



## Western and Southern Area Planning Committee

**Date:** Monday, 8 June 2026  
**Time:** 10.00 am  
**Venue:** Council Chamber, County Hall, Dorchester, DT1 1XJ

### Members (Quorum 6)

Neil Eysenck (Chair), Ryan Holloway (Vice-Chair), Belinda Bawden, Simon Christopher, Peter Dickenson, Paul Kimber, Craig Monks, David Northam, Louie O'Leary, Pete Roper, David Taylor and Kate Wheller

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

For more information about this agenda please contact Democratic & Governance Services Meeting Contact [Joshua.Kenendy@dorsetcouncil.gov.uk](mailto:Joshua.Kenendy@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 |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------|
| <b>1. APOLOGIES</b>                                                                                                                                                                                                                                                                           |       |
| To receive any apologies for absence                                                                                                                                                                                                                                                          |       |
| <b>2. DECLARATIONS OF INTEREST</b>                                                                                                                                                                                                                                                            |       |
| 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** 3 - 10

To confirm the minutes of the meeting held on 07 May 2026.

**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 Thursday 04 June.

**5. P/FUL/2026/00324 - CHESIL BEACH VISITOR CENTRE, PORTLAND BEACH ROAD, PORTLAND, DT4 9XE** 11 - 24

Proposed erection of a Bird and Wildlife Viewing Building along with a Refuse Bin Store.

**6. P/LBC/2026/01598 - 142 THE ESPLANADE, WEYMOUTH, DT4 7PB** 25 - 30

Replacement of the rear dormer casement-style windows at roof level.

**7. 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.

**8. 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.



## **WESTERN AND SOUTHERN AREA PLANNING COMMITTEE**

### **MINUTES OF MEETING HELD ON THURSDAY 7 MAY 2026**

**Present:** Cllrs Neil Eysenck (Vice-Chair), Simon Christopher, Paul Kimber, Craig Monks, David Northam, Pete Roper, David Shortell and Kate Wheller

**Apologies:** Cllrs Belinda Bawden, Matt Bell and Louie O'Leary

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

Ann Collins (Area Manager – Western and Southern Team), Philip Crowther (Legal Business Partner - Regulatory), Susan Hetherington (Transport Development Liaison Manager), Joshua Kennedy (Democratic Services Officer), James Lytton-Trevers (Lead Project Officer), Robert Parr (Planning Officer), Matthew Pochin-Hawkes (Lead Project Officer) and Louis Wicks (Democratic Services Officer Apprentice)

**85. Declarations of Interest**

No declarations of disclosable pecuniary interests were made at the meeting.

**86. Minutes**

The minutes of the meeting held on 02 April were confirmed and signed.

**87. 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.

**88. WD/D/16/000378 - Land South of Warmwell Road Warmwell Road Crossways**

The Lead Project Officer presented the application for full planning permission for the erection of 99 open market and affordable dwellings, together with a new doctor's surgery, a replacement village hall, a car park, a new village green, and associated vehicular and pedestrian access and outline permission for a further 401 dwellings. An update was provided noting that a letter had been submitted by the applicant to councillor. The officer noted the reference to a proposed change in speed limit and advised that this did not form part of the application.

The site location was shown on a map, lying to the south of Warmwell Road, with it being noted that Moreton railway station was approximately 850 metres to the north-east and that local convenience shops were located nearby. Recent residential developments within Crossways were highlighted. An aerial photograph

showed the site as predominantly agricultural land with some areas of woodland. Constraints were outlined, including that the site was not within a National Landscape but did lie within the Poole Harbour catchment area and a mineral safeguarding area. A scheduled ancient monument was identified within the site, with the nearest listed building located some distance away. Two public rights of way, a bridleway and a footpath, crossed the site. The site also lay within 5 km of Warmwell Heath and Winfrith Heath, included parts of the existing ecological network, and contained areas of best and most versatile agricultural land. It was confirmed that parts of the site were affected by surface water flooding and that it was allocated within the Local Plan, although the application site extended beyond the allocated boundary. The allocation criteria were shown, including requirements for highway and ecological improvements and provision of employment land. It was noted that, as the allocation predated the Community Infrastructure Levy, the development would rely on an extended Section 106 heads of terms.

Photographs of the site and surrounding area were presented, including the junction with Warmwell Road, entrances to the business park and existing village hall, and views across the site from public footpaths. The relationship to nearby residential properties and woodland screening was also illustrated, along with images of the existing village hall and Spitfire Club.

It was explained that the proposal was a hybrid application. The detailed element comprised the erection of 99 dwellings, together with the doctor's surgery, village hall, village green, SANG and associated infrastructure. The outline element sought permission for a further 401 dwellings and approximately 2.5 hectares of employment land, along with access arrangements and a car park to serve the proposed SANG. An illustrative masterplan was shown, indicating the distribution of development, with the employment land located to the east and the community facilities positioned to the north along Warmwell Road. Indicative phasing was also outlined.

The detailed site layout was presented, including pedestrian links to existing footpaths. The mix of affordable housing was shown, with 35% provision across the detailed element, split equally between social rented and shared ownership tenures. A range of house types was proposed, including two apartment blocks which would both be affordable housing.

Elevations of the proposed village hall were shown, which would also accommodate Parish Council offices. The doctor's surgery elevations were also presented, noting that the building could be adapted to meet future NHS requirements. The proposed materials included clay tile roofs, timber cladding and render. A range of house types and street scenes were displayed, showing predominantly two-storey development with variation in design.

Highway improvements were outlined in detail, including improvements to Warmwell Road, new and upgraded pedestrian crossing points, a central refuge island, widened pavements, sections of cycle route, traffic calming measures and revised road markings. A dedicated right-turn lane into the site was proposed, along with two additional access points.

In considering the key planning issues, it was advised that the principle of development was acceptable in accordance with the site allocation. It was noted that the replacement village hall would be required to be delivered before the demolition of the existing hall or prior to occupation of half the housing. Housing provision was considered acceptable, subject to the securing of affordable housing, and it was explained that no viability review mechanism was proposed in the Section 106 agreement. The reduction in the proportion of affordable housing for rent, from 70% to 50%, was highlighted. The employment land provision, although reduced from 3.5 hectares to 2.5 hectares, was considered to be of significant weight.

In terms of heritage, it was advised that the proposal would result in less than substantial harm, including impacts on the scheduled ancient monument, but that this harm would be outweighed by the public benefits of the scheme. Landscape impacts were considered limited due to the relatively flat nature of the site and its context, and the design was considered compatible with the surrounding area. No significant harm to trees or hedgerows was identified, and substantial new planting was proposed.

Highway matters had been assessed in detail by both Dorset Council Highways and National Highways. The layout included some shared surface areas, and conditions were proposed to improve pedestrian safety. Improvements to Warmwell Road were intended to better connect the new development with the existing community. The Highway Authority also sought improvements to Warmwell Way to formalise pedestrian routes. National Highways required a ban on right turns onto the A35 from the Max Gate Junction and provision of an extended right-turn lane toward the site. A comprehensive package of highway works would be secured through Section 106 obligations, Grampian conditions and other planning conditions, including improved crossings and bus stop infrastructure.

Ecology and biodiversity impacts were addressed, including potential effects on nearby heathlands. A SANG management plan had been updated to reflect the Council's Heathland Planning Framework and feedback from the Heathland Mitigation Officer, with Dorset Wildlife Trust expected to manage the site. The applicant had provided a nutrient neutrality strategy to address impacts on Poole Harbour, including phasing of development to meet requirements before and after 2030. Measures included water efficiency standards and the purchase of mitigation credits, secured through the Section 106 agreement and planning conditions.

Flood risk and drainage were considered, with any identified risks capable of being mitigated through an appropriate management plan. The site's mineral safeguarding status was addressed, with provision made for extraction prior to development. Residential amenity for both existing and future occupiers was considered acceptable, despite some shortfall against national space standards, with standard conditions proposed to manage impacts.

Sport and recreation provision was also considered, including on-site play areas and indoor facilities within the village hall. Although Sport England had objected

due to the absence of specific facilities such as a swimming pool and artificial pitches, this was not considered sufficient to justify refusal.

Public representation was received from Richard Osborn, as the agent for the application. He noted that the application had received relatively few objections for a scheme of its size, due to the quality of the proposal and extensive community consultation. He explained that the proposal would provide 500 new homes, 175 of which would be affordable, as well as associated community infrastructure, in addition there were no outstanding objections from statutory consultees.

Cllr Nick Ireland spoke as the Ward Member for Crossways. He explained that residents had raised concerns about the village hall no longer being required to be constructed in phase 1 of the development and that as a result residents would be left with infrastructure that was not fit for purpose for longer than necessary.

In response to questions from members officers provided the following responses:

- NHS Dorset had not confirmed in what capacity that they would use the doctors surgery, however the application related to the building itself and there was flexibility in how it could be used.
- Sports England had maintained their objection to the application, as they had requested that further sports provision be required such as a swimming pool and an artificial grass pitch.
- A condition would require further details of landscaping and street lighting to be submitted for approval.
- Within phase 1 of the application there would be limited removal of trees and the rest of the site was covered by the outline application, meaning details would be provided at a later stage.
- An informative could be added encouraging the use of native trees and replacements of hedgerows in the reserved matters stage of the application.
- There was no specification for solar panels or heat pumps, however the dwellings would need to comply with modern building regulations.
- It was not possible to construct a continuous cycle path to Morton train station due to width of the road.
- Justification had been requested from Network Rail for their comments on the application, but no further details had been provided.
- The areas that were proposed as shared spaces were highlighted on a plan of the site.
- A Traffic Management Plan would be required by condition and updated Traffic Management Plans would be submitted as the scheme develops.
- Nutrient mitigation in Poole Harbour had been looked at by Dorset Council, Natural England and the applicant and appropriate measures had been secured via the S106 legal agreement.
- Existing sports facilities within Crossways were highlighted on a map of the area and it was explained that these included a football pitch, multi-use games area and a skate park, which in addition to the new facilities provided by the development was considered sufficient for the area.

*Cllr Monks left the meeting at 11:25.*

*The meeting adjourned from 11:38 – 11:45.*

Members generally supported the principle of the development but raised concerns about whether existing sports provision would be sufficient for a growing population, noting that additional facilities could benefit health and wellbeing. There was also support for ensuring that community infrastructure, particularly a doctor's surgery and village hall, would be delivered in a timely and sustainable manner, with concerns expressed about previous instances where such facilities had not been secured.

Concerns were also raised regarding the safety of shared surface areas, with a preference for measures to ensure safe and accessible routes for pedestrians, including appropriate design and signage where segregation was not possible. Members also emphasised the importance of sustainability, encouraging the inclusion of renewable energy measures and improved energy efficiency beyond minimum standards.

Officers advised that existing conditions addressed inclusive movement and could be amended to emphasise safety, and that additional guidance on sustainability could be included as an informative. They also highlighted viability considerations and policy limitations in requiring specific infrastructure timing or construction standards.

It was proposed by Cllr Northam and seconded Cllr Wheller, that the application be approved, subject to strengthening condition 9, by adding the word 'safety' and the addition of an informative note encouraging improved energy efficiency.

It was proposed by Cllr Northam and seconded by Cllr Wheller to grant the application.

Decision: That authority be delegated to the Service Manager for Development Management and Enforcement and the Area Manager Western and Southern Team to either:

A) Grant planning permission following completion of a S106 Planning Obligation and planning conditions as set out in the appendix to these minutes.

Or B) Refuse permission for the reasons set out in the appendix to these minutes if the Section 106 agreement is not completed by 7 November 2026 (within 6 months of the committee) or such extended time as agreed by the Service Manager for Development Management and Enforcement and/or the Area Manager for the Western and Southern Team.

**89. P/FUL/2024/06334 - Abbotswell, Lyme Road, Uplyme, DT7 3TJ**

The Planning Officer presented the application for the retention of a shepherd's hut, noting that the application had previously been deferred in December 2025 to allow further information to be provided regarding the speed limit of the adjacent road.

The location of the application site was shown, together with a site location plan. It was explained that while the application site lay within Dorset, the associated property was located in Devon. The hut was positioned within a disused railway

line, and part of the site fell within Dorset Council ownership. Access to the site from the B3165 was illustrated through photographs, showing that a hedge which had previously restricted visibility had now been removed. Additional images showed the access into the site, including steps leading from the driveway, and views of the shepherd's hut in its current position. Elevations and a floor plan of the hut were presented, confirming that it was intended for use as holiday accommodation.

Members were advised that the applicant had removed the hedge at the site entrance. Photographs taken from the access looking northwest and southeast demonstrated that visibility onto the highway had been significantly improved following the hedge removal.

It was confirmed that the site lay within the Defined Development Boundary and that the principle of holiday accommodation in this location was acceptable. Residential amenity impacts were considered acceptable, given the siting of the hut and its distance from neighbouring properties. It was acknowledged that the site was susceptible to flooding, and an emergency evacuation plan would be required. The proposal would provide a small economic benefit and would not impact on trees. It was noted that the development had been carried out in February 2024 and was therefore exempt from biodiversity net gain requirements.

It was reported that a new 20 mph speed limit had been introduced on the adjacent road, and Dorset Highways now raised no objection to the proposal.

It was proposed by Cllr Kimber and seconded by Cllr Northam that the application be granted.

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

**90. P/FUL/2026/00467 - Opposite 91 The Esplanade, Weymouth, DT4 7RN**

The Lead Project Officer presented the application for the erection of a bandstand and associated decking. It was noted that the land was owned by Dorset Council. The site was shown on an aerial photograph and was located on Weymouth seafront adjacent to a ramp providing access onto the beach. The surrounding context was described, including the nearby war memorial and historic buildings on the opposite side of the Esplanade. Photographs were shown from a range of viewpoints to illustrate the site and its setting.

The proposed development was outlined, and a site plan was presented showing the position of the bandstand and decking. Elevations of the structure were displayed, along with a proposed street scene and an artist's impression of how the bandstand would appear once constructed.

In assessing the main planning issues, it was advised that the principle of development was acceptable, given the site's location on the Esplanade and its association with tourism and recreational uses, which were supported by planning policies. The appearance of the bandstand was considered appropriate, as it would reflect the character of existing seafront structures and respond to the

historic precedent for similar features in Weymouth. Images of historic bandstands along the seafront were shown to support this assessment.

Heritage impacts were considered, particularly in relation to the nearby war memorial and Grade II listed buildings along the Esplanade. It was advised that the proposal would not result in harm to these heritage assets or their setting. The site lay within an area at risk of flooding; however, the development was classified as water-compatible, and a condition was recommended requiring a flood warning and evacuation plan.

In response to a question from one member, the Lead Project Officer explained that some of the railings would need to be removed to facilitate the bandstand, however they were not listed and therefore not protected.

It was proposed by Cllr Wheller and seconded by Cllr Shortell, that the application be granted.

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

91. **Urgent items**

There were no urgent items.

92. **Exempt Business**

There was no exempt business.

**Decision List**

**Duration of meeting:** 10.00 am - 12.44 pm

**Chairman**

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|----------------------------|---------------------------------------------------------------------------------------------|
| <b>Application Number:</b> | P/FUL/2026/00324                                                                            |
| <b>Webpage:</b>            | <a href="https://planning.dorsetcouncil.gov.uk/">https://planning.dorsetcouncil.gov.uk/</a> |
| <b>Site address:</b>       | Chesil Beach Visitor Centre Portland Beach Road Portland DT4 9XE                            |
| <b>Proposal:</b>           | Proposed erection of a Bird and Wildlife Viewing Building along with a Refuse Bin Store     |
| <b>Applicant name:</b>     | Ms Amy Hogben                                                                               |
| <b>Case Officer:</b>       | Robert Parr                                                                                 |
| <b>Ward Member(s):</b>     | Cllr Roper, Cllr Hughes and Cllr Kimber                                                     |

**1. Reason application is going to committee:**

In accordance with the Council's scheme of delegation this application is brought to committee for determination as Dorset Council leases the land on the application site.

**2. Summary of recommendation:**

GRANT planning permission subject to conditions as set out at the end of this report.

**3. Key planning issues**

| Issue                                             | Conclusion                      |
|---------------------------------------------------|---------------------------------|
| Principle of development                          | Acceptable                      |
| Scale, design, impact on character and appearance | Acceptable                      |
| Flood risk                                        | Acceptable subject to condition |
| Economic benefits                                 | Acceptable                      |
| Highways                                          | Acceptable subject to condition |
| Biodiversity                                      | Acceptable subject to condition |
| Amenity                                           | Acceptable                      |

**4. Description of site**

- 4.1 The application site is located on Chesil Beach at the southern end of The Fleet Lagoon, on the west side of Portland Beach Road, the South West Coast Path and approximately 380m southeast of Ferry Bridge. The application site is directly to the north of the existing Chesil Beach Centre, to which the proposed development relates. The application site comprises of an existing timber bin store, a section of tarmac roadway and a small patch of vegetation.

**5. Description of development**

- 5.1 The proposed development is to remove the existing bin store and erect a bird and wildlife viewing building along with a replacement refuse bin store. The proposed building would comprise of a new refuse bin store at the southwest end of the building, a bird/wildlife hide at the front (southeast elevation), timber access steps and an access ramp. The bird/wildlife hide would have a pedestrian door on the southeast elevation and three large windows looking out onto The Fleet Lagoon on the northwest side of the building.

- 5.2 The external walls of the proposed building would be vertical timber cladding, and the shallow mono pitch roof would be finished in anthracite grey EPDM rubber (Ethylene Propylene Diene Monomer).

## 6. Background and relevant planning history

| Application no.  | Proposal                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Decision       | Decision Date |
|------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|---------------|
| P/PAP/2025/00094 | Erect single storey bird hide within SSSI                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Response Given | 07/04/2025    |
| WP/14/00788/FUL  | Attach decking and a bird hide to the West side of the Chesil Beach Centre                                                                                                                                                                                                                                                                                                                                                                                                                    | Granted        | 10/02/2015    |
| 12/00514/NONM    | Amendment to planning permission reference 07/00821/FUL3ES - Increase in size of ventilation chimneys on roof and height of plant/bin enclosure. Addition of roof extract terminal, ventilation louvre to north west elevation and roof to plant/bin enclosure. Revisions to landscape scheme and door/window colours.                                                                                                                                                                        | Granted        | 03/09/2012    |
| 10/00580/NONM    | Amendment to planning permission reference 07/00821/FUL3ES (removal of the separate toilet block; the retention of the existing toilets within the centre and a consequential alteration to the spaces previously identified for interpretation and refreshments; a reduction in the scale of the proposed earth bund that housed the proposed toilet block; a reduction in works to the car park; a reduction in the extent of external paving works as a result of changes to the car park) | Granted        | 27/09/2010    |
| 07/00821/FUL3    | Extensions and alterations to existing centre                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Granted        | 08/02/2008    |
| 93/00138/FUL     | Remove existing toilet estate office and cafe buildings and erect new visitor centre                                                                                                                                                                                                                                                                                                                                                                                                          | Granted        | 21/04/1993    |

## 7. List of constraints

Land Outside Defined Development Boundaries

Dorset Council Land (Leasehold) : Lease of Chesil Beach Visitors Centre, public conveniences and car park, Portland Beach Road, Weymouth

World Heritage Site Core Area, Dorset and East Devon Coast

West Dorset Heritage Coast

Nature Areas of National Importance

Chesil & The Fleet Site of Special Scientific Interest (SSSI)

Chesil & The Fleet Special Areas of Conservation

Chesil Beach Portland Areas of Local Landscape Importance

Natural England Designation - Nutrient Neutrality Catchments

Registered Common Land: about 655 acres in the Portland Urban District CL2

Natural England - RAMSAR - Distance: 14m

Special Area of Conservation (SAC): Chesil & The Fleet

Special Area of Conservation (SAC) (5km buffer): Studland to Portland - Distance: 2.3km

Special Area of Conservation (SAC) (5km buffer): Isle of Portland to Studland Cliffs - Distance: 2.km

Portland Area of Archaeological Potential

Flood Zone 3 and 3a

Wessex Water Treatment Works Catchment Other WRC catchments

Portland heliport consultation zone (within 13km) - Distance: 1.8km

Portland Prison

Radon: Class: 1.0

Office of Nuclear Regulation Portland - 12km zone

Office of Nuclear Regulation Portland - outer consultation zone

## **8. Consultations**

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

### **Natural England (NE)**

No objection subject to securing mitigation

The application site lies in close proximity to the Chesil & Fleet Site of Scientific Interest (SSSI) and Special Area of Conservation (SAC), Chesil Beach & the Fleet Special Protection Area (SPA) and Ramsar. Natural England considers that the proposals are unlikely to harm the designated interests and support the proposal in principle.

NE recommended permission is not granted until the supporting ecological information has been approved by DC NET.

### **Environment Agency (EA)**

No objection but EA provide the following comment/advice:

Note that the FRA acknowledges the present day flood risk to the development.

FRA considers flood risk over a 50-year lifetime of development.

Bird hide can be considered as a 'Water Compatible' development, and will be of very basic construction, enabling ease of cleaning should a flood occur.

Recommend that consideration is given to the issues below:

- Adequacy of rescue or evacuation arrangements
- Details and adequacy of an emergency plan
- Provision of and adequacy of a temporary refuge
- Details and calculations relating to the structural stability of buildings during a flood
- Whether insurance can be gained or not

A bespoke Flood Warning and Evacuation Plan (FWEP) should be provided to the satisfaction of the LPA.

**Wessex Water**

Response includes a plan which suggests there are no Wessex Water services near the site.

**Dorset Council Highway Authority**

The Highway Authority has no objection, subject to the following condition:  
Pre-commencement construction traffic management statement to be submitted.

**Dorset Council asset & property**

No response received.

**Dorset Council Waste Team**

No response received.

**Dorset Council Natural Environment Team (NET)**

NET has issued a certificate of approval dated 6 March 2026 for the ecology report and Biodiversity Plan (BP) under the Dorset Biodiversity Protocol for this site.

**Dorset AONB Team**

No response received.

**Ward Member(s)**

No responses received.

**Portland Town Council**

Portland Town Council supports this application, subject to satisfactory comments from other consultees.

**Representations received**

No representations received.

**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

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

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

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

ENV16: Amenity

SUS2: Distribution of development

ECON5: Tourism attractions and facilities

COM7: Creating a safe & efficient transport network

## **Made Neighbourhood Plans**

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

Port/EN1 Prevent flooding and erosion

Port/EN7 Design & character

Port/ST1 Sustainable Tourism Development

### 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 – 31 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.

#### **Local Nature Recovery Strategy**

The Dorset Local Nature Recovery Strategy identifies local priorities for nature recovery and maps areas where action would be most beneficial. In planning decisions it is a material consideration, helping to ensure that development supports biodiversity enhancement and aligns with Dorset's agreed priorities for nature recovery.

#### **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 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. 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'

### **National Planning Practice Guidance**

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.

WDDC Design & Sustainable Development Planning Guidelines (2009)

Landscape Character Assessment (Weymouth & Portland)

## **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 proposed development has the potential to affect individuals with protected characteristics, in particular:

- Persons with disabilities (including mobility impairments),
- Elderly persons.
- Families with young children.

The proposal does not introduce any features that would give rise to discrimination or unequal treatment. The development is ancillary to an existing public facility and would be open to all users on an equal basis.

The proposal includes an access ramp which would enhance accessibility to the bird hide for people with disabilities or mobility impairments or those with pushchairs. The site is adjacent to off road footpath. This represents a positive measure to reduce barriers to accessing the natural environment and public recreational opportunities.

By improving inclusive access to a shared public amenity, the proposal would support wider participation in recreational and educational activities, thereby contributing positively to social inclusion.

Overall, it is considered that the proposal would have a neutral to positive impact in terms of equalities and would meet the requirements of the Public Sector Equality Duty.

### **13. Planning Assessment**

#### **Principle of development**

- 13.1 Local Plan Policy SUS2 provides 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. However, the policy does allow for restricted forms of development including new tourism, educational/training, recreational or leisure related development. The Chesil Beach Centre is considered to fall within the scope of these definitions.
- 13.2 Furthermore, Local Plan Policy ECON5 sets out that extensions to tourist attractions and facilities will be encouraged and supported. It is considered the proposal would enhance the existing visitor centre by providing a purpose built and accessible building to enable visitors to observe and enjoy the diverse wildlife of Chesil Beach and The Fleet. The site is approximately 600m (under 10 minutes walking time) from the settlement of Weymouth and can be accessed by the shared cycle/footpath that links Portland to Weymouth. As such the proposal is considered to be close to both of these large settlements.
- 13.3 Portland Neighbourhood Plan (NP) Policy Port/ST1 sets out that sustainable tourism development proposals, including extensions to or expansion of existing tourism uses, are supported in principle where they are proportionate to their location in scale and type and that proposals relating to land outside the settlements will need to demonstrate that the use proposed:
- i. promotes the unique characteristics of the area;
  - ii. will not lead to significant loss or damage to any of the Island's natural assets including landscape character, amenity, historic environment, views, ecology and wildlife corridors, archaeological or geological values of the coast, shoreline, beaches, adjacent coastal waters, and countryside; and
  - iii. avoids conflict with the prevailing strategic policies designed to protect the environment, ecology and mineral reserves.
- 13.4 The scheme is considered to meet the principle requirements of NP Policy Port/ST1, as the proposal would be an expansion of an existing tourism use and be modest in scale and proportionate to its location. In regard to NP Policy Port/ST1 (i), the site is outside a settlement and has sufficiently demonstrated that the building would increase accessibility to allow more people to enjoy the unique characteristics of the Chesil Beach and The Fleet. The requirements of points ii & iii of NP Policy Port/ST1 are addressed in the relevant sections below, but in summary are considered to be acceptable.
- 13.5 Given the above the principle of development for the proposed building is accepted.

#### **Scale, design, impact on character and appearance**

- 13.6 The proposed development has been assessed in terms of its scale, design and impact on the character and appearance of the site and wider areas, including its location within the Dorset and East Devon Coast World Heritage Site and the West Dorset Heritage Coast.

- 13.7 The proposed building is modest in scale and proportion and would be subordinate to the existing Chesil Beach Centre. It would be sited within an established area of built development associated with the visitor centre, alongside existing structures including a bin store and substation and would not extend built form into previously undeveloped areas of the coastline.
- 13.8 The building adopts a simple shape and form similar to the existing bin store and electricity sub station at the northeast end of the Chesil Beach Centre. The proposed timber walls and dark grey roof would be similar to the existing buildings in the area, and the natural and recessive colours would help the building blend into the landscape.
- 13.9 As such the proposal is considered to be in keeping with the character of the site and its setting. Moreover, given the site is an existing tourist destination, within close proximity of the application site, the provision of a new refuse store and bird and wildlife viewing building at this location is considered to be in keeping with the existing use and character of the area. Therefore, it is considered that the appearance of the development would be in keeping with the site and the area and would not harm the character of the Heritage Coast or the World Heritage Site.
- 13.10 Having regard to its scale, siting and design, the proposal would be consistent with the established character of this part of the site, which already accommodates visitor facilities. It would not introduce incongruous built form or result in visual harm to the wider landscape setting.
- 13.11 The site lies within the Dorset and East Devon Coast World Heritage Site, a designated heritage asset of the highest significance. In accordance with paragraph 202 of the NPPF, great weight is given to the conservation of its Outstanding Universal Value (OUV), including its undeveloped coastal character, geomorphological features and important views.
- 13.12 The proposal, by virtue of its modest scale, appropriate siting within an existing developed cluster, and use of recessive materials, would not affect the attributes that contribute to the site's OUV. It would not interfere with coastal processes, key views, or the largely undeveloped character of the coastline.
- 13.13 The site is also located within the West Dorset Heritage Coast. Paragraph 191 of the NPPF requires that great weight is given to conserving landscape and scenic beauty in such areas.
- 13.14 Given the limited scale of the proposal, its association with an existing visitor facility, and its visually recessive design, it is not considered that the development would harm the character, appearance or scenic quality of the Heritage Coast.
- 13.15 Taking all of the above into account, the proposal is considered to be in keeping with the character of the site and its setting and would not result in harm to either the significance of the World Heritage Site or the natural beauty of the Heritage Coast. The development therefore complies with Policies ENV1 and ENV4 of the Local Plan and the National Planning Policy Framework.

### **Flood risk**

- 13.16 The application site is in an area recorded in the Environment Agency's recently published National Flood Risk Assessment (NaFRA2) as being flood zone 3 and at 1:100 year risk of surface water flooding.
- 13.17 NPPF paragraph 176 sets out that some minor development should not be subject to the sequential test, nor the exception test and NPPF footnote 62 sets out that minor development includes small non-residential extensions (with a footprint of less than 250m<sup>2</sup>). The proposed non-residential development is considered to be a minor development, amounting to an extension to the existing use of the site and has a footprint of less than 250m<sup>2</sup>. As such the proposal does not trigger the requirement for a sequential test as set out in Section 14 of the NPPF. The proposed bird hide and associated refuse store are considered to fall within the

“water compatible development” category as defined in Annex 3 of the NPPF. This is on the basis that the development is directly related to water-based recreation and nature conservation activity (bird watching) and therefore requires direct visual and physical proximity to Fleet Lagoon. The PPG confirms that water-compatible development in Flood Zone 3 is not subject to the Exception Test. This is because this category of development, by its nature, requires a location within areas that may be at risk of flooding in order to function properly.

13.18 Notwithstanding this the NPPF (footnote 63) requires a site-specific flood risk assessment to demonstrate that the proposed development should be safe for its lifetime and will not increase flood risk elsewhere. As such the application is supported by a site specific Flood Risk Assessment (FRA), which sets out that the proposed ‘bird hide and refuse bin store’ can be classified as a ‘water-compatible’ development, based on birdwatching as an outdoor sport and recreational activity requiring essential facilities, which in this case is a bird hide. The FRA recommends that given the assessed medium flood risk, the applicant should:

- sign up to the EA Flood Alert System,
- have a Flood Warning and Evacuation Plan (FWEP); and
- incorporate flood resilience measures.

13.19 The EA have raised no objection to the proposed development but advise that a bespoke FWEP should be provided to the satisfaction of the Local Planning Authority (LPA). Safe access and egress to the site in the event of a flood needs to be considered. The EA indicate in their response that a 1 in 200 yr flood depth at this site, over the 50 year lifetime of the development, could be 588mm which under the hazard rating system would represent a “danger for most”. However, what is proposed is not residential accommodation, nor any form of more vulnerable use and access to the hide would be controlled by the site operator, such that were there to be a flood warning it would be expected that the hide would be closed, negating the need for evacuation should the flood occur. As such, it is considered that the proposed development would be acceptable in terms of flood risk subject to a condition requiring the development to be carried out in accordance with the FRA and that a FWEP is submitted and approved by the LPA prior to first use of the development.

### **Economic benefits**

13.20 It is considered that the proposed development would make a small contribution to the local economy through the likely spend of visitors to the Chesil Beach Centre.

### **Highways**

13.21 Local Plan Policy COM7 sets out that development will not be permitted unless it can be demonstrated that it would not have a severe detrimental effect on road safety, or measures can be introduced to reasonably mitigate potentially dangerous conditions.

13.22 The Highway Authority has no objection to the proposal, but has set out that given the building work required to carry out the development and the only access being from the adjacent A354 which provides the sole vehicular access to Portland and an attractive route for active travel, a pre-commencement construction traffic management statement (CTMS) needs to be submitted and approved to ensure that the negative impacts of construction are minimised.

13.23 The applicant has agreed to a pre-commencement condition for a CTMS.

13.24 Therefore, subject to the above condition, the proposal is considered acceptable in terms of highway impact.

### **Biodiversity**

13.25 The application site is subject to the Biodiversity Net Gain de minimis exemption.

- 13.26 The application site lies in close proximity to the Chesil & Fleet Site of Scientific Interest (SSSI) and Special Area of Conservation (SAC), Chesil Beach & the Fleet Special Protection Area (SPA) and Ramsar. These designations reflect the high ecological sensitivity of the area.
- 13.27 Natural England (NE) were consulted and raised no objection to the proposal subject to the appropriate consideration and securing of ecological mitigation. NE advised that ecological information supporting the application should be approved by the Dorset Council Natural Environment Team (NET) prior to the grant of planning permission.
- 13.28 In response, NET has reviewed the submitted Ecological Impact Assessment (EclA) and Biodiversity Plan (BP) and has issued a certificate of approval dated 6 March 2026 under the Dorset Biodiversity Protocol.
- 13.29 As such, the proposed development is considered to be acceptable in terms of its impact on biodiversity, subject to a condition requiring the development to be carried out in accordance with the approved Biodiversity Plan.

### **Habitats Regulation Assessment**

- 13.30 Dorset Council, as competent authority, has undertaken a Habitats Regulations Assessment (HRA) screening in accordance with the Conservation of Habitats and Species Regulations 2017 (as amended).
- 13.31 The HRA screening has considered whether the proposed development, either alone or in combination with other plans or projects, would be likely to have a significant effect on the qualifying features of the Chesil & The Fleet SAC, SPA and Ramsar site.
- 13.32 Having regard to:
- the modest scale and nature of the development,
  - its direct functional relationship with the existing visitor centre,
  - the absence of pathways for significant effects, including disturbance, habitat loss or deterioration, and
  - The absence of any direct habitat loss within designated sites,
- 13.33 It is concluded that the proposal would not be likely to have a significant effect on the integrity of any European site, either alone or in combination with other plans or projects.
- 13.34 This conclusion is consistent with the consultation response from Natural England and the technical review undertaken by the Council's Natural Environment Team.
- 13.35 Accordingly, the Local Planning Authority is satisfied that the requirements of Regulation 63 of the Habitats Regulations are met, and that an Appropriate Assessment is not required in this instance.

### **Amenity**

- 13.36 The application site is located approximately 440m away from the nearest residential dwelling and given the modest scale of the building and the existing use of the site which will not change, the proposal is not considered to result in any significant adverse impacts on amenity.

## **14 Conclusion**

- 14.1 The proposal has been assessed against the development plan as a whole and all relevant material considerations. Whilst the site is subject to environmental constraints, including its location within Flood Zone 3 and proximity to nationally and internationally designated ecological sites, the development is modest in scale and functionally related to the existing

visitor centre. It has been demonstrated, having regard to the submitted technical information and the responses of consultees including the Environment Agency and Natural England, that the proposal would not give rise to unacceptable impacts in respect of flood risk, biodiversity, landscape character, amenity or highway safety, subject to appropriate conditions.

- 14.2 The scheme would deliver identifiable public benefits, including enhancing the visitor offer, improving accessibility to nature-based recreation, and supporting sustainable tourism consistent with local and national policy objectives. When these benefits are weighed against the site constraints, no adverse impacts have been identified that would significantly and demonstrably outweigh the benefits of the development.
- 14.3 Accordingly, the proposal is considered to accord with the relevant policies of the West Dorset, Weymouth & Portland Local Plan (2015), the Portland Neighbourhood Plan, and the National Planning Policy Framework (2025 as amended). There are no material considerations which indicate that permission should be refused and, in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, planning permission should be granted subject to conditions.

## 15 **Recommendation**

Grant planning permission subject to the following 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 Plan – Dwg no. 25/052/01

Proposed Block Plan – Dwg no. 25/052/02

Proposed Site Plan – Dwg no. 25/052/03 Amendment: A

Bird Hide Proposed Arrangements – Dwg No. 25/052/04 Amendment: A

Sections A:A and B:B – Dwg no. 25/052/05

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

3. Before the development hereby approved commences a Construction Management Traffic Statement must be submitted to and approved in writing by the Planning Authority. This should include:
  - a programme of construction works and anticipated deliveries
  - construction vehicle details (number, size, type and frequency of movement)
  - location of construction site access
  - details of how construction plant and vehicles will, as much as possible, be contained within the site
  - contractors' arrangements (compound, storage, parking, turning, surfacing and drainage), if applicable

The development must be carried out strictly in accordance with the approved Construction Traffic Statement.

Reason: To minimise the likely impact of construction traffic on the surrounding highway network and prevent the possible deposit of loose material on the adjoining highway.

4. Before the development hereby approved commences a Flood Warning and Evacuation Plan (FWEP), shall be submitted to and approved in writing by the Local Planning Authority. The FWEP shall include details of flood warning arrangements, evacuation procedures, identification of safe refuge areas, and roles and responsibilities for implementation.

The approved FWEF shall thereafter be implemented in full prior to the first use of the development and shall be maintained and adhered to for the lifetime of the development

Reason: In order to safeguard and minimise the risk posed to the building's users from flooding.

5. The development hereby approved shall be carried out and maintained in accordance with the Flood Risk Assessment reference P292/FRA by GWD Consulting Engineers.

Reason: In order to safeguard and minimise the risk of the impacts of flooding.

6. The development shall be carried out strictly in accordance with the biodiversity mitigation, compensation and enhancement strategy set out within the approved Ecological Impact Assessment (EcIA), approved by the Dorset Council Natural Environment Team on 6<sup>th</sup> March 2026.

No part of the development hereby approved must not be first brought into use unless and until:

- i) the mitigation, compensation and enhancement measures detailed in the approved EcIA have been completed in full, in accordance with any specified timetable; and
- ii) evidence of compliance, including photographic evidence, in accordance with section F of the approved Biodiversity Plan has been supplied to the Local Planning Authority.

The development shall subsequently be implemented entirely in accordance with the approved EcIA and thereafter the approved mitigation, compensation and enhancement measures must be permanently maintained and retained in accordance with the approved EcIA for the lifetime of the development.

Reason: To mitigate and compensate for impacts on ecological receptors, and to provide biodiversity gains.

## **Informatives:**

### Informative: National Planning Policy Framework Statement

1. In accordance with paragraph 39 of the NPPF the council, as local planning authority, takes 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/agent was updated of any issues and provided with the opportunity to address issues identified by the case officer.
- The applicant was provided with pre-application advice.

### Biodiversity Net Gain

2. The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for development of land in England is deemed to

have been granted subject to the condition (biodiversity gain condition) that development may not begin unless:

- (a) a Biodiversity Gain Plan has been submitted to the planning authority, and
- (b) the planning authority has approved the plan.

The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan, if one is required in respect of this permission would be Dorset Council.

There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. These are listed in full in a subsequent informative below.

Based on the information available this permission is considered to be one which will not require the approval of a biodiversity gain plan before development is begun because one or more of the statutory exemptions or transitional arrangements are considered to apply.

- Development below the de minimis threshold, meaning development which:
  - i) does not impact an onsite priority habitat (a habitat specified in a list published under section 41 of the Natural Environment and Rural Communities Act 2006); and
  - ii) impacts less than 25 square metres of onsite habitat that has biodiversity value greater than zero and less than 5 metres in length of onsite linear habitat (as defined in the statutory metric).

Read more about Biodiversity Net Gain at

<https://www.dorsetcouncil.gov.uk/w/biodiversity-net-gain>

### 3. Statutory Exemptions and Transitional Arrangements in respect of the Biodiversity Gain Plan

1. The application for planning permission was made before 12 February 2024.

2. The planning permission relates to development to which section 73A of the Town and Country Planning Act 1990 (planning permission for development already carried out) applies.

3. The planning permission was granted on an application made under section 73 of the Town and Country Planning Act 1990 and

(i) the original planning permission to which the section 73 planning permission relates\* was granted before 12 February 2024; or

(ii) the application for the original planning permission\* to which the section 73 planning permission relates was made before 12 February 2024.

4. The permission which has been granted is for development which is exempt being:

4.1 Development which is not 'major development' (within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015) where:

- i) the application for planning permission was made before 2 April 2024;
- ii) planning permission is granted which has effect before 2 April 2024; or
- iii) planning permission is granted on an application made under section 73 of the Town and Country Planning Act 1990 where the original permission to which the section 73 permission relates\* was exempt by virtue of (i) or (ii).

4.2 Development below the de minimis threshold, meaning development which:

- i) does not impact an onsite priority habitat (a habitat specified in a list published under section 41 of the Natural Environment and Rural Communities Act 2006); and
- ii) impacts less than 25 square metres of onsite habitat that has biodiversity value greater than zero and less than 5 metres in length of onsite linear habitat (as defined in the statutory metric).

4.3 Development which is subject of a householder application within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015. A “householder application” means an application for planning permission for development for an existing dwellinghouse, or development within the curtilage of such a dwellinghouse for any purpose incidental to the enjoyment of the dwellinghouse which is not an application for change of use or an application to change the number of dwellings in a building.

4.4 Development of a biodiversity gain site, meaning development which is undertaken solely or mainly for the purpose of fulfilling, in whole or in part, the Biodiversity Gain Planning condition which applies in relation to another development, (no account is to be taken of any facility for the public to access or to use the site for educational or recreational purposes, if that access or use is permitted without the payment of a fee).

4.5 Self and Custom Build Development, meaning development which:

- i) consists of no more than 9 dwellings;
- ii) is carried out on a site which has an area no larger than 0.5 hectares; and
- iii) consists exclusively of dwellings which are self-build or custom housebuilding (as defined in section 1(A1) of the Self-build and Custom Housebuilding Act 2015).

4.6 Development forming part of, or ancillary to, the high speed railway transport network (High Speed 2) comprising connections between all or any of the places or parts of the transport network specified in section 1(2) of the High Speed Rail (Preparation) Act 2013.

\* “original planning permission means the permission to which the section 73 planning permission relates” means a planning permission which is the first in a sequence of two or more planning permissions, where the second and any subsequent planning permissions are section 73 planning permissions.

# Agenda Item 6

|                            |                                                                                                                                                 |
|----------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Application Number:</b> | P/LBC/2026/01598                                                                                                                                |
| <b>Webpage:</b>            | <a href="https://planning.dorsetcouncil.gov.uk/plandisp.aspx?recno=427492">https://planning.dorsetcouncil.gov.uk/plandisp.aspx?recno=427492</a> |
| <b>Site address:</b>       | 142 The Esplanade Weymouth DT4 7PB                                                                                                              |
| <b>Proposal:</b>           | Replacement of the rear dormer casement-style windows at roof level                                                                             |
| <b>Applicant name:</b>     | Mr James Lee                                                                                                                                    |
| <b>Case Officer:</b>       | Nicola Yeates                                                                                                                                   |
| <b>Ward Member(s):</b>     | Cllr Orrell                                                                                                                                     |

1. This application has been brought to committee as the building 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 No.142 Esplanade, Marina Court Hotel, is Grade II Listed, a group listing with No.123-138 known as Victoria Terrace. No.142 is a mid-terrace 3 storey property with a lower ground floor and attic space. The property fronts onto the Esplanade with views towards the beach and Weymouth Bay. To the rear of the property there are various extensions and parking spaces which can be accessed from Victoria Street. The rear elevation of the main element of the property is the subject of this application with the dormer being located at attic level.
- 4.2 No.142 forms part of a prominent group of buildings located within the Weymouth Town Centre Conservation Area. The significance of this terrace of properties is derived from their architectural, historic and group value and are considered to make a positive contribution to the Conservation Area.

## 5. Description of development

Replacement of the rear dormer casement-style windows at roof level.

## 6. Background and relevant planning history

88/00852/LBC - Decision: GRA - Decision Date: 23/11/1988

Extension to basement and ground floor and provision of en-suite shower rooms and bathrooms to guest bedrooms.

88/00851/FUL - Decision: GRA - Decision Date: 23/11/1988

Extension to basement and ground floor and provision of en-suite shower rooms and bathrooms to guest bedrooms.

WP/14/00381/LBC - Decision: GRA - Decision Date: 25/10/2016

Re-roofing of existing flat roof to rear.

WP/16/00534/LBC - Decision: GRA - Decision Date: 14/09/2016

Roof repairs (new battens and felt).

## **7. List of constraints**

Grade II Listed VICTORIA TERRACE, 123-138, ESPLANADE HE Reference: 1365870 (*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 supports this application and raises no objection.
- 2. Melcombe Regis Ward Member** – No comment 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

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

#### **West Dorset, Weymouth and Portland Local Plan (2015)**

ENV4 Heritage Assets

#### **Made Neighbourhood Plan**

Weymouth Neighbourhood Plan - 2021-2039 - (made 29/01/2026)

W45 - Heritage assets

### 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 – 31 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 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).

## **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 replace the existing casement-style window arrangement located at attic level (rear elevation) within the existing flat roof dormer. The proposal benefitted from pre-application advice which has informed this application.
- 13.2 The replacement window arrangement would be of a 'like for like' style and design comprising of 2no. sections each with 4no. opening casements (2no. side opening and 2no. top opening).

- 13.3 As stated within the submitted documentation, the proposal is required as the existing windows are in poor condition, ill-fitting and with significant wet rot deterioration present behind the current paint coating.
- 13.4 The existing is a softwood timber casement-style dormer window arrangement with single glazing, glazing bars and painted white.
- 13.5 The existing casement-style dormer window arrangement is considered a modern addition and therefore the proposal would not see a loss of historic fabric.
- 13.6 The proposed replacement would be to match the existing; softwood timber casement-style dormer window arrangement with glazing bars and painted white. However, there would be the introduction of double glazing to improve the thermal performance. The submitted detail drawings show 14mm Slimlite double glazing with traditional glazing bars (rather than applied bars) which is supported.
- 13.7 The proposal would preserve this listed building addressing draft and water ingress issues whilst not altering the character and appearance of the host building nor the neighbouring Listed buildings.
- 13.8 The location of the dormer means it is clearly visible from outside of the site and the wider Conservation Area. However, as the proposal would not see the buildings character and appearance altered, the proposal would not impact the street scene nor the encompassing Conservation Area.

#### **14. Conclusion**

- 14.1 It is concluded that the proposal would preserve the special architectural and historic interest of this heritage asset and therefore would not result in harm to the significance of the Listed building. The proposal would not result in harm to the neighbouring Listed buildings nor 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 (as amended 2025) and applying Sections 66 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:

AC0000830671 Location plan  
3586 Heritage glass casement window elevation  
3585 Heritage glass casement window sections

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

3. All new and replacement windows shall have a white finish colour to the external paintwork.

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.