



Western and Southern Area Planning Committee

Date: Thursday, 2 October 2025
Time: 10.00 am
Venue: Council Chamber, County Hall, Dorchester, DT1 1XJ

Members (Quorum 6)

Dave Bolwell (Chair), Neil Eysenck (Vice-Chair), Belinda Bawden, Matt Bell, Simon Christopher, Paul Kimber, Craig Monks, David Northam, Louie O'Leary, Pete Roper, David Shortell and Kate Wheller

Chief Executive: Catherine Howe, County Hall, Dorchester, Dorset DT1 1XJ

For more information about this agenda please contact Democratic Services Meeting Contact joshua.kennedy@dorsetcouncil.gov.uk 01305 224710

Members of the public are welcome to attend this meeting, apart from any items listed in the exempt part of this agenda. If you would like to attend this meeting and have any specific requirements please contact the Democratic Services Officer named above.

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Agenda

Item	Pages
1. APOLOGIES	
To receive any apologies for absence	
2. DECLARATIONS OF INTEREST	
To disclose any pecuniary, other registerable or non-registerable interest as set out in the adopted Code of Conduct. In making their disclosure councillors are asked to state the agenda item, the nature of the interest and any action they propose to take as part of their declaration.	
If required, further advice should be sought from the Monitoring Officer	

in advance of the meeting.

3. MINUTES 5 - 8

To confirm the minutes of the meeting held on 04 September 2025.

4. REGISTRATION FOR PUBLIC SPEAKING AND STATEMENTS

Members of the public wishing to speak to the Committee on a planning application should notify the Democratic Services Officer listed on the front of this agenda. This must be done no later than two clear working days before the meeting. Please refer to the Guide to Public Speaking at Planning Committee. [Guide to Public Speaking at Planning Committee](#).

The deadline for notifying a request to speak is 8.30am on 30 September 2025.

5. P/FUL/2025/03447 - BUCKLAND CAMPSITE, BUCKLAND HOUSE, BUCKLAND HOUSE LANE, BUCKLAND RIPERS, DT3 4FT 9 - 22

Use of land as camping site from 1st May to 30th September only, annually, (as an extension to the season permitted by planning permissions WD/D/18/002905 and P/FUL/2021/00928).

6. P/FUL/2025/03873 - KING GEORGE III STATUE, THE ESPLANADE, WEYMOUTH, DT4 8DE 23 - 28

Replace sceptre to King George III Statue.

7. P/LBC/2025/04317 - WAR MEMORIAL, THE ESPLANADE, WEYMOUTH, DT4 7RN 29 - 34

Install 3 new Portland stone plaques to be fixed to the existing panels of the memorial.

8. P/FUL/2025/01060 - PARACADEMY KITE SURFING CENTRE, VICTORIA SQUARE, PORTLAND 35 - 52

Retain existing building with alterations to windows and doors for mixed use as drinking establishment with food provision and kitesurfing school/shop.

9. URGENT ITEMS

To consider any items of business which the Chairman has had prior notification and considers to be urgent pursuant to section 100B (4) b) of the Local Government Act 1972

The reason for the urgency shall be recorded in the minutes.

10. EXEMPT BUSINESS

To move the exclusion of the press and the public for the following item in view of the likely disclosure of exempt information within the meaning of paragraph 3 of schedule 12 A to the Local Government Act 1972 (as amended).

The public and the press will be asked to leave the meeting whilst the item of business is considered.

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WESTERN AND SOUTHERN AREA PLANNING COMMITTEE

MINUTES OF MEETING HELD ON THURSDAY 4 SEPTEMBER 2025

Present: Cllrs Dave Bolwell (Chair), Neil Eysenck (Vice-Chair), Belinda Bawden, Matt Bell, Simon Christopher, Paul Kimber, David Northam, Louie O'Leary, Pete Roper and David Shortell

Apologies: Cllrs Craig Monks and Kate Wheller

Officers present (for all or part of the meeting):

Ann Collins (Area Manager – Western and Southern Team), Joshua Kennedy (Democratic Services Officer), Hannah Massey (Lawyer - Regulatory), Matthew Pochin-Hawkes (Lead Project Officer), Steven Tapscott (Senior Planning Officer) and Louis Wicks (Democratic Services Officer Apprentice)

24. Declarations of Interest

Cllr Bell declared an interest in item 5, due to having voted on the application when it was considered by Weymouth Town Council and so did not take part in the debate or vote for that application.

25. Minutes

The minutes of the meeting held on 17 July 2025 were confirmed and signed.

26. Registration for public speaking and statements

Representations by the public to the Committee on individual planning applications are detailed below. There were no questions, petitions or deputations received on other items on this occasion.

27. P/FUL/2024/05538 - Weymouth Harbour, Weymouth, DT4 8AJ

Cllr Bell left the Council Chamber at 10:08

Cllr Northam and Cllr Shortell stated that they had not been present at one of the previous meetings where the application was considered previously and had not watched the recordings of those meetings. They moved to sit in the public speakers section of the room and did not participate in the debate or vote on this matter.

Cllr Bawden and Cllr O'Leary stated that they had watched the recording of the application from the Committee in January, when they weren't present and so would participate in the consideration of the application.

The Lead Project Officer presented the application, which was for the replacement and strengthening of harbour walls F and G in Weymouth. It was explained that the application was being brought to the committee for determination again, as the parallel Marine Management Organisation application was yet to receive approval.

The site was highlighted on a map of the area and the different areas of jurisdiction were identified on the plans. It was explained that the applicant had advised that work wouldn't be started until the marine licence had been granted. The revised wording of condition 7 was shown to members.

It was proposed by Cllr O'Leary and seconded by Cllr Christopher, that the application be granted.

Decision: That the application be granted planning permission subject to the planning conditions set out in the appendix to these minutes.

28. **P/FUL/2024/02448 - Brenda Dench House, St Mary Street, Weymouth, DT4 8PU**

Cllr Bell returned to the Council Chamber at 11:17

Cllr Northam and Cllr Shortell move to the members section of the room.

The Senior Planning Officer presented the application for alterations and extensions to an existing building, to create an additional 10 dwellings. It was explained that it had come to the committee for determination as the officer's recommendation was contrary to the view of the Town Council and local Ward Member.

The building fell within the Weymouth Town Conservation Area and the nearby listed buildings and non-designated heritage assets were highlighted on a map. These included the Grade I listed St Mary's Church, which was adjacent to the application site.

The site had consent approved in 2021, however it was explained that this had since lapsed and since then new flooding data had been released, which was now being considered.

Photographs of the building from the front and rear street were provided, as well as a photograph showing the proximity of the adjacent church to the building. Members were shown the proposed and existing elevations of the front and rear of the building, as well as the proposed and existing floor plans.

Flood risk was considered high for a 1 in 30-year event and medium for a 1 in 200-year event, based on data from the Level 2 Strategic Flood Risk Assessment. The applicant had submitted an evacuation plan for residents in the event of a flood, however this was not considered sufficient to mitigate against the risk due to the

distance to a safe location and the route crossing deeper areas of flooding. The applicant had also referenced the Environment Agency's flood alert system, however as officers couldn't guarantee that potential residents would be signed up for this system, this wasn't considered an appropriate mitigation measure against the risk of flooding.

In terms of character and heritage, the Senior Planning Officer explained that the scheme had been redesigned since first being submitted and that although there were improvements, the terracotta render and lack of detailing on the frontage of the building meant that officers considered that the visual appearance would detract from the character of the area.

There were several amenity concerns noted by the Senior Planning Officer, these included loss of light and outlook onto a neighbouring property and there were two flats where, due to the design of the top floor, both outlook and natural light would be limited. In addition, due to the nearby placement of trees to one side of the building there would be limited sunlight in one of the flats, while no assurances could be made that these trees could be cut back.

It was noted that there were benefits to the application, including 10 new dwellings in a sustainable town centre location and the economic benefits associated with the new dwellings, however it was considered that these did not outweigh the substantial harms identified.

Mr Howard-Dobson spoke as the agent for the application. He stated that the application would provide 10 dwellings to Weymouth and improve the visual appearance of an old building, as well as making it more sustainable. He did not consider that enough weight was given to the evacuation plan provided and the fact that the flood risk would be from tidal flooding and so would only last 3-6 hours. In addition, he asked members to consider that new flood defences would likely be built to mitigate against flooding in Weymouth in the future, whilst other concerns could be overcome through conditions.

In response to questions from members the Senior Planning Officer provided the following responses:

- The name of the building couldn't be controlled.
- Dorset Fire and Rescue were consulted on the safety considerations of the gates and it was stated that they would be controlled by building regulations.
- Weight couldn't be given to any potential future flood defences and the application was only being considered in its current form.
- The flood data came from the Strategic Flood Risk Assessment and the document was available to the applicant when they made their application.
- The structure of the building was a consideration that would be covered by building regulations.
- The lack of community space and outside space was considered to be offset by access to local amenities such as parks and the beach.
- It wouldn't be reasonable to amend the appearance of the proposed building through condition. A new application would be required.
- The evacuation plan would require a route of 600m and would cross into deeper flood waters to reach a safe point.

- Another application for residential development was refused by the committee in January on the grounds of flood risk and the lack of safe access and egress in the event of a flood.

Having had the opportunity to debate the merits of the application and an understanding of all this entailed; having considered the officer's report and presentation; the written representation; and what they had heard at the meeting, a motion to approve the application was proposed by Cllr O'Leary and seconded by Cllr Northam. Following further debate Cllr Northam withdrew his seconding of the proposal, stating that he did not have enough information to go forward with the proposal. Cllr O'Leary subsequently withdrew his proposal.

Members continued to discuss the application and although several members agreed that the application would provide a visual improvement on the current building, on balance there were too many issues to overcome, particularly the risk of flooding.

Cllr Eysenck proposed that the matter be refused on the grounds set out in the officers recommendation and this was seconded by Cllr Bawden.

Decision: That the application be refused for the reasons set out in the appendix to these minutes.

29. **Urgent items**

There were no urgent items.

30. **Exempt Business**

There was no exempt business.

Decision List

Duration of meeting: 10.00 am - 12.06 pm

Chairman

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Agenda Item 5

Application Number:	P/FUL/2025/03447
Webpage:	https://planning.dorsetcouncil.gov.uk/
Site address:	Buckland Campsite Buckland House Buckland House Lane Buckland Ripers DT3 4FT
Proposal:	Use of land as camping site from 1st May to 30th September only, annually, (as an extension to the season permitted by planning permissions WD/D/18/002905 and P/FUL/2021/00928).
Applicant name:	Higher Moor Farm Ltd
Case Officer:	Darren Rogers
Ward Member(s):	Cllr Clifford and Cllr Taylor

1. Reason application is going to committee:

- 1.1 The officer recommendation conflicts with the Town Council's consultation response recommending the application be refused and raising material planning considerations. As this application is a major application, it is referred to the planning committee for determination in accordance with the constitution.

2. Summary of recommendation:

- 2.1 Recommendation A: Delegate authority to the Service Manager for Development Management and Enforcement and the Area Manager for the Southern and Western Team to grant planning permission subject to the completion of a legal agreement to secure:

- a contribution of £1799.05 to mitigate the impacts of the development on the Chesil and Fleet European site

and subject to planning conditions.

- 2.2 Recommendation B: Refuse permission for the reasons set out below if the agreement is not completed by 6 months from the date of committee or such extended time as agreed by the Service Manager for Development Management and Enforcement:

1. In the absence of a completed and signed s106 agreement the application would fail to provide the relevant financial contribution towards mitigating recreational pressures on the Chesil and Fleet SAC, SPA and RAMSAR, which would arise as a result of the proposed development. As such the development would adversely impact on the internationally important habitats and species at the site. Hence the proposal would be contrary to policy ENV2 of the adopted West Dorset, Weymouth and Portland Local Plan 2015 and paragraph 193 of the NPPF.

3. Key planning issues

Issue	Conclusion
Principle of development	The principle of camping on this site is established and the extension of the camping season is considered acceptable.
Landscape and Visual Impact	The additional impacts associated with the use would be limited due to their temporary nature and existing screening of the site. A condition is proposed to prevent use by caravans.
Amenity	Due to the significant distance of the campsite from the nearest residential properties and the limited additional period of camping applied for it is not considered that the proposal would result in significant adverse impacts on the living conditions of neighbours.
Biodiversity	The impact of camping uses on the site would not give rise to additional impacts beyond the existing campsite use, for which mitigation was secured by planning condition as part of the 2018 and 2021 planning permissions for the camping on this site. The retention of those same mitigation elements are considered to be sufficient in respect of the current proposals.
European Protected Habitats	Subject to the completion of a legal agreement to secure the mitigation payment for recreational impacts, there would be no adverse impact on the Chesil and Fleet SPA, SAC and RAMSAR site.
Highways	The proposal utilises an existing access and it is not considered that the proposal would result in unacceptable impacts.

4. Description of site

4.1 The application site is a piece of land located immediately to the north of the access road leading to Buckland House. The land is currently used as a campsite, under planning permissions WD/D/18/002905 and P/FUL/2021/00928. The site is mainly laid to grass with a post and rail fence in the central portion of the site, and electrical hook ups for the camping pitches. There is a toilet block and a barn with shop and showers located to the western edge of the site.

4.2 The site is accessed from an existing access on Nottingham Lane. The site lies outside of the defined development boundary and is to the north of the settlement of Buckland Rippers. The access to the site lies on a high point with the land falling away gently to the north. The land to the south, which is within the applicant's ownership falls away more steeply towards Buckland Rippers.

5. Description of development

5.1 The proposal seeks to add to the camping season on the site from 1 May to 14 May (inclusive) and through the entirety of September, resulting in a camping season which would run annually from 1st May to 30th September.

6. Background and relevant planning history

WD/D/18/002905 - Decision: GRA - Decision Date: 10/07/2019

Use of land as camping site during July and August only

WD/D/20/001703 - Decision: GRA - Decision Date: 27/01/2021

Use of land to site toilet/shower block and erection of decking and steps (retrospective)

P/FUL/2021/00928 - Decision: GRA - Decision Date: 05/07/2022

Use of land as camping site from 15th May to 30th June only

P/PAP/2023/00190 - Decision: RES - Decision Date: 19/06/2023

Change of use of agricultural building to reception/shop for adjacent camp site.

P/FUL/2024/01430 - Decision: GRA - Decision Date: 24/07/2024

Retain change of use of part of agricultural barn to use as reception, ancillary shop area and store and erection of disabled toilet and shower block.

P/PDN/2024/01976 - Decision: RES - Decision Date: 19/04/2024

Proposed 60 day temporary campsite dates - 24-31 May & 12 July - 31 August

P/HABR/2024/02240 - Decision: GRA - Decision Date: 25/07/2024

Regulation 75 application: Proposed 60 day temporary campsite dates - 24-31 May & 12 July - 31 August

P/PDN/2025/01126 - Decision: RES - Decision Date: 25/02/2025

Temporary campsite for 40 pitches camping from

23 May - 1 June 11 days

27 & 28 June 2 days

4 & 5 July 2 days

11 & 12 July 2 days

18/19/20 July 3 days

23 July - 31 Aug 40 days

Total 60 days.

P/HABR/2025/01194 - Decision: GRA - Decision Date: 04/04/2025

Temporary campsite for 40 pitches camping from

23 May - 1 June 11 days

27 & 28 June 2 days

4 & 5 July 2 days

11 & 12 July 2 days

18/19/20 July 3 days

23 July - 31 Aug 40 days

Total 60 days.

7. List of constraints

Land Outside DDBs

Landscape Character Area; Ridge and Vale; South Dorset Ridge and Vale

Right of Way: Footpath S16/10

Right of Way: Footpath S16/11; - Distance: 0.39

Site of nature conservation interests (SNCIS): Buckland Ripers Meadow

Natural England - RAMSAR - Distance: 3250.4

Special Area of Conservation (SAC) (5km buffer): Crookhill Brick Pit (UK0030349); - Distance: 2859.66

Special Area of Conservation (SAC) (5km buffer): Chesil & The Fleet (UK0017076); - Distance: 3231.55

Special Area of Conservation (SAC) (5km buffer): Isle of Portland to Studland Cliffs (UK0019861); - Distance: 4773.59

Surface water flooding - 1 in 100 year event plus 20% allowance

Surface water flooding - 1 in 100 year event plus 40% allowance

NAFRA 2 shows 1 in 30, 1 in 100 and 1 in 1000 risk of surface water flooding

Minerals and Waste Safeguarding Area

8. Consultations

All consultee responses can be viewed in full on the website.

Consultees

Consultation responses	No objection	Object	Brief summary of comments
Natural England	X		Natural England concur with the Councils AA dated 7th August. Suitable legally binding agreements may be required which will need to take into account mitigation which must be in place prior to commencement/occupation or where ongoing impacts are long term in perpetuity.
Environment Agency			The application falls outside of their remit for consultation.
Chickerell Town Council		X	Chickerell Town Council recommends refusal of this planning application on the following grounds: 1. Impact on Neighbours & Community - Residents in Buckland Ripers already report noise, odour from BBQs and catering units, and seasonal disruption. - Extending use to 30 September will increase these impacts. - Light pollution during shorter autumn days is a further concern. 2. Environmental & Landscape Impact - The site's proximity to a SSSI raises concerns about harm to sensitive species such as cowslips and orchids.

Consultation responses	No objection	Object	Brief summary of comments
			▪ The application lacks an ecological assessment and fails to explain how biodiversity will be protected. ▪ Extending operations reduces time for the land to naturally regenerate. 3. Access & Rights of Way ▪ The access road is a Public Right of Way. ▪ The Town Council respectfully requests that the Planning Committee review whether any unpermitted alterations have been made to the access road to ensure it remains lawful and safe. 4. Planning Policy & Sustainability ▪ The proposal conflicts with the Chickerell Neighbourhood Plan, which promotes sustainable tourism and protection of rural character. ▪ It also raises concerns under Dorset Local Plan policies on countryside development and environmental conservation. 5. Land Use & Amenity ▪ Expanding to five months of use per year signals intensifying commercialisation of the site. ▪ The Council questions whether such extended use should instead rely on General Permitted Development Rights for occasional events
Highways Officer	X		The Highway Authority considers that the proposal does not present a material harm to the transport network or to highway safety and consequently has no objection.
Mineral and Waste Officer	X		The Mineral and Waste Planning Authority have no objection to this application.
Lead Local Flood Authority	X		The LLFA has no objection to the proposed extension of season.
Tree Officer	X		No tree issues here, no objection.

Consultation responses	No objection	Object	Brief summary of comments
Environmental Health	X		No comments.
Natural Environment Team			- Lack of information within the application about the potential impact on the SNCI from extending the season. If the SNCI cannot be accessed by users of the site then I think we can consider this a non-issue but as DWT have said this isn't clear. - Previously confirmed compliance with the biodiversity enhancements proposed through previous Biodiversity Plans, which included habitat creation, but one of the previous BPs did put forward that access would be given for DWT to undertake and update monitoring survey, which has not taken place as I believe they have not had a response from the landowner.
Dorset Council Site Licence	X		Further to the consultation for the above planning application the applicant (should they obtain planning consent) will need to apply for a tent licence if they are now to operate between the months of May - September (e.g. more than 60 days or more than 42 consecutive days in 12 months). The applicant can find more information here: Caravans, mobile residential (park) homes and camping site licences - Dorset Council https://www.dorsetcouncil.gov.uk/caravans-mobile-residential-park-homes-and-camping-sites
World Heritage officer	X		Due to the location and scale of this application I have no comment to make regarding its likely impacts on the World Heritage Site.

Third Parties

5 Objections received from neighbouring residents (note objections received from the same household have been counted as 1 objection)

Summary of Material Objections

- Endorse objections from Chickerell Town Council and Dorset Wildlife Trust.
- Adverse Impact on Residents:
 - o Significant negative effects on quality of life due to seasonal campsite operations.
 - o Increased noise, litter, light pollution, and traffic.
- Environmental Concerns:
 - o Notable decline in local wildlife (foxes, deer), attributed to campsite activity.
- Infrastructure and Safety Issues

- o Local roads are increasingly unsafe, worsened by nearby housing developments.
- o Safety concerns for horse riders, cyclists, and pedestrians near sharp corners by the campsite and Nottingham road.
- o Signage and speed limits around the campsite unsuitable.
- Environmental Impact
- o The site is near a Site of Nature Conservation Interest (SNCI); early mowing in April damaged wildflowers.
- o Ecological surveys were conducted in winter, missing key biodiversity indicators.
- o No mention of biodiversity net gain in the application.
- o Extending the season to 5 months (not just one extra month) increases environmental pressure and commercialisation, which is inappropriate for the rural setting.
- o Autumn use will increase artificial lighting, affecting wildlife in an unlit, rural hamlet with no pavements or streetlights.
- o The access road is dangerous and unsuitable for increased traffic.
- Nuisance
- o Noise from 40–80 pitches is significant and often continues past 11 pm, despite a stated quiet period from 10 pm.
- o Activities near the barn (outside the red-marked tent area) generate additional noise close to residential properties.
- o Air Pollution e.g. BBQs
- Other Considerations
- o The proposal conflicts with the Chickerell Neighbourhood Plan, which supports sustainable tourism and rural character.

Dorset Wildlife Trust

- Insufficient ecological information to assess the impacts of the proposals
- No information has been provided to assess the potential for impacts upon the SNCI
- The covering letter states two previous Biodiversity Plans have been approved and all aspects of them completed on site however the monitoring survey of the SNCI has not been possible to undertake due to lack of response from the applicant.

9. Duties

s38(6) of the Planning and Compulsory Purchase Act 2004 requires that the determination of planning applications must be in accordance with the development plan unless material circumstances indicate otherwise.

10. Relevant policies

Development plan

In this case the development plan comprises:

West Dorset and Weymouth & Portland Local Plan (2015):

The following policies are considered to be relevant to this proposal:

- INT1: Presumption in favour of sustainable development
- ENV1: Landscape, seascape & sites of other geological interest
- ENV2: Wildlife and habitats
- ENV10: The landscape and townscape setting
- ENV16: Amenity
- SUS2: Distribution of development
- ECON7: Caravan and camping sites
- COM7: Creating a Safe and Efficient Transport Network

Chickerell Neighbourhood Plan (2021)

CNP10 Locally valued landscape north & east of Chickerell

CNP12 Enhancing Biodiversity

Material considerations

Emerging local plans:

Paragraph 49 of the NPPF provides that local planning authorities may give weight to relevant policies in emerging plans according to:

- the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);
- the extent to which there are unresolved objections to relevant plan policies (the less significant the unresolved objections, the greater the weight that may be given); and
- the degree of consistency of the relevant policies in the emerging plan to the NPPF (the closer the policies in the emerging plan are to the policies of the NPPF, the greater the weight that may be given).

The Dorset Council Local Plan

The Dorset Council Local Plan Options consultation took place between January and March 2021, with further consultation between 18 Aug – 13 October 2025. Being at a very early stage of preparation, the relevant policies in the draft plan should be accorded very limited weight in decision making.

National Planning Policy Framework 2024 (as amended 2025)

Paragraph 11 sets out the presumption in favour of sustainable development. Proposals that accord with the development plan should be approved without delay. Where the development plan is absent, silent or relevant policies are out-of-date then permission should be granted unless specific NPPF policies protecting areas or assets provide a strong reason for refusal and/or any adverse impacts of approval would significantly and demonstrably outweigh the benefits when assessed against the NPPF as a whole, with particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well designed places and providing affordable homes.

Other relevant NPPF sections include:

- Section 4 'Decision making': Para 39 - Local planning authorities should approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available...and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible.
- Section 6 'Building a strong, competitive economy', paragraphs 88 and 89 'Supporting a prosperous rural economy' promotes the sustainable growth and expansion of all types of business and enterprise in rural areas, through conversion of existing buildings, the erection of well-designed new buildings, and supports sustainable tourism and leisure developments where identified needs are not met by existing rural service centres.
- Section 11 'Making effective use of land'
- Section 12 'Achieving well designed places' This indicates that all development to be of a high quality in design, and the relationship and visual impact of it to be compatible with the surroundings.

Other material considerations

National Planning Practice Guidance

All of Dorset:

Dorset Council Interim Guidance and Position Statement Appendix B: Adopted Local Plan policies and objectives relating to climate change, renewable energy, and sustainable design and construction. December 2023.

Supplementary Planning Documents/Guidance For West Dorset area:

Landscape Character Assessment February 2009 (West Dorset)

11. Human rights

Article 6 - right to a fair trial.

Article 8 - right to respect for private and family life and home.

The first protocol of Article 1 protection of property.

This recommendation is based on adopted development plan policies, the application of which does not prejudice the human rights of the applicant or any third party.

12. Public Sector Equalities Duty

As set out in the Equalities Act 2010, all public bodies, in discharging their functions must have “due regard” to this duty. There are 3 main aims: -

- Removing or minimising disadvantages suffered by people due to their protected characteristics
- Taking steps to meet the needs of people with certain protected characteristics where these are different from the needs of other people
- Encouraging people with certain protected characteristics to participate in public life or in other activities where participation is disproportionately low.

Whilst there is no absolute requirement to fully remove any disadvantage the Duty is to have “regard to” and remove or minimise disadvantage and in considering the merits of this planning application the planning authority has taken into consideration the requirements of the Public Sector Equalities Duty. This scheme will have no impact on any with special characteristics.

13. Public Benefits

The proposals would provide a number of financial and non-financial benefits, including public benefits. These are summarised in the table below:

Material Consideration:

- Economic Benefits to the local area through additional spending in the locality

Non-material Consideration:

- None.

14. Planning Assessment

Principle of Development

14.1 The proposal seeks to extend the camping season of the existing campsite in May and September such as to enable operation from 01 May to 30 September annually. The existing site has consent for camping from 15th May to 31st August.

14.2 The site is located outside of any defined development boundary. However, Policy SUS2 of the Local Plan lists tourism, recreational or leisure related development as forms of development which are acceptable in principle in these locations, providing that this would not conflict with other policies in the plan.

14.3 Policy ECON7 allows for the creation of new and the expansion or intensification of existing camping sites, where they are in keeping with the landscape character and would form part of a long-

term plan to improve the quality and appearance of accommodation. All proposals are subject to the requirement that they would not result in a significant adverse impact on the distinctive characteristics of the area's landscape, heritage and built environment.

14.4 The proposal would represent a relatively modest extension of the permitted camping season and would not result in an intensification or expansion of the site by provision of additional camping pitches, or expansion of camping outside of the area previously permitted. It is also evident that the applicant has recently invested in the site, through the creation of electrical hook-ups for individual pitches and through the provision of a toilet block (granted planning permission in 2021). A shop/reception and revisions to the toilet & shower block were granted planning permission in 2024. It is therefore an established camping site which is solely looking to extend the camping season by an additional 45 nights. Therefore, the scheme complies with policy ECON7 of the West Dorset, Weymouth & Portland Local Plan (2015).

Landscape and Visual Impact

14.5 The landscape and visual impacts associated with the proposal are limited to the additional camping period taking place between 1st May and 15th May and throughout September and these impacts are considered equivalent to those already experienced for the existing consented season. The site is bounded by existing mature hedgerows to the north, east and west which offer an effective visual screen, albeit offering glimpsed views of the site from the road. While the southern boundary of the application site is currently open, the topography of the site is such that visibility from the south is limited as the majority of the camping area lies over the brow of a hill. It is not considered that the additional camping periods proposed would give rise to significant harm to the landscape character or result in unacceptable visual impacts.

14.6 Conditions imposed on the original consent for the campsite limit it to tented camping only with no caravans, in the interests of visual amenity. It would be considered appropriate to impose the same restriction if this application is approved. As such, the scheme complies with policies ENV1 & ENV10 of the West Dorset, Weymouth & Portland Local Plan (2015), Section 15 of the NPPF (2024) and policy CNP10 of the Chickerell Neighbourhood Plan.

Impact on Neighbouring Amenity

14.7 Concerns have been raised in respect of the impact of the proposed use on the amenity of residents of Buckland Rippers with particular concern being raised in respect of noise and odour from cooking and open fires. These matters were considered fully in the earlier planning applications to establish the campsite and the previous extension of the operational period, wherein the Council's environmental health team were consulted and concluded that due to the significant separation of the nearest residential properties from the site, there would not be an unacceptable impact upon amenity.

14.8 Aside from Buckland House, the nearest property to the campsite is Holly Brow, Church Lane, which is approximately 75m from the campsite, while all other properties are over 100m from the campsite. It is also the case that none of the neighbouring dwellings share a boundary with the application site.

14.9 Although the proposal would result in a longer camping period than had previously been consented, it is not considered that this would result in significant adverse impacts upon the living conditions of neighbours in accordance with policy ENV16 of the West Dorset, Weymouth & Portland Local Plan (2015)

Protected Habitats

14.10 The site is located within 5km of Chesil and the Fleet which is designated as a Special Protection Area (SPA), Special Area of Conservation (SAC) and Ramsar Site. Within 5km of the designated site, likely significant effects resulting from additional recreational pressures cannot be ruled out.

14.11 An appropriate assessment has been produced and agreed with Natural England. The appropriate assessment concludes that likely significant effects can be avoided. To ensure this funding towards the implementation of mitigation measures would be required made if planning

permission is granted. This would total for 45 pitches operating an additional 44 days each year which equates to £1799.05.

14.12 Financial contributions towards the mitigation would ordinarily be funded from CIL . However, as the development would not be CIL liable a planning obligation to secure a financial contribution towards mitigation would be required prior to the grant of planning permission Subject to the securing of mitigation, the scheme will comply with policy ENV2 of the West Dorset, Weymouth & Portland Local Plan (2015) and policy CNP10 of the Chickerell Neighbourhood Plan.

Highways

14.13 The proposal would continue to utilise the existing access that is used for the campsite. The Highways Authority reviewed this application and considered that the proposal would not present any material harm to the transport network or to highway safety. The Highways Authority therefore raised no objections on this basis.

14.14 The proposal is considered to be acceptable in respect of highways safety in accordance with policy COM7 of the West Dorset, Weymouth & Portland Local Plan (2015)

Biodiversity

14.15 Concerns were raised by Dorset Wildlife Trust surrounding the fact that the development site lies adjacent to a Site of Nature Conservation Interest (SNCI) (SY68/043 Buckland Ripers Meadow) which is cited for its species-rich neutral grassland habitats.

14.16 The concerns are surrounding the fact no ecological information has been provided to assess the potential for impacts upon the SNCI as a result of the proposals and the application does not acknowledge or address the presence of the SNCI directly adjacent to the areas intended to be used for the extended camping season. It is also raised that it has not been clarified whether there would be any access to the SNCI by users from the campsite.

14.17 The Applicant has stated following these comments that campsite users do not currently have access to the SNCI and would not have access to the SNCI if this application is approved. The SNCI areas are securely fenced and gated.

14.18 Based on the fact that the proposal would be extending an existing permitted use and that the proposal would not allow access to the SNCI, it is considered that the proposal would not have a significant impact on the SNCI. Dorset NET also considered that as there would be no access to the SNCI, this would be acceptable.

14.19 It is also understood that Dorset Wildlife Trust have been approached by the site owners to inspect the SNCI although it appears that Dorset Wildlife Trust have also approached the site owners but neither party has been able to arrange for the Trust to undertake the monitoring survey that was previously agreed as part of the Biodiversity Plan submitted with planning permission ref. WD/D/18/002905. The applicant is encouraged to make contact with the Trust to ensure continued compliance with the previously agreed Biodiversity Plans.

14.20 The earlier 2018 and 2021 planning permissions for camping at the site were the subject of a biodiversity mitigation plan. It is considered that extending the camping season by a further 44 days does not further impact biodiversity at the site and therefore conditioning compliance with the previous mitigation plan would be acceptable. The scheme will comply with policy ENV2 of the West Dorset, Weymouth & Portland Local Plan (2015) and policy CNP10 of the Chickerell Neighbourhood Plan.

Flood Risk

14.21 A small part of the site is identified in the Council's Strategic Flood Risk Assessment Level 1 as being at risk of surface water flooding, the risk being 1 in 100 year when including climate change allowances. In the Environment Agency's National Flood Risk Assessment 2 (NAFRA2) small areas of the site are shown as being 1 in 30, 1 in 100 and 1 in 1000 surface water flood risk. A flood risk assessment accompanied the application although it did not reference NAFRA2 and as such this was highlighted to the agent who submitted an amended FRA. The lead local flood authority has been consulted on the application and has no objection.

14.22 It is considered that the sequential test as set out in the NPPF and planning practice guidance would not be applicable as the change of use to a camping site has already occurred by reason of the existing planning permissions. This application does not include any additional land but seeks only to extend the camping season. Furthermore, during the course of this application, updated Planning Policy Guidance (PPG) in regard to flooding has been published which has clarified that *“where a site-specific flood risk assessment demonstrates clearly that the proposed layout, design, and mitigation measures would ensure that occupiers and users would remain safe from current and future surface water flood risk for the lifetime of the development ... without increasing flood risk elsewhere, then the sequential test need not be applied”*

14.23 It is only very small areas of the site that are identified as being at risk of surface water flooding and one of those areas is according to the agent, a depression in the land to the east of the site, which would not be suitable to erect a tent on anyway. The FRA states that campers will be advised to avoid this area and as adherence to the FRA can be conditioned and the area in question is very limited in size, this is considered to be sufficient and acceptable. Overall, it is considered that extending the season for the camping would not adversely affect flood risk or lead to increased flood risk elsewhere. Furthermore, access to the camp site is not affected by flooding, ensuring any holidaymakers have safe ingress & egress to the site. The applicant has been advised to update the FRA to refer to new PPG guidance and provide assurance on how holidaymakers will be protected from the small pockets of surface water flooding on the broader site. In light of that there will be a further update reported to committee prior to/at the meeting.

15. Environmental implications

15.1 Additional CO2 emissions arising from additional vehicle movements and camping activities at the site during the extended camping season.

16. Summary of issues and the planning balance

16.1 The principle of a camping site in this location has been previously established and this location has been considered sustainable for the purposes of a campsite. The proposal would be utilising the existing site and extending the period of operation only. This would bring about some economic benefits for the surrounding area through additional spending in the local area from the extended camping period.

16.2 NPPF paragraph 88 criterion (c) sets out that sustainable rural tourism and leisure developments which respect the character of the countryside should be enabled to support a prosperous rural economy.

16.3 The proposal would not provide access to the adjacent SNCI therefore it is considered that the proposal would not have a significant impact on the SNCI. Subject to a condition requiring the implementation of the biodiversity mitigation plan and a legal agreement to secure the mitigation payment for recreational impacts on the Chesil and Fleet it is considered the development would have an acceptable impact on biodiversity and protected habitats.

16.4 The extension of the camping season would have an acceptable visual impact, not adversely affecting landscape character. It would also have an acceptable impact in respect of residential amenity, highway safety and flood risk.

16.5 Having regard to the above matters it is considered that the proposed development accords with the policies of the development plan when taken as a whole and the NPPF.

17 Recommendation

A) Delegate authority to the Service Manager for Development Management and Enforcement and the Area Manager for the Southern and Western Team to grant planning permission subject to the completion of a legal agreement to secure:

- a contribution of £1799.05 to mitigate the impacts of the development on the Chesil and Fleet European site

and subject to planning conditions:

1. The development to which this permission relates must be begun not later than the expiration of three years beginning with the date of this permission.

Reason: This condition is required to be imposed by Section 91 of the Town and Country Planning Act 1990 (as amended).

2. The development hereby permitted shall be carried out in accordance with the following approved plans:

Location and Site Plan 171/154/01 A

Reason: For the avoidance of doubt and in the interests of proper planning.

3. The site shall be used for tented camping only and not for motorhomes or caravans. Tents shall only be erected on the land between 1st May and 30th September, inclusive, in any one year. The tented camping shall be occupied for holiday purposes only.

Reason: For the avoidance of doubt and in the interests of the visual amenities of the locality.

4. The development shall be carried out and maintained in accordance with the Flood Risk Assessment & Foul and Surface Water Drainage Details Revision 1.

Reason: In the interests of flood risk.

5. The development hereby approved shall be carried out and maintained in accordance with the approved Biodiversity Mitigation & Enhancement Plan signed by D. Carpendale and dated 7/11/2018, and agreed by the Natural Environment Team on 28/11/2018, unless a subsequent variation is agreed in writing with the Council.

Reason: In the interests of biodiversity mitigation and enhancement.

- B)** Refuse permission for the reasons set out below if the agreement is not completed by 6 months from the date of committee or such extended time as agreed by the Service Manager for Development Management and Enforcement:

1. In the absence of a completed and signed s106 agreement the application would fail to provide the relevant financial contribution towards mitigating recreational pressures on the Chesil and Fleet SAC, SPA and RAMSAR, which would arise as a result of the proposed development. As such the development would adversely impact on the internationally important habitats and species at the site. Hence the proposal would be contrary to policy ENV2 of the adopted West Dorset, Weymouth and Portland Local Plan 2015 and paragraph 193 of the NPPF.

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Agenda Item 6

Application Number:	P/LBC/2025/03873
Webpage:	https://planning.dorsetcouncil.gov.uk/plandisp.aspx?recno=415585
Site address:	King George III Statue, The Esplanade, Weymouth DT4 8DE
Proposal:	Replace sceptre to King George III Statue.
Applicant name:	Mr Trevor Ford
Case Officer:	Nicola Yeates
Ward Member(s):	Cllr Orrell

1. This application has been brought to committee as the structure to which the application relates is owned by Dorset Council.
2. **Summary of recommendation:** Grant subject to conditions.
3. **Key planning issues**

Issue	Conclusion
Impact on Heritage Asset, Setting and Conservation Area.	No adverse impact.

4. Description of site

- 4.1 King George III Statue is Grade I Listed and located within the Weymouth Town Centre Conservation Area in a prominent position at the junction of Esplanade, Westham Road and St Thomas Street.
- 4.2 As stated within the submitted Heritage and Design and Access Statements, the statue is an iconic landmark along Weymouth seafront. This statue, to commemorate the 50th year of the reign of King George III, was erected in 1809/10. The statue is made mostly from Coade stone with other minor mixed materials and set on a tall Portland stone pedestal. The statue is flanked by a gold lion and a white unicorn also in Coade stone.
- 4.3 Kings Statue was first listed in 1953 with the listing description mentioning the sceptre held in the right hand. However, the statue is now missing the sceptre, believed to have been removed in the 1970s.

5. Description of development

- 5.1 The proposal seeks to replace the missing sceptre to the statue.

6. Background and relevant planning history

07/00158/LBC3 - Decision: GRA - Decision Date: 22/11/2007

Restoration works to include some repainting, limewashing and re-gilding.

Re-install sceptre to statue (missing since mid-1960s).

7. List of constraints

Grade I Listed KINGS STATUE HE Reference: 1365879 (*statutory duty to preserve or enhance the significance of heritage assets under the Planning (Listed Buildings & Conservation Areas) Act 1990*).

Within the Weymouth Town Centre Conservation Area (*statutory duty to preserve or enhance the significance of heritage assets under the Planning (Listed Buildings & Conservation Areas) Act 1990*).

8. Consultations

All consultee responses can be viewed in full on the website.

Consultees

1. **Weymouth Town Council** - The Council warmly welcomes the proposals.
2. **Melcombe Regis Ward** – no comments received.
3. **Historic England** - Historic England supports proposals to replace sceptre to King George III Statue in Weymouth, however the application does not include any details of the design, materials or fixings. Dorset Council should ensure that this detail is provided and that all new materials and fixings are appropriate to ensure no longer term harm to the existing statue.
4. **National Amenity Societies** – no comments received.

Representations received – None.

9. Duties

The Planning (Listed Buildings and Conservation Areas) Act 1990 - includes a general duty to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses when considering whether to grant listed building consent.

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of conservation areas.

10. Relevant policies

Development Plan

West Dorset Weymouth and Portland Local Plan 2015

The following policies of the Local Plan are considered to be relevant:

ENV4 – Heritage Assets

Material considerations

National Planning Policy Framework 2024 (as amended 2025)

Section 16 'Conserving and Enhancing the Historic Environment'- Paragraph 212 says that when considering designated heritage assets, great weight should be given to the asset's conservation, irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. The effect of an application on the significance of non-designated heritage assets should also be taken into account (para 216).

Emerging Local Plans:

Paragraph 49 of the NPPF provides that local planning authorities may give weight to relevant policies in emerging plans according to:

- The stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);
- the extent to which there are unresolved objections to relevant plan policies (the less significant the unresolved objections, the greater the weight that may be given); and
- the degree of consistency of the relevant policies in the emerging plan to the NPPF (the closer the policies in the emerging plan are to the policies of the NPPF, the greater the weight that may be given).

The draft Dorset Council Local Plan

The Dorset Council Local Plan Options Consultation took place between January and March 2021. Being at a very early stage of preparation, the relevant policies in the draft Dorset Council Local Plan should be accorded very limited weight in decision making.

Emerging Neighbourhood Plans

Weymouth Neighbourhood Plan - The Weymouth Neighbourhood Plan has been submitted for examination but has limited weight applied to decision making until it is 'made'. The draft plan (December 2024) includes the following policies of relevance:

W45 - Heritage Assets

11. Human rights

Article 6 - right to a fair trial.

Article 8 - right to respect for private and family life and home.

The first protocol of Article 1 protection of property.

This recommendation is based on adopted development plan policies, the application of which does not prejudice the human rights of the applicant or any third party.

12. Public Sector Equalities Duty

As set out in the Equalities Act 2010, all public bodies, in discharging their functions must have “due regard” to this duty. There are 3 main aims: -

- Removing or minimising disadvantages suffered by people due to their protected characteristics.
- Taking steps to meet the needs of people with certain protected characteristics where these are different from the needs of other people.
- Encouraging people with certain protected characteristics to participate in public life or in other activities where participation is disproportionately low.

Whilst there is no absolute requirement to fully remove any disadvantage the Duty is to have “regard to” and remove or minimise disadvantage and in considering the merits of this planning application the planning authority has taken into consideration the requirements of the Public Sector Equalities Duty. The proposal will not impact on people with protected characteristics.

13. Assessment

Impact on Heritage Asset, Setting and Conservation Area

- 13.1 The statue is considered a significant element of the overall experience of Weymouth. The statue sits tall facing north along The Esplanade in a very prominent position, on a large island, at the junction of several roads and therefore is clearly visible.
- 13.2 The proposal seeks to replace the missing sceptre to the statue believed to have been removed in the 1970s. The exact reason for the removal is not known.
- 13.3 The submitted documentation states that the existing materials are Coade stone, timber, paint and gilding. The proposed materials and finishes for the new sceptre would be hardwood and coated in gold leaf. The supporting documentation states that the new sceptre would be as exact a replica as can be produced by a specialist conservation contractor. The proposed works would see a sceptre created matching that shown in the photograph submitted dated 1964.
- 13.4 The fixing of the new sceptre would be similar to the original with support from the hand and leg. The fixing is stated to be in modern materials. No specific plans or details have been provided regarding the design, size and fixings. This has been highlighted within Historic England’s comments.
- 13.5 The proposal would see the sceptre reinstated bringing the statue back to the original condition. The submitted statement states that this will enhance the experience for locals and visitors to the town as the statue is open for all to visit and view at all times. It is considered that the proposal would enhance the statue and complete the scene bring the statue back to the original condition. The proposal is considered positive and would not cause harm to the Listed structure nor detrimentally alter the appearance of this heritage asset. Furthermore, the proposal would not impact the setting of the neighbouring Listed buildings nor the character and appearance of the Conservation Area.
- 13.6 It is considered that the principle of the replacement sceptre is acceptable and that the design, size and fixing details could be agreed by way of a condition.
- 13.7 Permitted Development enquiry P/PDE/2025/00190 was submitted and it was concluded that no planning permission was required for the proposed works.

Conclusion

- 14.1 It is concluded that the proposal would enhance the special architectural and historic interest of this heritage asset and therefore would not result in harm to the significance of the Listed structure. The proposal would not result in harm to the neighbouring Listed buildings nor the special character and local distinctiveness of the Weymouth Town Centre Conservation Area.
- 14.2 In reaching this conclusion the proposal has been assessed with regard to the duties under section 16 of the NPPF (2024) and applying Sections 16 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

15. Recommendation: Grant listed building consent subject to the following conditions:

1. The work to which this listed building consent relates must be begun not later than the expiration of three years beginning with the date on which the consent is granted.

Reason: This condition is required to be imposed by reason of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended).

2. The works hereby permitted shall be carried out in accordance with the following approved plans:

PP-14144711v1 Location Plan

Reason: To preserve the architectural and historical qualities of the building.

3. Prior to installation detailed drawings and specifications showing the design, size and fixings of the replacement sceptre shall be submitted to the Local Planning Authority and agreed in writing. Thereafter, the works shall be carried out in accordance with the agreed details.

Reason: To preserve or enhance the character and appearance of the heritage asset.

Informative Notes:

1. Informative: National Planning Policy Framework Statement

In accordance with paragraph 39 of the NPPF the council, as local planning authority, takes a positive approach to development proposals and is focused on providing sustainable development.

The council works with applicants/agents in a positive and proactive manner by:

- offering a pre-application advice service, and
- as appropriate updating applicants/agents of any issues that may arise in the processing of their application and where possible suggesting solutions.

In this case:

- The applicant was provided with pre-application advice.
- The application was acceptable as submitted and no further assistance was required.

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Agenda Item 7

Application Number:	P/LBC/2025/04317
Webpage:	https://planning.dorsetcouncil.gov.uk/plandisp.aspx?recno=416070
Site address:	War Memorial, The Esplanade, Weymouth DT4 7RN
Proposal:	Install 3 new Portland stone plaques to be fixed to the existing panels of the memorial.
Applicant name:	Weymouth Town Council
Case Officer:	Nicola Yeates
Ward Member(s):	Cllr Orrell

1. This application has been brought to committee as the structure to which the application relates is owned by Dorset Council.
2. **Summary of recommendation:** Grant subject to conditions.
3. **Key planning issues**

Issue	Conclusion
Impact on Heritage Asset, Setting and Conservation Area.	No adverse impact.

4. Description of site

- 4.1 The American War Memorial is Grade II Listed and located within the Weymouth Town Centre Conservation Area in a prominent position along the promenade opposite The Royal Hotel. As described within the submitted Design, Access and Heritage Statement, this memorial commemorates the American servicemen who passed through Weymouth to the beaches of Normandy in the Second World War.
- 4.2 The memorial is constructed of Portland stone and comprises of an octagonal pedestal with four main load bearing panels and four intermediate panels, one of which is a timber access door. The east facing panel has a copper plaque presented by the 14th Major Port of the United States Army. Subsequent plaques commemorating the involvement and sacrifice of the American troops during World War II have been added to the memorial in 1999, 2002 and 2004. Above the pedestal, a stone base inset with decorative bronze grilles to four of the sides, carries a pillar constructed in two stages; the lower section is square in plan with deep mouldings at the corners to form a cruciform shape, and the upper section is octagonal and is surmounted by a glass lantern (electric) with leaded lights.
- 4.3 The memorial was first listed in 2009 and the listing description states for the following principal reasons *A dignified piece of symbolism, imaginatively sited on the sea front. It is a poignant reminder of the sacrifice of American servicemen during World War Two. It has group value with a number of listed buildings, including the Weymouth Cenotaph to the north east.*

5. Description of development

Install 3 new Portland stone plaques to be fixed to the existing panels of the memorial.

6. Background and relevant planning history

11/00366/LBC3 - Decision: GRA - Decision Date: 01/06/2011

Essential structural repairs to return the memorial to good structural condition.

WP/13/00486/PRE - Decision: Response given - Decision Date: 19/07/2013

Pre-application consultation - Extension to war memorial.

WP/17/00962/LBC - Decision: GRA - Decision Date: 02/05/2018

Addition of a cast bronze commemorative plaque to the front stone plinth of Weymouth Cenotaph.

P/PAP/2025/00028 - Decision: Response given - Decision Date: 08/04/2025

Restoration of American War Memorial and new Bandstand.

7. List of constraints

Grade II Listed WEYMOUTH D-DAY PORT MEMORIAL HE Reference: 1393112 (*statutory duty to preserve or enhance the significance of heritage assets under the Planning (Listed Buildings & Conservation Areas) Act 1990*).

Within the Weymouth Town Centre Conservation Area (*statutory duty to preserve or enhance the significance of heritage assets under the Planning (Listed Buildings & Conservation Areas) Act 1990*).

8. Consultations

All consultee responses can be viewed in full on the website.

Consultees

- Weymouth TC** - The Council supports this application and raises no objection. The Committee is pleased to see that Weymouth Town Council is being seen to act when it needs to, to maintain public memorials.
- Melcombe Regis Ward** - A necessary and careful restoration of this significant monument. It marks an important time in our town's rich history.

Representations received

Total - Objections	Total - No Objections	Total - Comments
1	0	War Memorial Trust – From the documentation available we recognise that various options have been considered for addressing some deterioration to some of the panels. From the images available it appears that the deterioration is localised and limited. At this time we would suggest that works are not urgently required but rather an accurate record should be made and

		ongoing monitoring should occur. If works are undertaken the Trust would raise concerns over the current proposals to introduce new flush plaques to the current recesses. Whilst the change in appearance would be fairly minimal, and replicate an earlier approach already found on the memorial, there are concerns and issues which need to be recognised with this approach. By introducing flush panels these will be exposed to greater surface run off than recessed panels. This is likely one of the causes for the Ranger plaques rapid rate of deterioration in comparison to the historic panels. The main issue appears to be the loss of paint to this particular panel, this could be renewed to improve legibility rather than undertaking a more invasive removal and replacement. In addition the issues with the panels are likely to largely be due to environmental factors which cannot be altered and therefore any intervention will likely have a limited life span and there is an issue relating to reversibility of inset panels and the risk of damage to the original fabric if later removal is required. In 2010 a structural report was produced for the memorial to inform a conservation program of works. At this time it was noted that the plinth was in good condition. Has any further condition assessment been undertaken to determine the causes of the deterioration to help inform the approach?
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9. Duties

The Planning (Listed Buildings and Conservation Areas) Act 1990 - includes a general duty to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses when considering whether to grant listed building consent.

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of conservation areas.

10. Relevant policies

Development Plan

West Dorset Weymouth and Portland Local Plan 2015

The following policies of the Local Plan are considered to be relevant:

ENV4 – Heritage Assets

Material considerations

National Planning Policy Framework 2024 (as amended 2025)

Section 16 'Conserving and Enhancing the Historic Environment'- Paragraph 212 says that when considering designated heritage assets, great weight should be given to the asset's conservation, irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. The effect of an application on the significance of non-designated heritage assets should also be taken into account (para 216).

Emerging Local Plans:

Paragraph 49 of the NPPF provides that local planning authorities may give weight to relevant policies in emerging plans according to:

- The stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);
- the extent to which there are unresolved objections to relevant plan policies (the less significant the unresolved objections, the greater the weight that may be given); and
- the degree of consistency of the relevant policies in the emerging plan to the NPPF (the closer the policies in the emerging plan are to the policies of the NPPF, the greater the weight that may be given).

The draft Dorset Council Local Plan

The Dorset Council Local Plan Options Consultation took place between January and March 2021. Being at a very early stage of preparation, the relevant policies in the draft Dorset Council Local Plan should be accorded very limited weight in decision making.

Emerging Neighbourhood Plans

Weymouth Neighbourhood Plan - The Weymouth Neighbourhood Plan has been submitted for examination but has limited weight applied to decision making until it is 'made'. The draft plan (December 2024) includes the following policies of relevance:

W45 - Heritage Assets

11. Human rights

Article 6 - right to a fair trial.

Article 8 - right to respect for private and family life and home.

The first protocol of Article 1 protection of property.

This recommendation is based on adopted development plan policies, the application of which does not prejudice the human rights of the applicant or any third party.

12. Public Sector Equalities Duty

As set out in the Equalities Act 2010, all public bodies, in discharging their functions must have "due regard" to this duty. There are 3 main aims: -

- Removing or minimising disadvantages suffered by people due to their protected characteristics.

- Taking steps to meet the needs of people with certain protected characteristics where these are different from the needs of other people.
- Encouraging people with certain protected characteristics to participate in public life or in other activities where participation is disproportionately low.

Whilst there is no absolute requirement to fully remove any disadvantage the Duty is to have “regard to” and remove or minimise disadvantage and in considering the merits of this planning application the planning authority has taken into consideration the requirements of the Public Sector Equalities Duty. The proposal will not impact on people with protected characteristics.

13. Assessment

Impact on Heritage Asset, Setting and Conservation Area

- 13.1 The proposal seeks to install 3 new Portland stone plaques due to the existing plaques suffering from exposure to the elements.
- 13.2 For identification purposes only the panels are ‘Ranger’, ‘We Remember ...’ and ‘Unveiled’. The latter 2no. would be fixed to the existing panels of the memorial. It is understood from the submitted documentation that it is not possible to remove these existing panels due to structural stability and therefore it is proposed that the new panels will be fixed to the existing.
- 13.3 The former 1no. (Ranger) is already an applied panel and therefore this would be removed and replaced with a new ‘like for like’ stone panel.
- 13.4 The submitted Statement details the new panels would be Portland Stone, with the ‘We Remember Your Sacrifice’ and ‘Ranger’ panels being 1.5” x 24” x 44”, and the ‘Unveiled’ panel being 1.5” x 24” x 32”. The inscription for each panel would be cut and enamelled black as the existing panels.
- 13.5 The proposed works were discussed at pre-app stage to which there was no objection to the proposal in principle.
- 13.6 The comments received from the War Memorials Trust are noted regarding the proposal and suggested recording and monitoring in the first instance and concerns regarding the exposure of flush fitted panels. In response, further supporting information was received from the Agent detailing previous works and monitoring and further information regarding the requirement for flush fitting panels. In this instance, it is considered that the Agent has provided clear and convincing justification for the proposed works.
- 13.7 The proposal is considered positive, enabling the panels to be easier to read and would not cause detrimental harm to the Listed structure nor detrimentally alter the appearance of this heritage asset. Furthermore, the proposal would not impact the setting of the neighbouring Listed buildings nor the character and appearance of the Conservation Area.

14. Conclusion

- 14.1 The proposal would not be detrimental to the special architectural, historic and group value of this heritage asset and therefore would not result in harm to the significance of the Listed structure.

- 14.2 The proposal would not detrimentally alter the appearance of this heritage asset and therefore would not result in harm to the neighbouring Listed buildings nor the special character and local distinctiveness of the Weymouth Town Centre Conservation Area.
- 14.3 In reaching this conclusion the proposal has been assessed with regard to the duties under section 16 of the NPPF (2024) and applying Sections 16 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

15. Recommendation: Grant listed building consent subject to the following conditions:

1. The work to which this listed building consent relates must be begun not later than the expiration of three years beginning with the date on which the consent is granted.

Reason: This condition is required to be imposed by reason of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended).

2. The works hereby permitted shall be carried out in accordance with the following approved plans:

PP-14182156v1 Location Plan

Reason: To preserve the architectural and historical qualities of the building.

3. The works hereby permitted shall be carried out in accordance with the following approved documents:

Proposed Replacement Plaques

Reason: To preserve the architectural and historical qualities of the building.

Informative Notes:

1. Informative: National Planning Policy Framework Statement

In accordance with paragraph 39 of the NPPF the council, as local planning authority, takes a positive approach to development proposals and is focused on providing sustainable development.

The council works with applicants/agents in a positive and proactive manner by:

- offering a pre-application advice service, and
- as appropriate updating applicants/agents of any issues that may arise in the processing of their application and where possible suggesting solutions.

In this case:

- The applicant was provided with pre-application advice.
- The application was acceptable as submitted and no further assistance was required.

Application Number:	P/FUL/2025/01060
Site address:	Paracademy Kite Surfing Centre Victoria Square Portland
Proposal:	Retain existing building with alterations to windows and doors for mixed use as drinking establishment with food provision and kitesurfing school/shop.
Applicant name:	Mr Craig Smith
Case Officer:	Robert Parr
Ward Member(s):	Cllr Roper, Cllr Hughes and Cllr Kimber

1. In accordance with the Council's scheme of delegation this application is brought to committee for determination as Dorset Council owns part of the land the subject of the application.
2. **Summary of recommendation:**
Refuse for the reasons set out at section 16 of this report.
3. **Key planning issues**

Issue	Conclusion
Principle of development	Accepted
Proposed mixed use	Acceptable
Scale, design, impact on character and appearance	Acceptable
Impact on the living conditions of the occupants and neighbouring properties	Acceptable
Flood risk	Unacceptable
Economic benefits	Acceptable
Highway impacts, safety, access and parking	Acceptable
Environmental Implications	Acceptable

4. **Description of site**

- 4.1 The application site is located at the north west end of the Masonic Car Park on the north west side of Portland and adjoins Portland Skate Park. The site is accessed off Portland Beach Road (A354) which runs parallel to the north east of the site.
- 4.2 The existing building sits on a level plot, is single storey, has a rectangular planform, has vertical timber clad external walls below a pitched gable ended corrugated roof. At the north east end of the main building is a single extension with shallow pitched lean-to roof. The building has historically been in use as a water sports centre offering equipment hire, purchase and training. Based on the case officer observations during a site visit on 21 May 2025, the alterations to windows and doors for mixed use as drinking establishment with food provision appear to have been carried out. The application is therefore retrospective.
- 4.3 The building sits in an isolated location which is well away from nearby buildings and dwellings. Adjacent and south west of the site is Chesil Beach and the Heritage Coast. The site is outside any Defined Development Boundary, is not a Listed Building and is not within a Conservation Area. The site is within flood zones 2 and 3.

5. Description of development

- 5.1 The proposed development is to retain the existing building with alterations to windows and doors for mixed use as drinking establishment with food provision and kitesurfing school/shop.

6. Background and relevant planning history

- 6.1 The table below sets out the relevant planning history for the site. By way of background, a planning application was received on 20 November 2024, however the application was not supported by the required site-specific flood risk assessment making it invalid. It was highlighted to the applicant that the time limited planning permission for the existing building (ref. 11/00153/FUL) had ended on 30 April 2016 and as such an application to use part of the building was unlikely to be acceptable, given the existing building did not benefit from an extant planning permission. Following correspondence with the applicant they informed Dorset Council they did not wish to proceed with the application as they were going to submit a planning application for the whole building. As a result, the application was made invalid on 30 January 2025. A case officer site visit had taken place on 4 December 2024, at which point the development of a drinking establishment with food provision had not commenced.

Application no.	Proposal	Decision	Decision Date
11/00153/FUL	Use of existing building for kitesurfing school (resubmission)	Granted	15/04/2011
06/00025/FUL	Use of existing building for kitesurfing school	Granted	24/02/2006

00/00455/FUL	Renewal of permission for chandlers and diving school	Granted	28/09/2000
00/00099/ADV	Replacement shop sign	Granted	26/06/2000
94/00674/TEMP	Renewal of permission for retention of underwater chandlers and diving school	Granted	20/01/1995
89/00987/TEMP	Renewal of permission for retention of underwater chandlers and diving school	Granted	14/12/1989
86/00276/FUL	Erection of one portacabin	Granted	03/07/1986
84/00597/TEMP	Renewal of permission for underwater chandlers and diving school	Granted	05/12/1984

7. List of constraints

Land Outside Defined Development Boundaries

Dorset Council Land Freehold: Land at Portland Esplanade & Chesil Beach including Lord Clyde & Masonic Car Parks & Skatepark, Portland - Reference FH004354

Natural England Designation - RAMSAR: Chesil Beach & the Fleet (UK11012); - Distance: 1.8km

Special Area of Conservation (SAC) (5km buffer): Chesil & The Fleet (UK0017076); - Distance: 1km

Flood Zones 2 and 3a

Area of Archaeological Potential; Portland

Wessex Water Treatment Works Catchment

Portland heliport consultation zone (within 13km) - Distance: 333m

Radon: Class 3: 3 - 5%

Office of Nuclear Responsibility: Portland 12km zone

8. Consultations

All consultee responses can be viewed in full on the website.

Consultees

1. Dorset Police Crime Prevention/Designing Out Crime Officer

I have no objection at this time to this application

2. Dorset Council - Rights of Way Officer

No objection to the proposed development, as shown in the plans accompanying the application. However, throughout the duration of the development the full width

of the public bridleway must remain open and available to the public, with no materials or vehicles stored on the route.

3. Dorset Council - Highways

There is sufficient parking adjacent, opportunities for active travel and use of sustainable transport. So long as the existing legal access provision stays as it is, the Highway Authority has no objection to the proposal.

4. Dorset Council - Environmental Assessment

The proposal varies significantly from the previous application. Therefore, please refer to my response on P/FUL/2024/06777 confirming that a Habitat Regulations Assessment is not required.

5. Dorset Council – Environmental Services – Protection

No comment

6. Portland Town Council

Portland Town Council supports this application

7. Dorset Council - Building Control Weymouth Team

No comment

8. Dorset Council - Licensing

No response received

9. Dorset Wildlife Trust

No response received

10. Ramblers Association

No response received

11. Natural England

No objection. Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites or landscapes.

12. Environment Agency (EA)

EA Response dated 7 July 2025

The flood risk assessment (FRA) correctly places the site within Flood Zone 3, indicating a high probability of flooding, but does not demonstrate a more detailed understanding regarding the high level of flood risk at this location.

Based on the 'rapid inundation' nature of the flood risk (i.e. wave overtopping of Chesil Beach) at this location, an increase in vulnerability classification to More Vulnerable, the current understanding of high 'rapid inundation' flood risk to the site and in the wider area, and the possibility that the flood risk understanding would increase due to climate change, the Environment Agency objects to the proposal.

The submitted FRA does not comply with the requirements of PPG.

EA advise local planning authorities (LPA) to formally consider the emergency planning and rescue implications of new development in making their decisions and consult emergency planners and services.

EA considers the likely flood hazard rating against the design flood for the proposal and, based on current understanding this is 'danger to some' (e.g. children, the elderly and infirm) at the immediate site area (however, it must be recognised that this does not include climate change etc.). This does not mean we consider that the access is safe, or the proposals acceptable in this regard. It is also imperative to understand that the hazard rating along the access routes to / from the site (i.e. Portland Beach Road / Victoria Square etc.) is at least 'Danger for Most' (not including climate change).

EA recommend LPA consider other issues relating to flood risk which are outside the EA remit or expertise.

EA Response dated 6 August 2025

Objection. EA have reviewed the submitted Flood Risk Assessment, Emergency Contact List and Flood Response Plan. The submitted documents do not address EA concerns regarding introducing a More Vulnerable (drinking establishment) flood risk classification to this existing Less Vulnerable use, particularly with respect to the potential severe flood risk to this site and the surrounding area. Please refer to previous response dated 7 July 2025.

EA notes proposed safety measures set out in the submission and strongly advise these are put in place for the existing business irrespective of whether planning approval is granted.

13. Dorset Council - Asset and Property

No response received

14. Ward Councillors

Cllr Hughes - No objection to this work and alterations.

Cllrs. Kimber and Roper – No comments received.

15. Dorset Council - World Heritage - Principal Officer

No comments

Representations received

One representation was received objecting to the proposed development for the reasons summarised below:

- We feel there are enough eating and drinking places in the vicinity of Victoria Square all within less than 3/4 mile.
- Currently no overnight parking and this will encourage people to camp and there are no facilities to support use as a camp site.
- Works at the site have started and rubbish left on site. An abandoned vehicle has been there for a couple of years and parked on top of rubbish with no effort to pick it up.
- Names on Companies House are not the same as person requesting planning permission.
- Exit road to car park is in disrepair and so additional traffic will add to its demise.

9. Duties

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that the determination of planning applications must be in accordance with the development plan unless material circumstances indicate otherwise.

10. Relevant policies

Development plan

In this case the development plan comprises:

Local Plan Adopted West Dorset and Weymouth & Portland Local Plan:

The following policies are considered to be relevant to this proposal:

- INT1: Presumption in favour of sustainable development
- ENV1: Landscape, seascape & sites of other geological interest
- ENV2: Wildlife and habitats
- ENV4: Heritage assets
- ENV5: Flood risk
- ENV10: The landscape and townscape setting
- ENV12: The design and positioning of buildings
- ENV13: Achieving high levels of environmental performance
- ENV15: Efficient and appropriate use of land
- ENV16: Amenity
- SUS2: Distribution of development

- SUS3: Adaptation and re-use of buildings outside defined development boundaries
- ECON1: Provision of employment
- ECON5: Tourism attractions and facilities
- COM7: Creating a safe & efficient transport network
- COM9: Parking provision

Made Neighbourhood Plans

Portland Neighbourhood Plan 2017 to 2031 (made 22/06/2021)

- Policy No. Port/SS1 Reinforcing Local and Neighbourhood Centres
- Policy No. Port/EN6 Defined Development Boundaries
- Policy No. Port/EN7 Design and Character
- Policy No. Port/BE2 Up-grading of Existing Employment Sites and Premises

Material considerations

Emerging local plans:

Paragraph 48 of the NPPF provides that local planning authorities may give weight to relevant policies in emerging plans according to:

- the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);
- the extent to which there are unresolved objections to relevant plan policies (the less significant the unresolved objections, the greater the weight that may be given); and
- the degree of consistency of the relevant policies in the emerging plan to the NPPF (the closer the policies in the emerging plan are to the policies of the NPPF, the greater the weight that may be given).

The Dorset Council Local Plan

The Dorset Council Local Plan Options consultation took place between January and March 2021. Being at a very early stage of preparation, the relevant policies in the draft plan should be accorded very limited weight in decision making.

National Planning Policy Framework 2024 (as amended 2025)

Paragraph 11 sets out the presumption in favour of sustainable development. Proposals that accord with the development plan should be approved without delay. Where the development plan is absent, silent or relevant policies are out-of-date then permission should be granted unless specific NPPF policies protecting areas or assets provide a strong reason for refusal and/or any adverse impacts of approval would significantly and demonstrably outweigh the benefits when assessed against the NPPF as a whole, with particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well designed places and providing affordable homes.

Other relevant NPPF sections include:

- Section 4 'Decision making': Para 39 - Local planning authorities should approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available...and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible.
- Section 6 'Building a strong, competitive economy', paragraphs 88 and 89 'Supporting a prosperous rural economy' promotes the sustainable growth and expansion of all types of business and enterprise in rural areas, through conversion of existing buildings, the erection of well-designed new buildings, and supports sustainable tourism and leisure developments where identified needs are not met by existing rural service centres.
- 8. Promoting healthy and safe communities
- Section 11 'Making effective use of land'
- Section 12 'Achieving well designed places' This indicates that all development to be of a high quality in design, and the relationship and visual impact of it to be compatible with the surroundings. In particular, and amongst other things, Paragraphs 131 – 141 advise that:

The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development.

Development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design.

- Section 14 'Meeting the challenges of climate change, flooding and coastal change'
- Section 16 'Conserving and Enhancing the Historic Environment'- Paragraph 212 says that when considering designated heritage assets, great weight should be given to the asset's conservation, irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. The effect of an application on the significance of non-designated heritage assets should also be taken into account (para 216).

Other material considerations

National Planning Practice Guidance

All of Dorset:

Dorset Council Interim Guidance and Position Statement Appendix B: Adopted Local Plan policies and objectives relating to climate change, renewable energy, and sustainable design and construction. December 2023.

Supplementary Planning Documents/Guidance For West Dorset area:

Weymouth & Portland Urban Design (2002)

11. Human rights

Article 6 - right to a fair trial.

Article 8 - right to respect for private and family life and home.

The first protocol of Article 1 protection of property.

This recommendation is based on adopted development plan policies, the application of which does not prejudice the human rights of the applicant or any third party.

12. Public Sector Equalities Duty

As set out in the Equalities Act 2010, all public bodies, in discharging their functions must have “due regard” to this duty. There are 3 main aims: -

- Removing or minimising disadvantages suffered by people due to their protected characteristics
- Taking steps to meet the needs of people with certain protected characteristics where these are different from the needs of other people
- Encouraging people with certain protected characteristics to participate in public life or in other activities where participation is disproportionately low.

Whilst there is no absolute requirement to fully remove any disadvantage the Duty is to have “regard to” and remove or minimise disadvantage and in considering the merits of this planning application the planning authority has taken into consideration the requirements of the Public Sector Equalities Duty.

Access - The building proposed for retention is accessed by steps from the car parking area on the south of the building and from the skate park on the north side of the building. Therefore, it would appear that access for people with disabilities such as mobility impairments or for people pushing buggies has not been accommodated in the design of the development.

13. Public Benefits

Material considerations

The proposals would provide a number of financial and non-financial benefits, including public benefits. These are summarised in the table below:

- The proposal would provide toilet facilities in close proximity to the existing skate park, which it is reasonable to expect visitors could access if also customers of the proposed drinking/food establishment.
- Health and wellbeing benefits associated with retention of the kite school.
- Tourism benefits through the diversification of an existing kite school.
- The application has set out that the proposal would generate 4 full time and 5 part-time jobs, equating to 6 full time equivalent jobs.

Non material considerations

- Business rates
- Ground rent/license (paid to Portland Town Council that own the land the building is located on).

14. Planning Assessment

Principle of development

- 14.1 Local Plan Policy SUS2 sets out that outside defined development boundaries, development will be strictly controlled, having particular regard to the need for the protection of the countryside and environmental constraints, and be restricted to, amongst other things, new employment, tourism, educational/training, recreational or leisure related development. Given the application site is located outside any defined development boundary and proposes to retain a kitesurfing school/shop and drinking/food establishment that would generate employment, the scheme is considered to represent employment, tourism, training, recreational and leisure development. Given the above the principle of development is accepted under Local Plan Policy SUS2.

Proposed mixed use

- 14.2 Local Plan Policy ECON1 sets out that employment development will generally be supported within or on the edge of a settlement. The site is within the settlement of Portland, albeit outside of the defined development boundary and the application has set out that the equivalent of 6 full time jobs would be retained and/or created. Given the proximity of the site to the defined development boundary it is considered to be on the edge of the settlement and as such the proposal is considered to accord with Policy ECON1.
- 14.3 Local Plan Policy ECON5 sets out that proposals for new tourism attractions and facilities will be encouraged and supported, particularly where they would enhance an existing attraction or facility or increase the quality and diversity of the tourism offer in the local area and benefit the local economy. Local Plan Policy ECON5 also sets out that development should, where possible and practicable, be located within or close to established settlements, or make use of existing or replacement buildings. The proposed addition of the drinking/food establishment to this site is considered to be an extension to the existing tourism attraction offered by the kite surfing school/shop. The proposal is close to an established settlement and would not require the erection of a new building, but rather utilise the existing building, albeit it is currently an unauthorised building (since 30 April 2016). Given the above the proposal is considered to accord with Policy ECON5.
- 14.4 Portland Neighbourhood Plan - Policy No. Port/SS1 sets out that development proposals within the 'neighbourhood' centre of Chiswell that add to the diversity of facilities and services and enhance the vitality and viability of the centres will generally be supported. Given the application site falls within the boundary of the Chiswell neighbourhood centre and would add an enhanced facility to the centre, the proposal is considered to accord with NP Policy No. Port/SS1. Portland

- 14.5 Neighbourhood Plan Policy No. Port/BE2 sets out that proposals which lead to the improvement, modernisation or upgrading of current employment sites and premises will be welcomed and supported, subject to acceptable amenity impact, acceptable impact on the transport network and parking and acceptable environmental impact. Alterations have been made to the external appearance of the building which are considered to be modernisation and upgrading, and to accord with Policy Port/BE2, albeit as stated above the building is currently unauthorised and as such forms part of this application.
- 14.6 Based on the planning history of the site, the buildings use has primarily been as a watersports/activity training centre and shop. The proposal is for a mixed use of the site to include the additional use as a drinking establishment with food provision. It is considered that the kitesurfing school/shop would fall within Class E(d) indoor sport, recreation or fitness and the proposed drinking establishment with food provision would be a Sui Generis use as a drinking establishment with expanded food provision. Given the blended nature of the use it is considered to be Sui Generis.
- 14.7 Concern was raised in public consultation response that there are enough eating and drinking places in the vicinity of Victoria Square. It is considered that given the proposed addition of a drinking establishment with food provision to the existing building would be of a modest scale and is a generous distance from other similar premises in the area it would be acceptable. Furthermore, the policies set out above support new facilities and do not appear to seek to limit them in this location.
- 14.8 Therefore, subject to conditions the proposed mixed use is considered to be in accordance with the development plan policies referred to and so acceptable in principle.

Scale, design, impact on character and appearance

- 14.9 The main building proposed to be retained appears to have been in situ at this prominent location since the 1970's and as such forms a familiar feature in the landscape. It appears that in recent years the external walls of the building have had natural colour vertical timber cladding added and this is considered to assist in the building blending in with the backdrop of Chesil Beach. Furthermore, given the building is single storey, has a shallow pitched corrugated roof and is of a simple rectangular form, it is considered the scale and proportion of the building are in keeping with the site. External alterations to the building are minor and include the addition of double doors on the north elevation and infilling a window on the south elevation. Therefore, given the proposed retention of the existing building and slight external alterations, it is considered that the proposal would have an acceptable impact on the character of the area.

Impact on the living conditions of neighbouring properties

- 14.10 The application site is situated in a fairly isolated location, with regards to neighbouring properties, at the north end of the Masonic Car Park and is approximately 120m away from the nearest residential dwelling.

- 14.11 The application has set out that the building would operate from 11:00 to 23:00 seven days a week. The proposed hours of operation are considered reasonable and would ensure the use of the building would not take place early in the mornings or late at night which could potentially impact neighbouring occupants' amenity.
- 14.12 Given the generous distance from neighbouring properties, the existing building has been in place for many decades and the slight external alterations to the building, it is considered that subject to a condition controlling the hours of use as set out in the application that the scheme does not represent development that would result in a significant adverse impact on amenity.
- 14.13 Therefore, subject to planning condition the proposal is considered to be acceptable in terms of amenity impact.

Flood risk

- 14.14 The application site is recorded in the Level 1 Dorset Strategic Flood Risk Assessment (SFRA1) as being within Flood zone 3 and 3a and in the National Flood Risk Assessment (NaFRA) as being within Flood zone 3 and at 1 in 30 and 1 in 100 year risk of flooding from river and sea at present and when taking account of climate change (2070 – 2125). Furthermore, the EA response sets out the site lies in an area that is vulnerable to 'rapid inundation' from water overtopping of Chesil Beach. During extreme storm conditions during a 1 in 200-year extreme wave overtopping event flood depths and velocities are greater still (in places up to 0.5-0.6m deep flowing at 0.4-0.8m/s) within the surrounding access / egress routes within Portland Beach Road and Victoria Square areas. The EA sets out that the resulting hazard rating in the immediate area of the site would be 'Danger for Some' and this is increased to 'Danger for All' in the surrounding highway areas mentioned. ADEPT guidance, which the EA endorses, says that pedestrian routes should not be subject to any combination of depth and velocity that would in a flood hazard result in 'Danger for Some' or greater. Therefore, the site and access/egress to the site is considered to have a high probability of flooding and in a flood hazard rating that would exceed the limits set out in EA endorsed ADEPT guidance.
- 14.15 The application was submitted with a site specific flood risk assessment (FRA) which identified the flood risks and set out recommendations to address the risks. In response to the objection raised by the Environment Agency the applicant was given the opportunity to amend the FRA and subsequently submitted an amended FRA, Flood Response Plan and Emergency Contact List. The FRA has set out flood resilience and flood warning measures, details of the existing flood defences, flood response plan and emergency equipment that would be kept on site.
- 14.16 The proposal includes the retention of the existing building and given the sites high probability of flood risk, it is considered that the requirements of the sequential test

are applicable, as set out in paragraphs 173 -177 of the NPPF 2025. Paragraph 174 of the NPPF 2025 sets out the following:

“the aim of the sequential test is to steer new development to areas with the lowest risk of flooding from any source. Development should not be allocated or permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower risk of flooding”.

- 14.17 The applicant has not provided a sequential test in support of their application. In the absence of a sequential test from the applicant, the case officer has carried out a search of the available commercial properties within 1 mile of the site (distance reflects the premises is for a kite surf business and so needs to be close to the sea) using the websites Rightmove and Zoopla. The search provided other commercial properties to rent, including a unit at Osprey Quay and The Former Royal Victoria Public House. However, both of these premises are within Flood zone 3 and as such are also at a high risk of flooding.

Paragraph 177 of the NPPF 2025 sets out that:

“Having applied the sequential test, if it is not possible for development to be located in areas with a lower risk of flooding (taking into account wider sustainable development objectives), the exception test may have to be applied”.

- 14.18 Paragraph 178 of the NPPF 2025 sets out the following in regard to the requirements to pass the exception test:

“To pass the exception test it should be demonstrated that:

- a) the development would provide wider sustainability benefits to the community that outweigh the flood risk; and*
- b) the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall”.*

- 14.19 Paragraph 179 of the NPPF 2025 sets out that *“Both elements of the exception test should be satisfied for development to be allocated or permitted”.*

- 14.20 On the basis that there appear to be no other premises available to accommodate the development at lower risk of flooding, the proposal has been assessed against the exception test as the proposed use is a more vulnerable use within flood risk zone 3a. The proposed development would provide a training facility and a drinking establishment, which are considered to be local community buildings and structures, as set out in section 6.3 of the Local Plan. It is considered that the retention of the kite surf training facility would have some benefits to the

community, although given kite surfing is a relatively niche sport, the benefits are considered to be slight. Furthermore, given there are multiple other existing drinking establishments within a 5-15 minute walking distance of application site, the retention of this facility for the benefit of the community is not considered to have significant weight. Therefore, given the high flood risk of the site, its lack of safe access/egress in a flood event and the slight sustainability benefits to the community, in this instance the benefits are not considered to outweigh the flood risk and therefore part a) of the exceptions test is not satisfied.

14.21 The flood risk at the site is considered to be high and the risk is likely to increase once the impact of climate change is taken into account. As such given the information currently available the proposal would increase the flood risk vulnerability classification at the site, increasing the risk to its users, it would not be safe for its lifetime and would not reduce the flood risk overall. As such the proposal would not accord with part b) of the exception test.

14.22 Therefore, given the above, the proposal is not considered to pass either part a) or b) of the exception test and should not be permitted.

14.23 Paragraph 181 of the NPPF (2025) sets out that development should only be allowed in areas at risk of flooding where, in the light of an FRA assessment it can be demonstrated that:

- a) within the site, the most vulnerable development is located in areas of lowest flood risk, unless there are overriding reasons to prefer a different location;
- b) the development is appropriately flood resistant and resilient such that, in the event of a flood, it could be quickly brought back into use without significant refurbishment;
- c) it incorporates sustainable drainage systems, unless there is clear evidence that this would be inappropriate;
- d) any residual risk can be safely managed; and
- e) safe access and escape routes are included where appropriate, as part of an agreed emergency plan.

14.24 Relevant to the proposed development, Local Plan Policy ENV5 sets out that intensification of existing uses should be planned to avoid risk of flooding where possible, steering development towards the areas of lowest risk and avoiding inappropriate development in the higher flood risk zones. Local Plan Policy ENV5 also sets out that in assessing proposals for development in an area with a higher risk of flooding, the council will need to be satisfied that:

- there are no reasonably available alternative sites with a lower probability of flooding, adequate measures will be taken to mitigate the risk and ensure that potential occupants will be safe, including measures to ensure the development is appropriately flood resilient and resistant; and
- safe access and escape routes are provided where required.

14.25 Given the above, it is considered that the addition of a drinking establishment use to the existing kite surfing centre would create a more vulnerable use of the site which is located in an area at a high risk of flooding and as such increases the risk to occupants in the event of a severe flood event. Notwithstanding the flood risk management measures set out in the documents submitted, should these measures, which are largely reliant on management processes rather than physical features, fall short in being carried out, then occupants could be placed at an unreasonable level of risk from flooding. Furthermore, given the EA hazard rating of 'Danger for all' for the access/egress routes to the site, it is considered that safe escapes routes have not been provided. In the event that occupants need rescue then emergency vehicles would not be able to safely access the site. Even if the specific emergency vehicle type meant it could get relatively close, emergency service personnel would need to disembark and enter the site on foot, and this is unlikely to prove safe. Should an occupant of the development require transfer to hospital, for example, it seems unlikely that they could be safely transported from the site to a nearby ambulance without putting themselves or the emergency service personnel at risk.

14.26 Given all of the above, it is considered that the site and access/egress to the site is at a high risk of flooding and the applicant has not provided an adequate emergency plan demonstrating safe access and escape routes. Furthermore, the proposal is not considered to pass the exception test as required by the NPPF (2025) and the development does not accord with Policy ENV5 of the adopted local plan. Therefore, the proposed development is not considered acceptable in terms of flood risk and would put people at an unacceptable risk should a flooding event occur now or in the future.

Highways

14.27 The pedestrian and vehicular access to the site is existing from the adjacent highway and through the Masonic Car Park and the Highway Authority considers this to be acceptable in its current form. Further the existing building is adjacent to the Masonic Car Park which provides a generous amount of parking provision for visitors that travel to the site by vehicle.

14.28 Concerns were raised in the public consultation response that the exit road to the car park is in disrepair and so additional traffic will add to its demise. Given the building has been in use as a business premises for many years, albeit not as a drinking and food establishment, it is considered the proposal would not generate additional traffic movements that would significantly add to the wear and tear of the access or egress to the site.

- 14.29 Given the Highway Authority has no objection to the proposal and the existing access and parking provision, it is considered the proposal is acceptable in terms of highway safety and parking provision.

Other matters

- 14.30 Concerns have been raised that the proposal would encourage people to camp in the car park and there are no facilities to support this use. The application is not proposing any overnight accommodation and use of the Masonic Car Park by motorhomes is restricted and as such any unauthorised use would be subject to enforcement.
- 14.31 Concerns have been raised that the works at the site have started and rubbish left on site, including an abandoned vehicle. Issues of littering or fly tipping and abandoned vehicles are matters covered by other legislation and as such are not material considerations in the planning decision.
- 14.32 Concern has been raised that the names on Companies House are not the same as the person applying for planning permission. It is not a requirement of a planning application for the applicant to be a person named on Companies House records.

Environmental implications

- 14.33 Natural England have advised that development which results in an increase in population within 5km of the Chesil Beach and the Fleet European site may contribute to an unacceptable increase in recreational pressures on the features of the designated area. Therefore, in accordance with habitat regulations the proposal has been screened to consider the potential impact of the development on the protected sites. The application does not propose new residential accommodation and would therefore not create an additional residential unit that would increase recreational pressure. The proposed use of the building has potential to increase recreation in the area. However, there would be no increase in car parking spaces which would further increase visitor numbers and access to the designated habitat sites, and Natural England and the Dorset Environmental Assessment Team have both raised no objection to the proposal. As such, it is considered there are no likely significant effects associated with this proposal on the European protected sites. As the screening process concluded that the application would have no likely significant effect on the European protected sites, the requirement for an appropriate assessment has not been triggered as set out in the Habitat Regulation.
- 14.34 No other potential wildlife or habitat impacts were identified with the proposal and as such the scheme is considered to be acceptable when assessed against Local Plan Policy ENV2.

15. Conclusion

The proposed development is unacceptable, it does not accord with the policies of the development plan and the NPPF and it is recommended for refusal due to flood risk.

16. Recommendation

16.1 Refuse for the following reason:

1. The site is identified in the Level 1 Dorset Strategic Flood Risk Assessment (SFRA1) as being within Flood zone 3 and 3a and in the Environment Agency's National Flood Risk Assessment map as being within Flood zone 3 and at 1 in 30 and 1 in 100 year risk of flooding from river and sea. The Environment Agency has set out that the site lies in an area that is vulnerable to 'rapid inundation' from water overtopping of Chesil Beach during extreme storm conditions, with flood water approximately 0.25m deep flowing at 1.0m/s or more, possibly inundating the immediate site area during a 1 in 200 year extreme wave overtopping event, and that flood depths and velocities are greater still (in places up to 0.5-0.6m deep flowing at 0.4-0.8m/s) within the surrounding access/egress routes within Portland Beach Road and Victoria Square areas. Therefore, the site and access/egress routes to the site are at a high risk of flooding, where some fast-moving, water is anticipated around the application site with high hazard ratings. Such a flood event would likely prevent safe egress by occupants of the building during a design flood event, as well as safe access/egress by the emergency services. Flood warnings cannot be fully relied on, and the applicants have not identified a safe escape route. The proposal therefore fails to demonstrate safe access and escape routes in the event of a flood, in conflict with policy ENV5 of the West Dorset, Weymouth and Portland Local Plan (2015), paragraph 181 of the National Planning Policy Framework (2025) and ref. IDs 7-005-20220825, 7-044-20220825 and 7-047 20220825 of the Planning Practice Guidance.

2. The proposed development is at a high risk of flooding and is subject to the requirements of the sequential test and the exception test as set out in the NPPF (2025 update). The applicant has not carried out a sequential test and the Local Planning Authority has not identified an alternative site at a lower risk of flooding. As such the proposal has been assessed against the exception test and it is not considered to have passed either of the elements of the exception test as it would not a) provide wider sustainability benefits to the community that outweigh the flood risk and b) the development would not be safe for its lifetime taking account of the vulnerability of its users and would not reduce flood risk overall. As the proposed development fails the exception test the application cannot be permitted having regard to paragraph 179 of the National Planning Policy Framework (2025).

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