally Important Geological and Geomorphological Sites

- 3.7.7. At the local level, Regionally Important Geological and Geomorphological Sites (RIGS) are protected for their scientific and educational value. There is sometimes potential for designation of alternative sites and the creation of new exposures. The policy therefore allows some flexibility in protecting these sites, except where the features concerned are not capable of being re-created elsewhere.

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ENV6: Geodiversity

- I. Development within the World Heritage Site, or that which is likely to affect its setting, will only be permitted if it can be satisfactorily demonstrated that the 'Outstanding Universal Value' of the coastline and its geology will be preserved. Potential harm to the World Heritage Site will be evaluated with consideration of the following:
 - its significance (including its setting);
 - its attributes in relation to the 'Outstanding Universal Value' and
 - the presentation, use and enjoyment of the site.
- II. Development should maintain Regionally Important Geological and Geomorphological Sites (RIGS) for their scientific and educational value. Development that significantly adversely affects local geological features will not be permitted unless comparable sites can be identified or created elsewhere or the impact adequately mitigated through other measures.

Q: Geodiversity

- 1: Do you agree with the suggested approach and what it is trying to achieve?
- 2: What about the suggested policy wording?
- 3: Could any amendments improve the policy or its strategy?

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3.8. Achieving high quality and sustainability in design

- 3.8.1. Good design is a requirement in every location and at every scale of development from large scale mixed use schemes to minor extensions and changes to commercial units and shop fronts.
- 3.8.2. Good design and place-making has a fundamental influence on the environment, the economy and on people's lives. They are essential to achieving the aims of sustainable development, resilience to climate change and improvements to health and wellbeing. Good design creates places that:
- are appropriate to their location and context;
 - are attractive and durable and function effectively;
 - enhance and support communities and the requirements of its residents;
 - enable and support healthy lifestyles; and
 - are resilient to climate change.
- 3.8.3. Design also influences how we feel about a place and should make places special and unique – something that is often referred to as 'a sense of place'.
- 3.8.4. It is accepted by Government that high quality, sustainable design should be the aim of all who are involved in the development process and Dorset Council has the firm intention to significantly raise the standard of design and the quality of development across the county.
- 3.8.5. The following principles of good design link closely to other policies in the local plan, particularly Policy ENV4: Landscape, Policy ENV5: Heritage assets, Policy ENV1: Green Infrastructure: Strategic approach, Policy ENV3 Biodiversity and Net Gain, transport policies and other environmental policies. They are relevant to both urban and rural settings and will be used in the decision making process.

Figure 3.5: Principles of good design

Quality	Principles of good design
Permeability	The route network follows a clear hierarchy and provides multiple connections within and between existing built and natural environments. They are designed to an adoptable

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Quality	Principles of good design
	standard and to be safe and accessible, prioritising people above vehicles and supporting active travel.
Legibility	Places are clearly connected to their surrounding environments providing spaces that are clear and simple to navigate. Existing landscape and townscape views are safeguarded. Landmarks and other way- finding features are included within developments with new routes aligned to key views. Buildings are designed to reflect their context, function and importance.
Lively public realm	Public and private spaces are clearly defined with active frontages overlooking public areas. Public spaces are attractive and designed to encourage activity and continual public use.
Safety and security	Routes and spaces are carefully planned to ensure that they will be well used with doors and windows overlooking them. There is a clear definition between public and private spaces. Layout and design take account of public safety and security so that people feel safe and the fear of crime, malicious threats and antisocial behaviour does not undermine quality of life or social cohesion.
Identity and distinctiveness	Places respond positively to their landscape and townscape setting with an appropriate mix of building densities, types, sizes and uses. Layout, design, architectural style and use of materials are relevant in their setting and promote local distinctiveness whilst also creating places that have their own identity where more modern and innovative design is not discouraged.

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Quality	Principles of good design
Amenity	The impact of development on the surrounding area is carefully considered and effective mitigation is incorporated into development proposals. Places are attractive and tranquil with no excessive overshadowing, loss of privacy, noise or pollution in places people expect to enjoy.
Inclusiveness and functionality	Places have facilities that are located and designed to be accessible to all users. Layouts (including parking provision) is considered and convenient for residents and visitors. Internal and external private spaces are sufficient in size to ensure occupants can undertake day-to-day tasks and have a high quality living environment.
Adaptability and resilience	Buildings are adaptable to meet the needs of their occupiers now and in the future. Buildings are highly energy efficient and designs meet national standards as a minimum. Buildings are flexible so that they can be adapted to meet changing requirements in the future. Proposals include natural features that improve resilience to climate change.
Healthy and inclusive	Health and wellbeing is supported with designs including opportunities for people to meet and layouts that encourage walking and cycling. Safe and accessible green infrastructure, sports facilities, local shops, allotments and access to healthier food choices are provided.
Biodiversity	Places retain and protect existing natural features and habitats (including trees) and include new interconnected, multi-functional blue and green infrastructure networks that connect beyond the site boundary, support biodiversity and improve the quality of life for residents. Incorporate the requirement for minimum 10% biodiversity net gain into site design at the earliest stage, to integrate with provision of other green infrastructure. This network is integrated in a holistic and imaginative way, includes innovative Sustainable

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Quality	Principles of good design
	Drainage Systems (SuDS) and contributes to the creation of quality open spaces and a 'sense of place'.

- 3.8.6. A design led approach to development is crucial for successful place-making and achieving high quality, sustainable design. It should be integrated into the development process at the earliest stage and throughout the evolution of a scheme. The level of detail required will be proportionate to the scale and complexity of the site and the development proposals. The Council strongly advises applicants for major schemes or in sensitive locations to engage with the Council on the design of a scheme at the earliest opportunity in the pre-application process to ensure a collaborative, proactive and positive approach ensuring good design is embedded from the start.
- 3.8.7. Developers should adhere to the local design expectations set out in the Dorset Council Design Supplementary Planning Document (SPD) which will be produced alongside this plan. In addition regard should be had to national design guidance and good practice guides, neighbourhood plans; other SPDs; Landscape Character Assessments; masterplans and village / town design statements. Developers should also effectively engage with local communities about design at an early stage in the development process so that expectations can be clarified and views can be taken into account.
- 3.8.8. Plans should be based on a thorough analysis of the site and its wider setting and demonstrate a clear and logical design process that responds to the principles of good design as set out in Figure 3.5. This should be articulated fully within the material submitted to support development proposals.
- 3.8.9. For strategic housing sites, applicants should submit a masterplan covering the whole site for approval at an early stage. For sites that the Council considers to be particularly sensitive and / or substantial in scale, a Design Code may also be necessary. The council will assess development proposals using the design toolkit Building for a Healthy Life (BHL).
- 3.8.10. Schemes of a particularly sensitive nature; or where design discussions have reached an impasse will be expected to engage with a design review panel that operates under the nationally accepted Design Review Principles and Practice guidance document.

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Their advice and recommendations should inform any design changes and will also be used by the Council as part of the decision making process.

- 3.8.11. Reflecting national policy, developments that do not meet the principles of good design, as set out above and therefore fail to take the opportunities available for improving the character and quality of an area and the way it functions will be refused permission.

ENV7: Achieving high quality design

- I. Development proposals, excluding those without external alterations, should clearly demonstrate the design rationale of the scheme. This rationale should demonstrate how the principles of good design have been addressed through the consideration of the site and its wider setting.
- II. Planning permission will only be granted for proposals that are of high quality and that follow the principles of good design and place making.
- III. Permission will be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

Q: Achieving high quality design

- 1: Do you agree with the suggested approach and what it is trying to achieve?
- 2: What about the suggested policy wording?
- 3: Could any amendments improve the policy or its strategy?

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3.9. The landscape and townscape context

- 3.9.1. The local context of a development site is the landscape and townscape character of the immediate areas and its relationship with the wider surroundings. Features and attributes that contribute to the context of a place are what give an area its unique identity and distinctiveness. It includes landscape and natural features; settlement patterns; existing buildings and qualities within the townscape and the function of a place.
- 3.9.2. New development can have a significant visual and environmental impact on local context. It is important to ensure that all development proposals (including associated servicing and infrastructure) take the opportunities available to improve the character and quality of an area. Understanding and appreciating the context of a place early on in the development process is essential to ensuring that proposals are appropriate and successful in their design response. This will ensure that the identity and distinctiveness of a place is enhanced and the overall quality of an area is improved.
- 3.9.3. Although in some locations the context will be less defined it is still important to show an analysis and understanding of a place and how this has informed development proposals. In addition, there are some locations that have suffered from poorly designed development in the past, this does not set a precedent for further poor quality design and instead proposals should repair and improve the area by drawing inspiration from the best local places and buildings.

The siting of buildings

- 3.9.4. The siting and design of buildings plays an important role in how a place functions and contributes to reinforcing local character and a sense of place. Buildings should generally be sited and designed (in terms of scale, mass, architectural quality and material used) to enclose streets and spaces and contribute to legibility and way-finding, making it easier for people to find their way around. Well designed, beautiful buildings with high quality materials can bring variety and vibrancy to an area and contribute to the local distinctiveness of a place.
- 3.9.5. The density of development will differ across the local plan area and higher densities should reflect the sustainability of the location of the site. Higher densities will be more appropriate in town centres and other locations that are well served by public transport. However, the scale, mass and positioning of any new building should be in harmony with the local character of the area or any agreed masterplan for the area.

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External space provision

- 3.9.6. Developments should be fit for purpose and designed to ensure that functional elements (such as bin stores, recycling facilities, drying areas, cycle parking, mobility scooter storage and private amenity / garden space with associated storage and composting facilities) will be successfully accommodated, having regard to the uses proposed and character of the area. These facilities will also need to be provided to a level that is appropriate to the scale of development proposed.
- 3.9.7. The provision of private amenity / garden space should reflect the character of the area and the size and type of dwelling proposed; and take account of the likely number of occupants. Existing mature trees and hedges should however be incorporated within the public realm of the development rather than within private gardens. Provision of outside space of at least equivalent to the ground floor footprint of a dwelling is seen as good practice. The provision of amenity garden space below this level would not generally be considered sufficient.

Landscaping

- 3.9.8. Landscaping is fundamental to the success of a place and should form an integral part of any development scheme. Proposals should be developed alongside layout plans to ensure that they relate well to each other and to the wider character of the area. Soft landscaping (trees and planting) are important as they contribute to biodiversity, reduce the impact of development and provide colour, shape and texture to the built environment. Hard landscaping (surface materials and some forms of enclosure) can have a significant impact on the quality of a place. Materials should be relevant and appropriate to their local context and be of high quality, durable and easily maintained.

Extensions

- 3.9.9. The scale and design of extensions can have a significant impact on the individual character of a building and how it relates to its surroundings. This is particularly noticeable in the roof form as this reflects the shape and symmetry of the entire building. In general, extensions should be visually subsidiary to the original building to avoid overwhelming the original character of the building. In some cases proposals that are not subservient to the host building may be acceptable if they achieve visual enhancement to both the building and surrounding area. The roof pitch of any extension should reflect the pitch of the original building and where possible, the inclusion of dormer windows should be restricted to the rear of a property, if they do

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not form part of the character of the area. Extensions should also be well-related to the original building in terms of architectural quality, window proportions and materials.

ENV8: The landscape and townscape context

- I. All development proposals should be based on a clear response to the context of a site, its immediate setting and the surrounding built environment and its landscape character and should respect and enhance the established townscape.
- II. Provision should be made for the retention, enhancement and future maintenance of features that contribute to an area's identity and distinctiveness.
- III. The siting and design of buildings (in terms of scale, mass, density, architectural quality and materials) will respect and enhance the character of the surrounding area, reinforce a sense of place and actively improve legibility and character.
- IV. Developments should contribute positively to the creation of a successful and attractive places through the inclusion of appropriate hard and soft design features to integrate into the character of the surrounding area.

Q: The landscape and townscape context

- 1: Do you agree with the suggested approach and what it is trying to achieve?
- 2: What about the suggested policy wording?
- 3: Could any amendments improve the policy or its strategy?

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3.10. High standards of environmental performance

- 3.10.1. The use of buildings in the UK accounts for around 35% of greenhouse gas emissions with approximately two thirds of this being from residential properties. A significant amount of greenhouse gas emissions also arise during the construction of new buildings. It is therefore important that new development, conversions and changes of use achieve high standards of environmental performance.
- 3.10.2. High standards of environmental performance will be sought in larger developments through a nationally recognised assessment process and for individual buildings through both design considerations and building regulations. Particular care is required in relation to historic buildings where proposals to improve environmental performance need to be compatible with their heritage interest.
- 3.10.3. For larger developments where masterplans are to be prepared (including new mixed-use communities and single-use developments of a significant size) a nationally recognised assessment of environmental performance (such as BREEAM Communities) should be carried out. Such an assessment should be undertaken in parallel with the master-planning process to ensure that sustainable solutions are worked into the design early on, reducing the need to rework plans at later stages.
- 3.10.4. New buildings which promote high levels of sustainability should not be incompatible with the existing character of an area if they have been designed with both objectives in mind.
- 3.10.5. Energy consumption can be reduced if buildings and layouts are designed to a good standard of environmental performance from the outset. Methods which may be appropriate include:
 - applying passive solar design principles to the design of buildings and the spaces between and around them;
 - southerly facing roof slopes used for solar thermal and / or photovoltaic installations, which, where possible should be integrated into the roof design;
 - maximising opportunities for natural lighting and ventilation to buildings;
 - minimising the amount of unnecessary overshadowing, including impact on existing renewable energy generators dependent on sunlight;
 - putting in place systems to collect rainwater for use;
 - not using those materials that are the most harmful to the environment; and

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- Sustainable Urban Drainage principles (in accordance with Policy ENV14).
- 3.10.6. The Government has recently consulted on proposals to increase the energy efficiency of new homes through the Future Homes Standard. This will be achieved through building regulations and is scheduled to be introduced by 2025. The results of this consultation, once published, will help inform how the local plan addresses the energy efficiency of new homes.
- 3.10.7. In considering improvements for energy conservation it is important to remember that many historic (traditional) buildings perform very differently from modern buildings and expert advice should be sought when making improvements. The types of improvement that are most likely to be effective and compatible with a historic building (including listed buildings) include:
- improved draught proofing;
 - increased roof insulation using natural materials;
 - installation of secondary glazing;
 - installation of an energy efficient boiler; and
 - installation of a ground heat source pump.
- 3.10.8. The installation of solar panels or photovoltaics within the curtilage of a historic (listed) building may also be possible provided that these would not irreversibly damage the historic fabric of the building, and that the impact on the listed building, including views of the building, would be limited. The roofscape, together with the location and design of the panels, including choice of materials, colours, specification etc., will all have a bearing on the potential impact.

ENV9: Achieving high levels of environmental performance

- I. New buildings and alterations / extensions to existing buildings are expected to achieve high standards of environmental performance.

Q: Achieving high levels of environmental performance

- 1: Do you agree with the suggested approach and what it is trying to achieve?
- 2: What about the suggested policy wording?
- 3: Could any amendments improve the policy or its strategy?

3.11. Shop fronts and advertisements

- 3.11.1. The council will encourage high quality design and materials in shop front development. In some cases it may be desirable to reinstate traditional shop fronts or features. Good quality contemporary shop fronts can have a positive effect where these relate to modern buildings or would otherwise improve the character of the area. Standardised 'off the shelf' designs can be harmful if they lack detail, are of inappropriate materials, or detract from the character of the building or area.
- 3.11.2. The design of shopfronts including the features associated with them such as shutters, canopies, awnings, grilles, advertisements and means of illumination can all have a significant impact on the character of an area. It will be important that the design of a shop front gives consideration to the character of the area and respects the heritage associated with it. The historic fabric of a building should not be harmed or lost especially in the case of a heritage asset.
- 3.11.3. The design of a shopfront, including associated advertisements should ensure that the form, size and proportions are in keeping with the building. The level of illumination must respect the building, local character and uses in the nearby area (for example, where there are residential units near to the proposed illumination).

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- 3.11.4. So as to create an open and inviting street scene, any security shutters or grilles should be behind the shop window. Alternatively they should be designed as open grilles and their housings should be set behind the existing shop fascia.
- 3.11.5. Advertisements are controlled with reference to their effect on amenity and public safety only, so the regime is lighter touch than the system for obtaining planning permission for development. In terms of amenity, the council will consider the effect on the quality and character of the locality (including impact on landscape, wildlife and historic character), as well as the amenity issues outlined in Policy ENV11. In relation to public safety, the effect on road safety will be the main consideration. In all cases, any cumulative impacts of advertisements on amenity and / or public safety will be taken into account.

ENV10: Shop fronts and advertisements

- I. High quality design and materials in shop front development are expected. Proposals for new or replacement shop fronts, including associated features will normally be permitted if they are compatible with the character and heritage of the area and of the building.
- II. Decisions controlling advertisements will be made in the interests of amenity and public safety.

Q: Shop fronts and advertisements

- 1: Do you agree with the suggested approach and what it is trying to achieve?
- 2: What about the suggested policy wording?
- 3: Could any amendments improve the policy or its strategy?

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3.12. Amenity

- 3.12.1. In relation to development, amenity is any positive element, or elements, that contribute to the overall enjoyment of an area or building. Amenity can be adversely affected through loss of privacy; loss of daylight and sunlight⁵; through the overbearing scale of built development; noise; vibration; unpleasant odours; or intrusion from artificial lighting schemes.
- 3.12.2. For the purposes of this policy, noise sensitive development can include residential development, educational institutions and hospitals; as well as noise sensitive land uses such as parks, greenspaces and cemeteries.

Design

- 3.12.3. Design has a direct influence on the relationship between new and existing development and the distribution of different uses across a site. Good design can be used to help overcome some of the possible adverse impacts on amenity arising from new development. In particular, the design of development should respond to amenity issues through sensitive consideration of the size and position of new buildings, the size and position of features (such as windows, doors and external staircases) in new buildings, privacy screening, hard and soft landscaping, and the layout and distribution of uses.
- 3.12.4. In some cases it may not be possible to overcome amenity issues through design alone. In these instances development may be ruled out either through the impact of the proposed development on the amenity of existing residents or the impact on the amenity of future occupants from existing lawful uses.
- 3.12.5. To ensure adequate privacy in homes, new developments should be designed to minimise overlooking to and from neighbouring development. An appropriate level of privacy at the rear of homes should be provided through either sufficient rear garden depth or orientation and screening to prevent direct overlooking.
- 3.12.6. New development should receive adequate daylight and sunlight to create satisfactory living and working environments. Schemes should be designed to ensure

⁵ Whilst loss of daylight and sunlight are material considerations in the determination of planning applications, private rights to light are not, and are a legal issue as outlined in Planning Practice Guidance: Paragraph: 008 Reference ID: 21b-008-20140306 and <https://www.gov.uk/guidance/determining-a-planning-application>

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that both proposed developments and any existing adjacent development would receive adequate natural light and any associated open spaces such as gardens, would not be unacceptably overshadowed. The scale, massing and position of development can also have an overbearing and dominating impact on their surroundings which can be exacerbated by changes in landform. Careful attention to the layout and orientation of buildings can avoid issues of inadequate natural light and overbearing development.

Noise

- 3.12.7. The level of noise generated by a development should not give rise to significant adverse impacts on health and quality of life of occupiers or users of neighbouring properties. Noise generating developments include some industrial uses as well as some town centre uses such as takeaways, nightclubs and bars. The council will have regard to the relationship between proposed development which is sensitive to noise and established development and infrastructure which generates noise. Acceptable noise levels will vary according to the noise source, the receptor and the times of day when the noise is generated. This approach is not intended to unduly restrict existing, established businesses that may need to expand unless a significant increase in noise levels would result.
- 3.12.8. The amenity of new development around existing sources of noise, such as main roads and railway lines, can be adversely affected. This impact will need to be given consideration when deciding on planning applications and the appropriate location for development.
- 3.12.9. Bournemouth Airport, which sits outside the Dorset Council boundary, is a significant noise source and a noise level action plan has been produced for the site. The action plan maps the varying noise levels around the airport. The impact of noise associated with the airport on proposed development will need to be considered along with whether the impacts can be satisfactorily mitigated.
- 3.12.10. Where noise from development is likely to cause adverse effects on amenity, the council will expect applicants to demonstrate how these adverse effects can be avoided or satisfactorily mitigated. Examples of this include reducing the noise generated at source, limiting or restricting the hours of use, through layout and design and physical noise attenuation measures. The council will refuse planning permission where noise from a development is likely to give rise to significant adverse impacts on amenity taking into account the mitigation proposed.

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3.12.11. The countryside areas are particularly valued for their tranquillity, particularly in the AONBs. This means that even small increases in noise levels can give rise to significant adverse effects. Noise connected with new development can affect the character of these areas and the way they are enjoyed by visitors and the people who work in these areas. For this reason, particularly within the two AONBs, the level of noise production above the current level will be given consideration through planning decisions.

Unpleasant odours and emissions

3.12.12. Sewage treatment works and some employment uses can give rise to unpleasant odours. Similarly, restaurants and takeaways can create odours that may be unpleasant. Whilst such emissions should not be harmful to health, they can adversely affect amenity. Development that has the potential to give rise to unpleasant odours should take all measures possible to minimise the impact on neighbouring uses.

Artificial lighting

3.12.13. Lighting schemes can affect the amenities of occupiers and have wider impacts through increasing light pollution leading to a loss of 'dark skies' (particularly in more rural areas), and tranquillity. The glare from lighting schemes can also have an adverse effect on local residents, vehicle users, cyclists, horse riders, pedestrians and some wildlife, such as bats.

3.12.14. Although not all proposals for external lighting require planning consent, where it is proposed through a development, applicants will be expected to demonstrate that:

- the scheme is the minimum necessary to achieve its purpose; and
- light scatter, spillage and glare are minimised through the control of light direction and intensity; and
- the intensity and daytime appearance of any light fittings and cables would not have a detrimental impact on the character of the surrounding area.

3.12.15. Where schemes are likely to have a significant adverse impact on local landscape character, Policy ENV4 will apply.

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ENV11: Amenity

- III. Proposals for development should be designed to minimise their impact on the amenity and quiet enjoyment of existing and future residents or users within a development and close to it. Development proposals will only be permitted if:
 - they do not have a significant adverse effect on the living conditions of occupiers of residential properties through loss of privacy;
 - they do not have a significant adverse effect on the amenity of the occupiers of properties through inadequate daylight / sunlight or excessive overshadowing, overbearing impact or flicker;
 - they do not generate a level of activity, noise or vibration that will detract significantly from the character and amenity of the area or the quiet enjoyment of residential properties; and
 - they do not generate unpleasant odours unless it can be demonstrated that the effects on amenity, living conditions, health and the natural environment can be mitigated to the appropriate standard.
- IV. Development which is sensitive to noise, vibration or unpleasant odour emissions will not be permitted in close proximity to existing sources where it would adversely affect the amenity of future occupants.
- V. Proposals for external lighting schemes (including illuminated advertisement schemes) should be clearly justified and designed to minimise potential pollution from glare or spillage of light. The intensity of lighting should be the minimum necessary to achieve its purpose, and the benefits of the lighting scheme must be shown to outweigh any adverse effects.

Q: Amenity

- 1: Do you agree with the suggested approach and what it is trying to achieve?
- 2: What about the suggested policy wording?
- 3: Could any amendments improve the policy or its strategy?

3.13. Pollution and contaminated land

Pollution

- 3.13.1. Activities and processes that pollute the air, water or land are generally regulated through separate pollution control regimes operated by pollution control authorities. However, the council will take account of the nature and characteristics of the proposed development, and its relationship with neighbouring development and uses, when assessing the potential individual and cumulative impacts of pollution (for example as a result of air pollution from traffic); and the potential impacts of pollution on the living conditions, amenity, public health and the environment.
- 3.13.2. Poor air quality is damaging at every stage of our lives. Air quality in Dorset is generally good due to its rural nature. However there are two areas where air quality is recognised as an issue and where Air Quality Management Areas (AQMA) have been designated. These are in Chideock and Dorchester, with both being designated in response to nitrogen dioxide emissions from traffic. Where appropriate, developers will need to consider the implications of their proposals on air quality; where air quality is an identified issue, they will need to take opportunities to improve it^{and} specifically around the actions in the relevant AQMA action plans. The cumulative impacts of developments in or affecting an AQMA will need to be taken into account in decision making.

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- 3.13.3. Groundwater makes a significant contribution to drinking water supplies across Dorset and contributes considerably to the flow of our rivers. Groundwater source protection zones (SPZ), as defined by the Environment Agency, show the level of risk to a groundwater source from contamination. Groundwater can be contaminated as a result of the use of land within the source protection zone including through soakaways and septic tanks and by uses or development that involves storage, or spreading, of waste or pollutants on land. The council will seek to protect groundwater sources when assessing planning applications and may require a detailed hydrological risk assessment in support of a development proposal within an SPZ to inform decisions.

Contaminated land

- 3.13.4. Past developments and processes, such as old gas works and landfill, may have resulted in contamination of land and water resources. These can pose a threat to human health, the natural environment and amenity. Few sites are so badly contaminated that they cannot be re-used at all, but the contamination may limit the range of potential future uses and impact on the cost and viability of development. The council will encourage proposals that help bring contaminated sites into productive use. Where a site is affected by contamination, responsibility for securing safe development rests with the developer and / or landowner.
- 3.13.5. Where it is anticipated that contamination may be present near or on a proposed development site, an assessment of the risk to site workers, groundwater, surface water, future occupiers of the site and the wider environment will be necessary. This risk assessment should establish the likely sources, pathways and risks (including cumulative risks) posed to possible receptors as a result of the development. Remedial works to the site will be considered as part of the application for development of the site.

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ENV12: Pollution control

Development proposals which will cause unacceptable on- or off-site risk or harm to human health, the natural environment or living conditions, either individually or cumulatively, will not be permitted. Development should:

- I. avoid harmful environmental impacts and health risks for both new and existing development arising from soil, air, water, or land pollution. In particular, impacts on the National Site Network must be avoided, satisfactorily mitigated and, if necessary, compensated in accordance with policy ENV2;
- II. where impacting on an Air Quality Management Area, avoid or mitigate its impact through positively contributing towards the implementation of measures to address the air quality issue including through the provision of green infrastructure and through building design and layout;
- III. prevent deterioration of and where appropriate, enhance water quality including in relation to the groundwater resource; and
- IV. where appropriate, remediate contaminated land to reduce risk to acceptable levels

Q: Pollution control

- 1: Do you agree with the suggested approach and what it is trying to achieve?
- 2: What about the suggested policy wording?
- 3: Could any amendments improve the policy or its strategy?

Section 3: The Environment and Climate Change

3.14. Flood risk

- 3.14.1. Flooding presents a significant risk to people and property. Climate change, and more specifically rising sea levels and changes to the pattern and intensity of rainfall, is likely to have an effect on areas subject to flooding in Dorset in coming years. The risks of flooding have been taken into consideration when preparing this plan and will help to guide future development across Dorset. This policy forms part of the council's strategy for adapting to the effects of climate change.
- 3.14.2. The main river catchments in Dorset include the Stour, Avon, Frome, Piddle, Bride and Brit. The River Yeo also flows from the north of the county into Somerset. Each of these rivers and the many smaller tributaries to these have associated flood plains, some of which cover extensive areas.
- 3.14.3. Along the coast there are several areas which are susceptible to coastal flood risk especially at times of high tide and during storms. Areas where this results in a high risk include the seafront at Swanage, Weymouth, Portland, West Bay and Lyme Regis.
- 3.14.4. The county is particularly susceptible to groundwater flooding with an extensive chalk and upper greensand aquifer extending from North East to South West. This often occurs after periods of prolonged rainfall when groundwater levels rise to above the surface.
- 3.14.5. Large parts of council area are also affected by surface water flooding that often takes place due to intense or prolonged rainfall and can occur away from rivers and the sea. Surface water flooding often happens where the ground is unable to absorb rainfall, for example, due to periods of dry or cold weather, or because drainage systems cannot cope with the volume of water falling on an impermeable surface.
- 3.14.6. Although there are not significant numbers of reservoirs across Dorset, those that do exist also pose a flood risk if they are not correctly maintained.
- 3.14.7. Development will be directed to areas of lowest flood risk to make it safe for the lifetime of the development and not increase the risk of flooding elsewhere. This will be achieved through the application of the sequential and exception tests set out in national policy with the risk of flooding from all sources being taken in account. Through the application of these tests, the council will need to be satisfied that the development is safe for its lifetime and does not increase risk elsewhere.

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Assessing flood risk

- 3.14.8. Flood risk is a combination of the probability and the potential consequences of flooding and considers all potential sources of flooding. The council is preparing a Level 1 Strategic Flood Risk Assessment (SFRA) which assesses the risks to the Dorset Council area from flooding. The SFRA also takes account of the effects of climate change on flood risk by identifying those areas that are likely to be at increased risk of flooding in the future. In addition, the Environment Agency publishes data on flooding from different sources.
- 3.14.9. The Environment Agency presents the flood data arising from main rivers and the sea according to different zones:
- Flood Zone 1: low probability (less than 1 in 1000 year probability);
 - Flood Zone 2: medium probability (from main rivers between 1 in 100 year and 1 in 1000 year probability; from coastal flooding is between a 1 in 200 year and 1 in 1000 year probability);
 - Flood Zone 3: high probability (from main rivers it is less than 1 in 100 year probability; from coastal flooding it is less than 1 in 200 year probability).
- 3.14.10. To inform the application of the sequential test, the most up-to-date evidence of flood risk, such as a Level 1 SFRA, should be used alongside advice from the Environment Agency. For sites of one hectare or more, or where development is proposed in an area identified as being at risk of flooding in the SFRA, a site specific flood risk assessment should be undertaken to help inform the development proposal and to enable the council to understand whether the development will be safe over its lifetime.

Avoiding flood risk

- 3.14.11. The sequential test will be used to guide development towards areas of lowest flood risk. The assessed flood risk should be considered when undertaking the sequential test making appropriate allowances for climate change.
- 3.14.12. To enable the council to decide whether a development will be safe over its lifetime, the sequential test should be performed using the alternative site search area parameters set out in Figure 3.6 as a guide. For development proposals that do not fit within one of the broad categories below, applicants should engage with the council prior to an application being submitted.

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- 3.14.13. When undertaking the sequential test, applicants should be flexible when considering alternative site options. Sites either 10% larger or 10% smaller should be considered unless there are valid reasons why this is not applicable to the development proposal.

Figure 3.6: Parameters for undertaking the sequential test site search

Development type	Catchment search area
Dwelling houses (Use Class C3)	The settlement that the proposal is serving or other settlements listed within the settlement hierarchy within the same Functional Area.
Affordable dwelling houses delivered on rural exception sites (Use Class C3)	The boundary for the parish council containing the application site.
Commercial, business and service uses (Use Class E)	Through the application of the retail sequential test, either the boundary of the designated town centre, sites on the edge of this town centre or as an exception, sites out of this centre.
Light Industry that is not appropriate in a residential area (that falls within Use Class E), General industrial (Use Class B2) and storage and distribution (Use Class B8).	The economic area within which the use's market is located.

- 3.14.14. The onus will be on applicants to demonstrate that there are no reasonably available alternative sites that are appropriate for the development within the relevant search area with a lower risk of flooding. Applicants should use the council's SFRA to assess the flood risk on alternative sites. Available sites could include those identified through the council's Land Availability Assessment (SHLAA), or Traveller Accommodation Assessment (TAA) along with sites that benefit from planning consent that have not yet been implemented. In addition, estate agents and land agents may be able to identify appropriate alternative sites.
- 3.14.15. A Sequential Test is not necessary for householder development, small non-residential extensions and changes of use as set out in national policy. Proposals for a caravan, camping or chalet site, a mobile home or park home site will be required to undertake the sequential and exception tests as appropriate.

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3.14.16. When necessary, and only after it is satisfied that there are no available or appropriate sites at a lower risk from flooding, the council will apply the exceptions test taking into account the flood risk vulnerability⁶ of the proposed uses in order to determine whether the proposed development would be safe and that any residual risk is outweighed by the benefits of the scheme.

Managing and mitigating residual flood risk

3.14.17. In those instances where the risks from flooding cannot be avoided, the council expects applicants to:

- apply a sequential approach at site level by avoiding development in the parts of the site which flood and by locating the most vulnerable elements of the development in the parts of the site with the lowest flood risk;
- demonstrate that development will not increase flood risks on site or elsewhere;
- preparing flood warning and evacuation plans; and
- Incorporate flood resistance and resilience measures into the design of buildings.

3.14.18. The council will also explore the opportunities to reduce the causes and impacts of flooding with applicants. In particular, the council will expect applicants to consider:

- the layout and form of development (including green infrastructure):
- incorporating Sustainable Drainage Systems (SuDS) into the development;
- safeguarding land within a site for flood risk management purposes; and
- providing appropriate offsite works that protect and support development and the surrounding area more generally, conferring wider sustainability benefits.

3.14.19. Unless otherwise agreed with the Environment Agency, development will not be permitted within an 8 metre buffer zone around an existing flood alleviation scheme where it would adversely impact on the future maintenance, upgrading or replacement of a flood alleviation scheme.

⁶ As set out in the National Planning Practice Guidance

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3.14.20. The council will support new flood defence and flood management schemes, including river restoration, wetland creation, tree planting on a large scale for natural flood management and flood storage. Proposals for flood defence and flood management schemes will be assessed against relevant planning policies.

ENV13: Flood risk

- I. Development should be located in areas of lowest risk from flooding. The council will use the sequential test to decide whether there are reasonable alternatives to development within areas at risk of flooding.
- II. Where there are no reasonable alternatives arising out of the sequential test, development will only be approved where, through the application of the exception test, it can be demonstrated that the development will be safe for the lifetime of the development and that the proposal does not increase flood risk elsewhere. In applying the exception test, the wider sustainability benefits of the development proposal will be weighed against the flood risk.
- III. Where opportunities exist, developments should deliver a reduction in flood risk.
- IV. Where residual flood risk is identified on a development site, measures must be incorporated into the proposal to minimise the risk. When making decisions, the inclusion of opportunities to minimise risk will be taken into account including:
 - the layout of the development proposal with built form being located to avoid areas of flood risk within the site's boundary;
 - the location of the most vulnerable uses in areas with the lowest flood risk within the site's boundaries;
 - the provision of safe access and egress at times of flood;
 - the inclusion of flood resilient and resistant measures within the development;
 - the inclusion of SuDS to manage surface water flows
- V. The council will support the relocation of existing highly vulnerable development and essential infrastructure on land at risk from flooding provided:

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- the existing development is lawful;
 - the site for relocation is at a lower flood risk ;
 - the size of any replacement buildings or the application site are not materially larger than the existing buildings or site;
 - the type, scale and location of the replacement development is consistent with relevant planning policies; and
 - the applicant provides for the suitable restoration of the existing site.
- VI. Unless agreed with the Environment Agency, development will not be permitted within an 8 metre buffer around an existing flood alleviation scheme or main river.
- VII. The council will support planning applications for new flood defence and flood management schemes providing they accord with the relevant planning policies.

Q: Flood risk

- 1: Do you agree with the suggested approach and what it is trying to achieve?
- 2: What about the suggested policy wording?
- 3: Could any amendments improve the policy or its strategy?

3.15. Sustainable drainage systems (SuDS)

- 3.15.1. Development, particularly on greenfield sites, may disrupt and impede the natural processes which take place when rain falls on land and vegetation. Introducing smooth, impermeable surfaces such as hardstanding and the roofs of buildings and clearing vegetation often associated with a site's re-development:
- reduces percolation into the ground, which increases flow rates and the amount of any surface water runoff from a site; and
 - increases the speed of any surface water runoff from a site by reducing interaction with the natural environment, which typically slows runoff and promotes evaporation.
- 3.15.2. Increased flow rates and quantities of surface water runoff from land increase the likelihood of flooding, erosion and pollution. Delivering high quality SuDS as part of greenfield or brownfield development provides an opportunity to help deliver sustainable development including by:
- managing the risks from flooding including taking opportunities to reduce the causes and impacts of flooding;
 - mitigating and adapting to climate change;
 - maintaining and enhancing networks of green infrastructure including safe and accessible green space;
 - providing opportunities for net gains in biodiversity including by contributing to ecological networks; and
 - helping prevent new development from contributing to water pollution.
- 3.15.3. SuDS should therefore be integrated into development proposals in a holistic and imaginative way so that they form an integral part of the green and blue infrastructure, providing multi- functional benefits, including improving opportunities for biodiversity. Consideration of SuDS design is also included in the Dorset Biodiversity Appraisal Protocol and should be referred to where proposals fall under this process. The council will produce a SuDS Supplementary Planning Document (SPD) to give greater detail on how SuDS can be designed into development proposals.
- 3.15.4. There are a wide range of SuDS available as identified in Figure 3.7. These can offer wider benefits and their multi-functionality is recognised in Policy ENV1.

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Development proposals should include SuDS that accord with the drainage hierarchy set out in Figure 3.8 ensuring that the proposals will be viable and deliverable.

Figure 3.7: Types of SuDS

SuDS type	Description
Rainwater harvesting	Measures to collect rainwater which falls on roofs and other paved surfaces so that it can be re-used
Soakaways/infiltration	Areas designed to allow water to pass into the ground rather than flow across the ground
Green roofs	Planted layer of soil on a building's roof to help reduce rates of runoff
Permeable paving	Areas of hardstanding that allow for the permeation of surface water into the ground below
Bio-retention systems	Collection of runoff, allowing temporary ponding, and filtering through vegetation and underlying soils
Trees	Supporting evapotranspiration and enhancing biodiversity and shade
Swales/detention & infiltration basins/ponds/wetlands	Areas that slow runoff from a site by storing water as well as treating water and enhancing biodiversity

3.15.5. In order to achieve high quality SuDS the council expects applicants to take account of, and where appropriate, apply standards from all of the following when designing a drainage system:

- Defra technical standards for sustainable drainage systems;
- Dorset Council's Local Flood Risk Management Strategy;
- The most up-to-date Strategic Flood Risk Assessments available for the area;
- Any relevant Surface Water and / or Drainage and Wastewater Management Plan(s);
- Relevant Environment Agency Catchment and Flood Risk Management Plan; and
- Any other Dorset-related flood risk management document produced by a risk management authority.

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Figure 3.8: The Drainage Hierarchy

1	Stores surface water runoff for reuse within the development site;
2	<p>Attenuates surface water runoff in ponds, open water features or bio-retention systems within the development site for gradual discharge and:</p> <ol style="list-style-type: none"> a. uses infiltration techniques which allow surface water runoff to soak into the ground; b. discharges surface water runoff to a surface water body; c. discharges surface water runoff to a surface water sewer or other drainage system; d. discharges surface water runoff to a combined sewer.
3	<p>Attenuates runoff by storing in tanks, or sealed water features, for gradual discharge and:</p> <ol style="list-style-type: none"> a. uses infiltration techniques which allow runoff to soak into the ground; b. discharges runoff to a surface water body; c. discharges runoff to a surface water sewer or other drainage system; d. discharges runoff to a combined sewer.

3.15.6. Applicants will be expected to submit details of an appropriate Surface Water Drainage Strategy to support the development of their site. This should include details of the SuDS that are appropriate to the site. SuDS will be expected as part of a drainage strategy for:

- all major development sites;
- development of land that is at risk from flooding from any source; and
- developments where surface water runoff from the development is likely to increase the risk of flooding from any source, elsewhere.

3.15.7. Sustainable drainage systems that are designed to discharge water into the ground or a surface water body. In some instances SuDS may not be appropriate and it will be

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for the applicant to demonstrate that this is the case. Examples of where SuDS may not be appropriate include:

- land with insufficiently permeable soils and / or geology; or
- land with a high-water table; or
- unstable land; or
- contaminated land.

3.15.8. Early in the development design process, the drainage strategy for a site should give full consideration to SuDS. Pre-application engagement is recommended to assist with this. Pre-application advice can help to identify, understand and resolve issues associated with the development of a drainage strategy (including appropriate SuDS) which responds to the characteristics of a site and delivers the greatest benefits to the environment and surrounding amenity. Innovative proposals, that maximise multifunctional benefits, are welcomed and should be supported by evidence and brought forward at an early stage. The council expects SuDS to be designed to:

- reduce the causes and impacts of flooding (taking account of the expected effects of climate change);
- remove pollutants from urban run-off at source and;
- combine water management with green space with benefits for amenity, recreation, wildlife and biodiversity.

3.15.9. Applicants should consider the cost of future management of SuDS schemes over the lifetime of development. At the start of the design process they should liaise with adopting bodies such as water companies and / or highways authorities to ensure that eventual designs meet adoption requirements. A Maintenance & Management Strategy should be submitted to support the development proposal providing clear arrangements and schedules for the long-term operation and ownership of the drainage system proposed.

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ENV14: Sustainable drainage systems (SuDS)

- I. Developments should incorporate appropriate viable and deliverable SuDS set out clearly in a Surface Water Drainage Strategy. These SuDS should be designed to:
 - reduce the causes and impacts of flooding on site or elsewhere;
 - provide opportunities to treat and clean surface water runoff to protect the receiving environment;
 - ensure accessibility for maintenance and amenity;
 - consider the characteristics of the site and its surroundings (including risks from flooding, geology, water table and surface features of land) and use SuDS to enhance the character and nature of the proposed development;
 - respect the appearance and character of the surrounding area (taking particular note of protected landscapes and heritage assets); and
 - contribute towards mitigating the impact of development and achieving net gains in biodiversity.
- II. SuDS must not discharge surface water runoff directly to foul sewer systems but should follow the drainage hierarchy.
- III. Where necessary, financial contributions will be sought for the maintenance and improvement of drainage infrastructure. Development should provide financial contributions as necessary to mitigate impacts on the sewer network and local drainage to ensure there are no adverse effects resulting from the development.

Q: Sustainable drainage systems (SuDS)

- 1: Do you agree with the suggested approach and what it is trying to achieve?
- 2: What about the suggested policy wording?
- 3: Could any amendments improve the policy or its strategy?

3.16. Land instability

- 3.16.1. Where unstable ground conditions exist there is a risk of landslides and subsidence, which may be triggered by natural processes (such as excess rainfall) or man-made processes (such as through excavation or local drainage systems). Proposals for development could also have the potential to trigger ground movements either within or beyond a development site.
- 3.16.2. To avoid putting people at risk, new development should be directed away from areas vulnerable to land instability. The council will only permit development in these areas if it can be demonstrated that there is no significant risk of instability, or where a significant risk exists, it could be satisfactorily managed to avoid putting people at risk.
- 3.16.3. In areas where there is a risk of land instability, a ground stability report will be required unless:
- the development is unlikely to have the potential to trigger the occurrence of subsidence or land instability either by significantly altering groundwater conditions or by way of a significant change in magnitude of loads applied to the ground (as can reasonably be assessed);
 - surface water runoff is accommodated within existing, fully functioning, piped water disposal systems;
 - the development would have adequate foundations, and for alterations or modifications to existing structures, the existing foundations are capable of supporting the additional loadings⁷; and
 - there is no significant filling or excavation of the ground.
- 3.16.4. Any ground stability report should be prepared by a suitably qualified and experienced geotechnical specialist to provide sufficient evidence to demonstrate that the proposed development will not unacceptably adversely affect ground stability, or that ground instability can be satisfactorily mitigated in the design of the development.
- 3.16.5. The report should show whether the land / site is stable or could be made stable to support the loads imposed over the expected lifetime of the development, whether

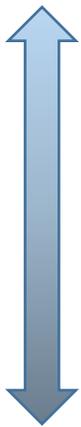
⁷ the combined dead, imposed and wind loads are sustained and transmitted by the development to the ground by use of suitably designed foundations (without requiring adaptation, underpinning, extension or replacement of these foundations at a later stage)

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the development would threaten land stability in the wider local area, and whether any instability could be reduced to an acceptable level by mitigation and stabilisation measures. Any potential impacts on the character of the area, environmental designations, and public rights of way should also be highlighted. Where necessary to reduce potential risk, a temporary permission may be used to limit the planned lifetime of the proposed development. Restoration conditions may also be imposed.

- 3.16.6. Extensive site investigations have previously been undertaken in the Lyme Regis and Charmouth area. Four slope instability (landslide) zones have been identified in those settlements, as shown on the policies map and described in Figure 3.9 below. However, land instability may be an issue elsewhere across the plan area, for example, due to coastal processes as covered by policies ENV16 and ENV17.

Figure 3.9: Descriptions of Slope Instability Zones

Slope instability zones	Description	Hazard
Zone 1	Areas where there are unlikely to be problems or significant constraints arising from slope instability.	Lowest
Zone 2	Areas where problems arising from slope instability may impose significant constraints on development.	
Zone 3	Areas where slope instability and/or coastal erosion is likely to impose considerable constraints on development.	
Zone 4	Areas in which there has been severe, destructive slope instability and/or coastal erosion in recent historical times. Development will not be permitted in all but the most exceptional of cases.	

- 3.16.7. In the Lyme Regis and Charmouth areas a ground stability report will be required to accompany planning applications in Zones 2, 3, and 4; subject to the tests listed in paragraph 3.16.3.
- 3.16.8. Due to the impacts of surface water on land stability, drainage systems that are designed to discharge additional surface water into the ground or a surface water body may not be appropriate within areas of land instability.

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ENV15: Land instability

- I. New built development will be directed away from areas subject to land instability or potential land instability to avoid putting people at risk unless it can be demonstrated that the site is stable or could be made stable, and that the development is unlikely to trigger land sliding, subsidence, or exacerbate erosion within or beyond the boundaries of the site.
- II. Proposals for built development in the Lyme Regis and Charmouth Land Instability Zones shown on the policies map will not be permitted unless the following criteria can be met:
 - Proposals for development in zones 2, 3 and 4 are accompanied by an appropriate ground stability report prepared by a suitably qualified and experienced engineer demonstrating that the development can be carried out safely, including any mitigation and stabilisation measures necessary to ensure there would be no adverse effect on slope stability both on and surrounding the site;
 - Development in Zone 3 comprising regularly occupied premises will not be permitted unless there are no suitable alternative sites in lower hazard Slope Instability Zones; and
 - Development in Zone 4 will not be permitted unless it is essential transport and/or utilities infrastructure that cannot be provided on suitable alternative sites in lower Slope Instability Zones.

Q: Land instability

- 1: Do you agree with the suggested approach and what it is trying to achieve?
- 2: What about the suggested policy wording?
- 3: Could any amendments improve the policy or its strategy?

3.17. Coastal erosion

New development in Coastal Change Management Areas (CCMAs)

- 3.17.1. Much of Dorset's coastline is at risk from coastal change. Coastal change includes any physical change to the coastline arising from erosion, coastal landslip, permanent inundation or coastal accretion. Coastal slope instability is closely related to coastal change and is covered by Policy ENV15 which covers land instability more generally. Managing coastal change needs to take account of the interests of coastal communities, the economy and the environment. The overall aim is to secure a sustainable and affordable approach to the threats arising from coastal change, whilst respecting natural processes and conserving natural habitat.
- 3.17.2. The most recent Shoreline Management Plans⁸ (SMPs) set out an overarching strategy for managing the coast over three time horizons ('epochs'); short (0 to 20 years), medium (20 to 50 years) and long term (50 to 100 years). Some communities along the coastline will be affected by a change in policy approach between the first

⁸ The Poole and Christchurch Bays Shoreline Management Plan Review (2011), and the South Devon and Dorset Shoreline Management Plan Review (2011)

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and second 'epochs' identified in the SMPs. The council recognises that the changes in the coastline connected with a transition between different management approaches will, in some cases, create particular challenges for the affected communities.

- 3.17.3. In addition to the SMP for the western part of the Dorset coast, Coastal Risk Planning Guidance (CRPG) was produced in 2013 for the western stretch of coastline from White Nothe (east of Weymouth) to Lyme Regis. This guidance sets out the nature of the risks posed to coastal areas from future coastal change.
- 3.17.4. The council has used the predicted coastal erosion zones presented within the SMPs and the CRPG to identify Coastal Change Management Areas (CCMAs). These are parts of the shoreline that are likely to be significantly affected by coastal change over the next 100 years over the three time 'epochs'. The council has used this information to identify a single CCMA region on the policy map to show the vulnerable area which is projected to be at risk over the next 100+ years.
- 3.17.5. Parts of the coastline within the plan area that have existing coastal defences include Weymouth Town Centre, West Bay Harbour, Swanage Bay, and Lyme Regis Harbour. Whilst these areas have an SMP policy of 'hold the line' there is a need for maintenance and improvement of defences for which funding is largely uncertain. Elsewhere along the coastline, the SMP policy allows for the managed realignment of the shoreline or no active intervention in natural processes. Applying these policies means that sections of the coastline may be subject to coastal change.
- 3.17.6. Within CCMAs new dwellings will not be appropriate. Essential infrastructure and Ministry of Defence (MoD) development may be appropriate subject to the impact of the development being minimised and managed through appropriate mitigation measures.
- 3.17.7. All other types of development within CCMAs will be assessed on a case-by-case basis. A vulnerability assessment must be prepared to support any development proposals. This assessment will need to consider the level of risk from coastal change, the characteristics of the site and the nature of the proposed development. Any potential impacts on the character of the area, environmental designations, and public rights of way should also be highlighted within a submitted vulnerability assessment. The relevant SMP and CRPG data should be used to inform the preparation of the assessment and determine whether a site is likely to be at risk from coastal change in the short, medium or long term.

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- 3.17.8. Where necessary to reduce potential risk, temporary permissions may be used to limit the planned lifetime of proposed developments along with appropriate restoration conditions.
- 3.17.9. The council will also take account of the policy recommendations in the relevant SMPs relating to the future management of Dorset's coastline when considering planning applications relating to existing and proposed coastal defences.

ENV16: New built development in Coastal Change Management Areas

- I. New residential development (including replacement dwellings and changes to residential use) will not be permitted in CCMA's. Any other development that is permitted within the CCMA may be subject to a time-limited permission. Extensions to existing residential properties may be appropriate.
- II. Essential infrastructure and Ministry of Defence (MoD) installations may be permitted in CCMA's provided:
 - there are clear plans to manage any impacts arising from proposed development on coastal change; and
 - proposed essential infrastructure will not have an adverse impact on rates of coastal change elsewhere; and
 - any adverse impacts on rates of coastal change elsewhere are minimised with suitable mitigation.
- III. Other new development or changes of use may be permitted within a CCMA where it is supported by a vulnerability assessment which demonstrates that development will:
 - be safe over its planned lifetime without increasing risk to life or property, or requiring new or improved coastal defences; and
 - not prevent communities from sustainably responding to the impacts of climate change; and
 - not restrict natural processes from responding to the impacts of climate change; and
 - not affect the natural balance and stability of the coastline, or the rate of change to the shoreline elsewhere.

Section 3: The Environment and Climate Change

Replacement or relocation of existing development in Coastal Change Management Areas (CCMAs)

- 3.17.10. Where existing development is at risk from coastal change, the relocation of the development to an area that is not subject to risk of coastal change, outside CCMAs, may be acceptable. Planning permission for replacement development will only be permitted where the existing development is lawful and is likely to be at risk within the short to medium term (i.e. within the next 50 years). In order to assess these risks, the council will have regard to the location of the building within the CCMA and applicants will be required to submit detailed assessment of risk within a coastal erosion vulnerability assessment.
- 3.17.11. The relocation should aim to reduce significantly the risk from coastal erosion. In addition, the new site should be appropriate for the relocated use so as to not result in conflict with neighbouring uses for example the relocation of an industrial use to a residential area or where there is an impact on protected areas such as wildlife sites or heritage assets.
- 3.17.12. In most instances, the relocated use should be focused on the more sustainable settlements as listed in the settlement hierarchy, in order to minimise the distance travelled to everyday services and facilities. An exception to this would be where there is a functional need for the relocated building to be located elsewhere, for example, a rural worker's dwelling or an agricultural building associated with a farm holding.

Section 3: The Environment and Climate Change

ENV17: Replacement or relocation of existing development in Coastal Change Management Areas

- I. Proposals for the relocation of existing lawful development from within a CCMA to an area of reduced risk from coastal processes must meet the following criteria:
 - the existing building must be at an immediate or medium term risk from coastal erosion (i.e. within the next 50 years); and
 - the replacement building must be located outside the identified CCMA; and
 - the replacement building should be within or adjacent to a settlement listed in the settlement hierarchy unless there is a functional need for the building to be located elsewhere; and
 - the use of the new building is not materially different to that of the building to be relocated; and
 - the replacement building and hardstanding should be of a similar size to that being replaced.
- II. The character, appearance and use of the replacement building should be appropriate to the new location.
- III. In all instances, the replacement building should be safe for a period of at least 100 years.
- IV. The existing building must be demolished and the site restored within three months of the occupation of the replacement.

Q: Coastal erosion

- 1: Do you agree with the suggested approach and what it is trying to achieve?
- 2: What about the suggested policy wording?
- 3: Could any amendments improve the policy or its strategy?